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ALBANY, NEW YORK

June 11, 1998

10:03 a.m.

REGULAR SESSION

SENATOR JOHN R. KUHL, JR., Acting President

STEVEN M. BOGGESS, Secretary

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

2 ACTING PRESIDENT KUHL: The  
3 Senate will come to order. Ask the members to  
4 find their places, the staff to find their  
5 places. If everybody in the chamber would rise  
6 and join me in saying the Pledge of Allegiance.

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

9 May we bow our heads in a moment  
10 of silence.

11 (A moment of silence was  
12 observed.)

13 ACTING PRESIDENT KUHL: The  
14 reading of the Journal.

15 THE SECRETARY: In Senate,  
16 Wednesday, June 10th. The Senate met pursuant  
17 to adjournment. The Journal of Tuesday, June  
18 9th, was read and approved. On motion, the  
19 Senate adjourned.

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

23 Presentation of petitions.

24 Messages from the Assembly.

25 Messages from the Governor.

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

5 Motions and resolutions.

6 The Chair recognizes Senator  
7 Marcellino.

8 SENATOR MARCELLINO: Thank you,  
9 Mr. President.

10 I wish to call up Senator  
11 Velella's bill, number 5421, recalled from the  
12 Assembly, which is now at the desk.

13 ACTING PRESIDENT KUHL: The  
14 Secretary will read.

15 THE SECRETARY: By Senator  
16 Velella, Senate Print 5421, an act to amend the  
17 Criminal Procedure Law.

18 ACTING PRESIDENT KUHL: Senator  
19 Marcellino.

20 SENATOR MARCELLINO: Mr.  
21 President, I now move to reconsider the vote by  
22 which this bill was passed.

23 ACTING PRESIDENT KUHL: The  
24 Secretary will call the roll on  
25 reconsideration.

1 (The Secretary called the roll on  
2 reconsideration.)

3 THE SECRETARY: Ayes 37.

4 SENATOR MARCELLINO: I now offer  
5 the following amendments, Mr. President.

6 ACTING PRESIDENT KUHL: The  
7 amendments are received.

8 Senator Marcellino.

9 SENATOR MARCELLINO: Mr.  
10 President, on behalf of Senator Holland, I call  
11 up his bill, Print Number 5989-A, recalled from  
12 the Assembly, which is now at the desk.

13 ACTING PRESIDENT KUHL: The  
14 Secretary will read.

15 THE SECRETARY: By Senator  
16 Holland, Senate Print 5989-A, an act to amend  
17 the Social Services Law.

18 SENATOR MARCELLINO: Mr.  
19 President, I move to reconsider the vote by  
20 which this bill was passed.

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

23 (The Secretary called the roll on  
24 reconsideration.)

25 THE SECRETARY: Ayes 37.

1                   SENATOR MARCELLINO:  Mr.  
2           President, I now offer the following amendments.

3                   ACTING PRESIDENT KUHL:  The  
4           amendments are received and adopted.

5                   Senator Marcellino.

6                   SENATOR MARCELLINO:  Mr.  
7           President, on behalf of Senator Stafford, I wish  
8           to call up his bill, Print Number 6772, recalled  
9           from the Assembly, which is now at the desk.

10                   ACTING PRESIDENT KUHL:  The  
11           Secretary will read.

12                   THE SECRETARY:  By Senator  
13           Stafford, Senate Print 6772, an act to amend the  
14           Public Authorities Law.

15                   ACTING PRESIDENT KUHL:  Senator  
16           Marcellino.

17                   SENATOR MARCELLINO:  Mr.  
18           President, I now move to reconsider the vote by  
19           which this bill was passed.

20                   ACTING PRESIDENT KUHL:  Call the  
21           roll on reconsideration.

22                   (The Secretary called the roll on  
23           reconsideration.)

24                   THE SECRETARY:  Ayes 37.

25                   ACTING PRESIDENT KUHL:  Senator

1 Marcellino.

2 SENATOR MARCELLINO: Mr.  
3 President, I offer the following amendments.

4 ACTING PRESIDENT KUHL: The  
5 amendments are received and adopted.

6 Senator Marcellino.

7 SENATOR MARCELLINO: Mr.  
8 President, on behalf of Senator Saland, I wish  
9 to call up his bill, Print Number 3442, recalled  
10 from the Assembly, which is now at the desk.

11 ACTING PRESIDENT KUHL: The  
12 Secretary will read.

13 THE SECRETARY: By Senator  
14 Saland, Senate Print 3442, an act to amend the  
15 Domestic Relations Law.

16 ACTING PRESIDENT KUHL: Senator  
17 Marcellino.

18 SENATOR MARCELLINO: Mr.  
19 President, I now move to reconsider the vote by  
20 which this bill was passed.

21 ACTING PRESIDENT KUHL: Call the  
22 roll on reconsideration.

23 (The Secretary called the roll on  
24 reconsideration.)

25 THE SECRETARY: Ayes 37.

1                   ACTING PRESIDENT KUHL:  Senator  
2           Marcellino.

3                   SENATOR MARCELLINO:  Mr.  
4           President, I now offer the following amendments.

5                   ACTING PRESIDENT KUHL:  The  
6           amendments are received and adopted.

7                   Senator Marcellino.

8                   SENATOR MARCELLINO:  On behalf of  
9           Senator Volker, Mr. President, I wish to call up  
10          his bill, Print Number 6739-A, recalled from the  
11          Assembly, which is now at the desk.

12                   ACTING PRESIDENT KUHL:  The  
13          Secretary will read.

14                   THE SECRETARY:  By Senator  
15          Volker, Senate Print 6739-A, an act to amend the  
16          Local Finance Law.

17                   ACTING PRESIDENT KUHL:  Senator  
18          Marcellino.

19                   SENATOR MARCELLINO:  Mr.  
20          President, I now move to reconsider the vote by  
21          which this bill passed.

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

24                   (The Secretary called the roll on  
25          reconsideration.)

1 THE SECRETARY: Ayes 37.

2 ACTING PRESIDENT KUHL: Senator  
3 Marcellino.

4 SENATOR MARCELLINO: Mr.  
5 President, I now offer the following amendments.

6 ACTING PRESIDENT KUHL: The  
7 amendments are received and adopted.

8 Senator Marcellino.

9 SENATOR MARCELLINO: Thank you,  
10 Mr. President.

11 Amendments are offered on the  
12 following Third Reading Calendar bills:

13 On behalf of Senator Balboni,  
14 page number 25, Calendar Number 833, Senate  
15 Print Number 4248-A;

16 On behalf of Senator Maziarz,  
17 page number 29, Calendar Number 919, Senate  
18 Print Number 7367;

19 On behalf of Senator Balboni,  
20 page number 31, Calendar Number 953, Senate  
21 Print Number 7325;

22 On behalf of Senator Balboni,  
23 page number 37, Calendar Number 1086, Senate  
24 Print Number 6709;

25 On behalf of Senator Spano, on

1 page number 41, Calendar Number 1195, Senate  
2 Print Number 7507;

3 On behalf of Senator Santiago, on  
4 page number 44, Calendar Number 1279, Senate  
5 Print Number 4290;

6 On behalf of Senator DeFrancisco,  
7 page number 45, Calendar Number 1295, Senate  
8 Print Number 7097;

9 On behalf of Senator Balboni,  
10 page number 47, Calendar Number 1309, Senate  
11 Print Number 7589 and, Mr. President, I now move  
12 these bills retain their place on the Third  
13 Reading Calendar.

14 ACTING PRESIDENT KUHL: The  
15 amendments are received and adopted and all the  
16 bills will retain their place on the Third  
17 Reading Calendar.

