

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ALBANY, NEW YORK

May 14, 1997

10:06 a.m.

REGULAR SESSION

SENATOR JOHN R. KUHL, JR., Acting President

STEPHEN F. SLOAN, Secretary

1 P R O C E E D I N G S

2 ACTING PRESIDENT KUHL: The
3 Senate will come to order. Ask the members to
4 find their places, the staff to find their
5 places. I'd ask everybody in the chamber to
6 rise with me and join me in saying the Pledge of
7 Allegiance to the Flag.

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

10 In the absence of clergy, may we
11 bow our heads in a moment of silence.

12 (A moment of silence was
13 observed.)

14 The reading of the Journal.

15 THE SECRETARY: In Senate,
16 Tuesday, May 13th. The Senate met pursuant to
17 adjournment. The Journal of Monday, May 12th,
18 was read and approved. On motion, the Senate
19 adjourned.

20 ACTING PRESIDENT KUHL: Hearing
21 no objection, the Journal stands approved as
22 read.

23 Presentation of petitions.

24 Messages from the Assembly.

25 Messages from the Governor.

1 Reports of standing committees.
2 Reports of select committees.
3 Communications and reports from
4 state officers.

5 Motions and resolutions.

6 Senator Skelos.

7 SENATOR SKELOS: Mr. President,
8 yesterday we passed Resolution 1298. On behalf
9 of Senator Marcellino, I would like to open it
10 up to the entire body for co-sponsorship. If
11 members wish to co-sponsor the resolution, they
12 should notify the desk.

13 ACTING PRESIDENT KUHL: Senator
14 Maziarz, that brings us to the calendar.

15 SENATOR MAZIARZ: Mr. President,
16 could we please read the non-controversial
17 calendar.

18 ACTING PRESIDENT KUHL: The
19 Secretary will read the non-controversial
20 calendar.

21 THE SECRETARY: Calendar Number
22 218, by Senator Volker, Senate Print 1466-A, an
23 act to amend the Civil Rights Law, in relation
24 to providing for limited immunity.

25 ACTING PRESIDENT KUHL: The

1 Secretary will read the last section.

2 THE SECRETARY: Section 2. This
3 act shall take effect on the first day of
4 November.

5 ACTING PRESIDENT KUHL: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes 33.

9 ACTING PRESIDENT KUHL: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 442, by Senator Leibell, Senate Print 1556, an
13 act to amend the Penal Law, the County Law and
14 the Executive Law, in relation to enacting the
15 Court Integrity Protection Act of 1997.

16 ACTING PRESIDENT KUHL: The
17 Secretary will read the last section.

18 THE SECRETARY: Section 6. This
19 act shall take effect on the first day of
20 November.

21 ACTING PRESIDENT KUHL: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes 33.

25 ACTING PRESIDENT KUHL: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 497, by Senator Gold, Senate Print 1579-B, an
4 act to amend the Executive Law, in relation to
5 the definition of profits from the crime.

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

8 THE SECRETARY: Section 2. This
9 act shall take effect on the first day of
10 September.

11 ACTING PRESIDENT KUHL: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes 36.

15 ACTING PRESIDENT KUHL: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 516, by Senator Lack, Senate Print 3527-A, an
19 act to amend the Surrogate's Court Procedure
20 Act, in relation to providing a notice.

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

23 THE SECRETARY: Section 2. This
24 act shall take effect in 90 days.

25 ACTING PRESIDENT KUHL: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes 36.

4 ACTING PRESIDENT KUHL: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 536, by Senator Wright, Senate Print 3812, an
8 act to amend the Alcoholic Beverage Control Law
9 and the Mental Hygiene Law, in relation to
10 mandatory license revocation.

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

13 THE SECRETARY: Section 8. This
14 act shall take effect on the first day of
15 January.

16 ACTING PRESIDENT KUHL: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes 37.

20 ACTING PRESIDENT KUHL: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 548, by Senator Lack, Senate Print 2373, an act
24 to amend the Public Authorities Law, in relation
25 to authorizing and requiring the Metropolitan

1 Transportation Authority.

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 37.

