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ALBANY, NEW YORK

May 6, 1997

3:06 p.m.

REGULAR SESSION

LT. GOVERNOR BETSY McCAUGHEY ROSS, President

STEPHEN F. SLOAN, Secretary

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P R O C E E D I N G S

THE PRESIDENT: The Senate will come to order. Would you please rise and join with me in the Pledge of Allegiance.

(The assemblage repeated the Pledge of Allegiance to the Flag.)

The invocation today will be given by Bishop Muriel Grant of the Mt. Olivet Discipleship in Christ from Brooklyn, New York.

Bishop Grant.

BISHOP MURIEL GRANT: Let us pray. May the infinite power of the Almighty God abide with us now. Bless our land, O God. Give us abundance of increase from labor and/or produce. So rule the hearts of Thy servants, the President of these United States, the governors of states and all others in authority, in so doing to affirm our covenant with You as it was so given at the inception of the Republic for which it stands. May we be so strengthened in Your mind as one nation under God, for in quietness and confidence shall be Your strength.

And now, most gracious God, I humbly beseech Thee as for the people of these

1 United States in general but so especially for  
2 this Senate here assembled, Republicans and  
3 Democrats, bless, O Lord, this, their counseling  
4 session. Heal their infirmities. Direct and  
5 prosper all Senate consultations, giving them  
6 wisdom of laws needed for effective leadership  
7 in their advancement of Thy glory, the good of  
8 Thy church, the safety, honor and welfare of Thy  
9 people, that things ordered and settled by the  
10 endeavor of this Senate will rest upon the best  
11 and surest foundation, that peace, happiness,  
12 truth, justice, religion and piety may be  
13 established amongst us for all generations, this  
14 being truly indivisible as a nation.

15 These and other necessities for  
16 them, for us, the whole church, I humbly beg in  
17 the name of Jesus Christ, my most blessed savior  
18 and Lord. By the power of God vested in me, the  
19 blessings of God, the Father, the Son, the Holy  
20 Ghost rest and remain with you now and forever.  
21 Amen.

22 THE PRESIDENT: Amen.

23 The reading of the Journal,  
24 please.

25 THE SECRETARY: In Senate,

1 Monday, May 5th. The Senate met pursuant to  
2 adjournment. The prayer by Rabbi Sholom Stern,  
3 Temple Beth-El, Cedarhurst, New York. The  
4 Journal of Friday, May 2nd, was read and  
5 approved. On motion, the Senate adjourned.

6 ACTING PRESIDENT KUHL: Hearing  
7 no objection, the Journal stands approved as  
8 read.

9 Presentation of petitions.  
10 Messages from the Assembly.  
11 Messages from the Governor.  
12 Reports of standing committees.  
13 The Secretary will read the  
14 report of the Finance Committee.

15 THE SECRETARY: Senator Stafford,  
16 from the Committee on Finance, offers the  
17 following nomination:

18 Member of the New York State  
19 Racing and Wagering Board: Michael J. Hoblock,  
20 Jr., of Loudonville.

21 ACTING PRESIDENT KUHL: The Chair  
22 recognizes Senator Stafford, on the nomination.

23 SENATOR STAFFORD: Mr. President,  
24 I'm sure a number of Senator Hob... once a  
25 Senator, always a Senator -- Senator Hoblock's

1 colleagues will want to say some very supportive  
2 things for a very dedicated public servant.

3 We make a lot of friends in  
4 government, Mr. President. Mike Hoblock is  
5 always a gentleman. He's always a tireless  
6 worker and he's always a dedicated public  
7 servant. He served well. He served in the  
8 Assembly. He was out of the Assembly for  
9 awhile. He had the good judgment -- yeah, good  
10 judgment to come back to the Legislature and  
11 serve in the Senate. Mike Hoblock always has  
12 had time for everyone, everyone.

13 Mr. President, he didn't serve by  
14 press release. He didn't serve by looking  
15 busy. He's always been busy at anything that he  
16 does, whether he's practicing law, whether he's  
17 in the Assembly, whether he's in the Senate and  
18 he had, as I say, time for everybody.

19 Mike Hoblock made this Senate a  
20 better place. He made the Assembly a better  
21 place. Serving as County Executive in Albany,  
22 and when you're County Executive, the buck stops  
23 there and, again, he served with distinction,  
24 and from 1985 to 1991, he served on the Colonie  
25 Town Board, again with distinction, always

1       having time for everyone and, Mr. President,  
2       different than some of us -- and I'm including  
3       myself -- always a gentleman, always a  
4       gentleman.

5                       The Governor certainly is to be  
6       complimented to appoint Mike Hoblock as Chairman  
7       of the Racing and Wagering Board, a very  
8       sensitive position, a position where we need  
9       someone who has the ability to handle very  
10      sensitive issues and we know he will. He will  
11      do it in fairness. He'll do it with distinction  
12      and he'll do it with a sense of decency.

13                      So, Mr. President, it is my  
14      pleasure, together with many others here today,  
15      who will have, I'm sure, many things to say here  
16      and what I say deserves little more than a  
17      footnote.

18                      Again, I say it's a pleasure to  
19      move his confirmation. I apologize to the  
20      Leader. I was called upon and my name was  
21      called. I didn't realize you were still here or  
22      I would not have spoken first but I just say,  
23      again, we're all very, very pleased to add this  
24      fine appointment before us and I might say that  
25      he passed the Senate Finance Committee and I

1 believe also the -- Senator Larkin's committee  
2 today with flying colors.

3 We're honored to have him before  
4 us and this state has been a better place  
5 because of Mike Hoblock and the state will  
6 consider -- continue to be a better place  
7 because of Mike Hoblock serving in this very,  
8 very sensitive and important position and,  
9 again, Mr. President, it is a pleasure for me to  
10 join my colleagues in this confirmation.

11 ACTING PRESIDENT KUHL: The Chair  
12 recognizes Senator Bruno, on the nomination.

13 SENATOR BRUNO: Thank you very  
14 much, Mr. President and Senator Stafford,  
15 colleagues.

16 Senator Stafford certainly said  
17 the appropriate things and thank you for that.  
18 I just want to add my voice to Mike, Karen, to  
19 his family, in that Mike has been what all of us  
20 can look to as an individual who is committed,  
21 dedicated to public service in all of his  
22 offices, really, I think culminating his skills  
23 in elected office right here in the Senate.

24 The Governor is to be commended  
25 because this position, chairing the Racing and

1       Wagering Commission is critically important,  
2       especially now over these next several years, to  
3       all of the people in this state and we need  
4       someone like Mike, with his legislative  
5       experience, his executive experience, his  
6       experience in business, experience in dealing  
7       with very complicated and complex issues.

8               On the racing side alone, we have  
9       some huge decisions that will affect thousands  
10      of people and literally hundreds of millions of  
11      dollars as relates to the people of this state.

12             Gambling, charitable, casinos, a  
13      subject that's very, very sensitive, very  
14      involved, dealing with Native Americans, takes a  
15      person of Mike Hoblock's stature and commitment  
16      to deal and cope with issues like this.

17             So I'm very comfortable being  
18      here supporting Mike Hoblock, and I look forward  
19      to his expanded service on behalf of all of the  
20      people of this state, for all the good things  
21      that he will do to enhance the quality of life  
22      in this position for all of us.

23             Thank you, Mr. President.

24             ACTING PRESIDENT KUHL: The Chair  
25      recognizes Senator Larkin, on the nomination.

1                   SENATOR LARKIN: Thank you, Mr.  
2                   President.

3                   It's pretty hard to follow the  
4                   Majority Leader and the Chairman of the Finance  
5                   Committee, but I guess I can go back to my days  
6                   joining the Assembly with Mike Hoblock when we  
7                   came in in the '70s.

8                   I've always found Mike Hoblock to  
9                   be a person who knew how to negotiate and knew  
10                  how to take up the concerns of somebody else and  
11                  carry them forward to a successful conclusion  
12                  for what the goals were.

13                  Michael's whole career -- most of  
14                  us will look around here at his career in public  
15                  service, but some of us will also look beyond  
16                  that to look at his career in the Armed Forces.  
17                  Michael's tours in Vietnam were as an infantry  
18                  officer in the Marine Corps and as a Judge  
19                  Advocate. He'd come back home and did things  
20                  that are community service and everything he did  
21                  was to promote something good for the people.

22                  The Governor's appointment of  
23                  Mike Hoblock will be very significant for us not  
24                  only in this chamber but in the other house  
25                  because he has worked at both houses and so he

1 knows the members. He knows the trials and  
2 tribulations that we go through. He knows that  
3 there are certain things that must be done and  
4 he'll be a worker and a partner with us.

5 As the Senate Majority Leader  
6 said, Michael is coming in at a time when  
7 there's tremendous changes in racing and  
8 wagering. Years ago we never thought about the  
9 Internet. Last week in talking with Mike, we  
10 went over the problems that are there and what  
11 are facing us and his quick willingness was to  
12 say, "Well, you know, as soon as I get my feet  
13 under my desk for a day, I would like to come  
14 down and work together with both committees in  
15 both houses and to talk about how we address the  
16 issues as a group, not as a single person, not  
17 as how I see things that will be done." That  
18 characterizes Mike Hoblock, how he has always  
19 operated. He has operated to work as a team and  
20 to be something that we can all be proud of.

21 When we look at the issues that  
22 we started in January with casinos -- we look at  
23 riverboats, we look at every aspect of gambling  
24 -- this will be all laid at Mike's table and we  
25 sure are proud that Mike Hoblock will be leading

1           it and helping us to do the job that's important  
2           for all of us.

3                         I congratulate you, Mike. I  
4           wouldn't want your heartache.

5                         ACTING PRESIDENT KUHL: Senator  
6           Farley, on the nomination.

7                         SENATOR FARLEY: Thank you, Mr.  
8           President.

9                         I rise to support this nomination  
10          and congratulate the Governor on this  
11          outstanding selection.

12                        You know, racing and wagering  
13          requires a person of stature, of impeccable  
14          integrity. You know, Mike Hoblock, Senator  
15          Hoblock, has served in almost every level of  
16          government, town government, county government,  
17          the Assembly, the Senate, and all through those  
18          years there hasn't been a scintilla of  
19          reflection on his character. He's a man of  
20          honor, a Bronze Star winner.

21                        You know, Mike, as a Capital  
22          District Senator, we served together, you and I  
23          and Senator Bruno and I'll tell you, the job  
24          that you did for Albany County and for this  
25          district was remarkable and I'll tell you, in my

1 judgment, they made a dreadful mistake by not  
2 returning you because you were one of the finest  
3 Senators that ever served here.

4 Let me just say this. I wish you  
5 and your lovely wife a wonderful job -- a  
6 wonderful career, and I know that I asked you in  
7 the Racing and Wagering Committee whether you  
8 got her permission for this job and you assured  
9 me that you did, but we wish you well. We're  
10 very, very proud of you and it's with enthusiasm  
11 that I support your nomination.

