ALBANY, NEW YORK

June 9, 1997

3:09 p.m.

REGULAR SESSION

LT. GOVERNOR BETSY McCAUGHEY ROSS, President

STEPHEN F. SLOAN, Secretary

P R O C E E D I N G S

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

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

The invocation today will be given by Reverend Peter G. Young from the Blessed Sacrament Church of Bolton Landing.

REVEREND PETER G. YOUNG: Thank you, Governor. Let us pray.

We pray for all of our New York State people, that their wealth and their power might become a force for peace rather than conflict, a source of hope rather than discontent, become an agent of friendship rather than enmity. May the actions of this Senate then be that example. We ask You this now and forever. Amen.

THE PRESIDENT: Amen.

The reading of the Journal, please.

THE SECRETARY: In Senate, Saturday, June 7. The Senate met pursuant to adjournment. The Journal of Friday, June 6th,

was read and approved. On motion, Senate adjourned.

THE PRESIDENT: Without objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Oh, Senator LaValle.

SENATOR LAVALLE: Madam President, I would like to hand up and have filed a Subcommittee on Higher Education Role in Welfare Reform. The subcommittee was chaired by Senator Mary Lou Rath, and the report to the - is to the New York State Senate Committee on Higher Education.

I would like to make just a few brief remarks as I hand this report up to the desk. This report emanated from a committee meeting which Commissioner Mills attended, the Senate Committee on Higher Education, and there was a discussion of the role of higher education and implications that the welfare reform would have on higher education.

As chairman, I formed a subcommittee. Senator Rath was named as its chair, and the members of the committee were Senator Libous, Senator Meier, Senator Lachman and Senator Santiago. I would like to just thank our Majority Leader, Senator Bruno, for his support in the creation of this subcommittee. It may be the only time or one of the few times that a chairman of a standing committee has formed a subcommittee and the members, its chair, Senator Rath, has done an outstanding job in the number of meetings that were held and the culmination of this report and the participation by all the members of the committee.

I must also thank our Minority Leader, Senator Connor, for his support and the Minority members on the committee who participated fully in the production of what will hopefully be recommendations that will be well received. Commissioner Sweeney, Commissioner of Labor, participated as well as Commissioner Mills.

With that, Mr. President, I hand up to be filed with the desk this report.

ACTING PRESIDENT KUHL: Thank you, Senator LaValle. The report will be received and filed.

Senator Rath.

SENATOR RATH: Mr. President, I'd like to comment on the report that was just handed up to the committee and thank Senator LaValle for the opportunity to serve in the capacity under his direction as chairman of the Higher Education Committee as he put in place a task force -- a bipartisan subcommittee, pardon me, not a task force, bipartisan subcommittee, which addressed what appears today to be as this all developed just about the most critical and burning issue that we all were facing.

It all came together in a Higher Education Committee meeting, and the urgency - the urgency that member after member displayed when Commissioner Mills started talking about how higher education was going to play a role in skills development and work force development that, as Senator LaValle looked around and saw Senator Lachman and Senator Meier and Senator Libous and Senator Santiago and myself all aching to get into a discussion, he in his

wisdom set in place the subcommittee report which you have.

I would say just a couple of brief remarks. Earlier this year as chairman of Local Government, I moved through the state and held four Welfare to Work roundtable discussions attempting to maintain the discussion on the implementation of local governments and their relationship to implementation of welfare to work. You couldn't discuss it without discussing jobs. You couldn't discuss jobs without discussing education, and so what you see in the report today was certainly reflective of what we heard across the state, reflective of what all the members of the subcommittee discovered as they went back to their districts and talked with their people who were interested in work force development, higher education and skills training and certainly interested in the New York State's effort of welfare to work.

I thank Senator LaValle, thank the members of the subcommittee, look forward to working with my colleagues as we move forward together on this wonderful new adventure that New York State is setting off on.

Thank you.

ACTING PRESIDENT KUHL: Reports -- Senator Lachman, why do you rise?

SENATOR LACHMAN: I rise to also speak on this report, Mr. Chairman.

I was very pleased to serve on the committee, and especially so because the goal, the objective, of this report is really to develop an integrated approach to moving all welfare recipients into jobs, reviewing programs, evaluating them, eliminating that which does not work and maintaining that which does work.

In a sense, it attempts to integrate the best programs in state agencies, public higher education, independent schools of higher education, and the business community and, most important, what I learned from this endeavor is that important issues can be resolved on a non-partisan basis, and I want to commend not only all my colleagues, Senator Santiago, Senator Libous, Senator Meier, but I also -- of course, Senator Rath, the chairman of the subcommittee, most especially Senator LaValle and those unsung heroes of the

Democratic and Republican Conference who worked behind the scenes.

It was said a couple of weeks ago that this could not be done in one integrated report. It has been done in one integrated re port. Why? Because the issue was very impor tant to the future and, in this non-partisan approach, I hope that other important and controversial issues that arise in this chamber this week and next week will also be settled in a similar non-partisan approach.

Thank you all.

ACTING PRESIDENT KUHL: Reports of select committees.

Communications and reports from state officers.

Motions and resolutions. The Chair recognizes Senator Marcellino.

SENATOR MARCELLINO: Thank you, Mr. President.

On page number 47, I offer the following amendments to Calendar Number 702, Senate Print Number 3431, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT KUHL:

Amendments to Calendar Number 702 received and adopted; the bill will retain its place on the Third Reading Calendar.

Senator Marcellino.

SENATOR MARCELLINO: Mr. President, on page number 10, I offer the following amendments to Calendar Number 306, Senate Print Number 1983, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT KUHL: Amendments to Calendar Number 306 are received and adopted; the bill will retain its place on the Third Reading Calendar.

Senator Marcellino.

SENATOR MARCELLINO: Thank you, Mr. President.

On page number 31, I offer the following amendments to Calendar Number 827, Senate Print Number 4285, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT KUHL: Amendments to Calendar Number 827 are received and adopted; the bill will retain its place on the Third Reading Calendar.

Senator Marcellino.

SENATOR MARCELLINO: Thank you, Mr. President.

On page number 39, I offer the following amendments to Calendar Number 1001, Senate Print Number 4535-A, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT KUHL: Amendments to Calendar Number 1001 received and adopted; the bill will retain its place on the Third Reading Calendar.

Senator Marcellino.