10 ACTING PRESIDENT KUHL: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 581, by Senator Trunzo, Senate Print 3232, an
14 act to amend the Retirement and Social Security
15 Law, in relation to optional retirement.

16 ACTING PRESIDENT KUHL: The
17 Secretary will read the last section.

18 THE SECRETARY: Section 3. This
19 act shall take effect immediately.

20 ACTING PRESIDENT KUHL: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes 37.

24 ACTING PRESIDENT KUHL: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 648, by Senator Seward, Senate Print 4282, an
3 act to amend the Public Service Law, in relation
4 to annual reports.

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

7 THE SECRETARY: Section 4. This
8 act shall take effect immediately.

9 ACTING PRESIDENT KUHL: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes 38.

13 ACTING PRESIDENT KUHL: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 653, by Senator Skelos, Senate Print 3503, an
17 act to amend the Criminal Procedure Law, in
18 relation to evidence of identification.

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

21 THE SECRETARY: Section 5. This
22 act shall take effect on the first day of
23 November.

24 ACTING PRESIDENT KUHL: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes 38.

3 ACTING PRESIDENT KUHL: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 667, by Senator Levy, Senate Print 921, an act
7 to amend the Vehicle and Traffic Law, in
8 relation to aggravated unlicensed operation.

9 ACTING PRESIDENT KUHL: The
10 Secretary will read the last section.

11 THE SECRETARY: Section 2. This
12 act shall take effect on the first day of
13 November.

14 ACTING PRESIDENT KUHL: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes 38.

18 ACTING PRESIDENT KUHL: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 669, by Senator Kuhl, Senate Print 2090, an act
22 to amend the Vehicle and Traffic Law, in
23 relation to appropriate reduced speeds.

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

1 THE SECRETARY: Section 2. This
2 act shall take effect on the first day of
3 November.

4 ACTING PRESIDENT KUHL: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes 38.

8 ACTING PRESIDENT KUHL: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 682, by member of the Assembly Englebright,
12 Assembly Print 2582-A, an act to amend the
13 Agriculture and Markets Law, in relation to
14 persons claiming an interest.

15 ACTING PRESIDENT KUHL: The
16 Secretary will read the last section.

17 THE SECRETARY: Section 2. This
18 act shall take effect immediately.

19 ACTING PRESIDENT KUHL: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes 39.

23 ACTING PRESIDENT KUHL: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 711, by Senator Maltese, Senate Print 1604, an
2 act authorizing the city of New York to reconvey
3 its interest in certain real property required
4 by in rem tax foreclosure.

5 ACTING PRESIDENT KUHL: There is
6 a home rule message at the desk. The Secretary
7 will read the last section.

8 THE SECRETARY: Section 5. This
9 act shall take effect immediately.

10 ACTING PRESIDENT KUHL: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes 39.

14 ACTING PRESIDENT KUHL: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 714, by Senator Velella, Senate Print 4446, an
18 act authorizing the assessor of the city of New
19 Rochelle to accept an application.

20 SENATOR MAZIARZ: Mr. President,
21 lay the bill aside for the day at the request of
22 the sponsor.

23 ACTING PRESIDENT KUHL: Lay the
24 bill aside for the day at the request of the
25 sponsor.

1 THE SECRETARY: Calendar Number
2 716, by Senator Cook, Senate Print 4572, an act
3 to amend the General Municipal Law, in relation
4 to establishing uniform procedures.

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

7 THE SECRETARY: Section 2. This
8 act shall take effect immediately.

9 ACTING PRESIDENT KUHL: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes 39.

13 ACTING PRESIDENT KUHL: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 743, by Senator Holland, Senate Print 1588, an
17 act to amend the General Obligations Law, in
18 relation to liability of persons involved in
19 equine activities.

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

22 THE SECRETARY: Section 3. This
23 act shall take effect on the 90th day.

24 ACTING PRESIDENT KUHL: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT KUHL: Record
3 the negatives. Announce the results.

4 THE SECRETARY: Ayes 37, nays 2,
5 Senators Connor and Paterson recorded in the
6 negative.

7 ACTING PRESIDENT KUHL: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 750, by Senator Stafford, Senate Print 3728, an
11 act to amend the Real Property Law, in relation
12 to permissible size.