12 ACTING PRESIDENT KUHL: Senator  
13 Libous, on the nomination.

14 SENATOR LIBOUS: Thank you, Mr.  
15 President.

16 I too want to rise and speak on  
17 the nomination and follow what Senator Bruno and  
18 my colleagues have said.

19 Mike Hoblock, who I had the  
20 pleasure of serving with and actually got to  
21 know a little bit when he was county executive,  
22 Mr. President, I am thrilled that the Governor  
23 made this decision. You heard a lot of things  
24 about Mike and you will hear more before this  
25 session is over, but I think the one thing that

1 I can say is that Mike has always treated me  
2 with respect and he's a gentleman, a gentleman  
3 in dealing with a number of different  
4 constituencies. When he served as county  
5 executive and spoke to those of us who were in  
6 the Legislature during times when we didn't  
7 always pass the right piece of legislation that  
8 gave counties the added assistance that they  
9 needed -- maybe sometimes we put an additional  
10 burden on the counties -- Mike would come in,  
11 present a very positive case to us; even though  
12 he was upset because he had a responsibility to  
13 the people he represented, he would still treat  
14 us as gentlemen. He would lay out the case and  
15 kind of smile and walk out the door.

16 Mr. President, I just want to  
17 again applaud the Governor. I think Mike  
18 Hoblock will be a tremendous addition and will  
19 serve as a fine chairman.

20 ACTING PRESIDENT KUHL: Senator  
21 Breslin, on the nomination.

22 SENATOR BRESLIN: Thank you, Mr.  
23 President.

24 I rise not as a Democrat but as  
25 someone who has known Mike Hoblock for 25

1 years. Mike and I are the same age and have  
2 practiced law in this community as friends.

3 Mike Hoblock has been a dedicated  
4 public servant for in excess of 20 years, and I  
5 think the Governor has made a very wise choice,  
6 and I know he will continue to serve the people  
7 of New York State as he has in the past, and I  
8 share with Mike and his wife Karen and his  
9 entire family in applauding the decision.

10 Thank you.

11 ACTING PRESIDENT KUHL: Senator  
12 DeFrancisco, on the nomination.

13 SENATOR DeFRANCISCO: I want to  
14 also rise and congratulate the Governor. You  
15 know, you meet a lot of people in this business,  
16 some people who really leave an impression with  
17 you, people of outstanding character and  
18 integrity and that's why I rise on behalf of  
19 this nomination. I think that there's no finer  
20 man that I've met in public service than the man  
21 who's being nominated for this position.

22 Mike, you're a credit to everyone  
23 that has touched -- that you have touched over  
24 these years. You are a credit to this state and  
25 you're going to be a great credit to the board

1 that you're just going on presently. It's a  
2 board which needs someone of unquestioned  
3 integrity and of the highest character and the  
4 Governor has appointed just the right person for  
5 that job.

6                   Congratulations and best of  
7 everything to you.

8                   ACTING PRESIDENT KUHL: Senator  
9 Nozzolio, on the nomination.

10                   SENATOR NOZZOLIO: Thank you, Mr.  
11 President.

12                   My colleagues, it has been an  
13 honor for me to serve in this great legislative  
14 body and in the great legislative body, the  
15 Assembly, but for ten years in the Assembly and  
16 two years here, that honor was magnified by  
17 having the opportunity to stand with, be a  
18 member of the same Conference as this nominee,  
19 Mike Hoblock.

20                   There's an echo going around the  
21 chamber this afternoon, an echo that talks about  
22 integrity. It talks about leadership. It talks  
23 about a man of action. Well, I want to add to  
24 that echo because it should resound throughout  
25 this chamber that what Governor Pataki has put

1 before us in the nomination of Mike Hoblock is a  
2 vote that each and every one of us could look  
3 back on at the end of our careers and say that  
4 was one of the proudest nominations that we ever  
5 endorsed.

6 Senator Bruno said that the times  
7 require a person to be Chairman of the Racing  
8 and Wagering Board, to be a person of great  
9 integrity and one of action, one who understands  
10 issues and can work with all areas of  
11 government, all areas of the private sector and  
12 work out solutions to the number -- the numerous  
13 problems which come before this industry, an  
14 industry that as I can emphatically say is at a  
15 crossroads and there's no one better to deal  
16 with its problems and present solutions and work  
17 to build coalitions than Mike Hoblock.

18 Mike, it has been an honor to  
19 serve with you in the Legislature and I am just  
20 very grateful to the Governor for this  
21 nomination and grateful to you for giving up  
22 what you have had to give up in the private  
23 sector to be part of this government. Thank you  
24 very, very much.

25 My colleagues, I certainly

1 endorse wholeheartedly the nomination of Mike  
2 Hoblock.

3 ACTING PRESIDENT KUHL: Senator  
4 Waldon, on the nomination.

5 SENATOR WALDON: Thank you very  
6 much, Mr. President, my colleagues.

7 Rarely have I had the sense of  
8 good feeling internally about someone that we  
9 were going to support in terms of the Governor's  
10 recommendation than I have today and my feelings  
11 towards Mike Hoblock go way beyond professional  
12 recognition of how skilled he is.

13 One, when I was in the police  
14 department in the city of New York, I learned to  
15 admire and respect those from the Corps who, for  
16 the most part when I ran the Academy were the  
17 guys who were in charge of the various squads  
18 that I had to supervise; two, I watched the way  
19 he handled himself when we were both in the  
20 Assembly and here in the Senate, always with  
21 great dignity, always with great poise, always  
22 with a bright and incisive mind.

23 I like him on a personal level  
24 for a whole host of reasons. He's affable.  
25 He's warm. He's straightforward. He's always

1       dealt with me arm's length and in an honest  
2       fashion, and so I think that this is one of our  
3       proudest moments, to see someone who came up  
4       from the Assembly, to be an executive at the  
5       county level, to come back into the legislative  
6       process here in the Senate and then after a very  
7       difficult, I'm sure, experience in his last  
8       campaign, to come back to serve the people of  
9       the state of New York, and so I am awfully proud  
10      today to be able to say that I was one of those  
11      who seconded the nomination of a great person  
12      from New York State who will do, in my opinion,  
13      an exemplary job as our new commissioner/  
14      director of racing for the state of New York,  
15      the Honorable Michael Hoblock, a Marine, a real  
16      man.

17                            ACTING PRESIDENT KUHL:  Senator  
18      Connor, on the nomination.

19                            SENATOR CONNOR:  Thank you, Mr.  
20      President.

21                            Let me say on my behalf  
22      personally, and I know I speak for my Democratic  
23      colleagues who may not be available to speak  
24      today, that we are delighted to support this  
25      nomination, having served with Mike Hoblock,

1       some of us, for a number of years in the  
2       Legislature when he was in the other house and  
3       when he was a colleague here, that we certainly  
4       all learned to respect Mike Hoblock.

5               We respected his integrity, his  
6       honesty, his hard work, his straightforward  
7       demeanor and his -- you know, when we stress all  
8       these virtues, we sometimes leave out that  
9       someone is without humor and I know Mike is  
10      quite the contrary. He's someone who is also an  
11      enjoyable companion for conversation and good  
12      humor. I'm certainly happy to support his  
13      nomination. I'm confident he'll do a good job  
14      at Racing and Wagering.

15              Mike, if I can, you know the  
16      vicissitudes of partisan politics, no one worked  
17      harder than I did -- well, with one exception -  
18      to get you this higher paying job. We wish you  
19      well in your future endeavors and we certainly  
20      know you will do a fine job.

21              ACTING PRESIDENT KUHL: Senator  
22      Maziarz, on the nomination.

23              SENATOR MAZIARZ: Thank you, Mr.  
24      President.

25              Mr. President, when I was first

1       elected in a special election back in March of  
2       1995 -- it seems so long ago -- one of the many  
3       people in this chamber who, I think, really went  
4       out of his way to make me feel welcome and to  
5       help me out during the hectic days of that first  
6       couple of months in the Legislature -- and I was  
7       elected on a Tuesday and took office on a  
8       Thursday -- was Mike Hoblock, and I just want to  
9       join in seconding this nomination, Mike, and  
10      congratulate you and your family. I know you're  
11      going to do a tremendous job.

12                I want to be among the first of  
13      my colleagues from Western New York to invite  
14      you to come out to Western New York, Mike, and  
15      meet with some of the volunteer fire companies  
16      and some of the bingo organizations to talk  
17      about the new bell jar legislation.

18                So thank you.

19                (Laughter)

20                ACTING PRESIDENT KUHL: Senator  
21      Tully, on the nomination.

22                SENATOR TULLY: Thank you, Mr.  
23      President.

24                Mike, you know that all your  
25      colleagues miss you and we couldn't be happier

1 that you're getting this assignment.

2 I think you know that I'm opposed  
3 to gambling and wagering and you won't be  
4 getting any legislation or have to look at any  
5 legislation that I propose in that area, but I  
6 know for the people that I represent, that we  
7 can sleep comfortably at night knowing that  
8 someone of the great wisdom and intellect that  
9 you have and all of the things that have been  
10 said about you by my colleagues, primarily the  
11 fact that they can trust you and the people can  
12 trust you, I think my people can go to sleep and  
13 feel safely that someone like you is there and I  
14 wish you good luck and Godspeed.

15 ACTING PRESIDENT KUHL: Senator  
16 Gold, on the nomination.

17 SENATOR GOLD: Mr. President, I  
18 will be very brief, and I didn't really want to  
19 have to break into this but aside from the fact  
20 that we are confirming Senator Hoblock in this  
21 job, we are also showing some students from  
22 Queens County that all that happens in the  
23 Legislature is not necessarily adversarial and  
24 that there is respect that goes from one side of  
25 the aisle to the other and we have today 30

1 students from Queens who were brought here from  
2 the Queens County Bar Association, led by Judge  
3 Peter O'Donoghue and by Judge Daniel Lewis and  
4 president of the Bar Association, Stephen Singer  
5 and the executive director, Arthur Terranova and  
6 I am glad they are in Albany and we do do bills  
7 at some point, but this process is one by which  
8 the Governor proposes and we have the right to  
9 confirm and what you're seeing is the Minority  
10 Leader of the Senate, a Democrat, getting up and  
11 Senator Waldon, a Democrat, getting up and  
12 saying things which ought to be said about a  
13 former Republican colleague who is nominated by  
14 the Governor, and once we get away from some of  
15 the issues which can make some of us  
16 cantankerous -- certainly not me -- we -- or  
17 Senator Stafford -- we do try to respect the  
18 human being past some of the political ideas and  
19 if we can only break people like Mike Hoblock  
20 away from their political philosophies, we find  
21 a gentleman and a very decent guy, and I think  
22 that he will do a fine job in his new position  
23 and I hope he's there for a long, healthy period  
24 of time and that it brings joy and good things  
25 for him and his family.