SENATOR MARCELLINO: Thank you, Mr. President.

Last, but not least, on page number 40, I offer the following amendments to Calendar Number 1014, Senate Print Number 4864-A, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT KUHL: Amendments to Calendar Number 1014 are received and adopted; the bill will retain its place on the Third Reading Calendar.

ACTING PRESIDENT KUHL: Senator Seward.

SENATOR SEWARD: Yes, Mr. President. On behalf of Senator Cook, please remove the sponsor's star on Calendar Number 820.

ACTING PRESIDENT KUHL: Star on Calendar Number 820 is removed at the request of the sponsor.

Senator Seward.

SENATOR SEWARD: Yes. On behalf of Senator Marcellino, I wish to call up his bill, Print Number 4130, recalled from the Assembly which is now at the desk.

ACTING PRESIDENT KUHL: Secretary will read.

THE SECRETARY: Calendar Number 572, by Senator Marcellino, Senate Print 4130, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT KUHL: Senator Seward.

SENATOR SEWARD: Mr. President, I now move to reconsider the vote by which this bill was passed.

ACTING PRESIDENT KUHL: Secretary will call the roll on reconsideration.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 45.

ACTING PRESIDENT KUHL: Senator Seward.

SENATOR SEWARD: Mr. President, I now offer the following amendments.

ACTING PRESIDENT KUHL: Amendments are received and adopted.

Senator Skelos, there's a couple substitutions at the desk.

SENATOR SKELOS: Please do the substitutions.

ACTING PRESIDENT KUHL: Secretary will read the substitutions.

THE SECRETARY: On page 4, Senator Levy moves to discharge from the Committee on Rules Assembly Bill Number 2541 and substitute it for the identical Third Reading Calendar 79.

On page 10, Senator Levy moves to discharge from the Committee on Rules Assembly Bill Number 3080, and substitute it for the identical Third Reading Calendar 321.

On page 29, Senator Trunzo moves

to discharge from the Committee on Rules Assembly Bill Number 8089 and substitute it for the identical Third Reading Calendar 792.

On page 37, Senator Levy moves to discharge from the Committee on Rules Assembly Bill Number 4566 and substitute it for the identical Third Reading Calendar 961.

And on page 39, Senator Levy moves to discharge from the Committee on Rules Assembly Bill Number 6726-B and substitute it for the identical Third Reading Calendar 1002.

ACTING PRESIDENT KUHL: Substitutions are ordered.

Senator Skelos, that brings us to the calendar.

SENATOR SKELOS: Mr. President, there will be an immediate meeting of the Rules Committee in the Majority Conference Room.

ACTING PRESIDENT KUHL: There will be an immediate meeting of the Rules Committee. Immediate meeting of the Rules Committee in the Majority Conference Room, Room 332.

Senator Skelos.

SENATOR SKELOS: Mr. President, I

believe there is a privileged Resolution Number 1669 at the desk, sponsored by Senator DeFrancisco. May we please have the title read and move for its immediate adoption.

ACTING PRESIDENT KUHL: Secretary will read the title of the privileged resolution by Senator DeFrancisco, 1669.

THE SECRETARY: By Senator DeFrancisco, Legislative Resolution 1669, honoring Vera House, Incorporated of Syracuse, New York, an agency that works to end domestic violence, upon the occasion of the kick-off of its White Ribbon Campaign June 7 through 15, 1997.

ACTING PRESIDENT KUHL: Senator DeFrancisco, on the resolution.

SENATOR DeFRANCISCO: Mr. President, I rise to urge the adoption - unanimous adoption of this resolution and also to explain to the members of the house that Vera House is an organization that's been in existence for some time in Syracuse, New York and it provides emergency shelter for women, education services on domestic violence and also outreach programs that have been extremely

successful in our area.

Three years ago Vera House decided that they were going to try to create greater awareness of the problems of domestic violence, an awareness that this body already has from some of the legislation that we've already passed here. But the greater awareness is by way of a White Ribbon Campaign, and I have provided white ribbons to all the members of the house. I'm glad to see that many of you are wearing them, and basically what it is done for is to raise consciousness about the serious problem of domestic violence. In Syracuse, not only are the white ribbons being worn by people but we have them around trees in downtown Syracuse and worn in many businesses and factories and the like. So in support of this great venture of Vera House, in support of the great work, I rise to support this resolution and commend Vera House on its fine efforts and to help to bring more visibility to this very, very serious problem, not only in this chamber, not only in Syracuse, but throughout the state of New York.

Thank you, Mr. President.

ACTING PRESIDENT KUHL: Question is on the resolution. All those in favor signify by saying aye.

(Response of "Aye.")

Opposed nay.

(There was no response.)

The resolution is adopted.

Senator Holland.

SENATOR HOLLAND: I believe there is a privileged resolution, I guess Number 1670, by you, Mr. President. May we please have the title read and move for its immediate adoption.

ACTING PRESIDENT KUHL: Secretary will read the title to Resolution Number 1670.

THE SECRETARY: By Senator Kuhl, Legislative Resolution 1670, memorializing Governor George E. Pataki to proclaim June 1997 as June Is Dairy Month in the state of New York.

ACTING PRESIDENT KUHL: Question is on the resolution. All those in favor signify by saying aye.

(Response of "Aye.")

Opposed nay.

(There was no response.)

The resolution is adopted.

Senator Holland.

SENATOR HOLLAND: Mr. President, there are two privileged resolutions at the desk by Senator Saland. May we please have the titles read and move for their immediate adoption.

ACTING PRESIDENT KUHL: Secretary will read the title of Resolution Number 1641.

THE SECRETARY: By Senator Saland, Legislative Resolution 1641, honoring John Cordato upon the occasion of his designation as recipient of the New York State Conspicuous Service Cross, by the New York State Division of Veterans Affairs at a ceremony on June 10, 1997.

ACTING PRESIDENT KUHL: Question is on the resolution. All those in favor signify by saying aye.

(Response of "Aye.")

Opposed nay.

(There was no response.)

The resolution is adopted.

Secretary will read the title of Resolution Number 1642, by Senator Saland.

THE SECRETARY: By Senator Saland, Legislative Resolution Number 1642, honoring Edward James upon the occasion of his designation as recipient of the New York State Conspicuous Service Cross by the New York State Division of Veterans Affairs at a ceremony on June 10, 1997.

