ALBANY, NEW YORK

May 27, 1998

11:05 a.m.

REGULAR SESSION

SENATOR RAYMOND A. MEIER, Acting President

STEVEN M. BOGGESS, Secretary

P R O C E E D I N G S

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

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

ACTING PRESIDENT MEIER: Thank you for the help in the gallery. They did get it right and I couldn't keep up with them.

In the absence of clergy, I ask that everyone bow their heads in a moment of silence.

(A moment of silence was observed.)

The reading of the Journal.

THE SECRETARY: In Senate, Tuesday, May 26th. The Senate met pursuant to adjournment, Senator Meier in the Chair upon designation of the Temporary President. The Journal of Sunday, May 24, was read and approved. On motion, the Senate adjourned.

SENATOR SKELOS: Mr. President.

ACTING PRESIDENT MEIER: Without objection -

SENATOR SKELOS: Go ahead.

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

Senator Skelos.

SENATOR SKELOS: If I could interrupt. There's going to be an immediate meeting of the Rules Committee in the Majority Conference Room.

ACTING PRESIDENT MEIER: Immediate meeting of the Rules Committee in the Senate Majority Conference Room.

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.

Motions and resolutions.

Senator Marcellino.

SENATOR MARCELLINO: Mr. President, on behalf of Senator LaValle, on page number 21, I offer the following amendments to Calendar Number 696, Senate Print Number 6672, and ask that said bill retain its place on third

reading.

ACTING PRESIDENT MEIER: The amendments are received and the bill will retain its place on the Third Reading Calendar.

SENATOR MARCELLINO: Thank you, Mr. President.

On behalf of Senator Padavan, on page 24, I offer the following amendments to Calendar Number 744, Senate Print Number 6727, that is 6727, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT MEIER: The amendments are received and bill will retain its place on the Third Reading Calendar.

SENATOR MARCELLINO: Thank you, Mr. President.

On behalf of Senator Alesi, on page number 4, I offer the following amendments to Calendar Number 40, Senate Print Number 5942-B, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT MEIER: The amendments are received and the bill will retain its place on the Third Reading Calendar.

Senator Fuschillo.

SENATOR FUSCHILLO: Mr. President, on behalf of Senator Marchi, I wish to call up Senate Print Number 6007, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT MEIER: The Secretary will read.

THE SECRETARY: Calendar Number 243, by Senator Marchi, Senate Print 6007, an act to amend the Real Property Tax Law.

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

ACTING PRESIDENT MEIER: Call the roll on reconsideration.

(The Secretary called the roll on reconsideration.)

THE SECRETARY: Ayes 37.

SENATOR FUSCHILLO: I now offer the following amendments.

ACTING PRESIDENT MEIER: The amendments are received.

The Secretary will read the substitutions.

THE SECRETARY: On page 40, Senator Nozzolio moves to discharge from the

Committee on Rules Assembly Bill Number 10727-A and substitute it for the identical Third Reading Calendar 964.

ACTING PRESIDENT MEIER: The substitution is ordered.

Senator Holland.

SENATOR HOLLAND: Can we now adopt the Resolution Calendar, please, Mr. President.

ACTING PRESIDENT MEIER: The Sec... Senator Holland, that's not yet at the desk.

SENATOR HOLLAND: We'll come back to that. Can we go ahead with the non controversial calendar then, please.

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

THE SECRETARY: Calendar Number 690, by Senator LaValle, Senate Print 4431-A, an act to amend the Education Law, in relation to sharing.

ACTING PRESIDENT MEIER: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 37.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 809, by Senator Saland, Senate Print 1786, an act to amend the Family Court Act, in relation to procedures.

ACTING PRESIDENT MEIER: Read the last section.

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

SENATOR GOLD: Lay the bill aside.

ACTING PRESIDENT MEIER: Lay the bill aside.

THE SECRETARY: Calendar Number 811, by Senator Saland, Senate Print 5228, an act to amend the Social Services Law, in relation to allowing.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 37.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 823, by Senator Johnson, Senate Print 6847, an act to amend Chapter 56 of the Laws of 1993.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 37.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 866, by Senator Present, Senate Print 6669, an act to amend the Public Authorities Law and the Economic Development Law, in relation to

authorizing.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 37.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 883, by Senator Bruno, Senate Print 5722-A, an act authorizing the reopening of the 20-year retirement plan.

ACTING PRESIDENT MEIER: There's a home rule message at the desk. Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 37.

