ALBANY, NEW YORK

April 14, 1998

2:09 p.m.

REGULAR SESSION

SENATOR JOHN R. KUHL, JR., Acting President

STEVEN M. BOGGESS, Secretary

P R O C E E D I N G S

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

(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, Monday, April 13th. The Senate met pursuant to adjournment. The Journal of Sunday, April 12th, was read and approved. On motion, Senate adjourned.

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

Pres... Senator Bruno.

SENATOR BRUNO: Mr. President, can we at this time call for an immediate

meeting of the Finance Committee in Room 332.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Commun... motions and resolutions.

Chair recognizes Senator Libous.

SENATOR LIBOUIS: Thank you, Mr. President.

On behalf of Senator Hannon, Mr. President, I wish to call up his bill Print Number 4433, recalled from the Assembly which is now at the desk.

ACTING PRESIDENT KUHL:

Secretary will read.

THE SECRETARY: By Senator Hannon, Senate Print 4433, an act to amend the Civil Service Law.

ACTING PRESIDENT KUHL: Senator Libous.

SENATOR LIBOUS: Mr. President, I now move to reconsider the vote by which this bill was passed and ask that the bill be restored to the order of third reading.

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

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 46.

ACTING PRESIDENT KUHL: Senator Libous.

SENATOR LIBOUS: Mr. President, I now move to recommit Senate Print 4433, Calendar Number 174 on the order of third reading, to the Committee on Civil Service and Pensions with instructions to strike the enacting clause.

ACTING PRESIDENT KUHL: Bill is

recommitted and the enacting clause stricken.

Senator Bruno.

SENATOR BRUNO: Mr. President, can we at this time adopt -- move to adopt the Resolutions Calendar.

ACTING PRESIDENT KUHL: The motion is to accept and adopt the Resolution Calendar which is on all of the members' desks. All those in favor of adopting the Resolution Calendar signify by saying aye.

(Response of "Aye.")

Opposed nay.

(There was no response.)

The Resolution Calendar is adopted.

Senator Bruno.

SENATOR BRUNO: Mr. President, can we stand at ease for a few moments pending the report of the Finance Committee.

ACTING PRESIDENT KUHL: Senate will stand at ease pending the report of the Senate Finance Committee.

(The Senate stood at ease from 2:13 p.m., until 2:35 p.m.)

ACTING PRESIDENT KUHL: Senate

will come to order. Members will find their chairs, staff will find their chairs.

Chair recognizes Senator Bruno.

SENATOR BRUNO: Mr. President, can we return to reports of standing committees to adopt the report of the Finance Committee.

ACTING PRESIDENT KUHL: Return to the order of the reports of standing committees. There's a report of the Finance Committee at the desk. I'll ask the Secretary to read.

THE SECRETARY: Senator Stafford, from the Committee on Finance, reports the following bills directly for third reading:

Senate Print 6094-B, Budget Bill, an act to amend the Real Property Tax Law;

6096-B, Budget Bill, an act in relation to appropriations made by the chapter of the laws of 1988, enacting the general government budget;

Senate Print 6098-B, Budget Bill, an act to amend Chapter 393 of the Laws

of 1994;

Also restored the following bills to third reading: Senate Print 6100-B, Budget Bill, an act making appropriation for the support of government (Legislature and Judiciary Budget.)

6103-C, Budget Bill, an act making appropriation for the support of government; and

6105-C, Budget Bill, an act making appropriation for the support of government.

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

(Response of "Aye.")

Opposed nay.

(There was no response.)

The report is accepted. All bills ordered directly to third reading.

Senator Bruno.

SENATOR BRUNO: Mr. President, I don't know whether members are around the premises here celebrating the joyous occasion

of passing a budget, but it strikes me that the members ought to be somewhere within this chamber, and, Mr. President, you might just recommend that, that if members are circulating that we're going to start a process here in a few minutes and that they really ought to be here in the chamber participating in this process.

ACTING PRESIDENT KUHL: The President Pro Tem raises a very good point. Senator Paterson, could you take it upon yourself to get the members from your side of the aisle in the chamber, and would the Majority members please come to the chamber. We're about to embark upon a historic process; that's the adoption of the 1998-1999 budget.

Senator Paterson.

SENATOR PATERSON: Mr. President.

ACTING PRESIDENT KUHL: Would you like the mike for the purpose of calling your members to the chamber?

SENATOR PATERSON: Well, yes, Mr. President. I see a lot of room down the right field line, and I don't think I can

cover it from over here, so -

ACTING PRESIDENT KUHL: Would you like their names read off, Senator Paterson?

Senator Paterson, did you have something more to say?

SENATOR PATERSON: Oh, no, Mr. President, I was just moving.

ACTING PRESIDENT KUHL: Senator Bruno, I see a large number of the members have responded to your call and are present.

SENATOR BRUNO: Thank you, Mr. President.

It is gratifying to see their happy smiling faces here joining us in this chamber and, Mr. President, my colleagues, this should be a very happy occasion for the people in this chamber and for the people of this state.

We are today going to complete the budget process for the year '98-99 for the people of New York State, and we will be doing this budget in a very timely way and, when I say "timely," it's April 14th. That is very timely.

We can all reflect last year when we set the third world's record in a row for late budgets, and many of us in this chamber at that time on August 4th, at noontime, having gone through the night, vowed that that process would never, ever happen again in this state while we were involved in the process.

Mr. President, my colleagues, I am proud to say that we are doing this budget in a timely way, in daylight. Hopefully in this house we will be done by dinnertime, not after midnight, not in the early hours of the morning, and that's important and that's something that all of us in this chamber and in the other house, the Governor's office, can take pride in, because we said last year never again, and here we are, now making good on that vow and that promise.

And, Mr. President, this process over the years has had to change. We have had casualties here in this chamber that some people could say related to our process of working through the night, working into the morning. It was a very dangerous set of

circumstances for people and for the public in this state. Never should we legislate anything as important as a budget past mid night, in the early hours of the morning, when many of us can't truly focus on the importance of what we're doing, and relate to it.

So I thank all of you and everyone, staff that have been involved in this process that brings us here today, and I'd like to comment on this first bill that we'll take up today, which I believe is the third bill that we will have passed and take up that relates to the budget, and it will be the first of six bills today.

This bill, as we call it up and start completing the budget process, relates to tax cuts, relates to the STAR program, and if we have done anything over the last several years with the leadership of Governor George Pataki, who three years ago became Governor and recognized that $5 billion deficit that we all inherited, that he inherited, was due primarily to the failure of this state to compete with other states for jobs, in economic development and in growth, and in

three years all of that has changed, for New York now does not lag in job creation, not 50th in job creation, and depending on where you look we are like sixth, eighth, in creating jobs.

The fact of the matter is there are those that would detract from that statement. I have heard in this chamber, Hal Hovey quoted, who does the newspaper relating to budgets, the editor. This was reprinted, New York Post, I believe one of my colleagues referred to this, and I want to refer to it again because what this basically concludes for the people of this state, and this information is that yes, New York State has done a lot, but we have a lot more to do, and this points out that, while we have gained on the rest of the country, we have not won the race, and we still spend too much and we tax too much at every level.

Now, we are moving again today to correct that, to move New York State forward, to make us competitive, and there isn't anything that is more important than helping people get employed, stay employed,

and you only do that when you allow companies and the professions to compete in what is a worldwide market, and for anyone that doesn't understand that, talk to someone that lost their job because their company had to move to Tennessee or to Virginia or to Ohio or to Europe or to Mexico. Talk to those families when people are in their 50s and in their 60s, and they can't find a job. Why? Because New York State was not competitive.

We are now gaining in the country, and that's why it is imperative that we have joined with the Governor, with the Speaker, in a tax package today that we will pass, that will allow seniors in this state to keep $527 million of their pension money, of their Social Security money, that they don't have to spend this year on property taxes.

Now, think of that. Think of people on fixed income being able to keep that much money collectively, and what this does for their life, for the quality of their life and what it does in the community for all of the people that participate as they spend that money.

Think about us dropping a corporate tax rate for the first time in anyone's memory from 9 percent to 7.5 percent, helping make companies in this state competitive with our neighbors, with states across the country. That's how you keep jobs; that's how you grow jobs.

The investment tax credit for the financial community, people have said and it's written that the financial community is driving the revenue that we are enjoying in this state, and a lot of that is true.

Why don't we want to recognize that that's a fact and support that industry, and this bill that we will pass will incorporate tax credits for computers and high tech' equipment to allow those industries to be here, compete here, and not have to move to back offices, to the Dakotas and to Nevada and to Tennessee and to New Hampshire, because it's cheaper for them to do that. This helps keep jobs here and grow jobs.

When you look at the securities industry, you will see there's been like 49 percent growth in jobs. New York has not

participated. We have gained like in the last few years a thousand jobs a year, while the rest of the country has gained tens of thousands. We are doing something about that. We're not wringing our hands; we are doing something about that, and that's in this bill and, Mr. President, this bill totals over $743 million, plus the 527 million for the STAR program to accelerate the senior property tax cuts.

It has cuts for small business, about $170 million worth, and we all know that small businesses employ the great percentage of people who are just starting in the work force, and it's critically important that we help small businesses become medium-sized businesses and big businesses, and we're doing that here this afternoon.