18 SENATOR MARCELLINO: Thank you,  
19 Mr. President.

20 ACTING PRESIDENT KUHL: Thank  
21 you, Senator Marcellino.

22 Senator Skelos, we have a couple  
23 of substitutions at the desk.

24 SENATOR SKELOS: Please make the  
25 substitutions.

1                   ACTING PRESIDENT KUHL: The  
2                   Secretary will read the substitutions.

3                   THE SECRETARY: On page 29,  
4                   Senator Skelos moves to discharge from the  
5                   Committee on Rules Assembly Print 9583-E and  
6                   substitute it for the identical Senate Bill  
7                   6427-E.

8                   On page 43, Senator Farley moves  
9                   to discharge from the Committee on Rules  
10                  Assembly Bill 1974-B and substitute it for the  
11                  identical Senate Bill 1276-B.

12                  ACTING PRESIDENT KUHL: The  
13                  substitutions are ordered.

14                  Senator Skelos.

15                  SENATOR SKELOS: Mr. President, I  
16                  believe there's a privileged resolution at the  
17                  desk sponsored by Senator Seward. May we please  
18                  have the title read and move for its immediate  
19                  adoption.

20                  ACTING PRESIDENT KUHL: The  
21                  Secretary will read the privileged resolution by  
22                  Senator Seward, the title to the privileged  
23                  resolution.

24                  THE SECRETARY: By Senator  
25                  Seward, Legislative Resolution honoring the past

1 and present members of the Summit Fire  
2 Department for 50 years of fire protection to  
3 the citizens of Summit and its surrounding  
4 communities on Saturday, June 13th, 1998.

5 ACTING PRESIDENT KUHL: The  
6 question is on the resolution. All those in  
7 favor signify by saying aye.

8 (Response of "Aye".)

9 Opposed, nay.

10 (There was no response.)

11 The resolution is adopted.

12 Senator Skelos.

13 SENATOR SKELOS: Mr. President,  
14 there's a privileged resolution at the desk by  
15 Senator Lack. May we please have the title read  
16 and move for its immediate adoption.

17 ACTING PRESIDENT KUHL: The  
18 Secretary will read the title to the privileged  
19 resolution by Senator Lack.

20 THE SECRETARY: By Senator Lack,  
21 Legislative Resolution honoring Peter J. Nolan  
22 upon the occasion of his retirement after many  
23 years of distinguished service to the village of  
24 Northport, New York.

25 ACTING PRESIDENT KUHL: The

1 question is on the resolution. All those in  
2 favor signify by saying aye.

3 (Response of "Aye".)

4 Opposed, nay.

5 (There was no response.)

6 The resolution is adopted.

7 Senator Skelos.

8 SENATOR SKELOS: Mr. President,  
9 there's a privileged resolution at the desk by  
10 Senator Connor. May we please have the title  
11 read and move for its immediate adoption.

12 ACTING PRESIDENT KUHL: The  
13 Secretary will read the title to the privileged  
14 resolution by Senator Connor.

15 THE SECRETARY: By Senator  
16 Connor, Legislative Resolution commending John  
17 P. Musico, superintendent of Community School  
18 District 14 for his distinguished service to  
19 Community School District 14 and the community.

20 ACTING PRESIDENT KUHL: The  
21 question is on the resolution. All those in  
22 favor signify by saying aye.

23 (Response of "Aye".)

24 Opposed, nay.

25 (There was no response.)

1                   The resolution is adopted.

2                   Senator Skelos.

3                   SENATOR SKELOS: Mr. President,  
4                   there's a privileged resolution at the desk by  
5                   Senator Goodman. May we please have the title  
6                   read and move for its immediate adoption.

7                   ACTING PRESIDENT KUHL: The  
8                   Secretary will read the title to the privileged  
9                   resolution by Senator Goodman.

10                  THE SECRETARY: By Senator  
11                  Goodman, Legislative Resolution honoring Madison  
12                  Avenue Book Shop upon the occasion of its 25th  
13                  anniversary.

14                  ACTING PRESIDENT KUHL: The  
15                  question is on the resolution. All those in  
16                  favor signify by saying aye.

17                                 (Response of "Aye".)

18                                 Opposed, nay.

19                                 (There was no response.)

20                                 The resolution is adopted.

21                                 Senator Skelos.

22                   SENATOR SKELOS: Mr. President,  
23                   there's another privileged resolution at the  
24                   desk by Senator Goodman. May we please have the  
25                   title read and move for its immediate adoption.

1                   ACTING PRESIDENT KUHL: The  
2                   Secretary will read the title to the privileged  
3                   resolution by Senator Goodman.

4                   THE SECRETARY: By Senator  
5                   Goodman, Legislative Resolution honoring Dr.  
6                   Edward G. Kaufman upon the occasion of his  
7                   retirement after 50 years of distinguished  
8                   service with the New York University College of  
9                   Dentistry, the last 13 years as dean.

10                  ACTING PRESIDENT KUHL: The  
11                  question is on the resolution. All those in  
12                  favor signify by saying aye.

13                                 (Response of "Aye".)

14                                 Opposed, nay.

15                                 (There was no response.)

16                                 The resolution is adopted.

17                                 Senator Skelos, that brings us to  
18                   the calendar.

19                   SENATOR SKELOS: Please proceed  
20                   with the non-controversial calendar.

21                   ACTING PRESIDENT KUHL: The  
22                   Secretary will read the non-controversial  
23                   calendar.

24                   THE SECRETARY: Calendar Number  
25                   141, by Senator Alesi, Senate Print 948-A, an

1 act to amend the Penal Law.

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

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

7 ACTING PRESIDENT KUHL: Call the  
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes 37 -- ayes  
11 36, nays 1, Senator Kuhl recorded in the  
12 negative.

13 ACTING PRESIDENT KUHL: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 479, by Senator Hannon, Senate Print 6263-A, an  
17 act in relation to permitting the Church of New  
18 Life.

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

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

23 ACTING PRESIDENT KUHL: Call the  
24 roll.

25 (The Secretary called the roll.)

1                   ACTING PRESIDENT KUHL:  Announce  
2                   the results.

3                   THE SECRETARY:  Ayes 35, nays 2,  
4                   Senators Cook and Dollinger recorded in the  
5                   negative.

6                   ACTING PRESIDENT KUHL:  The bill  
7                   is passed.

8                   THE SECRETARY:  Calendar Number  
9                   514, by Senator Spano, Senate Print 6571-B, an  
10                  act to amend the Labor Law, in relation to field  
11                  sanitation.

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

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

16                  ACTING PRESIDENT KUHL:  Call the  
17                  roll.

18                  (The Secretary called the roll.)

19                  THE SECRETARY:  Ayes 37.

20                  ACTING PRESIDENT KUHL:  The bill  
21                  is passed.

22                  THE SECRETARY:  Calendar Number  
23                  638, by Senator Rath, Senate Print 6485-A, an  
24                  act to amend the Real Property Tax Law.

25                  ACTING PRESIDENT KUHL:  Read the

1 last section.

2 THE SECRETARY: Section 5. This  
3 act shall take effect on the first day of  
4 January.

5 ACTING PRESIDENT KUHL: Call the  
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes 37.

9 ACTING PRESIDENT KUHL: The bill  
10 is passed.

11 THE SECRETARY: Calendar Number  
12 751, by member of the Assembly Destito, Assembly  
13 Print 9993, an act to amend the Judiciary Law.