ACTING PRESIDENT KUHL: All those in favor of adopting the resolution signify by saying aye.

(Response of "Aye.")

Opposed nay.

(There was no response.)

The resolution is adopted.

Senator Holland.

SENATOR HOLLAND: If there is no housekeeping, can we go to non-controversial reading of the calendar, please, Mr. President.

ACTING PRESIDENT KUHL: Secretary will read the non-controversial calendar beginning with Calendar Number 79 on page 4.

THE SECRETARY: Calendar Number 79, substituted earlier today, by member of the Assembly Sweeney, Assembly Print 2541, an act to amend the Transportation Law, in relation to

establishing an engineering.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 52.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 174, by Senator Maltese, Senate Print 1219-A, an act to amend the Election Law, in relation to party recommendations.

SENATOR HOLLAND: Lay the bill aside for the day at the request of the sponsor.

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

THE SECRETARY: Calendar Number 184, by Senator Tully, Senate Print 2567-C, an act to amend the Environmental Conservation, in relation to including publicly owned drinking

water treatment plants.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 30th day.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 52.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 227, by Senator Saland, Senate Print 1289-B, an act to amend the Education Law, in relation to eligibility for state aid.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 52.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 405, by Senator Alesi, Senate Print 3525-A, an act to amend the General Business Law, in relation to subjecting collect and international interactive information.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 52.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 453, by Senator Maziarz, Senate Print 933, an act to amend the Environmental Conservation Law, in relation to the environmental regulatory program fees.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 3. This act shall take effect April 1.

ACTING PRESIDENT KUHL: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 54.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 532, by Senator Levy, Senate Print 51, an act to amend the Vehicle and Traffic Law, in relation to establishing.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 54.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 534, by Senator Levy, Senate Print 100-A, an act to amend Chapter 312 of the Laws of 1994, amending the Vehicle and Traffic Law.

ACTING PRESIDENT KUHL: Secretary

will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 54.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 610, by member of the Assembly Pheffer, Assembly Print 6781-A, an act to amend the General Business Law, in relation to acceptance of unexpired gift certificates.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 54.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number

611, by Senator Levy, Senate Print 25, an act to amend the Real Property Tax Law.

SENATOR HOLLAND: Lay aside for the day, please, at the request of the sponsor.

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

THE SECRETARY: Calendar Number 699, by Senator Libous, Senate Print 3887, an act to amend the Mental Hygiene Law, in relation to providing protection.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 54.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 704, by Senator Volker, Senate Print 5217, an act to amend the Civil Service Law, in relation to the definition of public employee.

ACTING PRESIDENT KUHL: Secretary

will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 54.

ACTING PRESIDENT KUHL: The bill is passed.

Record the negative, announce the results.

THE SECRETARY: In relation to Calendar Number 704, those recorded in the negative are Senators Dollinger, Gentile and Markowitz. Ayes 53 -- ayes 51, nays 3.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 719, by Senator Goodman, Senate Print 5031, an act to amend the Administrative Code of the city of New York.

SENATOR HOLLAND: Lay aside for the day.

ACTING PRESIDENT KUHL: There is a local fiscal impact at the desk. Lay the bill

aside for the day.

THE SECRETARY: Calendar Number 742, by Senator Trunzo, Senate Print 1523-B, an act to amend the Eminent Domain Procedure Law, in relation to acquisition.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 2. This act shall take effect in 30 days.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 768, by Senator Farley, Senate Print 3852-A, an act to amend the Public Health Law, in relation to advising maternity patients.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 55, nays 1, Senator Cook recorded in the negative.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 788, by Senator Levy, Senate Print 4426, an act to amend the Executive Law, in relation to felonies designated for inclusion in the state DNA Identification Index.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 823, by Senator Rath, Senate Print 3802-A, an act to amend the Real Property Tax Law, in relation to relieving local governments.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 840, by Senator Holland, Senate Print 4481, an act to amend the Social Services Law, in relation to adding physician assistants.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number

842, by Senator Holland, Senate Print 4775, an act to amend the Social Services Law, in relation to authorizing not-for-profit corporations.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56, nays one, Senator Spano recorded in the negative.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 885, by Senator Goodman, Senate Print 3648, an act to amend the Alcoholic Beverage Control Law, in relation to clarifying that an application.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 935, by Senator LaValle, Senate Print 1737, an act to amend the Domestic Relations Law and the Family Court Act, in relation to the visitation rights of great grandparents.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 938, by Senator Saland, Senate Print 3442, an act to amend the Domestic Relations Law, in relation to orders of protection in matrimonial proceedings.

ACTING PRESIDENT KUHL: Secretary

will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 947, by Senator Saland, Senate Print 5175, an act to amend the Domestic Relations Law and the Family Court Act, in relation to violations.

ACTING PRESIDENT KUHL: Secretary will read the last section.

THE SECRETARY: Section 3. This act shall take effect in 90 days.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number

1023, by member of the Assembly Smith, Assembly Print 7033-A, an act to amend the Agriculture and Markets Law, in relation to domestic animal health permits.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1032, by the Assembly Committee on Rules, Assembly Print 7887, an act to repeal subdivision 9.

SENATOR PATERSON: Lay aside.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 1033, by member of the Assembly Lopez, Assembly Print 1864, an act to amend the Election Law, in relation to ballots on voting machines.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 56.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1034, by the Assembly Committee on Rules, Assembly Print 7889, an act to amend the Election Law, in relation to certain misconduct relating to petitions.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 57.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1050, by Senator Marchi, Senate Print 4085, an act to repeal Section 630.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number 1059, by Senator Lack, Senate Print 4787, an act authorizing the State University of New York to lease and contract for service.

ACTING PRESIDENT KUHL: Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 57.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Holland, that completes the controver... non-controversial calendar.

SENATOR HOLLAND: Can we do the controversial calendar, please.

ACTING PRESIDENT KUHL: Secretary will read the controversial calendar beginning

with Calendar Number 1032, by Senator Maltese, on page 42.

THE SECRETARY: Calendar Number 1032, by the Assembly Committee on Rules, Assembly Print 7887, an act to repeal subdivision 9 of Section 14-114.

ACTING PRESIDENT KUHL: Senator Maltese, an explanation of Calendar Number 1032 has been requested by Senator Gold.