So I want to just congratulate everyone in this chamber because you participated. You are making history. For the first time in this state ever, we are passing a budget that is done through a system that has involved almost the entire membership in a conference committee approach in

cooperation and coordination with the Governor, in recognition that the Governor submitted a program bill to establish conference committees so that we could get our work done in a more effective and efficient way, and all of us know that we have been in constant communication with the Governor's office. For those that think that this process was isolated, it was not.

Now, are we in agreement, all of us, on everything that we're doing? Certainly not. Is there any way in this state or in the world that you could get 211 legislators to agree on everything, and the Executive to agree on everything? I think not; and if any of you can devise a way to do that, please share it with us and we will again promise to incorporate that into the planning towards next year.

So while everyone isn't totally satisfied with what we're doing, you should take great comfort and pride in that we have met the requirements for a lot of people in this state and that what we are doing now will truly be a credit to us, to the Executive, in

the Assembly and to all of the people of this state, and I want to just conclude my comments to thank the Governor and the people in the Budget Division who had to move into a new process with us, and learn this process with us, and they were there and they were helpful and they were responsive and, with this Governor, we are going to continue through '98 to set the tone, to set the pace for the rest of the country so that New York State will be looked upon as it is now and recognized truly as a leader in the world economy and that we can take pride in being part of all the good things that are happening to make this truly the Empire State.

Thank you, Mr. President.

ACTING PRESIDENT KUHL: Senator Bruno, would you like us to put Calendar Number 614, Senate 6094 before the house now?

SENATOR BRUNO: Yes, Mr. President.

ACTING PRESIDENT KUHL: Secretary will read.

THE SECRETARY: Calendar Number 614, Budget Bill, Senate Print 6094-B, an act

to amend the Real Property Tax Law, in relation to the school property tax exemption for eligible senior citizens.

ACTING PRESIDENT KUHL: Bill is before the house.

Chair recognizes Senator Connor.

SENATOR CONNOR: Thank you - thank you, Mr. President.

My colleagues, here we are on April 14th. It's not exactly on time, but it sure beats August 4th, and you know, you get some awareness of how long as a Legislature we've been remiss with this budget process, and the Executive also, when this morning my eight-year-old said, "Dad, where are you going?" I said, you know, to Albany. We're doing the budget today. He said, "Budget! We're not at the seashore," because unfortunately in his lifetime most of the times we've done a budget he was out of school and it was summertime, and so it's certainly an improvement over these past years.

The process itself, Mr. President, far from perfect, as I have pointed

out on occasion, taking my role as Minority... my institutional role as Minority Leader seriously, is a far better system than we've had in the past, and I'm optimistic about what it portends for the future because I think we will make it better in future years. I think the process will start earlier, the members will be more familiar with it, and it will indeed be proven to be the best way to make a budget in New York State.

We oughtn't be shocked at that, Mr. President, because, believe it or not, it's fundamentally the system used in most, small "d", democratic societies and states in this nation -- conference committees, open committees, and an open discussion of budget issues and, as we confront all of these bills, and you know, there's the usual big stack of bills, I can't make the usual complaint that, Gee, I haven't had a chance to read them. I don't know what's in them. I know what's in them. The members have had a chance to read them. They've been on the desks for at least three days, but indeed, the process of building these bills has been going on for

weeks now, and we had an opportunity to know what was fundamentally in the Senate's version of it when we passed that version a few weeks ago. We then all had an opportunity to see where the Assembly's version differed, and then many of us on conference committees and indeed all the members -- because I would say now and I know it's true in every conference in this Capitol -- those who were on the conference committees certainly reported back to their conferences as to what the major differences were and ultimately how they were reconciled.

So there is something to be said for that public process in the fact that, lo and behold, I stand here looking at my colleagues who were better informed, I dare say, about what's in this budget than has been the case in this Legislature for some years now with respect to the average member, and that's good.

And the public knows what's in this budget. That's even better, and they understand how it was formed. They understand compromises, the essence of budget making. I

think people can see where the compromises occurred, and can evaluate that as they ought to and hold the Legislature accountable.

We've done some great things in this budget, I believe. We've upheld some fundamental New York values, values that I'm proud to say my conference has stood for. We will be funding education at record levels. We will be making that commitment to the future of this state. We will be, as Senator Bruno pointed out, cutting taxes. That's a good thing. Not exactly the exact taxes we wanted to cut, but certainly tax cuts of any sort are better than no tax cuts in terms of helping the people of the state of New York prosper.

One thing I -- Senator Bruno said that, you know, New York under Governor Pataki in talking about job creation has, depending on where you look, either is sixth or eighth in the country in creating new jobs. I would say, Mr. President, regrettably that New York, depending on where you live, is either sixth or eighth in creating jobs or near dead last because we do have a state

that's almost a "tale of two cities" if you will. We have the downstate area, an economy, an economic engine driven by the prosperity of Wall Street that's benefited New York City and its suburbs and indeed its neighboring states down there, New Jersey and Connecticut, by creating jobs, creating wealth, creating enormous spin-off jobs in everything from restaurants to limousine drivers, and we have an upstate economy that continues to lag behind the rest of the state and the rest of the nation. We have upstaters who are fearful for their jobs who still watch the flight of jobs from their cities and towns and who are not quite so sanguine about the future of this state.

We have done, I think, some things in this budget to promote the economic development and make creation of jobs, retention of jobs in those areas more attractive, but I fear that under this Governor, this state has failed to address the concerns of upstaters about the future of - their future, the future of their families and the ability of their children to make a living

and live in that part of the state where they've grown up.

Indeed, we find those 50-year olds that Senator Bruno alluded to, without jobs, fearful, wondering where they're going to get their next job. So hopefully we've done a small thing here to correct that problem. I wish we could say that the success which the current administration points to over the last three and a half years in creating jobs applied throughout the state, but it does not.

That said, Mr. President, certainly we as legislators ought to be proud that we've embraced a new system. I congratulate the Majority Leader and the Speaker for their role in having the courage really to set forth this new way of making budgets. I suspect on both of their parts a little bit of self-interest because I know them both well enough to know that they didn't really have a lot of fun when they were three men in a room working with a budget. I think they have had more fun this year not being in that room with two other men and the whole

state watching them and sweating away in a hot July saying, Where is the budget?

But we have launched this new process. I think it will be a good one. I'm delighted that it was a Governor Pataki program bill, but I would point out that once upon a time in 1988, there was a reform task force put forth by the Senate Democratic Conference in this house which called for conference committees and conference committees to reconcile the budget. It just goes to show you, Mr. President, that occasionally a good idea just gets so irresistible, particularly given the failings of the old system, that it doesn't matter who first ventured to come forth with it. It eventually has its day, and this has begun to have its day. I know it will have even better days in future years.

So, Mr. President, on balance, disappointments in this budget, a few; things I'm delighted about, certainly what we're doing for education, what we're doing for construction for education, the RESCUE plan, these are great achievements and on balance,

therefore, I'm delighted to support this budget and will be voting for it.

Thank you, Mr. President.

ACTING PRESIDENT KUHL: Chair recognizes Senator Goodman.

SENATOR GOODMAN: As you're aware, Mr. President, I've spent 30 years of my life in the process of the Legislature, and I must say something very different has occurred this year.

In a nut shell, the era of blindman's buff budgeting has finally come to a close. No longer do we have a situation in which we as legislators have literally blind folds upon us until the sudden moment when a budget is released some time between midnight and 3:00 a.m. We're asked to consider it and adopt it in an atmosphere of absolute lack of specifics and an inability to really comprehend what it is we're doing.

I submit to you that this kind of buffoonery had to come to an end and I want to just say that, in his very gracious distribution of credit to the members, Senator Bruno neglected to mention one crucial part of

this, and that is the role which our leadership played in bringing this to pass.

Let me just say very briefly, Mr. President, that in instructing the Conference co-chairmen on the approach that he wanted them to take in bringing about the new conferencing procedures, Senator Bruno stressed three -- the three Cs, the conferencing, collegiality and the essential compromise approach which had to be taken. Conference, collegiality and compromise.

He did not say to go in and squeeze the last drop of blood from the negotiation, but he said go in with an attitude that what we must attempt to do is to bring about an understanding and make absolutely certain that we do not let the budget go until the month of July or August.

Let me just say that this was indelibly printed on my mind last August when we were celebrating a family anniversary and we were in Alaska, and upon landing in Anchor age I was suddenly informed that the slow, strenuous, secretive budget process had finally ground to a halt and that we would be

voting on the budget the next day; so in a rather unique dash to be back in time to vote I went from Anchorage, Alaska to Los Angeles, from Los Angeles to Cincinnati, from Cincinnati to Albany, on an all-night flight and on the last leg of the flight, a lady came on the plane who was absolutely hysterical. She and her husband had been arguing. She didn't not wish to be on this plane.