13 ACTING PRESIDENT KUHL: There is
14 a home rule message at the desk. The Secretary
15 will read the last section.

16 THE SECRETARY: Section 2. This
17 act shall take effect immediately.

18 ACTING PRESIDENT KUHL: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes 40.

22 ACTING PRESIDENT KUHL: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 794, by Senator DeFrancisco, Senate Print

1 3627-A, an act to legalize, validate, ratify and
2 confirm certain actions and proceedings.

3 ACTING PRESIDENT KUHL: There is
4 a local fiscal impact note at the desk. The
5 Secretary will read the last section.

6 THE SECRETARY: Section 3. This
7 act shall take effect immediately.

8 ACTING PRESIDENT KUHL: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes 40.

12 ACTING PRESIDENT KUHL: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 807, by Senator Alesi, Senate Print 4266, an act
16 to amend the General Business Law, in relation
17 to false price comparisons.

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

20 THE SECRETARY: Section 4. This
21 act shall take effect on the 30th day.

22 ACTING PRESIDENT KUHL: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes 42.

1 ACTING PRESIDENT KUHL: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 814, by Senator Volker, Senate Print 1532, an
5 act to amend the Town Law and the General
6 Municipal Law, in relation to the deadline.

7 ACTING PRESIDENT KUHL: The
8 Secretary will read the last section.

9 THE SECRETARY: Section 3. This
10 act shall take effect immediately.

11 ACTING PRESIDENT KUHL: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes 42.

15 ACTING PRESIDENT KUHL: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 818, by Senator Stafford, Senate Print 3317, an
19 act to authorize J.A. Barkley Hose Company No. 1
20 Incorporated to construct and operate.

21 ACTING PRESIDENT KUHL: There is
22 a home rule message at the desk. The Secretary
23 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 42.

5 ACTING PRESIDENT KUHL: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 861, by Senator Rath, Senate Print 4412, an act
9 to amend the Civil Practice Law and Rules and
10 the Executive Law, in relation to extending the
11 statute of limitations.

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

14 THE SECRETARY: Section 3. This
15 act shall take effect January 1.

16 ACTING PRESIDENT KUHL: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes 43.

20 ACTING PRESIDENT KUHL: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 878, by Senator Maziarz, Senate Print 2806, an
24 act to amend the Tax Law, in relation to
25 extending the expiration of the authorization to

1 the county of Orleans.

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

4 THE SECRETARY: Section 3. 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 43.

10 ACTING PRESIDENT KUHL: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 902, by Senator Meier, Senate Print 4584, an act
14 to amend the Tax Law, in relation to extending
15 the effectiveness of provisions.

16 ACTING PRESIDENT KUHL: The
17 Secretary will read the last section.

18 THE SECRETARY: Section 3. This
19 act shall take effect immediately.

20 ACTING PRESIDENT KUHL: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes 43.

24 ACTING PRESIDENT KUHL: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 925, by Senator Johnson, Senate Print 3647-A, an
3 act to amend the Environmental Conservation Law,
4 in relation to prohibiting.

5 ACTING PRESIDENT KUHL: The bill
6 is high. There is no message at the desk. So
7 the Secretary will lay the bill aside.

8 Senator Maziarz, that completes
9 the reading of the non-controversial calendar.

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

12 Mr. President, there is an
13 immediate meeting of the Higher Education
14 Committee in Room 332.

15 ACTING PRESIDENT KUHL: Immediate
16 meeting of the Higher Education Committee,
17 immediate meeting of the Higher Education
18 Committee in the Majority Conference Room, Room
19 332.

20 SENATOR MAZIARZ: Mr. President.

21 ACTING PRESIDENT KUHL: Senator
22 Maziarz.

23 SENATOR MAZIARZ: Mr. President,
24 at this time would you recognize Senator Spano
25 for the purpose of a resolution.

1 ACTING PRESIDENT KUHL: We'll
2 return to the order of motions and resolutions.

3 The Chair recognizes Senator
4 Spano but before we do that, we ought to have
5 the Secretary read the title to the resolution.

