ALBANY, NEW YORK

January 21, 1998

3:02 p.m.

REGULAR SESSION

SENATOR MICHAEL A.L. BALBONI, Acting President

STEVEN M. BOGGESS, Secretary

P R O C E E D I N G S

ACTING PRESIDENT BALBONI: The Senate will come to order. I'll ask everyone present to please rise and repeat with me the Pledge of Allegiance.

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

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

(A moment of silence was observed.)

Reading of the Journal.

THE SECRETARY: In Senate, Tuesday, January 20th. The Senate met pursuant to adjournment. The Journal of Saturday, January 17th, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of the standing committees.

The Secretary will read.

THE SECRETARY: Senator Marchi, from the Committee on Corporations, Authorities and Commissions, reports:

Senate Bill 999, by Senator Saland, an act to amend the Not-for-Profit Corporation Law;

2654, by Senator Kuhl, an act to amend the Public Authorities Law;

3597, by Senator Marchi, an act to amend the Not-for-Profit Corporation Law;

3646, by Senator Leibell, an act to amend the Public Authorities Law;

3752-A, by Senator Marchi, an act to amend the Public Authorities Law;

3840, by Senator Larkin, an act to amend Chapter 698 of the Laws of 1991;

4487, by Senator Velella, an act to amend the Public Authorities Law;

5107, by Senator Velella, an act to amend the Public Authorities Law.

Senator Stafford, from the Committee on Finance, reports:

Senate Bill 5139-C, by Senator LaValle, an act to amend the Public Officers

Law;

6012, by Senator Trunzo, an act relating to providing; and

6015, by Senator Stafford, an act to amend the Tax Law.

Senator Meier, from the Committee on Veterans and Military Affairs, reports:

Senate Bill 2497-A, by Senator Meier, an act to amend the Real Property Tax Law;

2573, by Senator Meier, an act to amend the Education Law;

3210, by Senator Alesi, an act to amend the Executive Law; and

4005, by Senator Present, an act to amend the Executive Law.

Senator Levy, from the -- Senator Levy, from the Committee on Transportation, reports:

Senate Print 102-A, by Senator Levy, an act in relation to requiring;

119, by Senator Stafford, an act to amend the Vehicle and Traffic Law;

602, by Senator Levy, an act to amend the Vehicle and Traffic Law;

638, by Senator Goodman, an act to amend the Vehicle and Traffic Law;

5918, by Senator Holland, an act to amend the Vehicle and Traffic Law.

All bills directly for third reading.

ACTING PRESIDENT BALBONI: Without objection, all bills to third reading.

Senator Skelos, we have some substitutions.

SENATOR SKELOS: Please do the housekeeping.

ACTING PRESIDENT BALBONI: The Secretary will read.

THE SECRETARY: Senator LaValle moves to discharge from the Committee on Finance Assembly Print 8364-A and substitute it for the identical Senate Bill 5139-C.

Senator Trunzo moves to discharge from the Committee on Finance Assembly Bill 8916 and substitute it for the identical Senate Bill 6012.

Senator Stafford moves to discharge from the Committee on Finance Assembly Print 8922 and substitute it for the identical

Senate Bill 6015.

ACTING PRESIDENT BALBONI: The substitutions are ordered.

SENATOR SKELOS: Mr. President, if we could take up the Resolution Calendar and move that we adopt it in its entirety.

ACTING PRESIDENT BALBONI: Move the Resolution Calendar. All in favor say aye.

(Response of "Aye".)

All opposed say nay.

(There was no response.)

The ayes have it.

The Resolution Calendar is adopted in its entirety.

SENATOR SKELOS: Mr. President, are there any reports from select committees? Are there any communications and reports from state officers?

ACTING PRESIDENT BALBONI: Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

SENATOR SKELOS: We've completed the resolutions. Are there any motions to be

made at this time?

ACTING PRESIDENT BALBONI: No.

SENATOR SKELOS: Then if we could just stand at ease, I believe our nominee will be here shortly and we can continue with the confirmation.