Since my -- the seat next to mine in a three-row was the last one on the plane, I had the privilege in addition to wondering what was going to happen in the budget to try and play amateur psychiatrist and quiet her down. I did so with a simple artifice. I tried to explain to her the budgetary process I was going back to work in. She was so horrified to hear about it that her plight in coming on a plane which she had no desire to be on was mollified and she was distracted and everything went swimmingly from that point on, and I said, My God, I hope I never have to take a flight like this again and, Senator Bruno, I want to thank you for making it possible for that not to occur, and

to say to you, sir, that I think you and Senator Connor, certainly Speaker Silver and Assemblyman Faso are all deserving of great credit, but in particular, if I may, at the risk of needing an orthopedist for congratulatory back-slapping to get my arm back in its socket, let me just say that I think you deserve very special credit for the spirit and the underlying approach which you conveyed to each of the members on this side as we went through this very tortuous and difficult but most improved process.

I salute you, sir, for an absolutely revolutionary and significant step forward in the democratic process.

ACTING PRESIDENT KUHL: Senator Leichter.

SENATOR LEICHTER: Mr. President, I'd like to talk about Senate Bill 6094-B.

Let me say, Senator Bruno, you are extremely eloquent. The problem is you're a person who's standing with the sun rising behind him in the east who's arguing that the sun rises in the west.

I mean, when I still hear you on this floor pulling out these discredited job figures, I really wonder, do you believe them? Do you think anybody believes them? Senator Bruno, you get up and you say we're sixth in job growth. You know what you're comparing us to? You know what it's like? It's like a major league team bragging because they can beat a Little League team -- no, not a Little League team, a Peewee League team.

Senator you're bragging that New York State, under George Pataki, created more jobs than Rhode Island; and you know what? More than Montana. More than North Dakota, in fact more than the two Dakotas together, but the fact is, Senator, that when you do it on the only meaningful way of considering job growth, which is per capita, we're 46th or 47th.

The Pataki program has been a failure, and I read off to you last time figures that you accepted and you had to accept because they were accurate, that our job growth is far below that of all of our neighboring states, Senator, that our job

unemployment figures are far above the national average or that of any of our neighboring states.

ACTING PRESIDENT KUHL: Senator Leichter.

SENATOR LEICHTER: I'll be happy to yield.

ACTING PRESIDENT KUHL: Senator yields.

SENATOR BRUNO: Will Senator Leichter yield to one question?

SENATOR LEICHTER: Yes.

ACTING PRESIDENT KUHL: Senator yields.

SENATOR BRUNO: When you ask who are we comparing with? We are comparing with Mario Cuomo, when -- (applause) when this state in his years, in the last few years lost 600,000-plus jobs. We're not comparing to the other states. We're comparing -- look it up, Senator, look it up -- 600-and-some thousand jobs. 50th in job creation. That's who we're comparing with. I thought you were asking me a question. I felt compelled to answer.

Thank you, Mr. President.

ACTING PRESIDENT KUHL: Senator Leichter, you have the floor.

SENATOR LEICHTER: If I may answer the Majority Leader, Senator, you're still being very eloquent, and you're still arguing the sun rises in the west and everybody can see it's rising in the east.

I'm glad we're taking Mario Cuomo off the shelf and dusting him off now that it's a gubernatorial election year and you're going to run against Mario Cuomo, but, Senator, the figures that I'm giving you are since January of 1995, during just the three-year period. Forget Mario Cuomo. We're starting now, this is -- this is A.C., after Cuomo -- if you take -- if you take those three years, the nation's unemployment rate during those three years went from 5.4 percent to 4.7 percent.

Every northeastern state but New York showed dramatic improvement in their unemployment situation, and now there's a difference between the New York State unemployment and the national unemployment which far exceeds the gap that existed in

Mario Cuomo's last years. It's also important to note, Senator Bruno that Mario Cuomo was Governor at a time of a national recession. Yes, New York State lost jobs, but proportionate to the rest of the nation, we didn't lose as many jobs as we are now failing to gain jobs in relation to the rest of the nation.

What's worrisome about New York State's economic situation is that we are now at what is a boom period and we are not creating the jobs. We're not competitive. We're not doing well, and I submit to you that one of the reasons that we're not doing well is because of the tax policies that have been pursued by this administration and tax policies that are enshrined in this particular bill.

This is an irresponsible bill. First of all, we don't have the money, we don't have the money to provide these sort of tax cuts. The fact that we have any surplus this year is due to the very extraordinary boom time in Wall Street that everyone -- that everyone says cannot continue. We are looking

at deficits down the line of billions of dollars.

I asked the distinguished Secretary of the Senate Finance Committee what the projected deficit was for next year. He said 1.8, but I see a figure here from the Fiscal Policy Institute that is probably over $3 billion.

So that, one, we don't have the money to do it, to make these tax cuts. That's not to say that our taxes in this state are at a right level. They ought to be brought down, but what we need is to create a smarter tax system, a fairer tax system, and what unfortunately this bill does to some extent at least is to create a more irrational tax system and a tax system that economically makes even less sense. I want to pick on two particular aspects that disturb me.

One is, which I think is probably the most unjustified, unwarranted, most foolish tax cut ever enacted, is to have a 50 million investment tax credit for the Wall Street investment firms, and Senator Bruno says that's going to create jobs, it's

going to keep jobs here.

First of all, the Wall Street firms have enjoyed enormous record profits. I have some of the figures here of what these firms have done in these last -- in these last years. Merrill Lynch last year had revenues of over $31 billion, profits were 1 billion 906 million -- hundred million dollars, 27 percent increase in its profits in 1997 from 1996 -- 1996. Morgan Stanley/Dean Witter, revenues $27 billion, profits were over $2,500,000,000. The percent change, the increase in profits, was over 200 percent.

Now, these firms are doing extremely well. These are firms that don't need to put their hands into the state's taxpayers and take money.

Secondly, there's no proof whatsoever that providing an investment tax credit for these firms is going to, one, increase any jobs because, by and large, these are industries that are decreasing employment. They're doing it because of technology, and they're going to do that whether we give them an investment tax credit

or not.

Thirdly, Senator Bruno says, well, they haven't been increasing jobs. That's absolutely true. In spite of these record profits, these firms do not create many jobs, again because of the technology and the nature of that business. So why would you conceivably want to invest monies in those industries that aren't creating jobs, that have record profits, that have the means certainly to pay for their own technological advances? It's pure and simple a give-away. Whether it's driven by poor economic theory or whether it's driven by campaign contributions, I don't know, but it is unquestionably the most foolish tax that this Legislature has ever enacted. Totally, absolutely unjustified.

The other aspect of this tax cut which is unjustified is the reduction in the corporate tax rate. Now, we've reduced in the past the corporate tax rate, and right now corporate tax revenues are a smaller and smaller percentage of the total revenues that we raise in New York State. It's absolutely

not true, one, that the corporations of this state are overtaxed. Secondly, it's not true that that -- that those taxes in some ways make the state less competitive economically. I don't think you could find one sound economist, one sound businessman, who is going to say the reason that we're not as active economically or businesswise in New York State is because of the high rate of corporate taxes. They're not high in this state and they're certainly not high when you take a look at the total amount of money that is collected.

There certainly are some taxes that we could get rid of, things that we could do as far as infrastructure, things -- more things that we could do in education. There are things that we could do in getting rid of the gross receipts tax, and we made a small reduction in that, I believe it was last year. We could certainly do more of that, but the across-the-board reduction in the corporate tax makes no sense whatsoever.

So, far from helping to strengthen the state economically, this bill

is going to weaken the state financially. It's going to make it harder next year to have a budget that's going to serve the needs of the people of New York State. It's going to give the "fat cats" gifts that -- for which there's no reason whatsoever, and I think what we will see is that New York State will continue as it has been under the Pataki years not to be creating jobs, and I want to say that the problem of high unemployment is not just upstate.

Senator Connor was certainly correct that the upstate economy is in serious trouble, but in New York City we have an unemployment rate that is about 9.5 percent. So there are many parts of this state that are doing very poorly, and this tax cut enacted in this bill is certainly not going to help them.

I think there are things that you could find in this tax cut that maybe you can support and the STAR program, I would certainly like to support, but I'm not going to vote for a bill that gives $50 million to the most profitable industry in the whole

country at a time when we could that that $50 million and use it so much better.

Let me just finally say I'm amused when Senator Bruno talks about the free market economy, and so on. Senator, the free market economy works without statism. You're really the -- one of the -- in your enthusiasm in supporting these companies really one of the biggest statism economic theorists that we have of having the state interfere, having the state decide and influence the markets.

We go to the Russians and we say, you've got to stop subsidizing industry. You've got to stop giving monies to industry. It's wrong. The World Bank tells them that. The IMF tells them that, but what you want to do right here in New York State is the very thing that we criticize the Russians and some of the other emerging countries for doing, which is having the state subsidize certain industries, and if you're going to subsidize industries, this is certainly the wrong industry to subsidize.

So let me just say we can commend ourselves for maybe the process,

because we've certainly improved it, although in some respects reminds me of a sinner who, you know, goes and for the first time shows a little penitence and then goes around bragging and claims that he's a saint, you know. I think we've got a long way to go in making this a truly effective and a fair process.