1                   ACTING PRESIDENT KUHL:  Senator  
2           Meier, on the nomination.

3                   SENATOR MEIER:  Thank you, Mr.  
4           President.

5                   I did not have the privilege of  
6           serving in this body with Mike Hoblock, but I  
7           did have the honor of calling him my colleague  
8           as a fellow county executive and during that  
9           time, Mike Hoblock set the standard.  He set the  
10          standard for high personal integrity.  He set  
11          the standard for working hard and he set the  
12          standard for being a tough-minded administrator,  
13          and I think all of that shows you why the  
14          Governor has nominated him for this position and  
15          why everyone in this body, I think, is so proud  
16          to support that nomination.

17                   So as a former county executive  
18          myself, Mike, it's nice to see a kid from the  
19          old neighborhood doing well.  God bless!

20                   ACTING PRESIDENT KUHL:  Senator  
21          Seward, on the nomination.

22                   SENATOR SEWARD:  Thank you, Mr.  
23          President.

24                   One of the real pleasures of  
25          serving in this Legislature and in this Senate,

1 in particular, is getting to know both  
2 personally and professionally my colleagues and  
3 high on my list always will be Mike Hoblock as a  
4 colleague and as a friend.

5 It's already been said so well by  
6 so many of the members here today. Mike Hoblock  
7 is a man of integrity, a man of intelligence,  
8 conscientious, hard working, a true leader, a  
9 tough administrator. The bottom line is Mike  
10 Hoblock epitomizes what is best in public  
11 service and by bringing all of these attributes  
12 and qualities to the Racing and Wagering Board,  
13 there's no question in my mind that the racing  
14 industry will be better because of Mike  
15 Hoblock's leadership. All the other entities  
16 that come under the Racing and Wagering Board  
17 will be better because of Mike Hoblock's  
18 leadership and the people of this state will be  
19 better because of his leadership and activity on  
20 that board.

21 So, Mike, I simply rise to  
22 congratulate Governor Pataki on an outstanding  
23 choice, to congratulate you and Karen and the  
24 rest of your family. We wish you all the best,  
25 and Godspeed.

1                   ACTING PRESIDENT KUHL:  Senator  
2           Leibell, on the nomination.

3                   SENATOR LEIBELL:  Mr. President,  
4           I'm one of a number of people in this chamber  
5           who had the good fortune to serve with Mike  
6           Hoblock not only in this chamber, in the Senate  
7           but also in the other house, in the Assembly,  
8           and over the course of years, I can tell you  
9           I've built up a great deal of respect, respect  
10          for Mike Hoblock as an innovative legislator, as  
11          a man of great integrity and also as an  
12          individual with great energy.

13                  Mike, I know you're going to have  
14          a very successful career.  I congratulate our  
15          colleague and our friend, George Pataki, the  
16          Governor, for sending us a man of your stature  
17          to fill this very important position.

18                  Godspeed, Mike.

19                  ACTING PRESIDENT KUHL:  Senator  
20          Maltese, on the nomination.

21                  SENATOR MALTESE:  I rise together  
22          with my colleagues to commend the Governor on  
23          this fine appointment.

24                  A position of this sort requires  
25          the utmost in integrity and dedication as has

1       been indicated here, experience. Certainly if  
2       one were to search through the credentials or  
3       resumes of prospective applicants throughout the  
4       state and beyond the state, they would find no  
5       person more qualified than Mike Hoblock, as has  
6       been indicated especially by Ray Meier who has a  
7       unique vantage point as a former county  
8       executive and as a Senator to realize the  
9       potential and the experience and the depth of  
10      experience, depth and breadth of experience of  
11      Mike Hoblock. This is a position that cries out  
12      for the type of dedication, experience and  
13      background that Mike Hoblock has.

14                   I too commend the Governor and  
15      congratulate Mike and his family and wish them  
16      Godspeed.

17                   ACTING PRESIDENT KUHL: Senator  
18      Alesi, on the nomination.

19                   SENATOR ALESI: Thank you, Mr.  
20      President.

21                   As a relatively new member of  
22      this Senate, I remember my first few days coming  
23      here and knowing some of the people and not  
24      knowing some. As I stand here, I look up at  
25      Mike Hoblock. That's an easy thing for me to

1 do, not just here today presently looking up at  
2 you, Mike, but throughout the last year and a  
3 half that I have had the honor and privilege of  
4 serving here in the Senate.

5           Senators, as I arrived the first  
6 day in Conference, I had a hard time finding a  
7 seat, and it was Mike Hoblock that actually  
8 offered me his seat before the Leader let me for  
9 one day go over and sit next to him and I  
10 remember that, Mike. That's the kind of  
11 gentleman he is, the kind of Senator he is.  
12 It's the kind of person he is, and I watched  
13 throughout the last several months before Mike  
14 went on to now bigger and better things. You  
15 are the benchmark for me, Mike, and I applaud  
16 the Governor's selection and I'm sure that  
17 you'll do an exceptional job in your new  
18 endeavors just as you did in your previous  
19 endeavors, and it's a pleasure and a privilege  
20 to see you moving on.

21           ACTING PRESIDENT KUHL: Senator  
22 Lachman, on the nomination.

23           SENATOR LACHMAN: Yes. I also  
24 wanted to rise at this point to commend the  
25 Governor on the appointment of Senator Hoblock

1 to this important position.

2 I think the civility and the  
3 basic decency and intelligence that Senator  
4 Hoblock exhibited in his many years of public  
5 service not only continue but today serves as a  
6 prototype for the men and women of this chamber  
7 into the future because we have many, many  
8 difficult political issues that have not been  
9 resolved as yet, and I think the basic civility  
10 and decency of the remarks of Democrats and  
11 Republicans in your honor, Senator, can be a  
12 reflection of how we unravel some of the  
13 political problems that face us in the future.

14 ACTING PRESIDENT KUHL: Senator  
15 Holland, on the nomination.

16 SENATOR HOLLAND: Mr. President,  
17 I did not have an opportunity to work with  
18 Michael when he was in the Assembly but as  
19 Chairman of the Social Services Committee, I did  
20 have an opportunity to work with him when he was  
21 county executive and certainly had an  
22 opportunity when he was here in the Senate.

23 He's a very competent, capable  
24 young man. I know he will do an excellent job  
25 in his new job, and I want to congratulate

1 another former Marine, and it was nice to see  
2 Larkin choke when he said that about you,  
3 Michael.

4 Good luck.

5 ACTING PRESIDENT KUHL: Is there  
6 any other Senator wishing to speak on the  
7 nomination?

8 Senator Johnson.

9 SENATOR JOHNSON: Yes. Mr.  
10 President, I certainly would like to add my  
11 words of commendation to the Governor for  
12 sending us this nomination. Mike Hoblock is an  
13 exceptional person and before Joe Holland got  
14 up, I wanted to say semper fi' to Mike; you're a  
15 great guy. I wish you the best of luck.

16 ACTING PRESIDENT KUHL: Senator  
17 Levy, on the nomination.

18 SENATOR LEVY: Thank you very  
19 much, Mr. President.

20 I'm delighted to rise with my  
21 other colleagues on both sides of the aisle and  
22 congratulate Mike Hoblock, who is a great  
23 Senator. He's going to just be the greatest  
24 chair of this organization that you're going to  
25 head. We miss you. We wish you well and the

1 Governor is to be congratulated on just an  
2 extraordinary appointment.

3 Thank you very much, Mr.  
4 President.

5 ACTING PRESIDENT KUHL: Senator  
6 Stachowski, on the nomination.

7 SENATOR STACHOWSKI: I too would  
8 like to rise and congratulate the Governor on  
9 the selection of Mike Hoblock. I think that  
10 with all the racing questions that are coming  
11 up, the fairer treatment for horsemen by the  
12 OTBs, better treatment for the tracks by OTBs  
13 and some of the other gambling issues, I think  
14 that Mike will be the kind of guy that will be  
15 open and we will be able to talk to with our  
16 concerns, as well as the concerns of  
17 constituents, and I would like to say that  
18 although I didn't serve in the Assembly with  
19 Mike Hoblock, when Mike Hoblock was in the  
20 Assembly, he and I were two of the few guys that  
21 used the gym when nobody else wanted to go into  
22 it when all that fancy equipment wasn't in  
23 there, if you want to call what we have fancy.  
24 So we have a different kind of relationship, and  
25 I would just like to congratulate the Governor

1 and say that I think Mike will make a great  
2 commissioner.

3 ACTING PRESIDENT KUHL: Senator  
4 Onorato, on the nomination.

5 SENATOR ONORATO: Mr. President,  
6 I rise to join my colleagues in congratulating  
7 the Governor on a wonderful selection. I served  
8 with Mike Hoblock on the Veterans Committee and  
9 I can assure you, Senator Hoblock knows exactly  
10 where the finish line is, and I'm going to send  
11 him the latest book that I just finished  
12 writing, "How to Limit Your Losses at the  
13 Track."

14 Congratulations, Mike, and good  
15 luck to you.

16 (Laughter)

17 ACTING PRESIDENT KUHL: Is there  
18 any other Senator wishing to speak on the  
19 nomination?

20 Senator Marchi.

21 SENATOR MARCHI: I just can  
22 imagine how Mike Hoblock is reacting to all of  
23 this. Here on a bipartisan basis with genuine  
24 empathy, they're all professing the  
25 consideration they want extended to you while

1       you are here with us in this chamber, and that  
2       even included your old opponent, Senator  
3       Breslin. So that really it's a universal voice  
4       in this setting.

5                 Does he have the honor? Does he  
6       have the expertise? Does he have the capability  
7       of handling a situation? Well, he's proven that  
8       time and time again.

9                 One day I was asked to go before  
10      a women's group up in Albany. They were having  
11      a national conference and you, Senator, were -  
12      had legitimate reasons for not being there. You  
13      had some circumstances that had arisen. Well, I  
14      was asked to substitute and, you know, I  
15      revisited that splendid career that  
16      characterizes him.

17                Mention, I think was made by  
18      Senator Farley about the combat star. He was a  
19      Marine captain. He's a combat veteran and  
20      that's how he got his Bronze Star. He was  
21      willing to -- or available to putting his life  
22      on the line in the defense of freedom.

23                So with an individual like that,  
24      I believe the past is prologue and it was proven  
25      by his service in this chamber but it also

1 suggests to me -- and I hope you're listening,  
2 Mike -- you're not like me. You're a young  
3 fellow. So I don't believe that things will  
4 stop there. I wish you better and better things  
5 as time moves on because you've got the  
6 quality. You've got the commitment, the  
7 patriotism. You've got all of those  
8 characteristics that make for a splendid  
9 performance at even higher levels and I'm sure  
10 they're going to come your way.

11 So with that, Mr. President, I  
12 know that we are approaching a unanimous  
13 expression of our feeling for this great person,  
14 and I hope that he treasures this moment since  
15 it grew out of primarily his service here. It  
16 was so much more beyond his own participation in  
17 our work, going back decades, and I know that  
18 this will be reflected in future performances.

19 So I do hope that we come through  
20 with a unanimous verdict.

21 ACTING PRESIDENT KUHL: Is there  
22 any other Senator wishing to speak on the  
23 nomination?

24 (There was no response.)