6 The Secretary will read.

7 THE SECRETARY: By Senator
8 Trunzo, Legislative Resolution 1129, honoring
9 New York State Professional Firefighters upon
10 the occasion of Professional Firefighters Week,
11 May 12 through 16, 1997.

12 ACTING PRESIDENT KUHL: The Chair
13 recognizes Senator Spano.

14 SENATOR SPANO: Thank you very
15 much, Mr. President, my colleagues.

16 On behalf of Senator Trunzo, we
17 have the resolution that is before us dedicating
18 the outstanding work of the Professional
19 Firefighters of New York State, and I wanted to
20 just take a couple of minutes to recognize those
21 firefighters and the job and the role that they
22 play in our community and the role that they've
23 played over the last 128 years, where we have
24 seen 454 firefighters over those 128 years, who
25 have made the supreme sacrifice, have lost their

1 lives in the line of duty, while protecting the
2 lives and the property of the people of our
3 great state.

4 The New York State Professional
5 Firefighters have an outstanding person who is
6 at the helm, Jim McGowan, who has continued to
7 represent the -- outstanding advocate on their
8 behalf in the halls of this Capitol. The New
9 York State Professional Firefighters have 25,000
10 members. They have been in Albany this week and
11 this resolution that we have before us today
12 dedicates and memorializes the Governor to call
13 on between May 12th and May 16th to make this
14 Professional Firefighters Week.

15 We're joined by a number of the
16 representatives of the firefighters in the
17 gallery, and I know that President McGowan is on
18 his way down here, I guess, but I know that I
19 see a number of firefighters up there that I
20 have had an opportunity to work with and
21 certainly some members from the Fifth District,
22 a little closer to home in Westchester County,
23 and I, Mr. President, ask that we do unanimously
24 adopt this resolution which has the sponsorship
25 of all of the members of this house already and

1 please recognize those firefighters who are
2 joined with us in the gallery today.

3 Thank you.

4 ACTING PRESIDENT KUHL: Thank
5 you, Senator Spano.

6 Is there any other Senator
7 wishing to speak on the resolution? The
8 resolution -- I'm sorry. I apologize, Senator
9 Spano. I misled you. The resolution was
10 adopted yesterday so we're just speaking on it
11 today.

12 Hearing none, on behalf of
13 Senator Bruno and all the members of the
14 chamber, I would like to welcome these
15 professional firefighters to the chamber. We
16 appreciate your coming and spending a couple
17 moments of your lives which you are very
18 dedicated certainly and provide a wonderful
19 service, a very vital service to all the
20 residents of the state of New York and we
21 appreciate your sharing just a little piece of
22 that time of your existence on this earth with
23 us and welcome to the chamber. If there's
24 anything any member of this chamber can do for
25 you, we certainly are here to do that.

1 So if you would all rise, we
2 would like to recognize you for providing the
3 wonderful service you do. (Applause)

4 Senator Maziarz.

5 SENATOR MAZIARZ: Mr. President,
6 is there any housekeeping at the desk?

7 ACTING PRESIDENT KUHL: It's all
8 taken care of, Senator Maziarz.

9 SENATOR MAZIARZ: Could you
10 recognize Senator Gentile, please.

11 ACTING PRESIDENT KUHL: The Chair
12 recognizes Senator Gentile.

13 SENATOR GENTILE: Thank you, Mr.
14 President.

15 I would just like unanimous
16 consent to be recorded in the negative on bill
17 numbers -- Calendar Numbers 878 and 902.

18 ACTING PRESIDENT KUHL: Without
19 objection, hearing no objection, Senator Gentile
20 will be recorded in the negative on Calendar
21 Number 878 and Calendar Number 902.

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

24 ACTING PRESIDENT KUHL: Senator
25 Dollinger.

1 SENATOR DOLLINGER: May I also
2 have unanimous consent to be recorded in the
3 negative on 902 and 878.

4 ACTING PRESIDENT KUHL: Without
5 objection, hearing no objection, Senator
6 Dollinger will be recorded in the negative on
7 Calendar Number 878 and Calendar Number 902.