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

16 THE SECRETARY: Section 2. This  
17 act shall take effect on the same date as  
18 Chapter 242 of the Laws of 1997.

19 ACTING PRESIDENT KUHL: Call the  
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes 37.

23 ACTING PRESIDENT KUHL: The bill  
24 is passed.

25 THE SECRETARY: Calendar Number

1 847, by Senator Maziarz, Senate Print 7079, an  
2 act to amend the Penal Law, in relation to  
3 creating.

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

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

9 ACTING PRESIDENT KUHL: Call the  
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes 37.

13 ACTING PRESIDENT KUHL: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 855, by Senator Marcellino, Senate Print 5227-A,  
17 an act to amend the Environmental Conservation  
18 Law, in relation to hunting, trapping and  
19 fishing.

20 ACTING PRESIDENT KUHL: Read the  
21 last section.

22 THE SECRETARY: Section 9. This  
23 act shall take effect on the first day of  
24 January.

25 ACTING PRESIDENT KUHL: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes 37.

4 ACTING PRESIDENT KUHL: The bill  
5 is passed.

6 THE SECRETARY: Calendar Number  
7 871, by Senator Farley, Senate Print 7352-B -

8 SENATOR SKELOS: Lay it aside for  
9 the day.

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

12 THE SECRETARY: Calendar Number  
13 952, by Senator Maziarz, Senate Print 7248-B, an  
14 act in relation to authorizing the Finger Lakes  
15 Regional Education Center.

16 ACTING PRESIDENT KUHL: Read the  
17 last section.

18 THE SECRETARY: Section 3. This  
19 act shall take effect on July 1st.

20 ACTING PRESIDENT KUHL: Call the  
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes 37.

24 ACTING PRESIDENT KUHL: The bill  
25 is passed.

1 THE SECRETARY: Calendar Number  
2 960, by Senator Cook, Senate Print 6514-A, an  
3 act to authorize payment of transportation aid.

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

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

9 ACTING PRESIDENT KUHL: Call the  
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes 37.

13 ACTING PRESIDENT KUHL: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 977, by Senator Marcellino, Senate Print 6289-A,  
17 an act to amend the Penal Law, in relation to  
18 authorizing.

19 ACTING PRESIDENT KUHL: Read the  
20 last section.

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

24 ACTING PRESIDENT KUHL: Call the  
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes 37.

3 ACTING PRESIDENT KUHL: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number  
6 995, by Senator Saland, Senate Print 1137, an  
7 act to amend the Family Court Act.

8 ACTING PRESIDENT KUHL: Read the  
9 last section.

10 THE SECRETARY: Section 9. This  
11 act shall take effect on the first day of  
12 November.

13 ACTING PRESIDENT KUHL: Call the  
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes 37.

17 ACTING PRESIDENT KUHL: The bill  
18 is passed.

19 THE SECRETARY: Calendar Number  
20 997, by Senator Saland, Senate Print 3424, an  
21 act to amend the Family Court Act.

22 ACTING PRESIDENT KUHL: Read the  
23 last section.

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

1 November.

2 ACTING PRESIDENT KUHL: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes 37.

6 ACTING PRESIDENT KUHL: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 1036, by Senator Nozzolio, Senate Print 7298-A,  
10 an act to authorize the county of Monroe.

11 ACTING PRESIDENT KUHL: There is  
12 a home rule message at the desk. Read the last  
13 section.

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

16 ACTING PRESIDENT KUHL: Call the  
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes 37.

20 ACTING PRESIDENT KUHL: The bill  
21 is passed.

22 THE SECRETARY: Calendar Number  
23 1049, by Senator Marcellino, Senate Print 7404,  
24 an act to amend the Environmental Conservation  
25 Law, in relation to importation.

1                   ACTING PRESIDENT KUHL: Read the  
2                   last section.

3                   THE SECRETARY: Section 13. This  
4                   act shall take effect January 1st.

5                   ACTING PRESIDENT KUHL: Call the  
6                   roll.

7                   (The Secretary called the roll.)

8                   THE SECRETARY: Ayes 37.

9                   ACTING PRESIDENT KUHL: The bill  
10                  is passed.

11                  THE SECRETARY: Calendar Number  
12                  1069, by Senator Fuschillo, Senate Print 6930,  
13                  an act to amend the Real Property Tax Law.

14                  ACTING PRESIDENT KUHL: Read the  
15                  last section.

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

18                  ACTING PRESIDENT KUHL: Call the  
19                  roll.

20                  (The Secretary called the roll.)

21                  THE SECRETARY: Ayes 37.

22                  ACTING PRESIDENT KUHL: The bill  
23                  is passed.

24                  THE SECRETARY: Calendar Number  
25                  1121, by Senator Kuhl, Senate Print 6828-B, an

1 act to amend the Agriculture and Markets Law.

2 ACTING PRESIDENT KUHL: Read the  
3 last section.

4 THE SECRETARY: Section 4. This  
5 act shall take effect on the 60th day.

6 ACTING PRESIDENT KUHL: Call the  
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes 37.

10 ACTING PRESIDENT KUHL: The bill  
11 is passed.

12 THE SECRETARY: Calendar Number  
13 1151, by Senator Lack, Senate Print 6762, an act  
14 to amend the General Obligations Law.

15 ACTING PRESIDENT KUHL: Read the  
16 last section.

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

19 ACTING PRESIDENT KUHL: Call the  
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes 37.

23 ACTING PRESIDENT KUHL: The bill  
24 is passed.

25 THE SECRETARY: Calendar Number

1 1188, by Senator Johnson, Senate Print 4556-B,  
2 an act to amend the Tax Law, in relation to  
3 medical savings.

4 SENATOR STACHOWSKI: Lay it  
5 aside.

6 ACTING PRESIDENT KUHL: Lay the  
7 bill aside.

8 THE SECRETARY: Calendar Number  
9 1217, by Senator Alesi, Senate Print 6773, an  
10 act to amend the Tax Law, in relation to  
11 exemptions.

12 ACTING PRESIDENT KUHL: Read the  
13 last section.

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

16 ACTING PRESIDENT KUHL: Call the  
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes 37.

20 ACTING PRESIDENT KUHL: The bill  
21 is passed.

22 THE SECRETARY: Calendar Number  
23 1267, by Senator Libous, Senate Print 7569, an  
24 act to authorize the trustees.

25 SENATOR SKELOS: Lay it aside for

1 the day.

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

4 THE SECRETARY: Calendar Number  
5 1272, by Senator Kuhl, Senate Print 210, an act  
6 to amend the Education Law, in relation to  
7 optional retirement.

8 ACTING PRESIDENT KUHL: Read the  
9 last section.

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

12 ACTING PRESIDENT KUHL: Call the  
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes 37.

16 ACTING PRESIDENT KUHL: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 1274, substituted earlier today, by member of  
20 the Assembly Luster, Assembly Print 1974-B, an  
21 act to amend the Education Law.

22 ACTING PRESIDENT KUHL: Read the  
23 last section.

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

1                   ACTING PRESIDENT KUHL: Call the  
2                   roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY: Ayes 37.

5                   ACTING PRESIDENT KUHL: The bill  
6                   is passed.

7                   THE SECRETARY: Calendar Number  
8                   1275, by Senator Rath, Senate Print 2393-A -

9                   SENATOR SKELOS: Lay it aside for  
10                  the day.

11                  THE SECRETARY: -- an act to  
12                  amend the Executive Law.

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

15                  THE SECRETARY: Calendar Number  
16                  1276, by Senator LaValle, Senate Print 2464-B,  
17                  an act to amend the General Obligations Law.

18                  ACTING PRESIDENT KUHL: Read the  
19                  last section.

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

22                  ACTING PRESIDENT KUHL: Call the  
23                  roll.

24                  (The Secretary called the roll.)