SENATOR MALTESE: Thank you, Mr. President.

The purpose of this bill is to eliminate the references to the New York City Board of Estimate in Article 14 of the Election Law.

The New York City Board of Estimate was abolished in 1991 and its powers were transferred to the New York City Council. Since the Board of Estimate no longer exists, reference to the contribution limit for races for the Board of Estimate should be eliminated. Let's see, and the abolishment of the Board of Estimate eliminates the need for this section of law, and this was at the request of the City Council President -- I'm sorry, the Speaker of

the City Council.

ACTING PRESIDENT KUHL: Senator Gold.

SENATOR GOLD: Yeah. This is 1032?

ACTING PRESIDENT KUHL: Calendar 1032 is the bill before the house currently.

Senator Paterson, why do you rise?

(There was no response.)

Senator Gold?

SENATOR GOLD: Yes, Mr. President. Would Senator Maltese yield to just one question?

ACTING PRESIDENT KUHL: Senator Maltese, do you yield to a question?

SENATOR MALTESE: Yes.

ACTING PRESIDENT KUHL: Senator yields.

SENATOR GOLD: Senator, are you telling us that you want this piece of legislation stricken from the books only because the group involved doesn't exist any more?

SENATOR MALTESE: That's correct, and it's an agreed-upon bill with the Assembly

and the Assembly -- it's an Assembly Rules Committee bill.

SENATOR GOLD: Mr. President.

ACTING PRESIDENT KUHL: Senator Gold.

SENATOR GOLD: Yeah. I was asked to ask for an explanation so that we could retrieve the distinguished Senator from Manhattan from Rules, and I understand that he is now back with us, so I'd like to yield to Senator Leichter.

SENATOR LEICHTER: Yeah, Mr. President. Is there an amendment at the desk, please?

ACTING PRESIDENT KUHL: Senator Leichter, I am informed that an amendment has just arrived. I don't know as it's been served on the appropriate parties, but we'll take a look at it. Give us just a moment.

Senator Holland.

SENATOR HOLLAND: If people will just bear with us for a minute, Mr. President. Can we just take a moment from this bill so we can do a little more research maybe and go back to resolutions, please.

ACTING PRESIDENT KUHL: Senator Leichter, I'm going to need just a moment for some additional information I need to make a ruling on your proposed amendment. So at this time, we'll lay the bill aside temporarily. We'll be right back to it.

SENATOR LEICHTER: Senator, I have no objection at all, but with all due respect, Mr. President, I don't think this is so tough.

ACTING PRESIDENT KUHL: Well, I just want to be absolutely accurate and correct and fair to all concerned, Senator Leichter, so I just need one piece of information.

SENATOR LEICHTER: Were you announcing a new standard, Mr. President?

ACTING PRESIDENT KUHL: Pardon?

SENATOR LEICHTER: Were you announcing a new standard?

ACTING PRESIDENT KUHL: No, no.

SENATOR LEICHTER: Oh, it sounded like a new standard. Thank you.

ACTING PRESIDENT KUHL: No. As a matter of fact, Senator Leichter, I even recognized you that time when you stood up, so

it's not a new standard.

Senator Holland, we'll lay this bill aside temporarily. We'll go back to the regular order of motions and resolutions and there is a privileged resolution by Senator Wright at the desk I'll ask the Secretary to read in its entirety.

THE SECRETARY: By Senator Wright, Legislative Resolution 1585, paying tribute to the New York State honorees of the United States Small Business Administration upon the occasion of their designation as recipients of the 1997 Small Business People Awards Monday, June 9, 1997.

WHEREAS, small business owners embody the entrepreneurial spirit which has fueled the economy of our country since its founding, and

WHEREAS, small businesses continue to create virtually all new jobs in New York State and to train most workers entering our economy.

Small business owners contribute to our state by risking their personal wealth and devoting countless hours to their businesses

in order to provide jobs, pay taxes and produce goods and services to the people of the state of New York.

The United States Small Business Administration districts in New York State each year select a Small Business Person of the Year.

The United States Small Business Administration districts in New York State each year select certain outstanding small business people to receive Small Business Advocacy Awards.

The United States Small Business Administration districts in New York State each year select certain community members to receive Small Business Special Awards.

These awards represent recognition for entrepreneurship and advocacy from peers in small business; and

WHEREAS, Madiline B. Dolan, Executive Vice-president, Albany-Colonie Regional Chamber of Commerce, has been selected Financial Services Advocate of the Year for the Small Business Administration;

Tracey Rosenthal Drury, Business

First of Buffalo, has been selected Media Advocate of the Year for the Small Business Administration region;

Richard Fernandez, President, Sharon Construction Corporation, Red Bank, New Jersey, has been selected Small Business Prime Contractor of the Year for the Small Business Administration region;

Andrew Sewell, President, Alnitak Corporation, Farmingdale, New York, has been selected Small Business Subcontractor of the Year for the Small Business Administration region;

Richard Louis, President, Albany Net, Incorporated, Albany, New York, has been selected Young Entrepreneur of the Year for the Small Business Administration region;

John B. Fornasiero, CPA, Dopkins and Company, Williamsville, New York, has been selected Account Advocate of the Year for the Small Business Administration Buffalo district;

Ron Schrieber and Jordan Levy, founders and co-CEOs SOFTBANK Service Group, Buffalo, New York, have been selected Entre preneurial Success Awards for the Small Business

Administration, Buffalo district;

Deborah Dimatteo, Marine Midland Bank, Buffalo, New York, has been selected Financial Services Advocate of the Year for the Small Business Administration Buffalo district;

Charles Aughtry, Director of the Alliance for Minority and Women Business Enterprise Advancement, Buffalo, New York, has been selected Minority Advocate of the Year for the Small Business Administration Buffalo district;

Paul Eckert and Suzanne Eckert, Automated Office Products of WNY, Incorporated, Buffalo, New York, have been selected Small Business Team of the Year for the Small Business Administration Buffalo district;

Christopher S. Nigon, President of Multisorb Technologies, Incorporated, Buffalo, New York, has been selected Veteran Small Business Advocate of the Year for the Small Business Administration Buffalo district;

Dolores D. McCarley, President and Founder of Resource Planning Associates, Incorporated, Buffalo, New York, has been selected Women in Business Advocate of the Year

for the Small Business Administration Buffalo district;