ACTING PRESIDENT MEIER: The bill

is passed.

THE SECRETARY: Calendar Number 887, by Senator Meier, Senate Print 6927-A, an act to amend the Military Law, in relation to credit.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 37.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 928, by Senator Hannon, Senate Print 7357-A, an act to amend Chapter 483 of the Laws of 1978.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 37.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 930, by Senator Stafford, Senate Print 5488-A, an act to amend the State Finance Law, in relation to authorizing.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 37.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 933, by Senator Trunzo, Senate Print 6314-A, an act to amend the Public Officers Law, in relation to activities.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 37.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 967, by Senator DeFrancisco, Senate Print 485, an act to amend the Penal Law, in relation to the payment.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 37.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 968, by Senator DeFrancisco, Senate Print 488, an act to amend the Criminal Procedure Law, in relation to the collection.

ACTING PRESIDENT MEIER: Read the

last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 37.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 972, by Senator Libous, Senate Print 1924, an act to amend the Penal Law, in relation to authorizing.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 37.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number

984, by member of the Assembly Tocci, Assembly Print 9759, an act to amend Chapter 266 of the Laws of 1981.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 37.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 987, by Senator Volker, Senate Print 6886, an act to amend the Penal Law, in relation to gambling.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 37.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 990, by Senator Volker, Senate Print 7054, an act to amend the Civil Practice Law and Rules, in relation to in rem foreclosures.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 37.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 992, by Senator Skelos, Senate Print 307, an act to amend the Family Court Act and the Criminal Procedure Law, in relation to the age of child witnesses.

ACTING PRESIDENT MEIER: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect on the first day of November.

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 39.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 993, by Senator Saland, Senate Print 493, an act to amend the Social Services Law, in relation to concurrent kinship.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 39.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1011, by Senator Trunzo, Senate Print 5473-A, an act to authorize the town of -

SENATOR HOLLAND: Lay the bill aside for the day.

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

THE SECRETARY: Calendar Number 1023, by Senator Balboni, Senate Print 6707, an act authorizing the assessor of the county of Nassau to accept an application.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 39.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1024, by Senator Balboni, Senate Print 6708, an act authorizing the assessor of the county of Nassau.

ACTING PRESIDENT MEIER: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 38, nays 1, Senator Cook recorded in the negative.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1026, by Senator Nozzolio, Senate Print 6761, an act to legalize, validate and confirm the acts and proceedings.

ACTING PRESIDENT MEIER: There's a home rule message at the desk. Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 39.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1074, by Senator Hannon, Senate Print 7336, an

act to amend Chapter 535 of the Laws of 1983.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 40.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1080, by Senator Goodman, Senate Print 5204, an act to amend the Executive Law, in relation to providing.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 40.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1083, by the Assembly Committee on Rules, Assembly Print 10995, an act to amend Chapter 704 of the Laws of 1991.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 40.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1095, by Senator Goodman, Senate Print 411, an act to amend the Vehicle and Traffic Law, in relation to restricting.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 40.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1096, by Senator Goodman, Senate Print 755, an act to amend the Transportation Law, in relation to disclosure.

ACTING PRESIDENT MEIER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 120th day.

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 39, nays 1, Senator Kuhl recorded in the negative.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1101, by Senator Johnson, Senate Print 4256-A, an act to amend the Transportation Law, in relation to projects.

ACTING PRESIDENT MEIER: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 40.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1102 by Senator Saland, Senate Print 5261, an act to amend the Vehicle and Traffic Law, in relation to the maximum speed limit.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 40.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1104, by Senator Johnson, Senate Print 6848, an act to amend Chapter 268 of the Laws of 1989, amending the Vehicle and Traffic Law.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 41.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1105, by Senator Libous, Senate Print 7086, an act to amend the Vehicle and Traffic Law, in relation to the maximum speed limits.

ACTING PRESIDENT MEIER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect January 1.

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 40, nays 1, Senator Leichter recorded in the negative.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1107, by Senator Johnson, Senate Print 7435, an act to amend the Public Authorities Law, in relation to eliminating.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 41.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1120, by member of the Assembly Parment, Assembly Print 10280, an act to amend the Agriculture and Markets Law, in relation to approval.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 41.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1123, by Senator Kuhl, Senate Print 549, an act to amend the New York State Urban Development Corporation Act.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 41.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1127, by Senator Holland, Senate Print 5943-A, an act to amend the Public Authorities Law, in relation to continuation.