(Whereupon, the Senate stood at ease.)

ACTING PRESIDENT BALBONI: Senator Skelos, we would like to go back to the report of standing committees. We just received another report.

The Secretary will read.

THE SECRETARY: Senator Present, from the Committee on Commerce, Economic Development and Small Business, reports:

Senate Print 2536, by Senator Present, an act to amend the Economic Development Law.

ACTING PRESIDENT BALBONI: Without objection, all bills directly to third reading.

SENATOR SKELOS: Mr. President, if we could have the non-controversial calendar read at this time.

ACTING PRESIDENT BALBONI: The Secretary will read the non-controversial calendar.

THE SECRETARY: Calendar Number 7, by Senator Present, Senate Print 526, an act to amend the General Municipal Law.

ACTING PRESIDENT BALBONI: Read the last section.

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

ACTING PRESIDENT BALBONI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 45.

ACTING PRESIDENT BALBONI: The bill is passed.

THE SECRETARY: Calendar Number 10, by Senator Rath, Senate Print 3670, an act to amend the General Municipal Law.

ACTING PRESIDENT BALBONI: Read the last section.

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

ACTING PRESIDENT BALBONI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 45.

ACTING PRESIDENT BALBONI: The bill is passed.

THE SECRETARY: Calendar Number 15, by Senator Volker, Senate Print 386, an act to amend the Civil Rights Law.

ACTING PRESIDENT BALBONI: Read the last section.

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

ACTING PRESIDENT BALBONI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 45.

ACTING PRESIDENT BALBONI: The bill is passed.

THE SECRETARY: Calendar Number 29, by Senator Present, Senate Print 3898, an act to amend the Economic Development Law.

ACTING PRESIDENT BALBONI: Read the last section.

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

ACTING PRESIDENT BALBONI: Call

the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 45.

ACTING PRESIDENT BALBONI: The bill is passed.

THE SECRETARY: Calendar Number 30, by Senator Seward, Senate Print 4271, an act to amend the Public Service Law.

ACTING PRESIDENT BALBONI: Read the last section.

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

ACTING PRESIDENT BALBONI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 45.

ACTING PRESIDENT BALBONI: The bill is passed.

THE SECRETARY: Calendar Number 39, by Senator Velella, Senate Print 1301, an act to amend the General Business Law.

ACTING PRESIDENT BALBONI: Read the last section.

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

ACTING PRESIDENT BALBONI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 45.

ACTING PRESIDENT BALBONI: The bill is passed.

THE SECRETARY: Calendar Number 47, by Senator Maltese, Senate Print 1560, an act to amend the Labor Law and the Penal Law.

ACTING PRESIDENT BALBONI: Read the last section.

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

ACTING PRESIDENT BALBONI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 46.

ACTING PRESIDENT BALBONI: The bill is passed.

THE SECRETARY: Calendar Number 49, by Senator Wright, Senate Print 2842, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT BALBONI: Read the last section.

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

ACTING PRESIDENT BALBONI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 46.

ACTING PRESIDENT BALBONI: The bill is passed.

THE SECRETARY: Calendar Number 52, by Senator Libous, Senate Print 1920, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BALBONI: Read the last section.

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

ACTING PRESIDENT BALBONI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 46.

ACTING PRESIDENT BALBONI: The bill is passed.

THE SECRETARY: Calendar Number 83, by Senator Skelos, Senate Print 335, an act to amend the Executive Law.

ACTING PRESIDENT BALBONI: Read

the last section.

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

ACTING PRESIDENT BALBONI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 46.

ACTING PRESIDENT BALBONI: The bill is passed.

THE SECRETARY: Calendar Number 84, by Senator Stafford, Senate Print 4249, an act to amend the Tax Law, in relation to distribution.

ACTING PRESIDENT BALBONI: There's a local fiscal note impact at the desk. Read the last section.

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

ACTING PRESIDENT BALBONI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 46.

ACTING PRESIDENT BALBONI: The bill is passed.