25 Is there any other Senator

1 wishing to speak a second time on the  
2 nomination?

3 (There was no response.)

4 The question is on the nomination  
5 of Michael J. Hoblock, of Loudonville, to become  
6 a member of the New York State Racing and  
7 Wagering Board. All those in favor signify by  
8 saying aye.

9 (Response of "Aye".)

10 Opposed, nay.

11 (There was no response.)

12 The nominee is unanimously  
13 confirmed.

14 We're very, very pleased -

15 (Applause)

16 Michael, congratulations on  
17 behalf of Senator Bruno and all of the members  
18 who have spoken and those who have not spoken.  
19 As you can see, everybody is looking for slots  
20 in their district.

21 All kidding aside, we have all  
22 had a tremendous experience with you in the  
23 past. We know that you're going to do a  
24 terrific job. Certainly welcome you here to the  
25 chamber, your wife Karen. We're very, very

1 pleased, as I'm sure your father is, as he sat  
2 and listened to this, knowing full well that he  
3 had a part in your upbringing certainly and the  
4 state is in good hands and certainly the Racing  
5 and Wagering Board.

6 So congratulations and good  
7 luck. Godspeed.

8 (Applause)

9 The Secretary will read.

10 THE SECRETARY: Senator Stafford,  
11 from the Committee on Finance, offers the  
12 following nomination:

13 Member of the Industrial Board of  
14 Appeals: John M. Hekker, Esq., of Thiells.

15 ACTING PRESIDENT KUHL: Senator  
16 Stafford, on the nomination.

17 SENATOR STAFFORD: Mr. President,  
18 together with Mike Hoblock, the Governor has  
19 other excellent nominations before us today. We  
20 will be going through them. All were  
21 unanimously confirmed, as was Mike Hoblock.

22 We compliment the Governor and  
23 all those who were unanimously approved by the  
24 Senate Finance Committee and, as you say, the  
25 next is Jack Hekker, and I yield to the good

1 Senator Holland.

2 SENATOR HOLLAND: Rockland  
3 County.

4 ACTING PRESIDENT KUHL: The Chair  
5 recognizes Senator Holland, on the nomination.

6 SENATOR HOLLAND: Jack Hekker is  
7 from Rockland County, and I have known him for  
8 many years, and I would like to tell you a few  
9 things about him.

10 He has been practicing law for  
11 more than 35 years, specializing in real estate,  
12 construction, zoning, environmental law, estate  
13 planning, commercial litigation. He has also  
14 represented theatrical and publishing concerns.

15 Certainly a senior partner in the  
16 law firm of Granik, Silverman, Sandberg, Camp  
17 bell, Hekker & Berger in New City, he has donat  
18 ed his time and legal expertise in providing pro  
19 bono -- that means free -- services to the Irish  
20 Repertory Company in New York City and the Helen  
21 Hayes Tappan Zee Performing Arts Center in  
22 Nyack.

23 He resides in Thiells. He's the  
24 father of five and the grandfather of six. It's  
25 not too bad. He served more than 20 years as a

1 village and town justice, adjudicating criminal  
2 and civil cases, ranging from dog bites to  
3 felony hearings for attempted murder.

4 He has extensive experience in  
5 initiating and securing large scale planning and  
6 zoning approvals, negotiating contracts and  
7 financial commitments.

8 Jack Hekker is a recognized  
9 community leader who has demonstrated the  
10 ability to effectively interact with business  
11 and government leaders of both sides -- of all  
12 sides and the public at large.

13 He spent his youth in North  
14 Arlington, New Jersey, where he's still  
15 remembered as a member of Our Lady Queen of  
16 Peace High School Hall of Fame for his athletic  
17 prowess. His success did not end with his  
18 accomplishments on the football field or on the  
19 basketball court. He's told me about them many  
20 times.

21 Young Jack Hekker found the time  
22 to devote much of his time to academic  
23 pursuits. He graduated from Georgetown, where  
24 he majored in economics and received a  
25 basketball scholarship. He went on to graduate

1 from Georgetown Law School and, of course, he  
2 was a first lieutenant in the United States  
3 Marine Corps.

4 He has a strong record of  
5 community service. Serves on the Board of  
6 Trustees of Nyack Hospital. Serves as President  
7 of Rockland County Magistrates Association and  
8 vice-president of the Nyack Chamber of Commerce,  
9 Chairman of the Nyack Waterfront Development  
10 Committee and many, many others.

11 It is my privilege to nominate -  
12 or second the nomination of the Governor of Jack  
13 Hekker.

14 Best of wishes, Jack. I know  
15 you'll do a great job.

16 ACTING PRESIDENT KUHL: Is there  
17 any other Senator wishing to speak on the  
18 nomination?

19 Senator Dollinger, on the  
20 nomination.

21 SENATOR DOLLINGER: Mr. Hekker,  
22 correct, Mr. President? Is this Mr. Hekker for  
23 the Industrial Board of Appeals?

24 ACTING PRESIDENT KUHL: That's  
25 correct.

1                   SENATOR DOLLINGER: Mr.  
2           President, I saw this candidate in front of the  
3           Finance Committee. I rise just to add one -  
4           actually a note about Mr. Hekker's predecessor.

5                   Kurt Hain was from Brighton.  
6           Kurt Hain was a man who served on the  
7           Industrial Board of Appeals for more than 20  
8           years. He was from my district. He was a  
9           Democrat but, quite frankly, as I know Senator  
10          Alesi, Senator Nozzolio and others who have  
11          known Kurt -- or did know Kurt prior to his  
12          death would know that for Kurt, there were no  
13          party lines. There were just people. Kurt did  
14          a wonderful job in the 20-plus years that he  
15          served in the Industrial Board of Appeals and,  
16          as I told Mr. Hekker in the Finance Committee,  
17          Kurt's shoes are sizeable. He made a sizeable  
18          contribution to this state.

19                   I have every confidence that Mr.  
20          Hekker's credentials qualify him to adequately,  
21          if not even better, fill those shoes, but I  
22          couldn't let this appointment go without just  
23          reminding the members of this chamber, Kurt  
24          Hain was approved a number of times. He was a  
25          fixture of the Rochester community and a

1 wonderful man. I miss him terribly, and I hope  
2 that the Industrial Board of Appeals will  
3 continue to progress without him.

4 ACTING PRESIDENT KUHL: Is there  
5 any other Senator wishing to speak on the  
6 nomination?

7 (There was no response.)

8 Hearing none, the question is on  
9 the nomination of John M. Hekker, Esq., to  
10 become a member of the Industrial Board of  
11 Appeals. All those in favor of the nomination  
12 signify by saying aye.

13 (Response of "Aye".)

14 Opposed, nay.

15 (There was no response.)

16 The nominee is confirmed.

17 We're very, very pleased to have  
18 John Hekker with us. He's seated in the balcony  
19 to your left in the center row.

20 Congratulations, Mr. Hekker.

21 Good luck.

22 (Applause)

23 The Secretary will read.

24 THE SECRETARY: Senator Stafford,  
25 from the Committee on Finance, offers the

1 following nomination:

2 Member of the Industrial Board of  
3 Appeals: Mark S. Perla, of Tonawanda.

4 ACTING PRESIDENT KUHL: The Chair  
5 recognizes Senator Rath, on the nomination.

6 SENATOR RATH: Yes, Mr. President.  
7 I would like to move the confirmation of Mark S.  
8 Perla from the town of Tonawanda, one of the  
9 communities that I represent, to serve as a  
10 member of the Industrial Board of Appeals.

11 Today, as all days, when we have  
12 a confirmation, it's a wonderful day in the  
13 Senate because we get a perspective of who we  
14 are, where we've been and where we're going, but  
15 let me tell you a little bit about Mark Perla  
16 and who he is and where he's been and where I  
17 think he's going and why I think it's wonderful  
18 that Mark is going to be serving and has been  
19 recommended for that position.

20 Mark graduated from the  
21 University of Buffalo Law School, which, of  
22 course, is a plus for all of us from Western New  
23 York. He entered private practice in the late  
24 '70s, served recently for a short time as an  
25 Erie County Court judge, served for quite some

1 time in the U.S. Attorney's office in the  
2 Buffalo area, the D.A.'s office, but there are  
3 some special kinds of things about Mark that I  
4 want to tell you about because he is a  
5 professional, and yesterday we had a group here  
6 called We the People, and I think when we stop  
7 and recognize perspectivewise who we are in this  
8 chamber, we represent we the people but  
9 sometimes government gets a bad name. We're  
10 like the enemy for the folks out there, but Mark  
11 Perla has made a concerted effort and a real  
12 commitment to making sure that government is not  
13 the enemy and that government has an opportunity  
14 to be on an equal footing, as it were, and  
15 because sometimes we don't have that  
16 opportunity.

17 He was one of three Assistant  
18 United States Attorneys in the nation to head a  
19 unit dedicated exclusively to investigating  
20 frauds against the government and bringing civil  
21 lawsuits to recover losses and penalties. I  
22 think that's a noble effort, Mark, and I  
23 congratulate you on the successes that you had.

24 Let me note some of the awards  
25 and honors that Mark had because of the

1 successes in making sure government had an  
2 opportunity to have an equal -- be on an equal  
3 playing field: The United States Attorney's  
4 Award for sustained superior performance, United  
5 States Attorney's Award for outstanding  
6 performance of duty for handling a case which  
7 resulted in felony convictions of fraud against  
8 the government and a recovery of \$7.5 million,  
9 the largest civil recovery in the history of the  
10 office -- I think that's a moment to be very,  
11 very proud of -- a Department of Defense Award  
12 for criminal investigative service, U.S. Naval  
13 Investigative Service.

14 We have a man here who is a  
15 professional's professional, who is about to  
16 serve the state of New York in another  
17 professional capacity. We are very fortunate.  
18 We wish you good luck and we are very happy to  
19 have you here as a nominee, Mark.

20 ACTING PRESIDENT WRIGHT: Senator  
21 Maziarz, on the nomination.

22 SENATOR MAZIARZ: Thank you, Mr.  
23 President.

24 I too want to join my colleague,  
25 Senator Rath, who very ably pointed out all the

1           qualifications. I consider Mark Perla to be one  
2           of the most capable attorneys in all of Western  
3           New York, and I want to join my colleagues in  
4           seconding his nomination and in congratulating  
5           the Governor for a fine appointment.

6                           Thank you.

7                           ACTING PRESIDENT WRIGHT: Senator  
8           Volker, on the nomination.

9                           SENATOR VOLKER: Mr. President,  
10          very quickly. I too want to commend the  
11          Governor on the appointment of Mark, who I've  
12          known for a number of years. He comes from one  
13          of the most prominent legal families in Western  
14          New York. He was one of the top prosecutors in  
15          the federal attorney's office, as well as the  
16          District Attorney's office. He did a super  
17          job. I have no doubt that he'll do just a super  
18          job with the Industrial Board of Appeals.

19                           Good luck, Mark.

20                           ACTING PRESIDENT WRIGHT: Is  
21          there any other Senator wishing to speak on the  
22          nomination?