I'm mindful of the fact, for instance, that on the conference committees there were four Majority members to every member of the Minority, which doesn't reflect the ratio and the proportion that we have here in this chamber, and certainly -- and certainly the two leaders continued to make decisions often in disregard of the committees, but without question, I think we've started on a path that's going to make this a more open process. Certainly it will be more democratic, and certainly it's commendable, Senator Bruno, and I do commend you for the fact that we're not doing this in the middle of the night, and I want to commend you because you did start the process of the conference committees, and I think it's an important step, but I think that we all ought

to recognize that we have so much further to go, and let me also say that the final test is really going to be the work product that we come up with.

To my mind, nobody is going to praise this budget. This budget is only going to further enshrine New York State as having one of the most irresponsible budgets, and we're going to continue to see that our credit rating is going to be tied for last with Louisiana. If you want to brag about that, Senator Bruno, brag about the fact that our credit rating is on the same level as Louisiana. This sort of budget, this sort of bill, will just ensure that the credit raters are going to look at us and say, These people are irresponsible.

This particular bill, certainly those aspects that I pointed out to you are irresponsible. We should not brag about passing this bill.

ACTING PRESIDENT KUHL: Senator Marchi.

SENATOR MARCHI: Mr. President, under old Jewish law, a unanimous verdict was

not acceptable. You had to have at least one dissent, because something might have been missed; and Senator Leichter, with his customary zeal and enthusiasm, and I believe in a sincere belief in what he said, advanced a critique of the public policies, or at least some of them. He sort of concluded on a more optimistic note, but nevertheless that was the one point, the one dissent, that in my estimation gave us a guarantee that the larger wisdom of people who are experiencing the contact of one to one around the state, feel that we are headed in the right direction.

It was not only the policy, Mr. President, as much, or as important as this is. There isn't a nation on earth such as the United States where a single hairpin is made by the government. We assign economic generation to the private sector, and it has to be equitably addressed, and we can argue and differ on that point. It should have a social conscience; otherwise, we're back in Brazil somewhere, with the very rich and the very poor. There has to be a fundamental base of decency for the inhabitants of this

country. We have to speak to every American, not just to some of them, and the best way to achieve that, Mr. President, is not in the discredited economics followed by a bankrupt east -- east nations of Europe, and also the struggling economies of Europe itself.

They're having -- France is having tremendous difficulties with their heavy taxes. It's true of Benelux; it's true of Italy. It's true of virtually every country that I can think of, where they simply have not greened out, and they have not stepped into and approached the new millenium that is on the horizon; and then you have this American experience.

And how do we serve this state best? We serve it best by maximizing those very principles that gives this life -- this country life. As important as all of this is -- and I think great -- we have to assign - Senator Bruno assigned a collective support, the collective support that has been given as a collective wisdom, a collective wisdom. This is an institution, no matter how you vote, for or against. I would hope you vote

for, but being part of this movement and this motion has added everyone makes a contribution.

But what is equally important, of equal importance with the economic aspects of economic rejuvenation, of creativity, of job creation, of all those factors which give life to a state and we are, if we start from higher levels, you know, you can compare the states and say that, Oh, we've given 50 million, I forget Franz told me, but you realize that this is still the most heavily taxed nation by any statistical abstract, although we are making giant strides in narrowing and closing that gap, without sacrificing those human concerns, those social concerns, which are broad and manifest.

But what's of equal importance is also the process by which we arrive here. This is unheralded. I've been here over 40 years. I have never seen anything like this either in terms of 90 legislators, in a very intimate way, in a sharing fashion, in a discussion -- objective discussion of concrete issues as I've seen this time. Ninety, and

that proliferated as that went out through the various committees and people that were affected by that.

And this sunshine on the whole process, I think major credit cannot be denied to Senator Bruno. This is major sunshine that is irreversible. If we do anything, we're going to take stock. We're going to take inventory of what we've done. Some say the numbers are -- we started late. Yeah, we started late because the self-starter went into terra incognita -- terra incognita, for the natives' way of saying it.

This is new country, and we're blazing new trails, and certainly we're going to examine and re-examine that which has happened in those areas which can be shored up and give greater visibility and maximize their opportunity to further this process, and I think part of that is also -- you say, Aaah, we're late again with the budget. Budgets were adopted with a constitutional deadline in times when farmers were coming here for the winter. There wasn't much they could do outside, so they did that.

This is an extremely complex process, and unless we make adjustments -- and it's very difficult to unravel once you've gone through this pain. A lot of things and relationships, we are interdependent. There are school years; there are federal years; there are factors that were well suited to their times, but all of these factors have to be weighed very carefully. But we are out in the sunshine. It's a public process, and I cannot see how we can do anything else but rejoice at the point that we have arrived at.

I feel very confident that this is going to advance the well-being and the welfare of the people of this state, and we can take joy and pride, voting as you please with your conscience, but you all made a contribution to this result, and the same thing can be said for the other hall down at the other end, where up until recently it was sort of like an enemy country or something. Everyone harnessed to the same effort with the same objective. Everyone prompted by the same ideals.

This is a spiritually up

lifting effort, and we can all feel proud that we are here today addressing these issues as they should have been addressed perhaps many times over the past.

ACTING PRESIDENT KUHL: Senator Waldon.

SENATOR WALDON: Thank you very much, Mr. President.

My colleagues, I'll be brief. I'm very pleased to have participated in this budgetary process this year. It was reminiscent of something I had on a very limited basis experienced in Washington as a member of the House of Representatives, and I applaud our leadership in constructing it so that we could each feel that somehow, even if it was just a small thumbprint, our thumb print was on this process.

In all of my previous years in the Assembly and in the Senate, I recognize that through our conversations and colloquy, the leaders -- our respective leaders participated in a very small or smaller setting than this chamber and exchanged ideas and somehow a budget evolved from that.

However, this time I know that it was not just three persons in a room with staff, but it was the collective 211 which had something to say about the destiny of New York State and the road map by which we will govern and by which we will distribute resources, and I'm very pleased to have participated in that.

I think we will never see governing or budgets or participation in the process as it once was, that we're striking out for a new horizon, that we will all be better for it but, most importantly, that the people of the state of New York will be better for our being able to work in this very fine process.

So let me personally thank our Majority Leader Senator Bruno, our Minority Leader Senator Connor and Speaker Silver and Assemblyman, the new Minority Leader in his house, Faso and the Governor. I think it was a brilliant move for us to all be allowed to participate in this process, and even though you may not hear us say it so openly in these halls but in private, some of my colleagues have told me yes, I feel good about what we're

doing now.

So I applaud the leadership for letting us feel good about what we're doing.

Thank you very much, Mr. President.

ACTING PRESIDENT KUHL: Chair recognizes Senator Hoffmann.

SENATOR HOFFMANN: Yes. Thank you, Mr. President.

I listened with some amazement when Senator Leichter first stepped up to the plate and thought perhaps I had missed sunset because it sounded like we were back in a post-midnight hour once again, and I have to take exception. I think Senator Leichter was much too tough on Senator Bruno. This is a day on which we can all offer great praise to the Majority Leader of this Senate.

As one who has been a vocal critic of this chamber and the other chamber for the last 14 years, I feel very proud today that we have made this extremely important step into a new era. The New York State Legislature has been likened by some to a feudal kingdom some place in eastern Europe

shortly after the discovery of fire but before the invention of the wheel.

Our spoils system and the very, very partisan kingdom-like attitudes have been a hindrance to the role of government as it should be manifested relative to the needs of the people of this state. It is the people of this state who, in fact, are treated like peasants when some of the members of either house of the Legislature are treated like serfs or vassals, and I think that we are now at a point, having tried this important experiment, where we could see in the future a meaningful process evolve from the very beginning of our session, one that would allow each of the committees which are resplendant with many, many gifted people, with great knowledge in areas of study -- some of us have been here for decades; people like Senator Marchi have wisdom from -- from ages in which to offer. Senator Marchi can quote references in literature in at least three languages. We have other colleagues who have lived through unique eras of this country's history and are familiar with important activities in other

parts of the world that would have some bearing on our deliberations. Now is the time for us to give all members of this house and the other house an opportunity to participate in a meaningful way on an ongoing basis.

It is still remarkable that we had conference committees, most of which worked as well as they did placed in such a short amount of time under the glare of the spotlight. We don't do anything in this Capitol when it becomes open without our detractors for the most petty reasons, but in this instance, there was an audible gasp when there was this announcement made that we would go to conference committees, and I do believe that people across the Capitol, members of the press, members of the public, lobbyists, all watched in wonder while this experiment unfolded.

I have to say to my leader, Senator Connor, I appreciate the opportunity to have been given a chance to serve on the General Government and Local Assistance Conference Committee, and it was a -- it was a splendid experience, a warm positive

encounter. The chair on the Senate side was that easy-going, affable gentleman from Suffolk, Senator Lack, backed up by the always practical Senator Rath, and the easy-going and very cordial Senator Jim Alesi, from the Rochester area, and the always debonair Senator Caesar Trunzo from Long Island, and we all had a wonderful time and enjoyed the experience of serving with our counterparts from the Assembly led by none other than Deputy Speaker Arthur Eve. It would be hard to imagine a more dissimilar group of people in the same room than the ones that I have just named, and yet I think we all came out of that better people, and we hopefully created a document, or some of us helped to create a document that will be a better part of this budget.