25                  THE SECRETARY: Ayes 37.

1                   ACTING PRESIDENT KUHL: The bill  
2 is passed.

3                   THE SECRETARY: Calendar Number  
4 1277, by Senator Saland, Senate Print 3549-B, an  
5 act to amend the Retirement and Social Security  
6 Law.

7                   ACTING PRESIDENT KUHL: There is  
8 a home rule message at the desk. Read the last  
9 section.

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

12                  ACTING PRESIDENT KUHL: Call the  
13 roll.

14                   (The Secretary called the roll.)

15                  THE SECRETARY: Ayes 39.

16                  ACTING PRESIDENT KUHL: The bill  
17 is passed.

18                  THE SECRETARY: Calendar Number  
19 1278, by Senator Wright, Senate Print 3811 -

20                  SENATOR STACHOWSKI: Lay the bill  
21 aside.

22                  ACTING PRESIDENT KUHL: Lay the  
23 bill aside.

24                  THE SECRETARY: Calendar Number  
25 1280, by Senator Maziarz, Senate Print 44...

1                   SENATOR MAZIARZ: Lay the bill  
2                   aside for the day, please.

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

6                   THE SECRETARY: Calendar Number  
7                   1281, by Senator Farley, Senate Print 5029-A, an  
8                   act to amend the Banking Law, in relation to the  
9                   protection.

10                  ACTING PRESIDENT KUHL: Read the  
11                  last section.

12                  THE SECRETARY: Section 2. This  
13                  act shall take effect on the 180th day.

14                  ACTING PRESIDENT KUHL: Call the  
15                  roll.

16                  (The Secretary called the roll.)

17                  THE SECRETARY: Ayes 39.

18                  ACTING PRESIDENT KUHL: The bill  
19                  is passed.

20                  THE SECRETARY: Calendar Number  
21                  1283, by Senator Montgomery, Senate Print 5446,  
22                  an act to amend the Emergency Tenant Protection  
23                  Act.

24                  ACTING PRESIDENT KUHL: Read the  
25                  last section.

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

3 ACTING PRESIDENT KUHL: Call the  
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT KUHL: Announce  
7 the results.

8 THE SECRETARY: Those recorded in  
9 the negative on Calendar Number 1283 are  
10 Senators Farley, Meier, Seward and Wright, also  
11 Senator Saland, also Senator Nozzolio.

12 ACTING PRESIDENT KUHL: Lay the  
13 bill aside -- withdraw the roll call and lay the  
14 bill aside.

15 THE SECRETARY: Calendar Number  
16 1285, by Senator Rath, Senate Print 6509, an act  
17 to amend the Real Property Tax Law.

18 ACTING PRESIDENT KUHL: Read the  
19 last section.

20 SENATOR DOLLINGER: 1285, Mr.  
21 President. Can we lay that bill aside, 1285?

22 ACTING PRESIDENT KUHL: You want  
23 Calendar Number 1285 laid aside, Senator  
24 Dollinger?

25 SENATOR DOLLINGER: Yes, Mr.

1 President.

2 ACTING PRESIDENT KUHL: Okay.  
3 Lay Calendar Number 1285 aside. We'll go back  
4 to Calendar 1284.

5 THE SECRETARY: Calendar Number  
6 1284, by Senator Kuhl, Senate Print 6184, an act  
7 to amend the Private Housing Finance Law.

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

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

12 ACTING PRESIDENT KUHL: Call the  
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes 39.

16 ACTING PRESIDENT KUHL: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 1286, by Senator Skelos, Senate Print 6552-A, an  
20 act to amend the State Finance Law.

21 ACTING PRESIDENT KUHL: Read the  
22 last section.

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

25 ACTING PRESIDENT KUHL: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes 39.

4 ACTING PRESIDENT KUHL: The bill  
5 is passed.

6 THE SECRETARY: Calendar Number  
7 1287, by Senator Meier, Senate Print 6636, an  
8 act in relation to creation of a fire protection  
9 district.

10 ACTING PRESIDENT KUHL: There's a  
11 home rule message at the desk. Read the last  
12 section.

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

15 ACTING PRESIDENT KUHL: Call the  
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes 39.

19 ACTING PRESIDENT KUHL: The bill  
20 is passed.

21 THE SECRETARY: Calendar Number  
22 1288, by Senator Seward, Senate Print 6659-A, an  
23 act to authorize Robert M. Foster to change the  
24 beneficiary.

25 ACTING PRESIDENT KUHL: Read the

1 last section.

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

4 ACTING PRESIDENT KUHL: Call the  
5 roll.

6 (The Secretary called the roll.)

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

9 THE SECRETARY: Ayes 38, nays 1.  
10 Senator Dollinger recorded in the negative.

11 ACTING PRESIDENT KUHL: The bill  
12 is passed.

13 THE SECRETARY: Calendar Number  
14 1289, by Senator Alesi, Senate Print 6675, an  
15 act to amend the General Business Law.

16 ACTING PRESIDENT KUHL: Read the  
17 last section.

18 THE SECRETARY: Section 29. This  
19 act shall take effect immediately.

20 ACTING PRESIDENT KUHL: Call the  
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes 39.

24 ACTING PRESIDENT KUHL: The bill  
25 is passed.

1 THE SECRETARY: Calendar Number  
2 1290, by Senator Balboni, Senate Print 6735, an  
3 act to amend the Insurance Law.

4 ACTING PRESIDENT KUHL: Read the  
5 last section.

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

8 ACTING PRESIDENT KUHL: Call the  
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes 42.

12 ACTING PRESIDENT KUHL: The bill  
13 is passed.

14 THE SECRETARY: Calendar Number  
15 1291, by Senator Saland, Senate Print 6754, an  
16 act to amend the Retirement and Social Security  
17 Law.

18 ACTING PRESIDENT KUHL: There is  
19 a home rule message at the desk. Read the last  
20 section.

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

23 ACTING PRESIDENT KUHL: Call the  
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes 42.

2 ACTING PRESIDENT KUHL: The bill  
3 is passed.

4 THE SECRETARY: Calendar Number  
5 1292, by Senator Volker, Senate Print 6812, an  
6 act to amend the Civil Practice Law and Rules.

7 ACTING PRESIDENT KUHL: Read the  
8 last section.

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

11 ACTING PRESIDENT KUHL: Call the  
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes 42.

15 ACTING PRESIDENT KUHL: The bill  
16 is passed.

17 THE SECRETARY: Calendar Number  
18 1293, by Senator Maltese, Senate Print 6993, an  
19 act to amend the Real Property Law.

20 ACTING PRESIDENT KUHL: Read the  
21 last section.

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

24 ACTING PRESIDENT KUHL: Call the  
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes 42.

3 ACTING PRESIDENT KUHL: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number  
6 1294, by Senator Volker, Senate Print 7052, an  
7 act in relation to allowing Geraldine Memmo to  
8 be reclassified.

9 ACTING PRESIDENT KUHL: There is  
10 a home rule message at the desk. Read the last  
11 section.

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

14 ACTING PRESIDENT KUHL: Call the  
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes 42.

18 ACTING PRESIDENT KUHL: The bill  
19 is passed.

20 THE SECRETARY: Calendar Number  
21 1296, by Senator Farley, Senate Print 7165-A, an  
22 act to authorize the city of Schenectady.

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

25 THE SECRETARY: There is a home

1 rule message at the desk. The Secretary will  
2 read the last section.

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

5 ACTING PRESIDENT KUHL: Call the  
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes 42.

9 ACTING PRESIDENT KUHL: The bill  
10 is passed.

11 THE SECRETARY: Calendar Number  
12 1298, by Senator Saland, Senate Print 7310, an  
13 act to permit the reopening of the optional  
14 20-year retirement.