23                           (There was no response.)

24                           If not, the question of the  
25          confirmation of the nomination of Mark S. Perla

1 is before the house. All those in favor signify  
2 by saying aye.

3 (Response of "Aye".)

4 Opposed, nay.

5 (There was no response.)

6 The confirmation is approved.

7 Mr. Perla, congratulations on  
8 behalf of Senator Bruno and the members of the  
9 Senate.

10 (Applause)

11 The Secretary will read.

12 THE SECRETARY: Senator Stafford,  
13 from the Committee on Finance, offers the  
14 following nomination:

15 Sheriff of Steuben County:

16 Walter M. Delap, of Beaver Dams.

17 ACTING PRESIDENT WRIGHT: Senator  
18 Kuhl, on the nomination.

19 SENATOR KUHL: Yes, Mr.

20 President.

21 It's my pleasure to rise in  
22 support of the Governor's nomination of Walter  
23 Delap to become the sheriff of Steuben County  
24 and while this is a rather localized issue and  
25 it only involves the sheriff of one of 62

1 counties in New York, I would you like to take  
2 just a moment to explain to the members of this  
3 body the importance of this particular  
4 appointment to the constituency in my district  
5 and the residents of Steuben County.

6 We in Steuben County have been  
7 essentially without a sheriff because of health  
8 problems and other problems for a number of  
9 months and that's caused a tremendous amount of  
10 disruption in the law enforcement of that  
11 county.

12 Fortunately, we are blessed today  
13 to be in a position to confirm the nomination of  
14 a young man who is actually giving up a career  
15 in law enforcement. Walt Delap currently is the  
16 -- or I should say as of about four days ago,  
17 retired from a position as a captain in Troop B  
18 of the State Police, where he was in charge of  
19 the BCI and oversaw a grouping of about 300  
20 individuals and did obviously numerous  
21 investigations. So here's a young man who is  
22 really looking at a tremendous career with the  
23 State Police of this state, potentially rising  
24 through the ranks at one time to the position of  
25 superintendent. He carries that kind of

1           capability, certainly that kind of educational  
2           experience and that kind of motivation but he  
3           gave that all up to come home to Steuben County  
4           to serve in the position of sheriff, a needed  
5           position, certainly a worthy position and one  
6           that the people in the county of Steuben are  
7           waiting anxiously for him to appear and fulfill  
8           those duties.

9                                So it's my pleasure, Mr.  
10          President, to rise today and support the  
11          nomination of the Governor of this state, of  
12          Walter Delap of Beaver Dams, New York to the  
13          position of sheriff of Steuben County and hope  
14          that my colleagues will join in supporting this  
15          nomination.

16                                Thank you.

17                                ACTING PRESIDENT WRIGHT: Is  
18          there any further members wishing to speak on  
19          the nomination?

20                                (There was no response.)

21                                The question before us is the  
22          confirmation of the nomination of Walter Delap  
23          as sheriff of Steuben County. All those in  
24          favor signify by saying aye.

25                                (Response of "Aye".)

1                   Opposed, nay.

2                   (There was no response.)

3                   The "ayes" have it.

4                   Congratulations, Sheriff Delap.

5                   You have been confirmed by the New York State  
6                   Senate.

7                   (Applause)

8                   The sheriff is joined with us by  
9                   his wife Elaine and his father Walter. We would  
10                  also recognize them. We all appreciate your  
11                  dedication to the people of New York.

12                  (Applause)

13                  SENATOR SKELOS: Mr. President.

14                  ACTING PRESIDENT WRIGHT: Senator  
15                  Skelos.

16                  SENATOR SKELOS: With the consent  
17                  of the Minority, if we could just move  
18                  temporarily to motions and resolutions. I'd ask  
19                  that the titles be read on Resolutions 1140,  
20                  1141 and 1181 and that you then recognize  
21                  Senator Maziarz.

22                  ACTING PRESIDENT WRIGHT: Thank  
23                  you, Senator Skelos.

24                  The Secretary will read -  
25                  motions and resolutions -- titles only on 1140

1 and 1141 and 1181.

2 THE SECRETARY: By Senator  
3 Leibell, Legislative Resolution 1140, commending  
4 Christopher Deane upon the occasion of his  
5 designation as Senior Citizen of the Year.

6 ACTING PRESIDENT WRIGHT: Senator  
7 Maziarz.

8 SENATOR MAZIARZ: Mr. President,  
9 I'll yield to Senator Leibell on this  
10 resolution.

11 SENATOR LEIBELL: Thank you -

12 ACTING PRESIDENT WRIGHT: Senator  
13 Leibell.

14 SENATOR LEIBELL: -- Mr.  
15 President.

16 Today has been a special day for  
17 many of us in Albany. Throughout the year we're  
18 visited by many constituent groups and have the  
19 opportunity to recognize contributions by our  
20 fellow New Yorkers to this great state. Well,  
21 as I'm sure all of my colleagues are aware,  
22 today is Senior Citizen Day in this great state  
23 of ours.

24 This resolution that I have had  
25 the pleasure to sponsor and which has been

1 sponsored by my colleague in the Assembly also,  
2 Will Stevens, who is here with me today, is a  
3 recognition of the contributions of all of our  
4 seniors throughout New York State but, in  
5 particular, this resolution points out and  
6 identifies our selection as Senior Citizen of  
7 the Year and this year it is Christopher Deane,  
8 who is with us here today in the chamber. He is  
9 someone who has provided great help, assistance  
10 and comfort to seniors and residents throughout  
11 my home county of Putnam.

12 He has filled a leadership role  
13 for many, many years in the town of Kent Senior  
14 Citizens Club, a club which I have had the good  
15 fortune, as has Assemblyman Stevens to visit  
16 many, many times.

17 He has served on the advisory  
18 board for Putnam County Office of the Aging. He  
19 served as an advocate for the special needs of  
20 senior citizens throughout our state and  
21 region. His many volunteer efforts have  
22 especially reached out to those seniors who have  
23 found themselves in their advanced years in a  
24 state of isolation.

25 Most significantly, he has

1 encouraged our seniors to reach out and to share  
2 their many wonderful gifts, their experience,  
3 their talents, yes, their energy. He is someone  
4 who I would describe, as I know Assemblyman  
5 Stevens would, as a great personal friend.

6 He is joined here today by his  
7 wife Theresa, as well as three daughters,  
8 Christine, Dolores and Barbara, granddaughter  
9 Susan and son-in-law George Durseley.

10 Mr. President, it is for me a  
11 great honor at this point in time to propose  
12 this resolution and, as I said, to recognize the  
13 efforts of all of our seniors but, in  
14 particular, our Senior of the Year, Christopher  
15 Deane from the town of Kent, Putnam County, New  
16 York.

17 Thank you, Mr. President.

18 ACTING PRESIDENT WRIGHT: Senator  
19 Farley.

20 SENATOR FARLEY: You know, as a  
21 former chairman of the Committee on Aging -  
22 actually the first one and Senator Skelos who  
23 was also a chairman -- let me congratulate you  
24 on this outstanding award.

25 You know, to be Senior Citizen of

1 the Year for all of New York State is a  
2 remarkable accomplishment. You have served  
3 humanity. You have served your fellow persons  
4 and we're very, very proud of you and let me  
5 please rise to congratulate you, to wish you  
6 well and good health and we're very, very proud  
7 of what you've done and what you've done for the  
8 seniors of this state. That's a great award and  
9 best wishes to you.

10 ACTING PRESIDENT WRIGHT: Is  
11 there any other member wishing to speak on the  
12 resolution?

13 Senator Maziarz.

14 SENATOR MAZIARZ: Thank you, Mr.  
15 President.

16 As chairman of the Senate Aging  
17 Committee, I too want to congratulate  
18 Christopher Deane on being chosen as a Senior  
19 Citizen of the Year to represent, as Senator  
20 Leibell said, the tens of thousands of seniors  
21 across the state of New York.

22 I have had the pleasure of  
23 working with many of the county Offices of the  
24 Aging and several of the groups throughout the  
25 state and Mr. Deane really exemplifies that type

1 of senior who, after he retires, goes out and  
2 continues to work on a daily basis to help out  
3 his fellow seniors.

4 Mr. Deane has a great history.  
5 He's worked on some of the major construction  
6 projects, the tunnels and bridges in the city of  
7 New York and his family who is here in the  
8 gallery is extremely proud of him, as well they  
9 should be, Mr. President, and I sincerely  
10 appreciate their efforts in leaving home early  
11 this morning to get down here.

12 We had a great day this morning.  
13 We were over at the Governor's mansion and  
14 celebrated along with Mr. Deane and also with  
15 Dan Mowers for the -- of Madison County as the  
16 outstanding senior contributor of the year and  
17 many of the other counties of the Office of the  
18 Aging, congratulating them for the work that  
19 they have done to help the senior population of  
20 this state.

21 So, Mr. President, I congratulate  
22 Mr. Deane. We also, I should note, had a great  
23 tour of the Maltese art gallery on the 8th floor  
24 of the Legislative Office Building which is very  
25 interesting, should any of you have any extra

1 time to go up and see that.

2 I certainly want to thank my  
3 staff and the Assembly office, Chairperson  
4 Barbara Clark, for their efforts today and also  
5 to the former Senate chairs, Senator Farley and  
6 Senator Skelos, for their help in putting this  
7 day together.

8 Thank you, Mr. President.

9 ACTING PRESIDENT WRIGHT: Any  
10 further members wishing to speak on the  
11 resolution?

12 (There was no response.)

13 If not, the question is on  
14 Resolution 1140. All those in favor signify by  
15 saying aye.

16 (Response of "Aye".)

17 Opposed?

18 (There was no response.)

19 The "ayes" have it.

20 The resolution is adopted.

21 Mr. Deane, congratulations on  
22 behalf of Senator Bruno and my entire colleagues  
23 of the New York State Senate. Very well done,  
24 sir.

25 (Applause)

1                   The Secretary will read  
2                   Resolution 1141, the title only.

3                   THE SECRETARY: By Senator  
4                   Maziarz, Legislative Resolution 1141,  
5                   memorializing the Honorable George E. Pataki,  
6                   Governor, to proclaim May 6th, 1997 as Senior  
7                   Citizen Day in New York State.

8                   ACTING PRESIDENT WRIGHT: Senator  
9                   Maziarz, on the resolution.

10                  SENATOR MAZIARZ: Thank you, Mr.  
11                  President.

12                  I'm not going to repeat myself.  
13                  Just to thank the Governor for proclaiming today  
14                  as Senior Citizen Day and May as Senior Citizen  
15                  Month, to recognize the outstanding  
16                  contributions of gentlemen like Mr. Deane and  
17                  Dan Mowers of Madison County for all the  
18                  volunteer work that they do the other 364 days  
19                  of the year.

20                  Thank you, Mr. President.

21                  ACTING PRESIDENT WRIGHT: The  
22                  question is on Resolution Number 1141. All  
23                  those in favor signify by saying aye.