Rocco J. Casullo, owner/operator of Casullo's Automotive Service, Inc., Kenmore, New York, has been selected Young Entrepreneur of the Year for the Small Business Administration Buffalo district;

Stanley F. Popeil, B.G. Imaging Specialties, Incorporated, Bronx, New York, has been selected Small Business Exporter of the Year for the Small Business Administration New York City district;

Jennifer and Jeremy Marshall, owners/operators of Aquagrill, a fine dining seafood restaurant and oyster bar, New York, New York, have been selected Entrepreneurial Success Award recipients for the Small Business Administration New York City district;

Sally A. Slacke, President, Slacke Test Boring, Incorporated, Kings Park, New York has been selected Women in Business Advocate of the Year for the Small Business Administration New York City district;

Sylvia F. Patterson and John Dobosz submit stories for CNN's children's

program, Managing with Lou Dobbs; they have been selected Media Advocate of the Year for the Small Business Administration New York City district;

Eugene Williams, Director, Small Business Development Center, Bronx, New York, has been selected Minority Small Business Advocate of the Year for the Small Business Administration, New York City district;

Douglas Asofsky, Vice-President and Director of Small Business Administration Lending, Citibank, Lake Success, New York, has been selected Financial Services Advocate of the Year for the Small Business Administration New York City district;

Peter E. Phame, President and CEO, Dynamic Decisions, Incorporated, New York, New York, has been selected Small Business Person of the Year for the Small Business Administration, New York City district;

Robert Fagliarone, Founder of the Fagliarone Group, P.C., Auburn, New York, has been selected Account Advocate of the Year for the Small Business Administration Syracuse district;

Mark R. Hadley, Editor of Small Biz, a publication of the Business Journal, Syracuse, New York, has been selected Small Business Media Advocate of the Year for the Small Business Administration Syracuse district;

Hang Zhu, President and Sole Stock Owner, Jiayuan Enterprise International, Incorporated, Syracuse, New York, has been selected Small Business Exporter of the Year for the Small Business Administration Syracuse district;

Cathy Newell, President and CEO, Mohawk LTD, Chadwicks, New York, has been selected Small Business Person of the Year for the Small Business Administration Syracuse district;

Thomas Sullivan, President of the North American Indian Project, Syracuse, New York, has been selected Minority Small Business Advocate of the Year for the Small Business Administration Syracuse district;

Janet Mellor, President -- owner, Mellor and Associates, Horseheads, New York, has been selected Women in Business Advocate of the Year for the Small Business Administration

Syracuse district;

Vincent Morrison, President and Owner, Veterans Fastener Supply Corporation, Syracuse, New York, has been selected Veterans Advocate of the Year for the Small Business Administration Syracuse district, and

WHEREAS, all these United States Small Business Administration Award Winners have contributed through their success and involvement in the small business sector to the economic strength of their communities, their state and their country; and

WHEREAS these New Yorkers exemplify the values of diligence, initiative and independence which makes small business such a vital sector of New York State's economy;

NOW, THEREFORE, BE IT RESOLVED that this legislative body pause in its deliberations to extend its congratulations to these New Yorkers for being designated by the United States Small Business Administration as outstanding 1997 small business people at a reception to be held on Monday, June 9, 1997; and

BE IT FURTHER RESOLVED that

copies of this resolution, suitably engrossed, be transmitted to the aforementioned honorees.

ACTING PRESIDENT KUHL: The Chair recognizes Senator Wright, on the resolution.

SENATOR WRIGHT: Thank you, Mr. President.

It's my pleasure to have joined with all of the small business winners today as the state Legislature recognized their efforts. The past week has been National Small Business Week and across the nation as well as across this state, we've had the opportunity to recognize the men and women who give so much of themselves investing in their companies in our communities throughout this state to create the jobs and the growth that we're all looking for in the economy of New York.

It's our opportunity today to have all of the 16 members who are in attendance out of the 27 statewide winners to join us here in the chambers, and I would ask them to rise if they would -- we also have several members here on the floor -- to be recognized by the Senate, for us to express our appreciation for everything that they have done. Majority Leader

Bruno had occasion to do that directly on behalf of the Senate today, but as you can see it is a group that is representative of New York, representative of New York's diversity and certainly indicative and representative of the strength that makes New York the state that it is and the success that they had in their business endeavors.

We're very pleased to recognize each and every one of you and to have the opportunity for you to join us today.

Thank you very much.

(Applause)

Mr. President, at this time I'd like to defer to several of my colleagues.

ACTING PRESIDENT KUHL: Senator DeFrancisco, on the resolution.

SENATOR DeFRANCISCO: Yes, I must rise. I think the gallery is filled with people from Syracuse. We're a little low this year, there is only about 30 percent of the winners from Syracuse, New York. I know recently there's been some publicity that business is down in Central New York. Well, this is business' future of Central New York.

This year we're honoring all of these individuals whose names have been read for to be as the small business winners this year. In a couple years they'll be the big business winners and will drive the economic engine of Central New York and also the state of New York.

Congratulations to all of you and congratulations to all of the winners throughout the state. This is what drives the economy, small business, and you are the heroes of small business. Best of luck in the future.

ACTING PRESIDENT KUHL: Is there any other Senator wishing to speak on the resolution? Hearing none, the question is on the resolution. All those in favor signify by saying aye.

(Response of "Aye.")

Opposed nay.

(There was no response.)

The resolution is unanimously adopted.

On behalf of Senator Bruno and all our members, colleagues in the chamber, we welcome you to Albany. Congratulations on your

honors that you received today, and I know that the red carnation is not significant of the bottom line of the businesses that you operate. I note that it's probably significant of the courage that you take in undertaking a small business operation, so welcome to Albany. Thank you for sharing just a moment in your lives with us.

Senator Holland.

SENATOR HOLLAND: Mr. President, can we return to Calendar Number 1032 and the amendment and your decision on the amendment.

ACTING PRESIDENT KUHL: Secretary will read Calendar Number 1032.

THE SECRETARY: Calendar Number 1032, by the Assembly Committee on Rules, Assembly Print 7887, an act to repeal subdivision 9 of Section 14-114.

ACTING PRESIDENT KUHL: The bill is before the house. Senator Leichter, you did have an amendment that you were prepared to propose at the desk. I believe it is germane, so if you would like to waive the reading of it, move to waive the reading of it, like an opportunity to explain the amendment, the floor

is now yours for such a purpose.