15 ACTING PRESIDENT KUHL: There is  
16 a home rule message at the desk. Read the last  
17 section.

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

20 ACTING PRESIDENT KUHL: Call the  
21 roll.

22 (The Secretary called the roll.)

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

25 THE SECRETARY: Ayes 41, nays 1,

1 Senator Dollinger recorded in the negative.

2 ACTING PRESIDENT KUHL: The bill  
3 is passed.

4 THE SECRETARY: Excuse me. Also  
5 Senator Cook. Ayes 40, nays 2.

6 ACTING PRESIDENT KUHL: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 1299, by Senator Seward, Senate Print 7420, an  
10 act in relation to granting retroactive  
11 membership.

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

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

17 ACTING PRESIDENT KUHL: Call the  
18 roll.

19 (The Secretary called the roll.)

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

22 THE SECRETARY: Ayes 41, nays 1,  
23 Senator Dollinger recorded in the negative.

24 ACTING PRESIDENT KUHL: The bill  
25 is passed.

1 THE SECRETARY: Calendar Number  
2 1300, by Senator Wright, Senate Print 7456, an  
3 act to amend the Real Property Tax Law.

4 ACTING PRESIDENT KUHL: Read the  
5 last section.

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

8 ACTING PRESIDENT KUHL: Call the  
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes 42.

12 ACTING PRESIDENT KUHL: The bill  
13 is passed.

14 THE SECRETARY: Calendar Number  
15 1301, by Senator Lack, Senate Print 7468-A, an  
16 act to amend the Judiciary Law and the State  
17 Finance Law.

18 ACTING PRESIDENT KUHL: Read the  
19 last section.

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

22 ACTING PRESIDENT KUHL: Call the  
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes 45.

1                   ACTING PRESIDENT KUHL: The bill  
2                   is passed.

3                   THE SECRETARY: Calendar Number  
4                   1302, by Senator Skelos, Senate Print 7472, an  
5                   act authorizing the assessor of the county of  
6                   Nassau.

7                   ACTING PRESIDENT KUHL: Read the  
8                   last section.

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

11                  ACTING PRESIDENT KUHL: Call the  
12                  roll.

13                  (The Secretary called the roll.)

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

16                  THE SECRETARY: Ayes 43, nays 2,  
17                  Senators Cook and Dollinger recorded in the  
18                  negative.

19                  ACTING PRESIDENT KUHL: The bill  
20                  is passed.

21                  THE SECRETARY: Calendar Number  
22                  1304 by Senator Goodman, Senate Print 7514, an  
23                  act to amend the Tax Law and the Administrative  
24                  Code of the city of New York.

25                  ACTING PRESIDENT KUHL: There is

1 a local fiscal impact note at the desk. Read  
2 the last section.

3 THE SECRETARY: Section 5. This  
4 act shall take effect in 60 days.

5 ACTING PRESIDENT KUHL: Call the  
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes 45.

9 ACTING PRESIDENT KUHL: The bill  
10 is passed.

11 THE SECRETARY: Calendar Number  
12 1305, by Senator Velella, Senate Print 7538, an  
13 act to amend the Administrative Code of the city  
14 of New York.

15 ACTING PRESIDENT KUHL: There is  
16 a home rule message at the desk. Read the last  
17 section.

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

20 ACTING PRESIDENT KUHL: Call the  
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes 46.

24 ACTING PRESIDENT KUHL: The bill  
25 is passed.

1 THE SECRETARY: Calendar Number  
2 1306, by Senator Stafford, Senate Print 7549, an  
3 act legalizing and ratifying certain acts.

4 ACTING PRESIDENT KUHL: There is  
5 a local fiscal impact note at the desk. Read  
6 the last section.

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

9 ACTING PRESIDENT KUHL: Call the  
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes 46.

13 ACTING PRESIDENT KUHL: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 1307, by Senator Skelos, Senate Print 7566, an  
17 act to amend the Penal Law, in relation to  
18 defenses against a charge.

19 ACTING PRESIDENT KUHL: Read the  
20 last section.

21 THE SECRETARY: Section 2. This  
22 act shall take effect on the first day of  
23 November.

24 ACTING PRESIDENT KUHL: Call the  
25 roll.

1 (The Secretary called the roll.)

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

4 THE SECRETARY: Ayes 44, nays 2,  
5 Senators LaValle and Padavan recorded in the  
6 negative.

7 ACTING PRESIDENT KUHL: The bill  
8 is passed.

9 THE SECRETARY: Calendar Number  
10 1308, by Senator Marcellino, Senate Print  
11 7586-A, an act to amend the Town Law, in  
12 relation to providing.

13 ACTING PRESIDENT KUHL: There is  
14 a home rule message at the desk. Read the last  
15 section.

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

18 ACTING PRESIDENT KUHL: Call the  
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes 46.

22 ACTING PRESIDENT KUHL: The bill  
23 is passed.

24 THE SECRETARY: Calendar Number  
25 1310, by the Senate Committee on Rules, Senate

1 Print 7594, an act to amend the New York State  
2 Printing and Public Documents Law.

3 SENATOR STACHOWSKI: Lay it  
4 aside.

5 ACTING PRESIDENT KUHL: Lay the  
6 bill aside.

7 THE SECRETARY: Calendar Number  
8 1311, by Senator Balboni, Senate Print 7606, an  
9 act to amend Chapter 602 of the Laws of 1993.

10 ACTING PRESIDENT KUHL: Read the  
11 last section.

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

14 ACTING PRESIDENT KUHL: Call the  
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes 46.

18 ACTING PRESIDENT KUHL: The bill  
19 is passed.

20 THE SECRETARY: Calendar Number  
21 1312, by Senator Johnson, Senate Print 7612, an  
22 act to amend the Public Authorities Law.

23 ACTING PRESIDENT KUHL: Read the  
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT KUHL: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes 46.

6 ACTING PRESIDENT KUHL: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 1313, by Senator Velella, Senate Print 7616, an  
10 act to amend the Insurance Law.

11 SENATOR STACHOWSKI: Lay it  
12 aside.

13 ACTING PRESIDENT KUHL: Lay the  
14 bill aside.

15 ACTING PRESIDENT KUHL: Senator  
16 Skelos, that completes the reading of the  
17 non-controversial calendar.

18 SENATOR SKELOS: Mr. President,  
19 please take up the controversial calendar.

20 SENATOR COOK: Mr. President.

21 ACTING PRESIDENT KUHL: Senator  
22 Cook, why do you rise?

23 SENATOR COOK: I would like to be  
24 in the negative on Calendar 514 and in the  
25 affirmative on 1298 -- 1298. I inadvertently

1 voted against it.

2 ACTING PRESIDENT KUHL: Without  
3 objection, hearing no objection, Senator Cook  
4 will be recorded in the negative on Calendar  
5 Number 1298.

6 Senator Padavan, why do you  
7 rise?

8 SENATOR COOK: Mr. President,  
9 that's not correct. The negative -

10 ACTING PRESIDENT KUHL: I'm just  
11 getting a little conversation, Senator Cook,  
12 that's disturbing. I'm sorry.

13 SENATOR COOK: The negative is on  
14 514 and I inadvertently voted in the negative on  
15 1298. I want to be recorded in the affirmative  
16 on that.

17 ACTING PRESIDENT KUHL: Senator  
18 Cook will be recorded in the affirmative on  
19 Calendar Number 1298. Thank you.

20 Senator Saland, why do you rise?

21 SENATOR SALAND: Mr. President, I  
22 would request unanimous consent to be recorded  
23 in the negative on Calendar Number 1307.