THE SECRETARY: Calendar Number

112, sub'ed earlier today, by the Assembly Committee on Rules, Assembly Print 8364-A, an act to amend the Public Officers Law.

ACTING PRESIDENT BALBONI: Read the last section.

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

SENATOR LEICHTER: Hold on a second. Lay that aside, please.

ACTING PRESIDENT BALBONI: Lay the bill aside.

SENATOR SKELOS: Mr. President.

ACTING PRESIDENT BALBONI: Senator Skelos.

SENATOR SKELOS: There will be an immediate meeting of the Rules Committee in the Majority Conference Room, and if we could return to reports of standing committees, I believe there's a report of the Finance Committee at the desk. I ask that it be read and if you would recognize Senator Stafford, please.

ACTING PRESIDENT BALBONI: There's an immediate meeting of the Rules Committee. The Senator has requested that now in the Conference Room.

We'll return to reports of standing committees and the Chair recognizes Senator Stafford -- the Secretary will read. Sorry. Excuse me.

THE SECRETARY: Senator Stafford, from the Committee on Finance, offers up the following nominations:

As Commissioner of Criminal Justice Services: Katherine N. Lapp, of Brooklyn.

SENATOR STAFFORD: Mr. President.

ACTING PRESIDENT BALBONI: Senator Stafford.

SENATOR STAFFORD: Once again, it's a pleasure to rise and support a nominee and yield to the Senator who does such a fine job in this area that Katherine N. Lapp has been nominated for as Commissioner of Criminal Justice Services.

The commissioner -- and I call her "commissioner" because she will be commissioner -- in my opinion -- and I say that in support, not to be arrogant, but Katherine Lapp appeared before our committee today, and I would suggest before yielding that we're

fortunate to have this lady of her caliber, stature and ability serving the state of New York, and I yield to Senator Nozzolio.

ACTING PRESIDENT BALBONI: The Chair recognizes Senator Nozzolio.

SENATOR NOZZOLIO: Mr. President, thank you.

It is, indeed, an honor to have the floor yielded by the distinguished Chairman of the Senate Finance Committee and mentor and good friend, Senator Stafford.

Mr. President, my colleagues, I rise with an honor bestowed to me because of the great quality of individual who has been nominated by Governor Pataki to serve in an extremely important capacity as Commissioner of Criminal Justice Services.

Katherine N. Lapp, Katie Lapp as she wishes to be referred to, is an individual with great character and accomplishment and one who Governor Pataki, in making this nomination, certainly recognizes her unique qualifications to serve in this very important capacity.

Ms. Lapp was appointed by Mayor Giuliani to serve in a very similar capacity as

New York City's Coordinator of Criminal Justice and in that capacity had tremendous oversight responsibilities and coordination responsibili ties to bring together the City's public agencies, police and fire, corrections, probation, juvenile justice and oversaw all of those departments in implementing a coordinated criminal justice policy. Certainly that is a task in and of itself and one that bodes extremely well in that Ms. Lapp was extremely accomplished and got tremendous grades for that service.

Prior to her employment as the City's criminal justice coordinator, Ms. Lapp was the chief of staff and special counsel to the deputy mayor for public safety, a graduate of Hofstra University Law School and from Fairfield University. Ms. Lapp comes to this point in our state's history as one who brings such a wealth of experience and accomplishment in criminal justice matters that this nomination should get a five-star rating in terms of praise for the Governor.

Governor Pataki has put together a tremendous criminal justice team. I see

seated in the gallery Ted Hallman, Ken Connolly. They are no secret. They are no strangers to this body, serving Senator - serving Senator -- serving the Senate and particularly Senator Volker for many years and their work in DCJS has been exemplary.

I would also be remiss if I did not mention our corrections commissioner, Glen Goord, as part of -- the essential part of this criminal justice team that Governor Pataki has put together. It serves as a team. It works together as a team with corrections, parole, with Brian Travis, that those in DCJS and our State Police in coordinating this policies - these policies that have had enormous successes in these last three years of reducing violent crime, making our streets safer and making our prisons safer in putting together a coordinated effort that has done a great service to the people of this state; and now as the new head of DCJS, Katie Lapp, one who is experienced and qualified, will join this team and be coordinating the efforts of this team, and I'd say it's a team that is absolutely second to none in criminal justice service.