24                  (Response of "Aye".)

25                  Opposed, nay.

1 (There was no response.)

2 The resolution is adopted.

3 Senator Skelos.

4 SENATOR SKELOS: Mr. President,  
5 if we could return to reports of standing  
6 committees and continue with the confirmation  
7 process.

8 ACTING PRESIDENT WRIGHT: We'll  
9 return to reports of standing committees, order  
10 of business, confirmation process.

11 The Secretary will read.

12 THE SECRETARY: Senator Stafford,  
13 from the Committee on Finance, offers the  
14 following nomination:

15 Member of the Rochester- Genesee  
16 Regional Transportation Authority: Daniel E.  
17 Bailey of Fairport.

18 ACTING PRESIDENT KUHL: The Chair  
19 recognizes Senator Alesi, on the nomination.

20 SENATOR ALESI: Thank you, Mr.  
21 President.

22 It's a pleasure to stand today  
23 and support the nomination and move the  
24 nomination of Dan Bailey to the RGRTA.

25 I've had the pleasure of knowing

1 Dan Bailey for several years, in fact,  
2 representing him not only here in the Senate but  
3 in the state Assembly prior to this and even  
4 before that in the Monroe County Legislature.

5 Dan is a native Rochesterian and  
6 knows the area very well. He graduated from  
7 McQuaid Jesuit High School, Le Moyne College,  
8 Rochester Institute of Technology, where he  
9 pursued his educational degrees in business  
10 administration.

11 20 years prior to becoming  
12 President of Rochester Gear, he started out in  
13 an entry level position, working his way up to  
14 president, as I have said, and gained valuable  
15 business experience and knowledge of the  
16 community and its needs as well.

17 As far as activities in the  
18 community of Monroe, he has served on the Board  
19 of Directors of Preferred Care, the Rochester  
20 Primary Care Network and the American Gear  
21 Manufacturing and Tool Association, where he  
22 served as the president of that Washington-based  
23 outfit for a couple of years.

24 He's also involved in the  
25 Rochester Chamber of Commerce, the Industrial

1 Management Council and has served as  
2 vice-president of the Rochester Chapter of the  
3 National Tooling and Manufacturing Association,  
4 gaining valuable experience, experience that  
5 he'll be able to use serving the community of  
6 Monroe on the RGRTA.

7 Dan, as I said, is a personal  
8 friend. He lives in Perinton, my home town,  
9 with his wife Sharon and three daughters, and if  
10 you had the pleasure as I did of listening to  
11 him not only in the Transportation Committee  
12 earlier this month but in the Finance Committee  
13 this morning, you would have heard him reiterate  
14 his dedication to increased ridership in a  
15 troubled bus company, to redirect the route so  
16 that they would better serve those people coming  
17 from welfare to work and using the reverse  
18 commute process to help improve Rochester  
19 Regional Transit Authority.

20 Dan is the kind of business  
21 person that's actively involved in the community  
22 that we need to have serving on this board. I  
23 wholeheartedly support his nomination on behalf  
24 of Senators Maziarz and Nozzolio and those  
25 others who represent the Greater Rochester

1 area. It's my pleasure and privilege to support  
2 the nomination and congratulate the Governor on  
3 this selection.

4 Thank you, Mr. President.

5 ACTING PRESIDENT KUHL: Is there  
6 any other Senator wishing to speak on the  
7 nomination?

8 (There was no response.)

9 Hearing none, the question is on  
10 the nomination of Daniel E. Bailey, of Fairport,  
11 New York, to become a member of the Rochester  
12 Genesee Regional Transportation Authority. All  
13 those in favor of the nomination signify by  
14 saying aye.

15 (Response of "Aye".)

16 Opposed, nay.

17 (There was no response.)

18 The nominee is confirmed.

19 The Secretary will continue to  
20 read.

21 THE SECRETARY: Senator Stafford,  
22 from the Committee on Finance, offers the  
23 following nomination:

24 Member of the Niagara Frontier  
25 Transportation Authority: Vivian Turner, of

1 Buffalo.

2 SENATOR SKELOS: Move the  
3 nomination.

4 ACTING PRESIDENT KUHL: The  
5 question is on the nomination of Vivian Turner  
6 to become a member of the Niagara Frontier  
7 Transportation Authority. All those in favor of  
8 the nomination signify by saying aye.

9 (Response of "Aye".)

10 Opposed, nay.

11 (There was no response.)

12 The nominee is confirmed.

13 The Secretary will continue to  
14 read.

15 THE SECRETARY: Senator Stafford,  
16 from the Committee on Finance, offers the  
17 following nomination:

18 Member of the Ogdensburg Bridge  
19 and Port Authority: Connie Grandy Augsbury, of  
20 Ogdensburg.

21 SENATOR SKELOS: Move the  
22 nomination.

23 ACTING PRESIDENT KUHL: The  
24 question is on the nomination of Connie Grandy  
25 Augsbury, of Ogdensburg, to become a member of

1 the Ogdensburg Bridge and Port Authority.

2 Senator Wright, on the  
3 nomination.

4 SENATOR WRIGHT: Thank you, Mr.  
5 President.

6 I rise to endorse and second the  
7 nomination and commend the Governor on his  
8 choice.

9 Connie Augsbury has been serving  
10 the community of Ogdensburg and the Greater St.  
11 Lawrence County for a number of years, both in  
12 her capacity and private life as an entrepreneur  
13 and a business woman who has been very  
14 successful in that area of the North Country but  
15 also in her commitment to the public service and  
16 not-for-profits in various capacities throughout  
17 the North Country. She brings a diversity that  
18 will only help improve the efforts of the  
19 Ogdensburg Bridge and Port Authority and I'm  
20 very pleased to second her nomination and  
21 encourage my colleagues to support that  
22 nomination.

23 ACTING PRESIDENT KUHL: Any other  
24 Senator wishing to speak on the nomination?

25 (There was no response.)

1                   Hearing none, the question is on  
2                   the nomination of Connie Grandy Augsbury, of  
3                   Ogdensburg, to become a member of the Ogdensburg  
4                   Bridge and Port Authority. All those in favor  
5                   of the nomination signify by saying aye.

6                   (Response of "Aye".)

7                   Opposed, nay.

8                   (There was no response.)

9                   The nominee is confirmed.

10                  The Secretary will continue to  
11                  read.

12                  THE SECRETARY: Senator Stafford,  
13                  from the Committee on Finance, offers the  
14                  following nomination:

15                  Members of the Board of Trustees  
16                  of the New York State Higher Education Services  
17                  Corporation: Stephen C. Biklen, of Pittsford  
18                  and Christopher Walsh, of Jamesville.

19                  ACTING PRESIDENT KUHL: The  
20                  question is on the nomination of Stephen C.  
21                  Biklen, of Pittsford, New York and Christopher  
22                  Walsh, of Jamesville, New York to become members  
23                  of the Board of Trustees of the New York State  
24                  Higher Education Services Corporation. All  
25                  those in favor of the nomination signify by

1 saying aye.

2 (Response of "Aye".)

3 Opposed, nay.

4 (There was no response.)

5 The nominees are confirmed.

6 The Secretary will continue to  
7 read.

8 ACTING PRESIDENT KUHL: Senator  
9 Stafford, from the Committee on Finance, offers  
10 the following nomination:

11 Banking member of the State  
12 Banking Board: Salvatore Marranta, of Little  
13 Valley.

14 ACTING PRESIDENT KUHL: Any  
15 Senator wishing to speak on the nomination?

16 (There was no response.)

17 Hearing none, the question is on  
18 the nomination of Salvatore Marranta, of Little  
19 Valley, to become a Banking member of the State  
20 Banking Board. All those in favor of the  
21 nomination signify by saying aye.

22 (Response of "Aye".)

23 Opposed, nay.

24 (There was no response.)

25 The nominee is confirmed.

1                   The Secretary will continue to  
2                   read.

3                   ACTING PRESIDENT KUHL:  Senator  
4                   Stafford, from the Committee on Finance, offers  
5                   the following nomination:

6                   Member of the Genesee State Park  
7                   Recreation and Historic Preservation Committee  
8                   -- Commission:  Howard Payne, of Arcade.

9                   ACTING PRESIDENT KUHL:  The  
10                  question is on the nomination of Howard Payne,  
11                  of Arcade, to become a member of the Genesee  
12                  State Park Recreation and Historic Preservation  
13                  Commission.  All those in favor of the  
14                  nomination signify by saying aye.

15                  (Response of "Aye".)

16                  Opposed, nay.

17                  The nominee is confirmed.

18                  The Secretary will continue to  
19                  read.

20                  THE SECRETARY:  Senator Stafford,  
21                  from the Committee on Finance, offers the  
22                  following nominations:

23                  Members of the Lake George Park  
24                  Commission, Anthony P. Reale, of Ticonderoga and  
25                  Margaret Stewart, of Lake George.

1                   ACTING PRESIDENT KUHL: The  
2 question is on the nominations of Anthony P.  
3 Reale, of Ticonderoga and Margaret Stewart, of  
4 Lake George, to become members of the Lake  
5 George Park Commission. All those in favor of  
6 the nominations of the members signify by saying  
7 aye.

8                   (Response of "Aye".)

9                   Opposed, nay.

10                  (There was no response.)

11                  The nominees are confirmed.

12                  Reports of select committees.

13                  Communications and reports from  
14 state officers.

15                  Motions and resolutions.

16                  Senator Farley.

17                  SENATOR FARLEY: On behalf of  
18 myself, would you please place a sponsor's star  
19 on Calendar Number 690 and 691.

20                  ACTING PRESIDENT KUHL: Calendars  
21 Number 690 and 691 are starred at the request of  
22 the sponsor.

23                  Senator Farley.

24                  SENATOR FARLEY: Also, Mr.  
25 President, on page 38, I offer the following

1 amendments to my bill, Calendar Number 681,  
2 Senate Print 2545-A, and I ask that that bill  
3 retain its place on the Third Reading Calendar.

4 ACTING PRESIDENT KUHL: The  
5 amendments to Calendar Number 681 are received  
6 and adopted and the bill will retain its place  
7 on the Third Reading Calendar.

8 Senator Farley.

9 SENATOR FARLEY: And on behalf of  
10 my distinguished colleague at my left, Senator  
11 Tully, I wish on page 39 to offer the following  
12 amendments to Calendar Number 312, Senate Print  
13 2625, and I also wish you to remove the star  
14 from that bill.

15 ACTING PRESIDENT KUHL: The  
16 amendments to Calendar Number 312 are received  
17 and adopted and the star will be removed at the  
18 request of the sponsor.

19 Senator Farley.

20 SENATOR FARLEY: Thank you.

21 On behalf of Senator Holland, on  
22 page 14, I offer the following amendments to  
23 Calendar 310, Senate Print 32... 322-A, and I  
24 ask that that bill retain its place on the Third  
25 Reading Calendar.