24 ACTING PRESIDENT KUHL: 1307,  
25 without objection, Senator Saland will be

1 recorded in the negative on Calendar Number  
2 1307.

3 Senator Padavan, why do you  
4 rise?

5 SENATOR PADAVAN: I would like to  
6 be in the negative on Calendar 1295.

7 ACTING PRESIDENT KUHL: Without  
8 objection, hearing no objection, Senator Padavan  
9 will be recorded in the negative on Calendar -  
10 Senator Padavan, Calendar Number 12... Senator  
11 Padavan, Calendar Number 1295 was not passed.

12 SENATOR PADAVAN: Thank you.

13 ACTING PRESIDENT KUHL: Senator  
14 Dollinger, why do you rise?

15 SENATOR DOLLINGER: Mr.  
16 President, I'd just ask for unanimous consent to  
17 be recorded in the negative on Calendar Number  
18 1307.

19 ACTING PRESIDENT KUHL: Without  
20 objection, hearing no objection, Senator  
21 Dollinger will be recorded in the negative on  
22 Calendar Number 1307.

23 Senator Marcellino, did you have  
24 a motion?

25 SENATOR MARCELLINO: Yes, Mr.

1 President. I do.

2 ACTING PRESIDENT KUHL: Senator  
3 Skelos, can we return to the order of motions  
4 and resolutions.

5 The Chair recognizes Senator  
6 Marcellino.

7 SENATOR MARCELLINO: Mr.  
8 President, on behalf of Senator Skelos, on page  
9 number 4, I offer the following amendments to  
10 Calendar Number 56, Senate Print Number 308-A,  
11 and ask that said bill retain its place on the  
12 Third Reading Calendar.

13 ACTING PRESIDENT KUHL: The  
14 amendments are received and adopted. The bill  
15 will retain its place on the Third Reading  
16 Calendar.

17 SENATOR MARCELLINO: Thank you.

18 ACTING PRESIDENT KUHL: Senator  
19 Skelos, that brings us to the controversial  
20 calendar.

21 SENATOR SKELOS: Please proceed  
22 with the controversial calendar.

23 ACTING PRESIDENT KUHL: The  
24 Secretary will read the controversial calendar  
25 beginning with Calendar Number 1188, by Senator

1 Johnson.

2 THE SECRETARY: Calendar Number  
3 1188, by Senator Johnson, Senate Print 4556-B,  
4 an act to amend the Tax Law, in relation to  
5 medical savings.

6 SENATOR STACHOWSKI: Explanation.

7 ACTING PRESIDENT KUHL: Senator  
8 Johnson, an explanation of Calendar Number 1188  
9 has been requested by the Acting Minority  
10 Leader, Senator Stachowski.

11 SENATOR JOHNSON: Mr. President,  
12 the 1996 Kennedy-Kassebaum bill reformed health  
13 care and provided in that bill another mechanism  
14 for small businesses and self-employed  
15 individuals to purchase health care. It's a -  
16 called their medical savings account. It's a  
17 combination of a high deductible health  
18 insurance policy and a savings account created  
19 in which pretaxed dollars are put aside to pay  
20 your medical claims which are under the  
21 deductible.

22 This would provide a state tax  
23 credit to complement the federal tax deduction  
24 and in this case, the state tax credit would be  
25 a maximum of \$146 per individual or \$337 per

1 family, and this would essentially give another  
2 option to an individual or a small business to  
3 buy coverage, another kind of coverage which  
4 they might like to buy and this would provide an  
5 additional incentive for them to do so in  
6 addition to what the incentive provided in the  
7 federal law.

8 ACTING PRESIDENT KUHL: Senator  
9 Stachowski.

10 SENATOR STACHOWSKI: Mr.  
11 President, if Senator Johnson would yield to one  
12 question.

13 ACTING PRESIDENT KUHL: Senator  
14 Johnson, do you yield to a question from Senator  
15 Stachowski?

16 SENATOR JOHNSON: Yes.

17 SENATOR STACHOWSKI: The only  
18 question we have, Senator, is what would the  
19 cost of this program roughly be to the state?  
20 Is there an estimated cost?

21 SENATOR JOHNSON: Well, yeah. We  
22 have several estimates and there was an estimate  
23 by the Tax and Finance Department that it would  
24 be up to \$5 million, and I went over the figures  
25 and our fiscal analyst went over the figures

1 with us and thought that it would be most likely  
2 no more than 1.5 million since very few people  
3 are in the plan in the state so far and it was  
4 not predicted to grow that rapidly. So it would  
5 be much, much less than \$5 million that it might  
6 cost altogether but there would be a savings, of  
7 course, for people who are now uninsured, they  
8 would save -- we would save money on possibly  
9 Medicaid claims or others.

10 SENATOR STACHOWSKI: Thank you,  
11 Senator.

12 ACTING PRESIDENT KUHL: The  
13 Secretary -- Senator Dollinger.

14 SENATOR DOLLINGER: Will the  
15 sponsor yield to just one other question?

16 ACTING PRESIDENT KUHL: Senator  
17 Johnson, do you yield to a question from Senator  
18 Dollinger?

19 SENATOR JOHNSON: Yes.

20 ACTING PRESIDENT KUHL: The  
21 Senator yields.

22 SENATOR DOLLINGER: I note in the  
23 memorandum that accompanies the bill, it talks  
24 about paying for the cost of long-term care.  
25 Could you just explain to me how the amounts

1 deposited in the account are withdrawn to pay  
2 the premium on long-term care insurance? Can it  
3 be used for that purpose as well?

4 SENATOR JOHNSON: Well, of  
5 course, we're talking about the federal law  
6 makes that provision and all we're saying is  
7 this fund which you set aside to pay annual  
8 claims, if you don't use that money, it can  
9 accumulate at interest tax-free and it can be  
10 drawn out after you're 65 and can be used for  
11 various purposes but one of the purposes is  
12 purchasing long-term care insurance.

13 SENATOR DOLLINGER: Again through  
14 you, Mr. President, just so I -

15 ACTING PRESIDENT KUHL: Senator  
16 Johnson, do you continue to yield? The Senator  
17 continues to yield.

18 SENATOR JOHNSON: Yes.

19 SENATOR DOLLINGER: I just want  
20 to make sure. If you set up a medical savings  
21 account -- I know it's governed by federal law  
22 -- and you get a tax credit in New York, can  
23 you also use the amount deposited in the account  
24 to pay your annual premium for long-term care  
25 insurance?

1 SENATOR JOHNSON: Yes.

2 SENATOR DOLLINGER: You can.

3 SENATOR JOHNSON: I understand  
4 that's the case.

5 SENATOR DOLLINGER: Okay. So in  
6 essence what we're doing by this is to those who  
7 can afford it, we're making long-term care  
8 insurance deductible up to ten percent on your  
9 income -- on your state income tax return as a  
10 credit, is that correct?

11 SENATOR JOHNSON: Well, we're  
12 talking about a maximum credit for our people of  
13 \$146 or \$337. That's the maximum tax credit  
14 they would get. So it's not costing us any more  
15 than that as a state.