SENATOR LEICHTER: Good. Thank you very much, Mr. President.

The amendment is very simple. What the amendment does is to impose a limitation of $1000 in contributions to "housekeeping" accounts. That's what we call it in New York State; nationally it's known as "soft money".

This is -- Mr. President, I'm speaking on the amendment. This is so overdue, and it will cure such a gross abuse in the campaign financing system that exists in this state. I think we all agree, whether we want to do it publicly on the floor here or whether privately in our -- in our cloakroom, that the financing system, the campaign financing system in this state is just God-awful. It's worse than broke. It is totally dysfunctional.

The fact is that there really are no campaign financing limitations in the state whatsoever. If doesn't take a rocket scientist, it doesn't take anybody particularly astute, any eighth grader could find 20 ways to get around the campaign limitations that are written into

the law in this state, with the result that every campaign becomes more and more and more expensive, and more and more and more big money is sought out, and big money has a greater and greater influence on the policies of this state.

Now, let me say this is not a partisan matter. This is non-partisan sin. As I said in relation to an amendment or motion to discharge I made, there are no saints when it comes to campaign financing, none on this side of the aisle, none on the other side of the aisle, not in the other house. I'm no saint. We've all been in this; we know what's involved in raising money; but the system has gotten worse and worse, and while a lot of the focus has been on the national level and deservedly so because of the enormous amount and my party, the Democratic Party, has been criticized and while I have no facts about the specifics certainly some of the stories we read do make us question what is happening.

But very little attention has been paid to the state of New York and, my friends, the abuses in this state while maybe

the amounts are smaller, the quality or character of the abuses is every bit as great. I issued a report earlier this year about "soft money" in this state that showed that the Republican State Committee raised $3 million in "housekeeping" funds.

Now, let me say, I may be talking about the Republicans, but I emphasize again I'm not seeking any partisan advantage. I'm not pointing the finger at the Republicans. I hope nobody is going to get up and say, Well, you guys did it too. It's true; everybody has done it. The question isn't who was worse, who committed more transgression. The question is, are we going to have the responsibility of doing what the public wants us to do, of doing what we know is right, and that is closing abuses.

This report shows that the Republican State Committee raised about $3 million in "housekeeping" funds. Now, under the state law, and "housekeeping" funds are like "soft money" but the law is written somewhat differently than the federal law is. That money, as its title implies, is to be used for housekeeping funds. It says for housekeeping,

for staff, and similar expenses.

Now, you don't need -- you can't use $3 million for housekeeping and for staff and indeed, when you take a look at the expenditures out of that "housekeeping" account it went to political consultants. I don't know why you would have political consultants. Are they -- did they go in and tell you where to put your furniture, the color code in the office? What did that expenditure possibly have to do with housekeeping? Democratic State Committee raised much less, but also raised fairly substantial amounts, something like $400,000.

Now, the point is that under the law in New York State contributions to the "housekeeping" accounts, contributions to "soft money" have no limitations whatsoever. If you want to make a contribution to a Senatorial campaign, as you know, the limitation is $7,000, for the Assembly it's, I believe, 2800. There is a limitation if you contribute to the Governor. There's limitations that corporations can give but when it comes to "housekeeping" accounts no limitation whatsoever -- none, absolutely none. And that's just wrong, and the consequence of

having no limitation is that enormous sums are given by single entities. Philip Morris gave, I believe, $156,000 to the Republican "housekeeping" funds, Republican State Committee "housekeeping" funds.

It's just wrong. It shouldn't exist. If you have a limitation as provided in my amendment, it certainly will allow the parties through their "housekeeping" accounts to raise sufficient sums of money, carry on their business -- maybe we ought to get rid of all "housekeeping" accounts, maybe there should be no "housekeeping" accounts, no "soft money" whatsoever.

Let's leave that to another day but let's at this moment at least cap the amounts that can be given and end this abuse. Now, there are a lot of debates going on, what sort of a campaign financing system should we have? The people in Maine just voted for a very broad system of public financing.

The suggestions in Washington, and indeed there are a lot of suggestions in this Capitol, the Assembly has voted certain proposals, including public financing. But we

don't need to reach that issue at this moment. I would love us to address it before the session ends, but here we have a glaring abuse, a gross abuse. Nobody can justify it. I want somebody to get up here and say, Oh, no, you should let Philip Morris give $156,000 to a "housekeeping" account. No excuse for it. Let's close this abuse. Let's end this manner of getting around campaign finance limitations.

My friends, we've had a highly unproductive session, as we all know. We've been paralyzed, by and large, by one issue, important as it is, but there are a lot of other things that we need to do that we should be doing, and certainly campaign financing is one. I have the greatest respect, and he knows I say that very genuinely, my good friend, the chairman of the Election Law Committee, and I appreciate that he may not be able to do all the things that he wants to do, and so on.

But where have the bills been before us that we should be addressing dealing with the problems that we have in campaign financing? We've had none. I think we've passed one Election Law bill this year, and this

bill -- this momentous bill deals with ending the limitations to the Board of Estimate, and I guess it took some debate to reach -- to reach a conclusion on that, but the fact is, of course, as we know, the Board of Estimate no longer exists, so it's hardly the heavy lifting that I know my friend is capable of and the other members of the committee.

But here's an opportunity to do something very simple, very good, very uncontroversial. The public will love it, the opinion molders will love it. The editorial writers will praise us for it. We know we've done right if we adopt this amendment and put an end to the abuse of "soft money" in the state of New York. Let me tell you, my friend, we're going to be lauded the country over, the country over, because we've been the first people to address this evil.

I just want to call to your attention an Op-Ed piece just a couple of days ago in the New York Times by Representative Christopher Shays from Connecticut. As you know, he's a Republican. Let me just read a little part of it. He starts off, he says: Our

campaign finance system is in total meltdown. There are many villains, but one overshadows all others -- "soft money". That is why my fellow Republicans should stop opposing President Clinton's decision to ask the Federal Election Commission to ban soft money.

Republican Congressman from Connecticut expressing what I'm expressing, expressing, I think what all of you feel in your heart, which is this is wrong. So let's do it. I'd be happy to withdraw the amendment, let Senator Maltese put his name on it, let him get all of the credit and he would deserve it, and move this. Let's do this.