1                   ACTING PRESIDENT KUHL:  The  
2                   amendments to Calendar Number 310 are received  
3                   and adopted and the bill will retain its place  
4                   on the Third Reading Calendar.

5                   Senator Farley.

6                   SENATOR FARLEY:  I already did  
7                   this one.  That's it.

8                   ACTING PRESIDENT KUHL:  Thank  
9                   you, Senator Farley.

10                  Senator Skelos.

11                  SENATOR SKELOS:  Mr. President,  
12                  at this time if we could have the title read on  
13                  Resolution 1181, and I move its immediate  
14                  adoption.

15                  ACTING PRESIDENT KUHL:  The  
16                  Secretary will read the title to Resolution  
17                  Number 1181.

18                  THE SECRETARY:  By Senators  
19                  Hoffmann and Maziarz, Legislative Resolution  
20                  1181, congratulating Daniel Mower upon the  
21                  occasion of his selection as recipient of the  
22                  1997 New York State Outstanding Contribution by  
23                  a Senior Citizen Award on May 6th, 1997.

24                  ACTING PRESIDENT KUHL:  Senator  
25                  Skelos.

1                   SENATOR SKELOS: Move the  
2 resolution.

3                   ACTING PRESIDENT KUHL: The  
4 motion is to adopt the resolution, Resolution  
5 1181. All those in favor signify by saying aye.

6                   (Response of "Aye".)

7                   Opposed, nay.

8                   (There was no response.)

9                   The resolution is adopted.

10                  SENATOR SKELOS: I believe  
11 there's a privileged resolution at the desk by  
12 Senator Larkin. I ask that the title be read  
13 and move its immediate adoption.

14                  ACTING PRESIDENT KUHL: The  
15 Secretary will read the title to the privileged  
16 resolution by Senator Larkin.

17                  THE SECRETARY: By Senator  
18 Larkin, Legislative Resolution congratulating  
19 the Newburgh Free Academy at Stewart Airport as  
20 it becomes a satellite school representing  
21 another facet of the Newburgh Enlarged City  
22 School District.

23                  ACTING PRESIDENT KUHL: The  
24 question is on the resolution. All those in  
25 favor signify by saying aye.

1 (Response of "Aye".)

2 Opposed, nay.

3 (There was no response.)

4 The resolution is adopted.

5 Senator Skelos.

6 SENATOR SKELOS: Mr. President, I  
7 move at this time to adopt the balance of the  
8 Resolution Calendar.

9 ACTING PRESIDENT KUHL: The  
10 motion is to adopt the Resolution Calendar which  
11 is on all the members' desks. All those in  
12 favor signify by saying aye.

13 (Response of "Aye".)

14 Opposed, nay.

15 (There was no response.)

16 The Resolution Calendar is  
17 adopted.

18 Senator Skelos, we do have a  
19 little housekeeping, four substitutions.

20 SENATOR SKELOS: Let me just  
21 announce there will be an immediate meeting of  
22 the Aging Committee in the Majority Conference  
23 Room.

24 ACTING PRESIDENT KUHL: There  
25 will be an immediate meeting of the Aging

1 Committee, an immediate meeting of the Aging  
2 Committee in Room 332, Room 332, the Majority  
3 Conference Room.

4 The Secretary will read the  
5 substitutions.

6 THE SECRETARY: On page 4,  
7 Senator Farley moves to discharge from the  
8 Committee on Civil Service and Pensions Assembly  
9 Bill Number 4217 and substitute it for the  
10 identical First Report Calendar 700.

11 On page 4, Senator Velella moves  
12 to discharge from the Committee on Housing,  
13 Construction and Community Development Assembly  
14 Bill Number 2164 and substitute it for the  
15 identical First Report Calendar 705.

16 And on page 4, Senator Velella  
17 moves to discharge from the Committee on  
18 Housing, Construction and Community Development  
19 Assembly Bill Number 2300 and substitute it for  
20 identical First Report Calendar 706.

21 ACTING PRESIDENT KUHL: The  
22 substitutions are ordered.

23 SENATOR SKELOS: Mr. President.

24 ACTING PRESIDENT KUHL: Senator  
25 Skelos.

1                   SENATOR SKELOS:  If you would  
2                   recognize Senator Marchi for an announcement,  
3                   please.

4                   ACTING PRESIDENT KUHL:  The Chair  
5                   recognizes Senator Marchi for an announcement.

6                   SENATOR MARCHI:  Thank you, Mr.  
7                   President.

8                   This year, as they have done  
9                   through the years, we have a rather  
10                  scintillating group of individuals who at one  
11                  time or another have really imparted great -  
12                  made great contributions to the welfare of the  
13                  people of this state and their names are far  
14                  flung.  I don't know how many there are here in  
15                  this chamber and at one time we had governors in  
16                  both New York and California, both St. John's.  
17                  So St. John's really strikes a resonance that I  
18                  feel very good about, but with us during the  
19                  course of the afternoon we have the Dean, Rudy  
20                  Hasl, Allen Hodish, Judge Milton Mollen, who is  
21                  head of the Appellate Division in the Second  
22                  Department, Honorable Rinaldo Rivera, Moira  
23                  McLaughlin, Pete Piscitelli -- that's not an  
24                  unusual name to a lot of us -- Father Kehoe,  
25                  Peter Roach, Gloria Rivera, Jim Castro-Banco and

1 Richard Kane. They're here and there are many  
2 other people out there in the area that will be  
3 guests at an appropriate lunch -- breakfast -  
4 what am I saying -- at an appropriate reception  
5 just about an hour from now.

6 So I would hope you recognize  
7 their presence, Mr. President. It would be  
8 appreciated by them, I'm sure.

9 ACTING PRESIDENT KUHL: Thank  
10 you, Senator Marchi, for bringing that  
11 information to our attention.

12 On behalf of Senator Bruno and  
13 all of the members of the chamber, I would like  
14 to wish -- welcome these distinguished alumni  
15 from St. John's University to the chamber.

16 Thank you for taking the time to  
17 spend a couple of minutes with us. We hope you  
18 enjoy your stay while you're at Albany.

19 Senator Skelos.

20 SENATOR SKELOS: At this time if  
21 we could take up the non-controversial calendar.

22 ACTING PRESIDENT KUHL: The  
23 Secretary will read the non-controversial  
24 calendar.

25 THE SECRETARY: On page 15,

1 Calendar Number 326, by Senator Levy, Senate  
2 Print 928-B, an act to amend the Railroad Law  
3 and the Penal Law, in relation to trespass upon  
4 railroad premises.

5 ACTING PRESIDENT KUHL: The  
6 Secretary will read the last section.

7 THE SECRETARY: Section 4. This  
8 act shall take effect on the first day of  
9 November.

10 ACTING PRESIDENT KUHL: Call the  
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes 58.

14 ACTING PRESIDENT KUHL: The bill  
15 is passed.

16 THE SECRETARY: Calendar Number  
17 475, by Senator Rath, Senate Print 255, an act  
18 to amend the Family Court Act, in relation to  
19 the age of runaway children and persons in need  
20 of supervision.

21 ACTING PRESIDENT KUHL: The  
22 Secretary will read the last section.

23 THE SECRETARY: Section 4. This  
24 act shall take effect on the first day of  
25 November.

1                   ACTING PRESIDENT KUHL: Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY: Ayes 58.

5                   ACTING PRESIDENT KUHL: The bill  
6 is passed.

7                   THE SECRETARY: Calendar Number  
8 476, by Senator Saland, Senate Print 490, an act  
9 to amend the Family Court Act, in relation to  
10 judicial notification of child care agencies.

11                   ACTING PRESIDENT KUHL: The  
12 Secretary will read the last section.

13                   THE SECRETARY: Section 2. This  
14 act shall take effect on the 90th day.

15                   ACTING PRESIDENT KUHL: Call the  
16 roll.

17                   (The Secretary called the roll.)

18                   THE SECRETARY: Ayes 58.

19                   ACTING PRESIDENT KUHL: The bill  
20 is passed.

21                   THE SECRETARY: Calendar Number  
22 479, by Senator Skelos, Senate Print 3208, an  
23 act to amend the Criminal Procedure Law, in  
24 relation to extending temporary orders of  
25 protection in situations where a defendant has

1 either escaped or failed to appear.

2 ACTING PRESIDENT KUHL: The  
3 Secretary will read the last section.

4 THE SECRETARY: Section 2. This  
5 act shall take effect immediately.

6 ACTING PRESIDENT KUHL: Call the  
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes 58.

10 ACTING PRESIDENT KUHL: The bill  
11 is passed.

12 THE SECRETARY: Calendar Number  
13 484, by member of the Assembly Genovesi,  
14 Assembly Print 4052, an act to amend the  
15 Business Corporation Law, in relation to the  
16 books and records of a residential cooperative  
17 corporation.

18 ACTING PRESIDENT KUHL: The  
19 Secretary will read the last section.

20 THE SECRETARY: Section 2. This  
21 act shall take effect immediately.

22 ACTING PRESIDENT KUHL: Call the  
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes 58.

1                   ACTING PRESIDENT KUHL:  The bill  
2                   is passed.

3                   THE SECRETARY:  Calendar Number  
4                   507, by Senator Leibell, Senate Print 3580, an  
5                   act to amend the Private Housing Finance Law, in  
6                   relation to increasing the amount of bond and  
7                   note authorization.

8                   SENATOR LEICHTER:  Lay it aside.

9                   ACTING PRESIDENT KUHL:  Lay the  
10                  bill aside.

11                  THE SECRETARY:  Calendar Number  
12                  515, by Senator Lack, Senate Print -

13                  SENATOR SKELOS:  Lay it aside for  
14                  the day.

15                  ACTING PRESIDENT KUHL:  Lay the  
16                  bill aside for the day.

17                  THE SECRETARY:  Calendar Number  
18                  518, by member of the Assembly Weprin, Assembly  
19                  Print 6487, an act to amend the Surrogate's  
20                  Court Procedure Act, in relation to persons to  
21                  be served in probate proceedings.

22                  ACTING PRESIDENT KUHL:  The  
23                  Secretary will read the last section.

24                  THE SECRETARY:  Section 2.  This  
25                  act shall take effect immediately.

1                   ACTING PRESIDENT KUHL: Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY: Ayes 58.

5                   ACTING PRESIDENT KUHL: The bill  
6 is passed.

7                   THE SECRETARY: Calendar Number  
8 537, by member of the Assembly John, Assembly  
9 Print 7045, an act to amend the Mental Hygiene  
10 Law, in relation to receivership authority.

11                   ACTING PRESIDENT KUHL: The  
12 Secretary will read the last section -- lay the  
13 bill aside.

14                   SENATOR SKELOS: Lay it aside for  
15 the day.

16                   ACTING PRESIDENT KUHL: Lay the  
17 bill aside for the day.

18                   THE SECRETARY: Calendar Number  
19 539, by Senator Levy, Senate Print 102, an act  
20 in relation to requiring the Commissioners of  
21 Motor Vehicles, Transportation and Education to  
22 develop a uniform definition.