ACTING PRESIDENT MEIER: There's a home rule message at the desk. Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 42.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1128, by Senator Leibell, Senate Print 6430, an act to amend the Public Authorities Law, in relation to the powers.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 42.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1129, by Senator Goodman, Senate Print 6589, an act to repeal Chapter 140 of the Laws of 1943.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 42.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1130, by Senator Leibell, Senate Print -

SENATOR HOLLAND: Lay the bill aside for the day.

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

THE SECRETARY: Calendar Number 1131, by Senator Leibell -

SENATOR HOLLAND: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 1134, by member of the Assembly Parment, Assembly Print 10281, an act to amend the

Cooperative Corporations Law, in relation to authorizing.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 42.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 1153, by Senator Lack, Senate Print 7040-A, an act to amend the Real Property Law, in relation to forms.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 43.

ACTING PRESIDENT MEIER: The bill

is passed.

THE SECRETARY: Calendar Number 1161, by the Assembly Committee on Rules, Assembly Print 8349-B, an act authorizing the state University of New York to lease and contract.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 43.

ACTING PRESIDENT MEIER: The bill is passed.

SENATOR HOLLAND: Controversial calendar, Mr. President, please.

ACTING PRESIDENT MEIER: The Secretary will read the controversial calendar.

THE SECRETARY: Calendar Number 809, by Senator Saland, Senate Print 1786, an act to amend the Family Court Act.

SENATOR GOLD: Last section.

ACTING PRESIDENT MEIER: Read the

last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 43.

ACTING PRESIDENT MEIER: The bill is passed.

SENATOR LEICHTER: Mr. President.

ACTING PRESIDENT MEIER: Senator Leichter.

SENATOR LEICHTER: May I have unanimous consent to be recorded in the negative on Calendar 1102.

ACTING PRESIDENT MEIER: Without objection, Senator Leichter will be recorded in the negative on Calendar 1102.

Senator Holland.

SENATOR HOLLAND: Can we return to motions and resolutions, please, Mr. President.

ACTING PRESIDENT MEIER: Yes.

SENATOR HOLLAND: And may we adopt the Resolution Calendar. They still don't

want to do that.

ACTING PRESIDENT MEIER: All in favor of adopting the Resolution Calendar signify by saying aye.

(Response of "Aye".)

Opposed, nay.

(There was no response.)

The resolutions are adopted.

Senator Holland.

SENATOR HOLLAND: May we please return to reports of standing committees. I believe there's a report of the Rules Committee at the desk.

ACTING PRESIDENT MEIER: The Secretary will read.

THE SECRETARY: Senator Bruno, from the Committee on Rules, reports the following bills direct to third reading:

Senate Print 6694, by the Senate Committee on Rules, an act to amend the State Law; and

Senate Print 7494, by Senator Fuschillo, an act to amend the Highway Law.

ACTING PRESIDENT MEIER: Senator Holland.

SENATOR HOLLAND: I move we accept the report of the Rules Committee.

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

(Response of "Aye".)

Opposed, nay.

(There was no response.)

The report of the Rules Committee is accepted.

Senator Holland.

SENATOR HOLLAND: Mr. President, may we please take up Calendar 1176, Senate 6694, which was just reported from the Rules Committee, please.

ACTING PRESIDENT MEIER: The Secretary will read.

THE SECRETARY: Senator Bruno moves to discharge from the Committee on Rules Assembly Bill Number 10051 and substitute it for the identical Senate Bill 6694.

ACTING PRESIDENT MEIER: The substitution is ordered.

SENATOR GOLD: Explanation.

ACTING PRESIDENT MEIER: The

Secretary will read the substitution.

THE SECRETARY: Calendar Number 1176, by the Assembly Committee on Rules, Assembly Print 10051, an act to amend the State Law.

SENATOR GOLD: Explanation, please.

SENATOR SKELOS: Mr. President.

ACTING PRESIDENT MEIER: Senator Skelos.

SENATOR SKELOS: This legislation has been requested by the city of New York and what it does is certain technical corrections in some of the Congressional Districts, mistakes in metes and bounds, mistakes in the naming of certain streets in one of the original reapportionment bills that were done, congressional reapportionments several years ago. These are really just technical corrections requested by the city Board of Elections.

SENATOR GOLD: Will the gentleman yield for a question, please?

ACTING PRESIDENT MEIER: Will the Senator yield?

SENATOR SKELOS: Yep.