More important, we gained mutual respect for each other, by the public at the same time that we went through this, and we established the precedent hopefully which will be built upon in the next year. So I want to thank you again, Senator Bruno. I remember years and years ago your comments

that some day you would like to see this place changed and if you ever became leader, years before you ever contemplated it, how you vowed that you would bring about this change, and I know it couldn't happen overnight, but over these last few years I've watched and been very, very proud of the steps that you've taken and I have not forgotten and have repeated many times across this state how in your very first move as Majority Leader, you adopted the practice that I and others had been talking about of making it a rule that we would not have those late night sessions and I know how fervently you tried to adhere to that.

So I applaud you for having made this important venture, and I pledge my full cooperation to take it into the next stages, and people across this state are watching and praying that we will make this a beginning, not just our standard for performance. This is a beginning on which we can do much, much more for the people of this state.

On the bill before us, Mr.

President, I have some questions, and I had hoped that Senator Stafford might be speaking ahead of me. I had asked what the list was but I will make a few comments and then perhaps if Senator Stafford wants to yield, he would be able to answer one piece of information that I had.

The bill that we have before us, there's the particular bill that is here, 6094, I know many of us have been making general remarks in the process, but I'd like to turn to this measure right now, which the short title is generally referred to as the tax cut bill. That is somewhat of a misnomer because it has a number of other things within its pages, and one of those other activities outlined within its pages begins -- well, the important parts begin on page 77, the important parts for the discussion that I would like to engage in.

At the top of page 77, it reads, "Public School Districts." "There will be Authority financing of eligible school construction projects, rebuilding schools to uphold education," and then -- then the very

important statement in parentheses, capital letters, "RESCUE" which is the terminology now for a new program to be enacted by this measure if it is passed by both houses and signed into law by the Governor, and then on line three reads, "The Dormitory Authority is authorized to finance eligible school construction projects for those public school districts which are approved by the Commissioner of Education to receive aid apportionment for rebuilding schools," and it goes on to describe how that would take place.

Down on line 41, it further establishes that "the Commissioner of Education shall certify from time to time to the Dormitory Authority, the Comptroller, the Director of the Division of the Budget, the chairman of the Senate Finance Committee and the chairman of the Assembly Ways and Means Committee, each school district for which he" -- and I'm sorry that it doesn't say "he or she," but we're moving in the right direction -- "has approved an aid apportionment for Authority financing of a school -- school

construction bond."

And Senator Stafford can probably anticipate now, that since he is acknowledged within this measure that I will be wanting him to explain in a little bit more detail how some of this bonding would take place, because on page 78, beginning on line 26, I read, "The Dormitory Authority shall not issue any bonds or notes in an amount in excess of $500 million for the purposes of this section, plus a principal amount of bonds or notes."

What I would like to know is what is the actual cost of this bonding, if it is enacted, to the good taxpayers of this state, and I wonder if Senator Stafford would be so kind as to yield for a question.

SENATOR STAFFORD: Thank you, Mr. President, and thank you, Senator Hoffmann, for yielding the floor to me.

I still want to join in with everyone here, the job that's been done here by all who have been involved.

I would like to answer a couple points here. We talked about upstate New

York. They were talking about upstate New York. Where did Senator Leichter go? Must be upstate -- he's gone to his summer home in upstate New York. Where has Senator Connor gone? I have some answers here in addition to Senator Hoffmann's answers.

When you start talking about where we were three years ago, before Senator Bruno was involved, before Governor Pataki was involved and, yes, the Assembly has been part of it, our budgets in the counties in upstate New York were a disaster, and we were going down the drain. That's where we were in upstate New York when people start worrying about us and saying that we got problems in upstate New York, and we should be addressing that. We now are seeing the light of day in upstate New York with our budgets in our counties and our villages and our cities because of the changes we've had here in the last three years. We were going down the drain.

Now, if Senator Connor is listening or if Senator Leichter is listening, I hope they're getting an answer, because when

they talk about the problems we had here now with this budget, and talk about whether we're arguing about this state or that state, we were behind all of the states, behind, going down the drain, thousands and hundreds of thousands of jobs leaving the state. That's where we were in upstate, and we had business after business leaving.

Now, I know sometimes we look at things on the banks of the Charles a bit different than we do in some other areas, and I know that it isn't the Charles River that goes through Wadhams. Wadhams is a suburb of Elizabethtown. Elizabethtown is the county seat of Essex, and I say to my friends on all sides of the aisle, there was a time here - there was a time here when this state wasn't competitive, when we were in a position where we were having a $5 billion deficit -- $5 billion, rather than building in over a billion dollar reserve and working with a 2 to $3 billion deficit. And I want to point this out, when it comes to making a budget that I think sometimes we lose, we lose here.

You're dealing with a large

figure, and, you know, I've learned this and thank the good Lord and thank science and medicine I'm still standing here, but medicine is an inexact science and, my friends, economics, as we mention -- I'm getting to the answer -- economics is not an exact science, believe me. Believe me, and when you talk, think of it -- when you talk about $500 million, what percentage of that is that of this budget? And look at what we projected the last few years. Look and see where we projected. You'll find that there was a difference of 5-, $600 million here, a difference of a billion dollars here, and this is with the work of all the economists, and if any of the economists can tell us what we're going to do, I suggest that we've seen something that we haven't seen in the past.

My friends, I can only say all who have been part of this system here in the past three years, three and a half years, Senator Bruno, Governor Pataki, yes, the Assembly, we have turned this around and, my friends, this is like turning around a battleship. So when I hear people stand and

start talking about how bad things are in upstate New York, my friends, they're not what they were three years ago before this Governor took over, before Senator Bruno took over as leader. We had the cooperation of the Assembly and we started getting back on the track.

As I said, often, one man's ceiling is another man's floor.

SENATOR HOFFMANN: Mr. President. I was kind of hoping that Senator Stafford had -

SENATOR STAFFORD: I'm -- I'm answering the question.

SENATOR HOFFMANN: -- an answer to the question.

SENATOR STAFFORD: The answer is a good deal like you would get from any good economist, and we're smiling and I smile, but obviously you have to play this completely out, the program that's in the bill, before you know exactly what will happen or exactly what the costs will be, and I would suggest that often with some of these suggestions and answers the economists give us, they should be

as accurate as this is, because obviously you would have to see what districts are involved, how much maintenance is involved, exactly how the program plays out and then we'll -- we'll have an answer.

ACTING PRESIDENT KUHL: Senator Hoffmann.

SENATOR HOFFMANN: Thank you, Senator Stafford.

Well, some of us will not be around to see how far this plays out. $500 million plus interest, I guess it's safe to say it's more money than can be easily explained in this chamber this afternoon. How much more, and is it too much more for the taxpayers of this state to endure are the real unanswered questions.

I must go back to what happened last fall, to take my guidance before I cast a vote. We had before us on the ballot a school bond act proposal. It was roundly rejected by the taxpayers of this state when they went to the polls. I have heard nothing from the people in the 48th Senate to indicate that they have subsequently changed their mind and

would now like to see us go into the business of bonding for school construction projects.

All of them support the idea of improving our schools. All of them believe in the wonderful value of public education, and I'm sure all of them would be able to see individually the merit of some schools that will be helped by this proposal. However, they have already said no to us only a few months ago, and I see no reason that we should now do something that amounts to a little switcheroo and place that bond act in disguise in a budget bill labeled as tax cuts.

So in good faith, Mr. President, and Senator Bruno, while I applaud much of what has taken place here in the spirit of openness, this is kind of a sneaky little maneuver, and it's not one that I think is going to be well received, no matter how well intentioned, and I would like to have hopefully before we leave this Capitol the actual dollar cost long term just so I can explain what it really means to my constituents, and I would hope that, if the Governor follows through on his original

intent, as I -- I've heard in the halls of this Capitol and a few other places, although I have not talked with him personally on this subject, I do think that he as one of those very, very fiscally conservative individuals who understands the people of the central New York area, I think he will find it very difficult to accept this measure in here, and I am confident that, if he reads it carefully, he will share the same concerns that I have voiced today on this floor.

I'd like to see us come back and look at this issue in a different way, a different time, but I don't think that it's fair to the people of this state to put it into a bill labeled "tax cuts". It is one more example of back-door borrowing and while we are in this new spirit of openness, I really have to reject this particular proposal labeled on page -- beginning on page 77 of Calendar Number 6094.

SENATOR STAFFORD: Would Senator Hoffmann yield for a question, please?

ACTING PRESIDENT KUHL: Senator Hoffmann yield?

SENATOR HOFFMANN: I'd be glad to.

ACTING PRESIDENT KUHL: Senator yields.

SENATOR STAFFORD: Did -- I would ask, and you know and collegiality is very, very important when you're working in a legislative body and, of course, I do my best to be collegial. Some of my friends will probably tell me sometimes I have to work a little hard on it sometimes, harder than I do and I'll continue to work on it, but I would ask, do we all realize that the bond issue was $2.4 billion that was put before the voters? This is 500 million. The bond issue was only for a certain part of the state -- New York City. This is for the entire state and, my friends, one of the worst things we could do in this state -- and this is something Senator Bruno hasn't done, the Governor hasn't done, and the Speaker hasn't done -- you can't, when one area of the state needs consideration, you can't turn your back on it and say, "My district doesn't want it." You do that, you'll get nothing, but nowhere in this

legislative body.