8 Senator Maziarz.

9 SENATOR MAZIARZ: Mr. President,
10 could we stand at ease awaiting a message on
11 Calendar Number 925, please.

12 ACTING PRESIDENT KUHL: The
13 Senate will stand at ease.

14 (Whereupon, the Senate stood at
15 ease from 10:24 a.m. until 10:34 a.m.)

16 ACTING PRESIDENT KUHL: The
17 Senate will come to order. Ask the members to
18 find their places.

19 The Chair recognizes Senator
20 Dollinger.

21 SENATOR DOLLINGER: Mr.
22 President, I ask unanimous consent to be
23 recorded in the negative on Calendar Number 743.

24 ACTING PRESIDENT KUHL: Without
25 objection.

1 SENATOR DOLLINGER: Thank you.

2 ACTING PRESIDENT KUHL: Hearing
3 no objection, Senator Dollinger will be recorded
4 in the negative on Calendar Number 743.

5 Senator Sampson.

6 SENATOR SAMPSON: Mr. President,
7 I would like unanimous consent to be recorded in
8 the negative on Calendar Number 218.

9 ACTING PRESIDENT KUHL: Without
10 objection, hearing no objection, Senator Sampson
11 will be recorded in the negative on 218.

12 SENATOR SAMPSON: Also I would
13 like unanimous consent, Mr. President, to be
14 recorded in the negative on Calendar Number 497.

15 ACTING PRESIDENT KUHL: Without
16 objection, hearing no objection, Senator Sampson
17 will be recorded in the negative on Calendar
18 Number 497.

19 SENATOR SAMPSON: And also -

20 ACTING PRESIDENT KUHL: Senator
21 Sampson.

22 SENATOR SAMPSON: Also I would
23 like to, Mr. President, be recorded in the
24 negative on Calendar Number 743.

25 ACTING PRESIDENT KUHL: Without

1 objection, hearing no objection, Senator Sampson
2 will be recorded in the negative on Calendar
3 Number 743.

4 Senator Wright.

5 SENATOR WRIGHT: Can we return to
6 the controversial calendar, please, and take up
7 Calendar Number 925.

8 ACTING PRESIDENT KUHL: The
9 Secretary will read the title to Calendar Number
10 925 by Senator Johnson.

11 THE SECRETARY: Calendar Number
12 925, by Senator Johnson, Senate Print 3647-A, an
13 act to amend the Environmental Conservation Law,
14 in relation to prohibiting the taking of
15 menhaden.

16 ACTING PRESIDENT KUHL: Senator
17 Wright.

18 SENATOR WRIGHT: Is there a
19 message of necessity at the desk?

20 ACTING PRESIDENT KUHL: There is
21 a message at the desk.

22 SENATOR WRIGHT: I move the
23 message.

24 ACTING PRESIDENT KUHL: The
25 motion is to accept the message of necessity at

1 the desk on Calendar Number 925. All those in
2 favor signify by saying aye.

3 (Response of "Aye".)

4 Opposed, nay.

5 (There was no response.)

6 The message is accepted.

7 The Secretary will read the last
8 section.

9 THE SECRETARY: Section 7. This
10 act shall take effect immediately.

11 ACTING PRESIDENT KUHL: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes 48.

15 ACTING PRESIDENT KUHL: Senator
16 Oppenheimer to explain her vote.

17 SENATOR OPPENHEIMER: Yes. Thank
18 you, Mr. President.

19 This is a very important bill for
20 my district, in that we live along the Long
21 Island Sound and on the Sound these very large
22 trawlers -- they're bunker boats -- come in and
23 scoop up all the menhaden, all the small, what
24 are called mossbunkers or bunker fish and,
25 therefore, the sport fish, the bluefish and the

1 stripers have nothing to feed on. These bunker
2 boats come with purse seine nets that scoop up
3 every single small bunker fish. The companies
4 bring in airplanes. They spot where the schools
5 of fish are. They then spread out this net,
6 which is huge, like 1500 feet and then they pull
7 a string on the top and then all of these fish,
8 all the entire school is caught in this net and
9 as a result, we have a lot of sport fishermen
10 and we have a lot of industry around sport
11 fishing.