There are other areas in our Election Law that we have need to address, particularly the campaign financing. I've made other proposals, but this is the worst abuse. Let's get rid of it. This amendment gives us the chance to do this, end the "soft money" abuse in the state of New York.

Thank you, Mr. President.

ACTING PRESIDENT MARCELLINO: Senator Dollinger.

SENATOR DOLLINGER: Can I be

heard on the amendment, Mr. President?

ACTING PRESIDENT MARCELLINO: Yes. Senator Dollinger, on the amendment.

SENATOR DOLLINGER: I listened intently to my colleague from Manhattan and I'm struck by the language he used and, Senator, I'm going to perhaps echo some of your remarks but I'd like to break it down for those of us who are perhaps trapped in the political euphemisms of the day.

Senator, you kept talking about "housekeeping" accounts. Well, "housekeeping" accounts generate that wonderful image of an elderly person keeping a little tiny jewelry case on the top of their -- their mantel at home and they keep five or ten dollars or they keep a little tiny what my grandmother -- my Irish Catholic grandmother used to call "pin money", little tiny -- near the front door so that if somebody came soliciting, if you had to pay the paper boy, you could reach in and you had $5 available.

Well, Senator, these are no longer housekeeping accounts, you're absolutely correct. These are really mansionkeeping

accounts. Nobody is keeping a little tiny house here. They're running a virtual empire out of these little accounts. They've become the veritable Fort Knox of campaign finance to run it through this little euphemism called a "housekeeping" account.

I look over at Senator Maltese; his mother probably had a housekeeping account; my Irish Catholic grandmother had a housekeeping account, and I'll guarantee you one thing, Senator. They never kept $3 million in the housekeeping account. Now, this is something that maybe people that own mansions or own Fort Knox do, but certainly not my grandmother.

You also used another term, Senator, to describe this memo when you talked about "soft money", and the suggestion is that somehow "soft money" is different from other kinds of money. There's something soft about it. Maybe it's the crinkly kind that comes in big checks with lots of zeros, but it's no longer, I think, appropriate to call this the soft money, Senator. This is the hard currency of political campaigns. There's nothing soft about it. This is the hard money that feeds the

voracious political machines that keep pumping out all those ads. They've been run against me. They've been run in Monroe County. I don't know if they've been run in Manhattan, but this is the hard currency that makes politics work. Anybody who buys the euphemism that "soft money" is somehow different from any other money, the only thing soft about this is the soft disclosure that accompanies it. We don't have that good hard and fast disclosure that comes with campaign contributions to political campaigns, so you get the notion of "soft money" but this isn't soft money, Senator Leichter. This is really the hard currency of political campaigns.

You also used another term that strikes me as another euphemism. You talked about limitations. Well, I think everybody in this chamber would tell anyone else that wants to really talk about it that there's no such thing as limitations in New York politics. If you've got money and want to get it to someone there's a way to do it. There is no such thing as limitations. Limitations just means find a creative election law lawyer and you can still

do it. There's no such thing as limitations, Senator. I hate to rebuke you for using that word, but it doesn't exist in the political and election law vocabulary in this state.

The last one I want to comment on is your comment, this use of the term "cap". Again "cap" has that quaint little notion, sort of right out of the Andy Capp comic book or something, little tiny thing that you put on your head, a little tiny thing that you might put right on the top of your head to protect you on a cold day. Senator Maltese, the chairman of the Election Committee, he knows what the phrase "cap" means.

There's no such thing as a cap any more in New York State. Instead it's one of those big Stetsons from Texas. It's one of those ten-gallon hats. You can put your gun in there; you can put your knife in there; you can put all your fightin' tools under the cap. Well, the same thing is true here. A can isn't really a cap. It's really a ten-gallon hat into which you can pour all kinds of money.

The concept, the notion of cap, Senator, doesn't really exist. I applaud your

efforts to try to amend Senator Maltese's bill but, Senator Leichter, I really have a better bill that I think maybe next year or this year we have should have amended, put this amendment on.

All of you remember, I think we unanimously endorsed the concept of banning ultimate fighting in this state. I suggest, Senator Leichter, that this amendment really belongs on that bill, because what this amendment does is, this would put an end to the ultimate political fighting based solely on money in this state. That's what this bill, that's what this amendment is all about. It's really an end to the notion that money alone would drive the politics of our state.

I applaud Senator Leichter for doing it. It should have been done. This is the ultimate fighting bill in the politics of this state. If we were to add this amendment, we would reach a point where we would say, we're no longer going to have ultimate political fighting solely on the basis of money and, frankly, we might bring the word "demo" back into democracy instead of what we have today which is purely a

monocracy, a form of government driven solely and simply by people's money, most of it from wealthy people.

This amendment will bring the "demo", the people back into democracy. I would urge its adoption if we can ever step back from the precipice of big money campaigns. We've all run those campaigns. I've raised money; I've called all those hundreds of people asking them for money. I've raised a lot of money but, frankly, I have think that what that money does is it takes the people out of democracy and puts too much money in it.

Step back from this monocracy; consider this amendment and let's bring the "demo" back in democracy.

ACTING PRESIDENT KUHL: Is there any other Senator wishing to speak on the amendment? Hearing none, the question is on the amendment. All those in favor of the amendment signify by saying aye.

SENATOR PATERSON: Party vote in the affirmative.

SENATOR HOLLAND: Party vote in the negative.

ACTING PRESIDENT KUHL: Secretary will call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT KUHL: Record the party line vote; announce the results.

THE SECRETARY: Ayes 22, nays 35, party vote.

ACTING PRESIDENT KUHL: The amendment is lost.

Any Senator wishing to speak on the bill? Hearing none, the Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 57.

ACTING PRESIDENT KUHL: The bill is passed.

Secretary will continue to read the controversial calendar.

THE SECRETARY: Calendar Number 1050, by Senator Marchi, Senate Print 4085, an act to repeal Section 630 of the Business

Corporation Law, relating to the liability of shareholders.

SENATOR STACHOWSKI: Explanation.

ACTING PRESIDENT KUHL: Senator Marchi, an explanation of Calendar Number 1050 has been requested.