Mr. President, my colleagues, we have a tremendous nomination, one that we all take great pride in voting for and that without further adieu, I move the nomination of Katherine Lapp as head of Criminal Justice Services.

ACTING PRESIDENT BALBONI: Thank you, Senator Nozzolio.

The Chair recognizes Senator Padavan.

SENATOR PADAVAN: Thank you, Mr. President.

The previous speaker, Senator Nozzolio, I think has outlined and Senator Stafford the credentials of this nominee which are obviously quite impressive, but I think it's important for this body to know that in her capacity, parallel responsibility in the city of New York, Katherine Lapp's performance was nothing short of outstanding.

The advice and guidance and direction she provided to the mayor of the city of New York and his agencies, I think was a major contributing factor to the significant reduction in criminality at all levels in the

city of New York, and we had the pleasure of working closely with her on matters that involve the Safe Streets and Safe Cities program, which all of you know, I think was a mainstay of our criminal justice initiative in the City.

Certainly if there was any proving ground, any place where one would gain the experience and insight to all of those myriad of issues, it would be in the city of New York, and there's no doubt in my mind she will translate that experience, that performance level to the state as a whole.

So I join with my colleagues in seconding the nomination, applauding the Governor's choice, and I can only say it's the state's gain and the City's loss.

Thank you, Mr. President.

ACTING PRESIDENT BALBONI: Thank you, Senator Padavan.

Senator Volker.

SENATOR VOLKER: Mr. President, I too want to echo the thoughts of Senator Nozzolio, Senator Padavan about the nomination of Katie Lapp. She's somebody who has an enormous reputation as has been said in the

City, both during -- actually during two administrations and is considered to be one of the leading experts on criminal justice not only in prosecution but also in criminal justice management, and I think that what she gives us is an able replacement for the previous head of DCJS, Paul Shechtman, who not only was a super manager and person but a good personal friend, and I expect that I'll have the same relationship that I had with Paul. I know that my two former staff members who are counsel and also Deputy Commissioner, Ted Hallman and Ken Connolly, both feel very, very strongly that Katie Lapp will fill the bill that they have been looking for for Criminal Justice Services.

I don't think people really realize the enormity of the job that is involved today with DCJS. Some years ago a lot of the activities that were done separately were, in effect, merged together in Criminal Justice Services. So it is now one -- I think one of the most demanding jobs in the state of New York as the previous recipient of that job was quick to tell me after being in it for a couple of years.

So my congratulations to the Governor on making an excellent choice, and I have great confidence that Senator Bruno and myself and all the members of this house will be able to work very well with Katie Lapp in making sure that the criminal justice system in this state continues to operate in a manner in which we can all be proud of.

ACTING PRESIDENT BALBONI: Thank you, Senator Volker.

The Chair recognizes Senator Abate.

SENATOR ABATE: Yes. I too am privileged to stand before this body to support the nomination of Katherine Lapp.

I had the great honor when I served as correction commissioner and probation commissioner in New York City to work directly with Miss Lapp. She has enormous knowledge and understanding of the criminal justice system. There are very few people that I know in the state that have had the broad experience of not only working with the courts, with police, law enforcement, correction, community correction. She understands the value of all the parts of

the criminal justice system. She has the understanding and knowledge, and I think what she brings to this task is her unique understanding that it is a system, that it's a criminal justice system made up of many parts and when you tinker with one of the parts, it has an impact on all the other parts of the system, and she will bring this unique understanding as well as all her analytical skills and her ability to solve problems to this very important position.

I've seen her time and time again have the capacity to bring people together around very complex issues and solve problems and reach consensus, and on the other hand, I've also seen her be tough enough to make some very tough decisions when other people were trying to walk away.