16 SENATOR DOLLINGER: Okay.

17 Thank you, Mr. President. Just  
18 briefly, on the bill.

19 ACTING PRESIDENT KUHL: Senator  
20 Dollinger, on the bill.

21 SENATOR DOLLINGER: I'm going to  
22 vote in favor of this bill. I think we all need  
23 to recognize one thing about medical savings  
24 accounts, however, that they will be, at least  
25 in my judgment, of minimal value to the

1 uninsured because the reason why they're  
2 uninsured is that they can't afford the cost of  
3 medical services generally. In many cases  
4 they're not filing and individually itemizing  
5 their deductions for these type of accounts. I  
6 think to some extent this may be a further  
7 assistance to the middle class and the upper  
8 class in allowing tax-free savings to accumulate  
9 to pay for some medical costs. To that extent,  
10 I think it's a good idea, but the notion that it  
11 will somehow be universally used by the poor or  
12 by those who can't afford health insurance is  
13 something of a an overestimate of the effect of  
14 this bill.

15 I'm going to vote in favor of it  
16 because I think it does some good things in  
17 terms of allowing people to accumulate money to  
18 pay for certain expenses, but I don't think it  
19 will have universal use.

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

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

24 ACTING PRESIDENT KUHL: Call the  
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes 46.

3 ACTING PRESIDENT KUHL: The bill  
4 is passed.

5 THE SECRETARY: Calendar  
6 Number -

7 ACTING PRESIDENT KUHL: Senator  
8 Skelos.

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

12 ACTING PRESIDENT KUHL: There  
13 will be an immediate meeting of the Rules  
14 Committee, immediate meeting of the Rules  
15 Committee in the Majority Conference Room, Room  
16 332. Immediate meeting of the Rules Committee  
17 in the Majority Conference Room, Room 332.

18 The Secretary will continue to  
19 read the controversial calendar.

20 THE SECRETARY: Calendar Number  
21 1278, by Senator Wright, Senate Print 3811, an  
22 act to amend the Tax Law, in relation to  
23 expanding.

24 SENATOR STACHOWSKI: Explanation.

25 ACTING PRESIDENT KUHL: Senator

1 Wright, an explanation of Calendar Number 1278  
2 has been requested by the Acting Minority  
3 Leader, Senator Stachowski.

4 SENATOR WRIGHT: Thank you, Mr.  
5 President.

6 This bill amends the Tax Law with  
7 regards to small business and the computing of  
8 the franchise tax.

9 Currently new businesses are  
10 allowed -- new small businesses are allowed to  
11 exclude investment capital. This extends that  
12 to existing small businesses.

13 SENATOR DOLLINGER: Mr.  
14 President.

15 ACTING PRESIDENT KUHL: Senator  
16 Dollinger.

17 SENATOR DOLLINGER: Will the  
18 sponsor yield to just one question?

19 ACTING PRESIDENT KUHL: Senator  
20 Wright, do you yield to a question?

21 SENATOR WRIGHT: Yes, I will.

22 ACTING PRESIDENT KUHL: The  
23 Senator yields.

24 SENATOR DOLLINGER: What is -  
25 the memo that accompanies the bill indicates

1           that there will be a reduction, as I recall, in  
2           state tax revenue. Do you know what that number  
3           will be?

4                         SENATOR WRIGHT: I do not, Mr.  
5           President. We do not have a number that has  
6           been calculated.

7                         SENATOR DOLLINGER: Do you have  
8           any idea of the magnitude of what we're talking  
9           about? Is it something in the hundreds of  
10          millions or less than that?

11                        SENATOR WRIGHT: No. I would  
12          anticipate that it's significantly less than  
13          that. I would speculate that we're probably  
14          looking at tens of millions as opposed to  
15          hundreds of millions. You need a standard to  
16          quantify it.

17                        SENATOR DOLLINGER: All right. I  
18          think, Mr. President, with that understanding,  
19          as -- certainly as we look at all these tax  
20          savings or tax reduction, revenue reduction  
21          devices -- and we've done a number of them in  
22          the chamber the last couple of days -- we have  
23          to be aware of the impact on the bottom line to  
24          the state, and I'm going to vote in favor of  
25          this. I urge my colleagues to do the same, but

1 I think it's just something we've got to keep in  
2 mind, because as we accumulate all these taxes,  
3 those tens of millions grow in the hundreds  
4 which grow into billions and the next thing you  
5 know, our surplus which we're proud to have, and  
6 I think pleased to have, this year suddenly  
7 melts away. So just to keep it in mind.

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

10 SENATOR WRIGHT: I would concur  
11 with the Senator's assessment and I would only  
12 hope that we could grow small business so, in  
13 fact, it could become tens of millions.

14 Thank you.

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

17 THE SECRETARY: Section 2. This  
18 act shall take effect on the 31st day of  
19 December.

20 ACTING PRESIDENT KUHL: Call the  
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes 46.

24 ACTING PRESIDENT KUHL: The bill  
25 is passed.

1 THE SECRETARY: Calendar Number  
2 1283, by Senator Montgomery, Senate Print 5446,  
3 an act to amend the Emergency Tenant Protection  
4 Act.

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

7 (The Secretary called the roll.)

8 ACTING PRESIDENT KUHL: Call the  
9 roll.

10 (The Secretary called the roll.)

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

13 THE SECRETARY: Ayes 44, nays 2,  
14 Senators Meier and Saland recorded in the  
15 negative.

16 ACTING PRESIDENT KUHL: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 1285, by Senator Rath, Senate Print 6509, an act  
20 to amend the Real Property Tax Law.

21 SENATOR MAZIARZ: Lay it aside  
22 for the day.

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

25 THE SECRETARY: Calendar Number

1 1310, by the Senate Committee on Rules, Senate  
2 Print 7594, an act to amend the New York State  
3 Printing and Public Documents Law.

4 SENATOR DOLLINGER: Explanation.

5 SENATOR MAZIARZ: Lay the bill  
6 aside temporarily, please.

7 ACTING PRESIDENT KUHL: Lay the  
8 bill aside temporarily.

9 THE SECRETARY: Calendar Number  
10 1313, by Senator Velella, Senate Print 7616, an  
11 act to amend the Insurance Law.

12 SENATOR DOLLINGER: Explanation,  
13 please.

14 ACTING PRESIDENT KUHL: Senator  
15 Velella, an explanation of Calendar Number 1313  
16 has been requested by the Acting Minority  
17 Leader.

18 SENATOR VELELLA: Yes. This is  
19 an amendment to a bill that we did last year on  
20 service contracts for appliances.

21 Many of us have bought appliances  
22 and buy the service contract from a company for  
23 a refrigerator or a stove or an air-conditioner  
24 and you buy the service contract along with it  
25 from Sears or some other company.

1                   Up until we passed this law last  
2                   year, you might be buying a five-year contract  
3                   to service your refrigerator or your air  
4                   conditioner but there was no guarantee that  
5                   there would be the money there five years down  
6                   the road. The company could fold. You pay the  
7                   five-year premium. Your air-conditioner breaks  
8                   in two years and there's nobody around to repair  
9                   it and there's no pool of money to go to to say,  
10                  well, this company should have been financially  
11                  -- this provision should have been financially  
12                  provided for in a guaranteed fund of some  
13                  nature.

14                  So we require them to file with  
15                  the Insurance Department and be sure that there  
16                  was adequate financial backing so that when they  
17                  sell you a five-year contract, the  
18                  responsibility will be there for the five  
19                  years.

20                  When we did that, we  
21                  inadvertently included service contracts such as  
22                  -- and this was the one group that came to us  
23                  -- people who sell you the annual service on  
24                  your boiler, the oil home heating people who  
25                  will service your home boiler for the year. We

1 did not intend to include those annual contracts  
2 into the bill and this provision that we are  
3 doing now will take that group specifically out  
4 of that requirement to file with the Insurance  
5 Department.