ACTING PRESIDENT MEIER: The Senator yields for a question.

SENATOR GOLD: Senator, you've never done it to me, but in my number of years up here I've seen enough bills that said they were technical and were a little bit more than technical.

This is a bill which affects some Congressional Districts. I believe I see within Boulevard Park Lane South -- that's an area which is in Queens County not far from me -- I really would like the opportunity to take a look at a map or something. I'm not saying anybody is doing anything wrong here, but is there -- is there a reason -- and I certainly am willing to listen -- why this must pass today rather than, let's say Monday?

SENATOR SKELOS: I believe we're entering the petition signing period and we are trying to accommodate the New York City Board of Elections. I mean, basically that's what we're trying to do right now.

SENATOR GOLD: Will the Senator yield to one more question?

ACTING PRESIDENT MEIER: The Senator continues to yield.

SENATOR GOLD: Has this passed the Assembly yet?

SENATOR SKELOS: It has -- I think we substituted the bill.

SENATOR GOLD: It is the Assembly bill?

SENATOR SKELOS: Yep.

SENATOR GOLD: Just one last question. Senator, if you don't know, I'll rest on it anyway. Do you have any idea what the amount of population change is affected by these changes?

SENATOR SKELOS: Well, number one, if you change -- if you correct the name of a street sign, it doesn't change population.

SENATOR GOLD: That's true.

SENATOR SKELOS: Any metes and bounds, most of it is descriptions that may have been inappropriately designated when we did the congressional redistricting a number of years ago.

As you also know, within the federal law that you still have to maintain the

one person, one vote requirements for a plan to be constitutional. Unlike a state legislative district, Senate/Assembly, there can be some deviation within districts. In congressional, you have to have it within one vote.

SENATOR GOLD: Yeah. If the Senator will yield. Senator, I wasn't suggesting that the numbers were going to change, but you can keep the same number and be switching 20,000 people from one district to another. I just -- basically that was what I was asking. Is there any -- if it's a technical change in a street name, I certainly don't care. All I'm concerned about is as a result of this, are we switching any population from one Congressional District to another?

SENATOR SKELOS: If there were any massive changes in population, we would have to have it precleared by the Justice Department because of the Voting Rights Act.

SENATOR GOLD: Thank you for your courtesy.

ACTING PRESIDENT MEIER: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes 43.

ACTING PRESIDENT MEIER: The bill is passed.

Senator Holland.

SENATOR HOLLAND: Is there any housekeeping, Mr. President?

ACTING PRESIDENT MEIER: Yes, there's a motion.

Senator Marcellino.

SENATOR MARCELLINO: Yes, Mr. President. On behalf of Senator Meier, the esteemed Senator Meier, on page number 50, I offer the following amendments to Calendar Number 1084, Senate Print Number 6468-A, and ask that said bill retain its place on the Third Reading Calendar, sir.

ACTING PRESIDENT MEIER: The amendments are received and the bill will retain its place on the Third Reading Calendar.

Thank you, Senator Marcellino.

Senator Holland.

SENATOR HOLLAND: Would you please recognize Senator Montgomery, please.

ACTING PRESIDENT MEIER: Senator Montgomery.

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

I would just like to take a moment, if you will allow me, to acknowledge a class that is visiting here today, the Capitol, from my district. It's their -- a group of students, eighth grade students, I believe, from the Ron Edmonds Learning Center in Brooklyn, formally known as Junior High School 113. They have come today to witness what we do on their behalf as their representatives in the New York State Senate.

So I welcome them. Their teachers are here with them, Miss Ollfume and Miss Cunningham, and we thank them for coming because they are going to be part of this body some day, at least some of them, we hope, and so they're getting a bird's eye view at an early point in their lives and we welcome them. Thank their teachers for bringing them.

Thank you, Mr. President.

ACTING PRESIDENT MEIER: Thank you, Senator Montgomery.

Senator Holland.

SENATOR HOLLAND: Anything further at the desk?

ACTING PRESIDENT MEIER: Nothing further, Senator.

SENATOR HOLLAND: Mr. President, there being no further business, I move we adjourn until Monday, June the 1st, at 3:00 p.m., intervening days being legislative days.

ACTING PRESIDENT MEIER: There being no further business, on motion, the Senate stands adjourned until Monday, June 1st, 3:00 p.m., intervening days will be legislative days.

(Whereupon, at 11:28 a.m., the Senate adjourned.)