I believe she'll bring the knowledge, the experience, the fair-mindedness to this position and the planning that is very desperately needed if we're going to have a sound and effective and smart criminal justice system.

I look forward to working with

her, and I'm very pleased that she is about to be nominated and hopefully confirmed to this position.

ACTING PRESIDENT BALBONI: Thank you, Catherine Abate.

Senator Smith.

SENATOR SMITH: Thank you, Mr. President.

I too rise to first congratulate the Governor for bringing such a qualified individual to become the Commissioner of Criminal Justice.

A friend of mine, the deputy mayor of the city of New York, Rudy Washington, had asked me to make sure that I watch out for this nominee because she was definitely qualified and he wanted me to ensure that she got through the process without any problem, and I had to inform him that I was no longer on Judiciary.

On Sunday another deputy mayor reminded me that she was coming before us this week and that she was abundantly qualified to do the job, but I took the time to read her curriculum vitae and to see that she had

performed all of the tasks throughout her lifetime and that she had more qualifications than I felt was necessary to become the Commissioner of Criminal Justice, and I listened to my colleague, Catherine Abate, talk about her analytical skills and in reading through all of the things that she had done, it became quite evident that she brings a wealth of knowledge to this position and it will be a pleasure working with her, and I know that she will do the job well and she will be a credit to all of us from Brooklyn.

ACTING PRESIDENT BALBONI: Thank you, Senator Smith.

The question is on the confirmation of Katherine N. Lapp as Commissioner of Criminal Justice Services. All in favor signify by saying aye.

(Response of "Aye".)

Opposed, nay.

(There was no response.)

The ayes have it.

Katherine N. Lapp is hereby confirmed as Commissioner of Criminal Justice Services. The commissioner is in the chamber

with us this afternoon. Congratulations, Commissioner, and have a great tenure.

(Applause)

The Secretary will read.

ACTING PRESIDENT BALBONI: As a member of the Empire State Plaza Art Commission: Norman S. Rice, of Albany.

SENATOR STAFFORD: Move the confirmation.

ACTING PRESIDENT BALBONI: The question is on the confirmation of Norman S. Rice as a member of the Empire State Plaza Art Commission. All in favor signify by saying aye.

(Response of "Aye".)

Opposed, nay.

(There was no response.)

Norman Rice is hereby confirmed as a member of the Empire State Plaza Art Commission. Congratulations.

The Secretary will read.

THE SECRETARY: As a member of the state Council on the Arts: David A. A. Ridings, of Syracuse.

SENATOR STAFFORD: Move the

confirmation.

ACTING PRESIDENT BALBONI: The question is on the confirmation of David A. A. Ridings as a member of the state Council on the Arts. All in favor signify by saying aye.

(Response of "Aye".)

Opposed, nay.

(There was no response.)

David A. A. Ridings is hereby confirmed as a member of the state Council on the Arts.

The Secretary will read -

Senator Skelos.

SENATOR SKELOS: Mr. President, if we could return to Supplemental Calendar Number 1, take up Calendar Number 114, Senate 6015, by Senator Stafford, that was reported from the Finance Committee.

ACTING PRESIDENT BALBONI: Return to the calendar.

The Secretary will read.

THE SECRETARY: Calendar Number 114, substituted earlier today, by the Assembly Committee on Rules, Assembly Print 8922, an act to amend the Tax Law, in relation to

authorizing.

ACTING PRESIDENT BALBONI: Read the last section.

SENATOR DOLLINGER: Can I have an explanation? What does the bill do?

ACTING PRESIDENT BALBONI: Senator Dollinger.

SENATOR DOLLINGER: Mr. President, just an explanation from Senator Stafford.

ACTING PRESIDENT BALBONI: Explanation has been asked for.

Senator Stafford.

SENATOR STAFFORD: Thank you, Mr. President.

Senator, we've had a very, very serious problem in the North Country, as a matter of fact, not that far from Monroe because a lot of your people summer up in -- on Lake Ontario and Alexandria Bay and in Clayton. If you'd been up there a couple weeks ago, you would have wintered up there.