It's easy to stand up, it's easy to say, Oh, my district doesn't want this; this doesn't affect my district. My friends, I'm convinced that when every district in this state will be able to take advantage -- you weren't here when I was talking to you -- when every district in the state will be able to take advantage of and participate in this bond issue, and when we have some of the problems in this state in certain areas of the state, in certain districts in the greatest city of the -- yeah, the greatest city above one million in the world -- above one million; I don't have any cities of one million, but my point is we have situations that have to be corrected. We have situations where we're still using coal. We have situations where it's absolutely impossible for some of our students in this state are going to school, and when we stand up and say that "my district doesn't want this" and when it is not exactly the same thing as was considered last fall, and when we have worked it out on the anvil of discussion,

understanding, compassion, concern and good will, I suggest that I wonder whether we really understand that this is what we've done.

SENATOR HOFFMANN: If that's the question, Mr. President. Was there a question within Senator Stafford's request for me to yield for a question, or that I could have rephrased perhaps through the Chair?

ACTING PRESIDENT KUHL: I think you missed the last phrase, "don't you think?"

SENATOR HOFFMANN: No, is the answer, Senator Stafford, and I'm very glad you asked me and, Senator Stafford, it is not simply my district and I must beg to differ with you on one very important point. While you are correct that it is much less money than was in the bond act of something a little less than 20 percent, I guess of what the other bond act was, there still will be a sizeable amount of cost to the taxpayers over the period of the term of these bonds, and that, I think, is an issue that we should be very clear about. We're not just talking about $500 million within this year's budget.

We are talking about bonding for a much greater cost to be paid back by people for many, many years to come, and I have -- I really have a concern that the people in a vast part of the state, not simply in the 48th Senate District, but since I work directly to them, I report to them every even numbered year and ask if I'm doing a good job and it's up to them to decide whether we're in sync' and then they figure out whether they want me to come back here and do their bidding for another couple of years, but I have heard from so many of them that I felt that it was important to validate their thinking. So - but it's just really a euphemism for talking about the upstate region that you and I both know and love and, as you know, we have many portions of our respective districts that share much in common. I mean Wadhams is not that different from downtown Pratts Hollow or Apulia Station, both of which I'm proud to represent, and people there work very hard for a living. Some of them are under-employed. Some of them wonder where the manufacturing jobs have gone and why it's so tough to make a

living in dairy farming today, and they look to us to come here and come up with ways that we can enhance their economic opportunities to meet the expectations that they have for their part of the state.

I don't think that's an unreasonable thing for me to say today when I cite their concern about the concept of back door borrowing, and that's what this is and I simply cannot support that part of this measure, no matter how valid the tax cuts are when we go into the borrowing business using the Dormitory Authority, even though I know that it must come to you. It's stated quite clearly in here that the proposals must go before the chairman of the Senate Finance Committee and the chairman of Ways and Means, and that gives me some sense of confidence that, in your wisdom, you would not allow an inappropriate school project to be funded through this mechanism, but I am still concerned about the entire concept of the funding.

So I am, therefore, going to have to register a no vote, and I still hope

I'll be able to get a complete fiscal profile on this measure before the end of the day.

ACTING PRESIDENT KUHL: Senator Dollinger.

SENATOR DOLLINGER: Thank you, Mr. President.

As someone who's stood here before and criticized this process, I felt it important to stand up and just air a couple quick views for the members and my colleagues.

First of all, Senator Bruno, I want to tell you that, contrary to your stated assumption, this isn't -- this budget process is not good economics for everybody. I can think of three people off the bat - right off the bat for whom this could be a disaster.

First of all, what about all those guys working overtime at the print shop that used to print these bills at 3:00 o'clock in the morning, Senator? They're not going to get their bonus this year, because they're printing it in the light of day.

Secondly, Senator, you remember

that Italian family that used to make the wonderful ziti that we served out here at 3:00 o'clock in the morning. They're gone, Senator, and they may even come from your district.

Lastly, Senator, I think unfortunately we've got another budget cut we can do next year if we continue to do it this way. That guy on the second floor that does all those messages of necessity for the Governor, why, you're going to put him right out of business. We can just ax that job next year if we continue to do it on time as we've been doing it this year.

So contrary, Senator, to this being -- there are some people that may suffer a little as a consequence of doing this in the light of day and doing it on time.

But on a quite more serious note, Senator, I congratulate you, as I have congratulated the Deputy Majority Leader. I have stood here very critical of this process before, and I can remember as recently as three weeks ago saying to my colleague Senator Seabrook, I'm not going to vote for this

budget until somebody gives me a place at the table, and I got that this year. I sat on the Senate Health Committee with Senator Larkin, Senator Rath and Senator Hannon who led the committee in the negotiations with our colleague Senator Gottfried, or Assemblyman Gottfried, and I thought it was a solid job.

I understand as a lawyer that not everybody can be on a good decision. I was describing to Senator Stafford earlier, I participated in a rather complicated construction matter in my practice as a lawyer. We negotiated in public with 14 people at the table for about five hours, and then the lawyers said, Let's go out and see if we can put this thing together in the hall, and we did. So I understand that not every decision can be made at a public table, but I think this year we clearly opened the door to a more open budget process, and as I've described it to some others, I'm not convinced, Senator Bruno, the door is completely open yet, but I think it's certainly ajar. It's moved in the right direction and because the door was open ajar,

you could look around the door and see what was going on, you could look between the hedges, the hinges, and see what was going on, a much better position for all of us to be in than to simply have the door closed and keep knocking on the door and not getting answers. The door has been open to this process.

Senator Bruno, I think it was an act of political courage to walk down that road not knowing where it led, not knowing where it would end up, but I think this process this year has been an affirmation of the power of collegial politics, and I hope that, quite frankly, it changes some of the relationships even in this room between those of us who are Democrats and Republicans, and the seeming and the unbridgable gulf that sits right in the middle of this chamber may be a little bit easier to bridge in the future.

I'll add one comment on substance for my colleagues. I am very leery of prosperity-based promises. I'm leery of promises in which we make for future tax cuts based on assumption of continuing prosperity and that's exactly what we're doing here.

We're assuming that the boom on Wall Street, the additional revenues, will fund major tax relief in the future.

I stand here today because I quote from actually two of my childhood sources. One comes from my having watched television as a kid. I'm always reminded of that great philosopher, J. Wellington Wimpy, who was on Popeye, who always said, "I'd gladly pay you Tuesday for a hamburger today." Well, we get the hamburger today when we announce fabulous tax cuts for everybody in this state. We don't pay for it until Tuesday and, if you remember Popeye, Tuesday never came. He was always borrowing in anticipation of the future.

My sense is that this budget, the tax cuts in this budget may go a bit too far. I'm mindful of Senator Leichter's comments, and I believe that at least from this legislator's perspective, it's a prosperity-based promise. If the prosperity disappeared, our ability to fulfill that promise will disappear as well.

I'll quote one other famous

philosopher, and I think it comes from the region represented by my colleague on my left, Senator Gentile, and that is that old Brooklyn axiom of "Wait 'til next year." We'll have to wait 'til next year. We'll have to see what next year brings. If it brings the kind of prosperity that has fueled budget surpluses it will give us the ability to fulfill those promises. If not, I think we face some very difficult choices of whether we're going to keep the promise created by extra fund being for education, extra funding for technology, extra funding for welfare to help them transition, all those promises that we've made to the people of this state that will give them the substance and the ability to stand on their own, work in competitive jobs and survive in the competitive marketplace. That promise we've made to the people of this state and the promise, the tenuous promise, about massive tax relief. Then we will face a very, very difficult choice.

But this year I believe that we've got enough money to pay for what we're doing this year. I'm leery of those

prosperity promises at least from this legislator's seat. I'm willing to make - fulfill the promise this year and let's wait and see what future year brings. If it doesn't bring the prosperity that we hope for, we face a very, very difficult choice about fulfilling the needs of our citizens and fulfilling the promise of tax relief, and then we will face a truly difficult choice.

SENATOR STAFFORD: I wonder if Senator Dollinger would yield.

ACTING PRESIDENT KUHL: Senator Stafford. Senator Dollinger, do you yield?

SENATOR DOLLINGER: I'd be glad to.

ACTING PRESIDENT KUHL: Senator yields.

SENATOR STAFFORD: You and I often have questions back and forth so that Senator Hoffmann is not the only person I ask questions. But in the spirit of collegiality again and I know in your very fine remarks, and I appreciate it, but I only ask this so we can sort of take a broad stroke of the conceptual brush here.

Are we all aware that, when this program was presented in our budget, there was an amendment on the side to my left to increase that spending by $2 billion? That was passed by a party vote, everyone taking part in supporting it with my friends to the left with certain exceptions, and I just point this out to -- to explain that maybe we're thinking -- maybe we weren't thinking then about, because I was -- I was a fan of Pop eye. Now, I don't -- as I look around the room here, not many people remember Popeye, Wimpy.

SENATOR HOFFMANN: And Olive.