12 What this bill would do is it
13 would exclude these enormous bunker boats from
14 coming into the entire shoreline of Westchester
15 County and also a good portion of Long Island's
16 shoreline. It would move the dates that these
17 boats can come in from the third Monday in June
18 to just after July 4th, the Monday after July
19 4th.

20 This is an important bill for the
21 industry. There are other provisions I won't
22 mention but it is really a significant bill, and
23 we wanted to get it done before the 19th of this
24 month because that's when these bunker boats
25 from the southern states come in basically from

1 Virginia. So we're very pleased it will be
2 moving today.

3 Thank you.

4 ACTING PRESIDENT KUHL: Senator
5 Oppenheimer will be recorded in the
6 affirmative. Announce the results.

7 Senator Johnson to explain his
8 vote.

9 SENATOR JOHNSON: Yes, Mr.
10 President. I think I must commend my colleague,
11 Senator Oppenheimer, for the wonderful
12 explanation. I was out of the room when this
13 bill first came up but she has been a stalwart
14 in the New York-Connecticut Bi-state Committee
15 for Long Island Sound, worked together with us
16 in drafting this bill, and I would like to
17 commend her for the help she's given us and this
18 is a very important bill. I appreciate the
19 Governor sending the message and it is coming up
20 today.

21 Yes, it's true. If we don't pass
22 this today, next Monday the bunker boats will be
23 on Long Island Sound creating a lot of problems
24 for a lot of people which really aren't
25 necessary.

1 So I would like to thank you all
2 for your vote in favor of this bill.

3 ACTING PRESIDENT KUHL: The bill
4 is passed.

5 Senator Tully.

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

8 I was out of the room at the time
9 Calendar Number 648 was called. I was attending
10 a meeting and had I been in the room at that
11 time, I would have voted in the negative on
12 Calendar Number 648.

13 ACTING PRESIDENT KUHL: Without
14 objection and hearing no objection, Senator
15 Tully will be recorded in the negative on
16 Calendar Number 648.

17 Senator Johnson.

18 SENATOR JOHNSON: Yes, Mr.
19 President. I wasn't actually involved in the
20 discussions when Calendar Number 442 came up,
21 but I would like it to be indicated that I would
22 have voted no if I were here.

23 Thank you.

24 ACTING PRESIDENT KUHL: Without
25 objection.

1 SENATOR JOHNSON: If I might
2 add -

3 ACTING PRESIDENT KUHL: Senator
4 Johnson, we'll record you in the negative, if
5 there's no objection. Without objection and
6 hearing no objection, Senator Johnson will be
7 recorded in the negative on Calendar Number 448.

8 SENATOR JOHNSON: I would like to
9 say one other thing, Mr. President. I neglected
10 to mention Senator Tully, who is also an active
11 member of the Bi-state Committee, was helpful in
12 drafting this bill.

13 Thank you.

14 ACTING PRESIDENT KUHL: That was
15 Calendar Number 442, Senator Johnson?

16 SENATOR JOHNSON: Correct.

17 ACTING PRESIDENT KUHL: Okay.
18 Senator Johnson will be recorded in the negative
19 on Calendar Number 442.

20 Any other Senator wishing to cast
21 a vote at this time?

22 SENATOR MAZIARZ: Mr. President.

23 ACTING PRESIDENT KUHL: Senator
24 Maziarz.

25 SENATOR MAZIARZ: Yes, Mr.

1 President. I would like to ask unanimous
2 consent to be recorded in the negative on
3 Calendar Number 442.

4 ACTING PRESIDENT KUHL: Without
5 objection, hearing no objection, Senator Maziarz
6 will be recorded in the negative on Calendar
7 Number 442.

8 Senator Wright.

9 SENATOR WRIGHT: Is there any
10 housekeeping?

11 ACTING PRESIDENT KUHL: There is
12 none.

13 SENATOR WRIGHT: There being no
14 further business, I move we adjourn until
15 Monday, May 19th, at 3:00 p.m., intervening days
16 being legislative days.

17 ACTING PRESIDENT KUHL: Without
18 objection, the Senate stands adjourned until
19 Monday, May 19th, usual time, 3:00 p.m., the
20 intervening days to be legislative days.

21 (Whereupon, at 10:41 a.m., the
22 Senate adjourned.)

23

24

25