What this does is it delays tax collections for people who are in a very, very serious situation.

SENATOR DOLLINGER: Through you, Mr. President.

ACTING PRESIDENT BALBONI: Senator Dollinger.

SENATOR DOLLINGER: Actually, if Senator Stafford will yield to one question.

SENATOR STAFFORD: Sure.

SENATOR DOLLINGER: You hit my concern right on the head. There are a whole bunch of people who live in my district who own property there. Are they included even though that's not their primary residence?

SENATOR STAFFORD: You've got a problem.

SENATOR DOLLINGER: I just -

SENATOR STAFFORD: I would say that I am now making a sidewalk -- a floor interpretation. I would say probably you would have to live in the area. I certainly am glad to talk with you and work with you if it affects them and also we'll have a bill on real estate that I think you will be very interested in.

SENATOR DOLLINGER: Right. I just -- through you, Mr. President. I think this is a great idea. I think this is just the

kind of relief that we need to give people.

SENATOR STAFFORD: But if your people are affected at all on anything that this has affected, I certainly would sit down with you.

SENATOR DOLLINGER: Right. My only question was I have people that live in my district who own property there but they clearly are not primary residents there. So do they still have to pay their taxes by the end of this month, their real property taxes?

SENATOR STAFFORD: I would be glad to talk to you about this.

SENATOR DOLLINGER: But this bill doesn't specifically address that.

SENATOR STAFFORD: Well, now I'm just using my -- again, my reasoning abilities. Let's see. Let's look at it. "In the case of a taxpayer determined to be affected by a disaster declared by the President of the United States" -- now, you're a lawyer, aren't you? Yes.

Now, I would say with that language and looking at the bill, if anyone's affected -- and I realize we may have some legislative intent here, but I think we should

have. If anybody is on Long Island -- or in Erie County and they're affected, I think your question is very valid and I think it's very fair and they're a business, for instance, but not a residence, but say their business is affected by this disaster, I'm going to share with you in my opinion they would be.

Now, again, have you done much tax work? Well, here, I'll share this with you. I think we'll get some smiles with this, but we're all affected by them and we all pay them. Rules and regulations. You'll find that this will be subject to the interpretation of the regulations that, in effect, administer and result in how the taxes are collected.

So I would hope that we would have -- we would have sensible people regulating, and I think we do.

SENATOR DOLLINGER: Okay. My sense, through you, Senator, is that if you have property up there and you need an extra period of time, even though it may not be your primary residence, you would still get the benefit.

SENATOR STAFFORD: That's good.

SENATOR DOLLINGER: That's

reasonable. Fine. I'm going to assume that they're included in this bill, and I thank you for the assumption, even if it's perhaps not literally in there.

Thank you. I subscribe to your interpretation, by the way.

ACTING PRESIDENT BALBONI: Read the last section.

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

ACTING PRESIDENT BALBONI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 52.

ACTING PRESIDENT BALBONI: The bill is passed.

Senator Skelos.

SENATOR SKELOS: Mr. President, if we could return to reports of standing committees, I believe there's a report of the Rules Committee at the desk. I ask that it be read.

ACTING PRESIDENT BALBONI: May we return to reports of standing committees.

The Secretary will read.

THE SECRETARY: Senator Bruno, from the Committee on Rules, offers up the following bill directly for third reading:

Senate Print 6026, by Senator Wright and others, an act to amend the Labor Law, in relation to eliminating the waiting period.

SENATOR SKELOS: Mr. President, move to accept the report of the Rules Committee.

ACTING PRESIDENT BALBONI: All in favor of accepting the report of the Rules Committee signify by saying aye.

(Response of "Aye".)

Opposed, nay.

(There was no response.)

The report is accepted.

Senator Skelos.

SENATOR SKELOS: At this time if we could take up Senate 6026.

ACTING PRESIDENT BALBONI: The Secretary will read.

THE SECRETARY: Calendar Number 125, by Senator Wright, Senate Print 6026, an act to amend the Labor Law.