SENATOR STAFFORD: And who?

SENATOR HOFFMANN: Olive, you know, Olive Oyl.

SENATOR STAFFORD: Well, there are people who are as old as I am around here, but again maybe we weren't thinking, and again I'm not just addressing this to you as the person I'm asking the question. Maybe we weren't thinking then as much about Wimpy and Popeye as we should have been.

SENATOR DOLLINGER: Through

you, Mr. President. In response, I think that the amendment that you make reference to, Senator Stafford, was an additional investment in the people of this state, that was supported by the Democratic Conference, that our thought was that what we'd do is use the extra surplus, the prosperity laden surplus that we have today, and make an investment to day in the people of this state, whether that investment is in the form of additional education aid, additional school construction aid, help for welfare families, help for middle class families, additional tax cuts for seniors, giving the people of this state a $100 rebate using the surplus to put cash in their pocket that they could go out and drive the economic engine of this state. All of those things were a part of the Democratic proposal, to use what we've got today, use it today and, to use the words of Wimpy, to perhaps change the analogy instead of waiting until Tuesday to pay for the hamburger, we'd pay for the hamburger today. We'd buy it today, we'd pay for it today and then we'd wait to see what happens in the future.

Prudence. Fiscally prudent in my judgment, and a good thing for the people of this state.

ACTING PRESIDENT KUHL: Senator Gold to explain his vote.

SENATOR GOLD: I'm sorry? Thank you, Mr. President.

Mr. President, I will be brief and I just wanted to comment. Senator Stafford said something and lest the walls fall down, Senator, I agree with you. Changing this process is exactly like trying to turn around a battleship, and I think that what was done this year is unquestionably a major step. Our members were involved and while I have often said -- and to the chagrin of some of my own members -- that we suffer around here from too many people in the press corps who are lazy, this time they got to see our members in action, and I even saw them quoted in some of the papers and on television, and while it's very easy for the press to say, Well, who cares about the debate, this is what happened, many people back home often say, Well, how come that

happened and nobody said anything, and we try to explain to them that in this house and in the other house, the Minority does speak out for the interest of people. That might be different than what happens on a specific bill.

Having said that, I do say, Senator Bruno, that in the future, there are things that can be done to make it a little better and they're really small things.

For example, in looking at the subcommittees, there seems to be a lot of agreement that those subcommittees that worked around a table and had people looking at each other seem to work better than the subcommittees that sat up on a dais and did more posturing than anything else. It's a little different when you see a face across from you than when you turn and you're looking at somebody's ear.

Also, Senator Bruno, in this house where we have perhaps 43 percent of the house, you still seem to get your way an awful lot of the time. It seems to me that, if you want to take advantage of intellect, it

wouldn't be so terrible to have the committees four to two or three to two. You still have your Majority. The Assembly still has its Majority, but you have an opportunity -- you still have an opportunity to bring in more intellect.

I also think, Senator Bruno, that while this process was undoubtedly more open and there was more things that were member-driven, the truth is and everybody knows it, there was still a lot of leadership strings. I know my committee was charged with the responsibility of looking at the tax package. My committee didn't announce anything until after Senator Stafford already announced what the leaders had agreed would be the tax package, and I know the Assembly co-chair was very upset and held a meeting right away to make it look like he did it but everyone knows it was done by leadership.

But having said that, the fact is that this is a major step towards reform, and while we may have been proposing it for ten years, it is not unusual for the Majorities to take ten years to catch up with

us and we understand that but, Senator Bruno, you stand out there every year to take the blame and to get bashed around and take the blame. So in this situation, I think it's only fair that you do get some of the credit and I mean that sincerely.

In America, it has always been a Majority that is in power that does give up some of its power which starts to have Minorities take place -- take their part in the system.

I think that as someone said and it's been quoted all over the place for weeks now, the genie's out of the bottle. I think that that is good. I think that you and Speaker Silver have found out that you didn't disintegrate by giving up some of this power. You still have your major power.

So I congratulate the Legislature for the way everybody adopted so quickly to this. Certainly the co-chairs were operating in a situation where many of them were without direction and perhaps next year there will be better direction given to them. I can only judge from my committee, but there

was an Assembly Republican sitting on my committee and I'm glad he was there, Assemblyman Winner, and his intellect was certainly a help to the committee.

So it's not only that this particular Minority which has talent was out there to be seen but certainly there were some Assembly Republicans who got an opportunity which they also were entitled to.

So I think that the proof of the pudding to some extent is in the eating and here we are. It is April 14th and we are doing the people's work.

So I think it is certainly a major change and certainly a refreshing change.

ACTING PRESIDENT KUHL: Senator Stachowski, do you want to speak or do you want to explain your vote?

The Secretary will read the last section.

SENATOR STACHOWSKI: I have one comment, Mr. President.

ACTING PRESIDENT KUHL: Senator Stachowski.

SENATOR STACHOWSKI: Mr. President, I don't want to make a long comment but earlier Senator Stafford mentioned that the Minority had proposed an amendment that would have spent an additional $2 billion over the Governor and not to be confrontational on a day that we're all happy with the process, but the Minority never supported any amendment that would have spent more than the Governor, and I just wanted to make that correction to keep us on the straight and narrow.

ACTING PRESIDENT KUHL: The Secretary will read the last -

SENATOR STAFFORD: Will Senator Stachowski yield for a question?

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

SENATOR STACHOWSKI: Yes.

SENATOR STAFFORD: Again, in the spirit of collegiality in trying to put it altogether, I didn't say anything about more or less than the Governor. Do you remember that? I just said it was $2 billion more.

SENATOR STACHOWSKI: Oh, okay. Then I stand corrected. I assumed that he

meant more than the Governor but we weren't spending more than anybody.

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

THE SECRETARY: Section 54. This act shall take effect immediately.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT KUHL: Record the negatives and announce the results.

THE SECRETARY: Ayes 57, nays 2, Senators Hoffmann and Leichter recorded in the negative.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Bruno.

SENATOR BRUNO: Mr. President, can we at this time take up Senate 6105-C.

ACTING PRESIDENT KUHL: The Secretary will read Senate Print 6105-C, which is Calendar 492.

THE SECRETARY: Calendar Number 492, Budget Bill, Senate Print 6105-C, an act

making appropriation for the support of government.

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

SENATOR COOK: Mr. President.

ACTING PRESIDENT KUHL: Senator Cook.

SENATOR COOK: Mr. President, I would simply like to point out that -- I would simply like to point out that I think this process worked very well on this particular bill. I'm not going to belabor what's in it.

I would like to indicate, however, in regard to the bonding on the previous bill, that as much as I am opposed to bonding myself, that this is a four-year program, that there is no way to predict how much of that money may be going out the door in a given year because of the approval process and the only way to make sure that the money will be accessible at the point in time when the projects are approved is to put it in a bonding procedure which is in a sense a first instance where it can be bonded, paid out and then repaid out of a general fund in

the year in which it applies. So that's the reason it was done in that manner, but in general, I support the concept.

ACTING PRESIDENT KUHL: 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.)

ACTING PRESIDENT KUHL: Record the negative. Announce the results.

THE SECRETARY: Ayes 58, nays 1, Senator Hoffmann recorded in the negative.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Bruno.

SENATOR BRUNO: Mr. President, can we at this time take up Senate 6103-C.

ACTING PRESIDENT KUHL: The Secretary will read Senate 6103-C. It's Calendar 436.

THE SECRETARY: Calendar Number 436, Budget Bill, Senate Print 6103-C, an act

making appropriations for the support of government.

ACTING PRESIDENT KUHL: The Sec... Senator Padavan.

SENATOR PADAVAN: Thank you, Mr. President.

This budget bill which I will vote for, like all the other bills before us this afternoon, does a great deal of good in so many different ways that touch the people of this state.

However, there is one small part of this bill which I think is important in terms of its significance and where it does not do the right thing for the people of this state, and I specifically refer to that section of the bill on page 245 that deals with the state lottery.

The amount indicated here in excess of $105 million is not broken down in detail but inquiries indicate to us that there will be increases in advertising in the state lottery. There will be 2500 new outlets of the state lottery. Additional funds will be expended for lottery vending machines for the

Quick Draw program that we regrettably bid into a number of years ago.

Report after report, the most recent being two weeks ago relevant to teenage gambling in the state, tells us that we are getting more and more of that part of our population that should not be participating in gambling by advertising and other means of enticing them into lottery games.

I'm not a prohibitionist on this or anything else for that matter, but I think you reach a point where you're going too far and in New York State I think we've gone far past that point, and this budget, unfortunately, and this portion of it continues in that mode.

So while I support the bill and all of the other budget bills for all the reasons that have been articulated so extremely well here today, I feel disposed, Mr. President, at this juncture to point out what I consider a failing in the process that we are dealing with today.

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

SENATOR LEICHTER: Mr. President.

ACTING PRESIDENT KUHL: Oh, there's two members.

Senator Leichter, I think you beat Senator -

SENATOR LEICHTER: Mr. President, I'm also going to support this bill, but I too want to point out an aspect of this bill which I think is unwise. An appropriation of $25 million for -

ACTING PRESIDENT KUHL: Senator Leichter, could you take the piece of paper off the microphone.