23                   ACTING PRESIDENT KUHL: The  
24 Secretary will read the last section.

25                   THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT KUHL: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes 58.

6 ACTING PRESIDENT KUHL: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 552, by Senator Levy, Senate Print 3915, an act  
10 to amend the Vehicle and Traffic Law, in  
11 relation to leaving the scene of an incident  
12 without reporting.

13 ACTING PRESIDENT KUHL: The  
14 Secretary will read the last section.

15 THE SECRETARY: Section 3. This  
16 act shall take effect on the first day of  
17 November.

18 ACTING PRESIDENT KUHL: Call the  
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes 58.

22 ACTING PRESIDENT KUHL: The bill  
23 is passed.

24 THE SECRETARY: Calendar Number  
25 557, by Senator Saland, Senate Print 1786, an

1 act to amend the Family Court Act, in relation  
2 to procedures for the temporary removal of a  
3 child with consent.

4 ACTING PRESIDENT KUHL: The  
5 Secretary will read the last section.

6 THE SECRETARY: Section 2. This  
7 act shall take effect on the 90th day.

8 ACTING PRESIDENT KUHL: Call the  
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes 58.

12 ACTING PRESIDENT KUHL: The bill  
13 is passed.

14 THE SECRETARY: Calendar Number  
15 573, by Senator Leibell, Senate Print 3646, an  
16 act to amend the Public Authorities Law, in  
17 relation to indemnification by the state of the  
18 members, officers and employees of the state of  
19 New York Mortgage Agency.

20 ACTING PRESIDENT KUHL: The  
21 Secretary will read the last section.

22 THE SECRETARY: Section 2. This  
23 act shall take effect immediately.

24 ACTING PRESIDENT KUHL: Call the  
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes 58.

3 ACTING PRESIDENT KUHL: The bill  
4 is passed.

5 Senator Skelos, that completes  
6 the reading of the non-controversial calendar.

7 SENATOR SKELOS: If we could take  
8 up the one bill on the controversial calendar.

9 ACTING PRESIDENT KUHL: The  
10 Secretary will read the controversial calendar,  
11 beginning and ending at Calendar Number 507 by  
12 Senator Leibell on page 36.

13 SENATOR LEICHTER: Mr. President,  
14 would Senator Leibell yield for a question?

15 ACTING PRESIDENT KUHL: Senator  
16 Leichter, we would like to get the bill before  
17 the house. I appreciate your kindness but we  
18 would like to get the bill before the house  
19 before we entertain any questions.

20 The Secretary will read the  
21 title.

22 THE SECRETARY: Calendar Number  
23 507, by Senator Leibell, Senate Print 3580, an  
24 act to amend the Private Housing Finance Law, in  
25 relation to increasing the amount of bond and

1 note authorization.

2 ACTING PRESIDENT KUHL: Senator  
3 Leibell, an explanation has been asked for by  
4 Senator Leichter.

5 SENATOR LEICHTER: I'm just going  
6 to ask a question.

7 ACTING PRESIDENT KUHL: Do you  
8 yield to a question, Senator Leibell?

9 SENATOR LEIBELL: Yes.

10 ACTING PRESIDENT KUHL: The  
11 Senator yields.

12 SENATOR LEICHTER: Senator, this  
13 bill increases the authorization of the Housing  
14 Finance Agency from 3,400,000,000 to 3,800... I  
15 guess ...880,000,000.

16 SENATOR LEIBELL: It's an  
17 increase of \$480 million.

18 SENATOR LEICHTER: Right. My  
19 question to you is have you been advised as to  
20 any specific project that the HFA intends to  
21 make a mortgage commitment for; and I'll tell  
22 you afterwards why I asked the question.

23 SENATOR LEIBELL: They have a  
24 number they're looking at but your question, I  
25 think to me was have I been advised? I have not

1 discussed any specific project with them.

2 SENATOR LEICHTER: If you'll be  
3 so good as to continue to yield.

4 ACTING PRESIDENT KUHL: Senator  
5 Leibell, do you continue to yield?

6 SENATOR LEIBELL: Yes.

7 ACTING PRESIDENT KUHL: The  
8 Senator continues to yield.

9 SENATOR LEICHTER: Have you heard  
10 whether any of this money is to go for a  
11 mortgage for Donald Trump's Riverside South  
12 project?

13 SENATOR LEIBELL: Do you have an  
14 address, Senator? What would that be listed as  
15 an address? I wouldn't know -

16 SENATOR LEICHTER: It would be  
17 listed -- I don't know whether there's an  
18 address as such. It's the Penn yards on the  
19 west side of Manhattan. It doesn't have an  
20 address. It's known as Riverside South.

21 SENATOR LEIBELL: Counsel advised  
22 me no.

23 SENATOR LEICHTER: If you'll be  
24 so good as to continue to yield.

25 ACTING PRESIDENT KUHL: Senator

1 Leibell, do you continue to yield?

2 SENATOR LEIBELL: Yes, Mr.  
3 President.

4 ACTING PRESIDENT KUHL: The  
5 Senator continues to yield.

6 SENATOR LEICHTER: Can you assure  
7 me that none of this money will be used for  
8 Riverside South development?

9 SENATOR LEIBELL: I couldn't do  
10 that, Senator. I could not assure you of that.  
11 I have had no comment and I deal with the head  
12 of HFA on a continuous basis, but I have had -  
13 we've had no discussion about that at all.  
14 Actually it's never come up, but for me to say  
15 that I could assure you that something at some  
16 point in time in the future would not be used  
17 for that, I couldn't do. I don't know how they  
18 would base that decision.

19 SENATOR LEICHTER: Again, if you  
20 would continue to yield.

21 ACTING PRESIDENT KUHL: Senator  
22 Leibell, do you continue to yield?

23 SENATOR LEIBELL: That's an  
24 authority that I would not have as Chairman of  
25 the Committee. It would be something their

1 board would determine.

2 ACTING PRESIDENT KUHL: Senator  
3 Leibell, do you continue to yield?

4 SENATOR LEIBELL: Yes, Mr.  
5 President.

6 ACTING PRESIDENT KUHL: The  
7 Senator continues to yield.

8 SENATOR LEICHTER: Senator, in  
9 other words, you can -- the list that you have  
10 of potential borrowers or people that might  
11 receive a mortgage, you say does not include  
12 Riverside South but you're telling me that  
13 nothing would keep the Authority from deciding  
14 that some of this \$480 million would, indeed, be  
15 used for Donald Trump's Riverside South.

16 SENATOR LEIBELL: That would be  
17 something, as I said, would not be a decision  
18 for me as a legislator. It would be for the  
19 board, and I realize it's -- you're asking the  
20 question, Senator, but if you have any  
21 information that that is something that's  
22 occurred, I'm not aware of it, certainly.

23 SENATOR LEICHTER: Mr. President,  
24 on the -- on the bill.

25 ACTING PRESIDENT KUHL: Senator

1       Leichter, on the bill.

2                   SENATOR LEICHTER:   And I thank  
3       Senator Leibell, and I understand obviously as  
4       chairman of the Housing Committee, you're not in  
5       a position to say how the HFA is to use its  
6       monies.  I thought they might have made some  
7       statement to you which would give me comfort in  
8       knowing that none of this \$480 million would be  
9       used to subsidize what is essentially a luxury  
10      project.  I certainly support the work of the  
11      HFA when it is for affordable housing and I have  
12      voted in the past for increases in their  
13      authorization.

14                   The problem with this particular  
15      authorization and this specific bill is that  
16      there is pending before the HFA an application  
17      that's been made by Mr. Trump who is developing  
18      a major project in an area known as Penn yards,  
19      which is the West Side of Manhattan between 59th  
20      and 72nd street along the Hudson River.  It's in  
21      my district.  Whatever you consider the merits  
22      of that development of Mr. Trump, the issue  
23      really is whether we want to commit state monies  
24      -- and this is a state subsidy -- to what is  
25      essentially a luxury project.

1                   Now, the answer to that may be  
2                   somebody will say, Well, isn't this going to be  
3                   what's known as an 80/20 project, 80 percent  
4                   luxury or market rentals and 20 percent  
5                   affordable housing, which would be the case if  
6                   the HFA loaned any money but, nevertheless, it  
7                   still is a subsidy that benefits the developer  
8                   and if we -- I have no objection to benefiting  
9                   anybody as long as there's a greater public  
10                  benefit. I don't see that public benefit in  
11                  building housing that's probably going to rent  
12                  at 5-, 6-, \$7,000 a month. That's what the  
13                  expected rental is going to be. Great. Let's  
14                  have luxury housing but let it be pure market  
15                  rental, no subsidies whatsoever.

16                  I know there's a lot of  
17                  discussion in this chamber, throughout the  
18                  Capitol, throughout the state, what is a subsidy  
19                  and what isn't a subsidy. Some people on the  
20                  other side of the aisle primarily claim that  
21                  rent regulation happens to be a subsidy to the  
22                  people of the state of New York. I think we can  
23                  show it isn't, but there's no question that if a  
24                  mortgage was granted to Riverside South, Mr.  
25                  Trump's development company for this project,

1       would be an enormous subsidy, and I just don't  
2       think that's how we ought to be spending the  
3       money.

4                       Now, if the HFA can come back and  
5       say none of this money will go to Riverside  
6       South, I'll support the bill, but in the absence  
7       of that, I will not and I just think that all of  
8       you, as you vote on this bill, ought to consider  
9       whether, in fact, this is going to end up  
10      providing an enormous benefit and subsidy to Mr.  
11      Trump for luxury housing. If that's how you  
12      want to spend public monies, if that's how you  
13      want to make a commitment, that's your  
14      decision. It's certainly not the way that I  
15      want to go.

16                      ACTING PRESIDENT KUHL: Is there  
17      any other Senator wishing to speak on the bill?

18                      (There was no response.)

19                      Hearing none, the Secretary will  
20      read the last section.

21                      THE SECRETARY: Section 2. This  
22      act shall take effect immediately.

23                      ACTING PRESIDENT KUHL: Call the  
24      roll.

25                      (The Secretary called the roll.)

1                   ACTING PRESIDENT KUHL:  Announce  
2                   the results.

3                   THE SECRETARY:  Ayes 57, nays 1,  
4                   Senator Leichter recorded in the negative.

5                   ACTING PRESIDENT KUHL:  The bill  
6                   is passed.

7                   Senator Skelos.

8                   SENATOR SKELOS:  Mr. President,  
9                   is there any housekeeping at the desk?

10                  ACTING PRESIDENT KUHL:  There is  
11                  none, Senator.

12                  SENATOR SKELOS:  There being no  
13                  further business, I move we adjourn until  
14                  Wednesday, May 7th, at 11:00 a.m. sharp.

15                  ACTING PRESIDENT KUHL:  Without  
16                  objection, the Senate stands adjourned until  
17                  tomorrow, Wednesday, May 7th, tomorrow,  
18                  Wednesday May 7th, at 11:00 a.m.

19                  (Whereupon, at 4:35 p.m., the  
20                  Senate adjourned.)

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