SENATOR MARCHI: Mr. President, last year we passed this bill, and I had an interesting discussion about it with Senator Paterson. I happen to agree with him a hundred percent that this should be the law in every state of the country; but Delaware, the state of Delaware where virtually 99 percent of our corporations are formulated dispenses and, as a result, we are not having any more or very few incorporations taking place within the walls of the state of New York.

I have since received a communication from someone from a -- from a group that has made a fairly accurate study and it reached me on June 4th. I'd like to analyze it, and request that -- with the consent of the Majority and the Minority and everybody else, that we have lay this aside for one day.

SENATOR GOLD: Mr. President.

ACTING PRESIDENT KUHL: Senator Gold, why do you rise?

SENATOR GOLD: Well, I think - I'd like it laid aside because it's an important bill, Senator Marchi, and I see words like "Business Corporation Law" and it would give me an opportunity to talk to people who really understand this stuff, I mean people like Helen Sears or Trudy LeForger, who's the -- from Queens, or Dolly Thomas, who's from Queens and a very active businesswoman, and I might even be able to talk to Appi Onorato, so we're lucky that these four ladies are in Albany today because this bill happens to be here, and if it wasn't for this bill and my wasting a few minutes here, I couldn't introduce the fact that they are here, so thank you, Senator Marchi, and thank you, Mr. President, for your indulgence, and maybe you could welcome these lovely ladies to the chamber.

ACTING PRESIDENT KUHL: Senator Stachowski.

SENATOR STACHOWSKI: Will Senator Gold yield for a question, please?

SENATOR GOLD: If it's an easy one.

SENATOR STACHOWSKI: Do you think Appi Onorato is here for this bill or do you think she's here because Senator Onorato is being honored at the Italian-American legislators function this evening?

SENATOR GOLD: Probably the bill, but I think she'll come to the dinner anyway; is that right?

ACTING PRESIDENT KUHL: Any other Senator wishing to speak on the bill? Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary began calling the roll.)

SENATOR STACHOWSKI: Senator asked if the bill would be laid aside for the day.

SENATOR MARCHI: I had requested that the bill be laid aside simply because I had received a letter on Thursday of this -- of last

week, and I have not -- and it's a thoughtful expression of a group that has made an analysis and offered some additional information on the bill.

ACTING PRESIDENT KUHL: At your request, Senator Marchi -

SENATOR MARCHI: But otherwise -

ACTING PRESIDENT KUHL: At your request, Senator Marchi, we'll lay the bill aside for the day.

SENATOR MARCHI: And I would suggest that we lay this aside for one day.

ACTING PRESIDENT KUHL: Senator Holland, that concludes the controversial calendar.

SENATOR HOLLAND: Mr. President, may we return to reports of standing committees. I believe there is a report of the Rules Committee at the desk.

ACTING PRESIDENT KUHL: There is. We'll return to the general order of motions -- or, excuse me, to reports of standing committees, ask the Secretary to read the report of the Rules Committee.

THE SECRETARY: Senator Bruno,

from the Committee on Rules, reports the following bills:

Senate Print 1142, by Senator Saland, an act to amend the State Finance Law;

1488, by Senator Trunzo, an act to amend the Public Health Law;

1681-A, by Senator Farley, an act to amend the Vehicle and Traffic Law;

1828, by Senator Kuhl, an act to amend the Judiciary Law;

2244, by Senator Kuhl, an act to amend the Environmental Conservation Law and the Town Law;

2621, by Senator Lachman, an act to amend the Vehicle and Traffic Law;

2906, by Senator Stavisky, an act to amend the Penal Law;

3113, by Senator Bruno, an act in relation to authorizing;

3211, by Senator Kuhl, an act to amend the Correction Law;

3414-A, by Senator Saland, an act to amend the Judiciary Law and the Uniform City Court Act;

3472, by Senator Marchi, an act

to amend the Social Services Law;

3654, by Senator Skelos, an act to amend the Retirement and Social Security Law;

3924, by Senator Nozzolio, an act to amend the Penal Law;

4170, by Senator Onorato, an act authorizing the city of New York to reconvey its interest;

4405, by Senator Rath, an act authorizing the implementation;

4424, by Senator LaValle, an act legalizing, validating ratifying and confirming;

4697-A, by Senator Nozzolio, an act to amend the Vehicle and Traffic Law;

4885, by Senator Kuhl, an act to permit the re-opening;

4917, by Senator Nozzolio, an act to amend the Civil Practice Law and Rules and the Court of Claims Act;

5015, by Senator Volker, an act to amend the Executive Law;

5035, by Senator Hannon, an act to amend Chapter 602 of the Laws of 1982;

5139, by Senator LaValle, an act to amend the Public Officers Law;

5199, by Senator Tully, an act to amend the Penal Law and the Criminal Procedure Law;

5254, by Senator Bruno, an act to amend Chapter 987 of the Laws of 1971;

5349, by Senator Stafford, an act to amend the Lien Law;

5369, by Senator Marcellino, an act to amend Chapter 600 of the Laws of 1993;

5379, by Senator Libous, an act to amend the Tax Law;

5394, by Senator Skelos, an act to amend the Estates, Powers and Trusts Law.

All bills ordered direct for third reading.

ACTING PRESIDENT KUHL: Senator Holland.

SENATOR HOLLAND: Move we accept the report of the Rules Committee.

ACTING PRESIDENT KUHL: Motion to accept the report of the Rules Committee. All those in favor signify by saying aye.

(Response of "Aye.")

Opposed nay.

(There was no response.)

The Rules report is accepted.

Senator Holland.

SENATOR HOLLAND: Any house keeping at the desk, Mr. President?

ACTING PRESIDENT KUHL: No.

SENATOR HOLLAND: Then I move - there being no further business, I move we adjourn until Tuesday, June the 10th, at 10:00 a.m.

ACTING PRESIDENT KUHL: Without objection -- Senator Stavisky, why do you rise?

SENATOR STAVISKY: On Senate 1050, may I be recorded in the negative.

ACTING PRESIDENT KUHL: Without objection -- oh, that bill was not taken up, Senator Stavisky.

SENATOR STAVISKY: Oh, sorry.

ACTING PRESIDENT KUHL: O.K.? Any other requests by any other Senator? Hearing none, without objection, the Senate stands adjourned until tomorrow, June 10th, note the time change, 10:00 a.m., tomorrow, Tuesday, June 10th, 10:00 a.m.

(Whereupon, at 4:21 p.m., the Senate adjourned.)