SENATOR LEICHTER: Is that what's causing that noise? I was looking around seeing -

ACTING PRESIDENT KUHL: I think the -

SENATOR LEICHTER: Okay.

ACTING PRESIDENT KUHL: Thank you.

SENATOR LEICHTER: I'm troubled by the 25 million added to Jobs Now which will provide a total of $70 million. This money

goes to the Empire State Development Corporation.

Let me make it very clear, as I hope I have at other times. I have no problem in state economic assistance programs. I do have a problem in programs that don't work and in investing in industries that are downsizing and not creating jobs.

Now, I'm advised that some changes have been made, will, I believe be in the language bill which will at least give some guarantees that there will be additional jobs created.

I issued a report, maybe about a month ago showing the number of ESD grants and gifts and loans that have gone to corporations that then moved out of the state or never provided the jobs that they were required to provide. I think it's one thing to hold out a helping hand. I think it's another thing to be a sucker, and that's what we too often have been.

I got up before on this floor today and at other times expressing my disagreement with the economic development

policies that we've pursued, and I just implore and beseech you to look at each of these programs. The fact that somebody says, This is to create jobs; this is to make us competitive doesn't mean it's a good program. Look at the results. Look at the bottom line. We've had Comptroller's reports about how our economic development policies have not done what they were supposed to. We never really look and see whether the money we're investing is bringing us the return that we want. We've got committees in this Legislature. Why don't we hold a hearing to see how ESD is performing its job, and this is not political because I pleaded with you to do the same thing when it was UDC under Vince Tese. I think that, by and large, it's an agency outside of our control, maybe outside of anybody's control, spending an awful lot of money and showing very little return for the people of the state of New York. Now to give them additional monies, I think is unwise.

There are obviously other aspects of this bill that I support. As Senator Bruno said, you're not going to find

in a budget bill of this size something that all of us can enthusiastically support, but I do want to get up and make the point and I will continue making it, that our economic development policies have to show results and if they don't, we shouldn't be pouring more money down a rat's hole.

ACTING PRESIDENT KUHL: Senator Hoffmann.

SENATOR HOFFMANN: Thank you, Mr. President.

This is a repeat of something that came up last year. It includes in it a 425 million bonding proposal, if passed, that would, again, subject the taxpayers of this state to a much greater cost than $425 million, obviously. Well intentioned as it is, I have a great deal of difficulty supporting it.

I opposed it last year but last year it was at least subject to an MOU. That MOU expired on April 1st. I don't see the reference to language in here to explain how this would all be enacted. I'm somewhat troubled by that.

Also I'm a little disturbed that during this budget negotiation that we had, the Governor had originally proposed converting this $425 million appropriation into a cash appropriation instead of bonding for it, and I'm disturbed that the leadership in this house and the leadership in the other house who were involved most closely in these negotiations -- because I don't believe this was on the table in the conference committees, although I may be wrong -- but certainly didn't come before the General Government Conference Committee where I think I would have expected to see it, but since it -- we've taken a step backwards from where we were last year. If it was a bad idea last year to bond for $425 million for arts and sports facilities around the state and do it subject to an MOU, then it's an even worse idea this year when we had more available cash for us to continue this concept of bonding for $425 million, especially since we don't even know the actual mechanism by which the money would be appropriated.

So I'm afraid, once again, I

must respect the wishes of the people in the Central New York area, both in and in the surrounding areas to the 48th Senate District and cast my vote in the negative.

ACTING PRESIDENT KUHL: 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.)

ACTING PRESIDENT KUHL: Record the negatives.

Senator Leichter to explain his vote.

SENATOR LEICHTER: Yeah. I don't want my name called. I said about two minutes ago I was going to vote for this bill, but I had forgotten that it included the 425 million that Senator Hoffmann just reminded me of and I've got to say, that tips the balance for me certainly in voting against it. I think she's absolutely right. I pointed out some other reasons and while there's some very

good things in here, I cannot support that 425 million.

So I will vote in the negative.

ACTING PRESIDENT KUHL: Senator Leichter will be recorded in the negative. Announce the results.

THE SECRETARY: Ayes 57, nays 2, Senators Hoffmann and Leichter recorded in the negative.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Skelos.

SENATOR SKELOS: Mr. President, would you call up Calendar Number 616, Senate 6098-B.

ACTING PRESIDENT KUHL: The Secretary will read.

THE SECRETARY: Calendar Number 616, Budget Bill, Senate Print 6098-B, an act to amend Chapter 393 of the Laws of 1994, amending the New York State Urban Development Corporation Act.

ACTING PRESIDENT KUHL: The 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.)

ACTING PRESIDENT KUHL: Excuse me. Withdraw the roll call.

Senator Stafford, are you handling the explanation on Calendar Number 616? Senator Leichter has requested an explanation.

SENATOR STAFFORD: Mr. President, the purpose of this bill is to place in statutory provisions, in other words, enact statutory provisions, in appropriation language, provisions necessary to implement the Transportation, Economic Development and Environmental Conservation Budget Bill, the Education, Labor and Family Assistance Budget Bill and the Public Protection, Health, Mental Hygiene Budget Bill, and as we know in the past years due to a Supreme Court decision - no, Court of Appeals decision -- it's known as the Bankers decision -- it is necessary that we carry out this responsibility.

ACTING PRESIDENT KUHL: Senator Leichter.

SENATOR LEICHTER: No, I have no questions.

ACTING PRESIDENT KUHL: The 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.)

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

THE SECRETARY: Ayes 57, nays 2, Senators Hoffmann and Leichter recorded in the negative.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Skelos.

SENATOR SKELOS: Mr. President, would you call up Calendar Number 615, Senate 6096-B.

ACTING PRESIDENT KUHL: The Secretary will read.

THE SECRETARY: Calendar Number 615, Budget Bill, Senate Print 6096-B, an act in relation to appropriations made by a Chapter of the Laws of 1998, enacting the General Government Budget.

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

THE SECRETARY: Section 51. This act shall take effect immediately.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT KUHL: Record the negative. Announce the results.

THE SECRETARY: Ayes 58, nays 1, Senator Hoffmann recorded in the negative.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Skelos.

SENATOR SKELOS: Mr. President, would you call up Calendar Number 491, Senate 6100-B.

ACTING PRESIDENT KUHL: The Secretary will read.

THE SECRETARY: Calendar Number 491, Budget Bill, Senate Print 6100-B, an act making appropriations for the support of government, the Legislature and the Judiciary Budget.

ACTING PRESIDENT KUHL: The 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.)

ACTING PRESIDENT KUHL: Senator Leichter, to explain his vote.

SENATOR LEICHTER: Yes, Mr. President, just to explain my vote.

We've had an opportunity really to debate this bill, if not an identical bill, certainly a bill that had the same flaws as this particular bill does. This is the Legislative and Judicial Budget.

For years I have opposed the Legislative Budget because it's a hoax. It's a fraud. It's not a true budget bill. It has

lump sum appropriation. It doesn't advise the members or the public of how we're going to spend what is, I believe, close to $160 million. It's really an act of contempt on our part to the public to say that we can pass a bill in this form and claim that it's a budget bill.

With all the praise that we heaped on ourselves today and maybe some of it was deserved, we certainly show that we have a long way to go in reforming our procedures when we put forth a budget bill of this sort. I would really hope the Legislature could do what we require of the executive, and that is to put forth an itemized detailed budget.

Mr. President, I will vote in the negative.

ACTING PRESIDENT KUHL: Senator Leichter will be recorded in the negative. Announce the results.

THE SECRETARY: Ayes 57, nays 2, Senators Hoffmann and Leichter recorded in the negative.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Skelos.

SENATOR SKELOS: Mr. President, if we could return to motions and resolutions, I believe there's two privileged resolutions at the desk by Senator Volker. I ask that the titles be read and move for their immediate adoption.

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

I'll direct the Secretary to read the title to the privileged resolutions by Senator Volker.

THE SECRETARY: By Senator Volker, Legislative Resolution commending Teresa House upon the occasion of its designation as recipient of the "Geneseo Foundation Meritorious Service Award";

By Senator Volker, Legislative Resolution honoring Molly McKeown on the occasion of her designation as the recipient of the "Geneseo Foundation Meritorious Service Award."

ACTING PRESIDENT KUHL: The question is on the resolutions. All those in

favor signify by saying aye.

(Response of "Aye".)

Opposed, nay.

(There was no response.)

The resolutions are adopted.

SENATOR BRUNO: Mr. President, is there any housekeeping at the desk? We have a few housekeepers here that want to be of help.

ACTING PRESIDENT KUHL: There's no housekeeping up here, Senator.

SENATOR BRUNO: No housekeeping. Our business having been concluded in an extremely efficient way and there being no further business to come before the Senate, I would move that we stand adjourned until Wednesday, April 29th, at 3:00 p.m., intervening days to be legislative days.

ACTING PRESIDENT KUHL: Without objection, hearing no objection, the Senate stands adjourned until Wednesday, April 29th, at 3:00 p.m., intervening days to be legislative days. The Senate stands adjourned.

(Whereupon, at 4:29 p.m., the

Senate adjourned.)