SENATOR SKELOS: Mr. President, is there a message of necessity at the desk?

ACTING PRESIDENT BALBONI: Yes, Senator Skelos.

SENATOR SKELOS: Move to accept.

ACTING PRESIDENT BALBONI: All in favor of accepting the message of necessity signify by saying aye.

(Response of "Aye".)

All nay -- opposed, nay.

(There was no response.)

The message is accepted.

SENATOR SKELOS: Last section, please.

ACTING PRESIDENT BALBONI: Read the last section.

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

ACTING PRESIDENT BALBONI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 52.

ACTING PRESIDENT BALBONI: The bill is passed.

Senator Wright.

SENATOR WRIGHT: To explain my vote on the bill we just passed, if I may, Mr. President.

First of all, I would like to commend the Governor for his initiative to send this bill. This bill, as we have spoken this morning on a number of other issues, relates directly to the disaster that is facing the counties of the North Country that Senator Stafford and Senator Meier and myself represent, and as we've proceeded through the response to this disaster, we've had a great many people throughout the North Country that have been unemployed and out of work due to the storm implications and the result of that storm.

As they went to file for unemployment, they found that there was a provision of a five-day waiting period and, unfortunately, that's the critical time in which people were without work and that, of course, has a dramatic, negative economic impact on the entire North Country. This will remedy that problem.

We're very appreciative of the leadership that the Governor has displayed and

we're very appreciative of the support that this house has provided to the people of the North Country.

Thank you.

ACTING PRESIDENT BALBONI: Thank you, Senator Wright.

Once again, the bill is passed.

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

ACTING PRESIDENT BALBONI: I'm informed that there is not, Senator Skelos.

SENATOR SKELOS: If we could just stand at ease for a moment, please.

ACTING PRESIDENT BALBONI: The house stands at ease.

(Whereupon, the Senate stood at ease from 3:41 p.m. until 3:45 p.m.)

ACTING PRESIDENT BALBONI: Senator Skelos.

SENATOR SKELOS: Mr. President, if we could return to the supplemental calendar and take up Calendar Number 112, Senate 5139-C, by Senator Trunzo.

ACTING PRESIDENT BALBONI: The Secretary will read.

SENATOR TRUNZO: Calendar Number 112, substituted earlier today, by the Assembly Committee on Rules, Assembly Print 8364-A, an act to amend the Public Officers Law.

ACTING PRESIDENT BALBONI: Read the last section.

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

ACTING PRESIDENT BALBONI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 53.

ACTING PRESIDENT BALBONI: The bill is passed.

SENATOR SKELOS: Mr. President, if we could take up Calendar Number 113, Senate 6012.

ACTING PRESIDENT BALBONI: The Secretary will read.

THE SECRETARY: Calendar Number 113, substituted earlier today, by member of the Assembly Sullivan, Assembly Print 8916, an act relating to providing for the adjustment for salaries.

ACTING PRESIDENT BALBONI: Read

the last section.

SENATOR SKELOS: Is there a message of appropriation at the desk?

ACTING PRESIDENT BALBONI: I'm informed that there's a message of appropriation at the desk.

SENATOR SKELOS: Accept it. Move to accept it.

ACTING PRESIDENT BALBONI: All those in favor of the motion to accept the message of appropriation signify by saying aye.

(Response of "Aye".)

All opposed, nay.

(There was no response.)

The ayes have it.

The message is accepted.

Read the last section.

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

ACTING PRESIDENT BALBONI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 53.

ACTING PRESIDENT BALBONI: The bill is passed.

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

ACTING PRESIDENT BALBONI: I am informed that there is none, Senator.

SENATOR SKELOS: There being no further business, I move we stand adjourned until Monday, January 26th, at 3:00 p.m., intervening days being legislative days.

ACTING PRESIDENT BALBONI: On motion, the Senate stands adjourned until Monday, January 26th, at 3:00 p.m., intervening days being legislative days.

(Whereupon, at 3:46 p.m., the Senate adjourned.)