6 I know there's a question about  
7 the reason of the date of the retroactivity and  
8 basically what that was, the date that we made  
9 this retroactive to was the date that the bill  
10 was signed, even though it wasn't the date that  
11 it took effect. It was a combination of two  
12 factors: One, when we did that, these contracts  
13 were in existence and we did not intend to  
14 affect existing contracts, nor could we under  
15 the Constitution. So we wanted to clear that  
16 issue up and in picking the date -- it's  
17 basically a draftsman style, went to the date  
18 the bill was signed rather than the date it  
19 takes effect. We could not affect the law that  
20 wasn't in effect or make a change in a law that  
21 hadn't taken effect yet because the date was on  
22 the date that the Governor signed it.

23 So the draftsman in doing it  
24 chose the date the bill was signed into law  
25 rather than the effective date. We're not

1 changing anything other than the law of the day  
2 it took effect. It would have no real impact.

3 SENATOR DOLLINGER: Through you,  
4 Mr. President, just one question of  
5 clarification.

6 ACTING PRESIDENT KUHL: Senator  
7 Dollinger. Senator Velella, do you yield to a  
8 question?

9 SENATOR DOLLINGER: Is it my  
10 understanding what this bill does is eliminate  
11 the home heating contractors who were servicing  
12 boilers they were never intend to be in?

13 SENATOR VELELLA: Correct.

14 SENATOR DOLLINGER: It cuts them  
15 out.

16 SENATOR DOLLINGER: Cuts them  
17 out.

18 SENATOR VELELLA: And it goes  
19 back to -- so again through you, Mr. President,  
20 if Senator Velella will yield.

21 SENATOR VELELLA: Yes.

22 SENATOR DOLLINGER: Now, you have  
23 a contract with your home heating oil supplier  
24 to do your boiler. He -- if this law -- if your  
25 law passes-- this bill passes and becomes law,

1           they will no longer have the obligation to file  
2           with the Department of Insurance the evidence  
3           that they have sufficient financial resources to  
4           fund the guarantee.

5                         SENATOR VELELLA:   Correct.

6                         SENATOR DOLLINGER:  It was never  
7           an intention to do that.

8                         SENATOR VELELLA:  That was never  
9           an intention and basically the reason is most of  
10          these oil companies are financially able to  
11          withstand a one-year contract.

12                        What we were going after was the  
13          company that sort of makes a deal with Sears and  
14          says, we'll offer all of the people who buy  
15          refrigerators service contracts and then they  
16          disappear and two years into it you're looking  
17          to have your refrigerator repaired.

18                        SENATOR DOLLINGER:  Explanation  
19          satisfactory, Mr. President.

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

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

25                        ACTING PRESIDENT KUHL:  Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes 48.

4 ACTING PRESIDENT KUHL: The bill  
5 is passed.

6 Senator Maziarz.

7 SENATOR MAZIARZ: Thank you, Mr.  
8 President.

9 Mr. President, could we return to  
10 motions and resolutions and is there any  
11 housekeeping at the desk?

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

14 The Chair recognizes Senator  
15 Marcellino.

16 SENATOR MARCELLINO: Yes, Mr.  
17 President.

18 I wish to call up your bill,  
19 Senate Print Number 1828-B, recalled from the  
20 Assembly, which is now at the desk.

21 ACTING PRESIDENT KUHL: The  
22 Secretary will read.

23 THE SECRETARY: By Senator Kuhl,  
24 Senate Print 1828-B, an act to amend the  
25 Judiciary Law.

1                   ACTING PRESIDENT KUHL:  Senator  
2           Marcellino.

3                   SENATOR MARCELLINO:  Mr.  
4           President, I now move to reconsider the vote by  
5           which the bill was passed.

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

8                   (The Secretary called the roll on  
9           reconsideration.)

10                  THE SECRETARY:  Ayes 48.

11                  ACTING PRESIDENT KUHL:  Senator  
12           Marcellino.

13                  SENATOR MARCELLINO:  Mr.  
14           President, please star the bill.

15                  ACTING PRESIDENT KUHL:  The bill  
16           will be starred at the request of the sponsor.

17                  SENATOR MARCELLINO:  Mr.  
18           President, on behalf of Senator -- excuse me --  
19           on behalf of Senator Leibell, on page number 38,  
20           I offer the following amendments to Calendar  
21           Number 1130, Senate Print Number 6641, and ask  
22           that said bill retain its place on the Third  
23           Reading Calendar.

24                  ACTING PRESIDENT KUHL:  The  
25           amendments to Calendar Number 1130 are received

1 and adopted and the bill will retain its place  
2 on the Third Reading Calendar.

3 SENATOR MARCELLINO: Thank you,  
4 sir.

5 ACTING PRESIDENT KUHL: Senator  
6 Maziarz.

7 SENATOR MAZIARZ: Thank you, Mr.  
8 President.

9 Could the Senate please stand at  
10 ease pending the report of the Rules Committee.

11 ACTING PRESIDENT KUHL: The  
12 Senate will stand at ease pending the report of  
13 the Rules Committee.

14 (Whereupon, the Senate stood at  
15 ease.)

16 ACTING PRESIDENT KUHL: The Chair  
17 recognizes Senator Nozzolio.

18 SENATOR NOZZOLIO: Thank you, Mr.  
19 President.

20 I'd ask unanimous consent to be  
21 recorded in the negative on Calendar Number  
22 1283.

23 ACTING PRESIDENT KUHL: Without  
24 objection, hearing no objection, Senator  
25 Nozzolio will be recorded in the negative on

1 Calendar Number 1283.

2 The Senate will continue to stand  
3 at ease.

4 (Whereupon, the Senate stood at  
5 ease.)

6 ACTING PRESIDENT KUHL: Senator  
7 Wright, why do you rise?

8 SENATOR WRIGHT: Request  
9 unanimous consent to be recorded in the negative  
10 on 1283.

11 ACTING PRESIDENT KUHL: Without  
12 objection, hearing no objection, Senator Wright  
13 will be recorded in the negative on Calendar  
14 Number 1283.

15 Senator DeFrancisco, why do you  
16 rise?

17 SENATOR DeFRANCISCO: I would  
18 also like to be recorded in the negative on that  
19 same bill.

20 ACTING PRESIDENT KUHL: Without  
21 objection, hearing no objection, Senator  
22 DeFrancisco will be recorded in the negative on  
23 Calendar Number 1283.

24 Senator Larkin, why do you rise?

25 SENATOR LARKIN: I wish to be

1 recorded in the negative on Calendar Number  
2 1283.

3 ACTING PRESIDENT KUHL: Without  
4 objection, hearing no objection, Senator Larkin  
5 will be recorded in the negative on Calendar  
6 Number 1283.

7 The Senate will continue to stand  
8 at ease.

9 (Whereupon, the Senate stood at  
10 ease from 10:50 a.m. until 11:19 a.m.)

11 SENATOR SKELOS: Mr. President.

12 ACTING PRESIDENT KUHL: Senator  
13 Skelos.

14 SENATOR SKELOS: Would you please  
15 call up Calendar Number 1310.

16 ACTING PRESIDENT KUHL: The  
17 Senate will come to order. The staff please  
18 take their places, the members please take their  
19 chairs.

20 The Secretary will read Calendar  
21 Number 310 on the controversial calendar.

22 SENATOR DOLLINGER: Explanation.

23 ACTING PRESIDENT KUHL: Excuse  
24 me. 1310.

25 THE SECRETARY: Calendar Number

1 1310, by the Senate Committee on Rules, Senate  
2 Print 7594, an act to amend the New York State  
3 Printing and Public Documents Law.

4 SENATOR SKELOS: Explanation has  
5 been requested.

6 This bill authorizes the maximum  
7 length of a contract for legislative printing to  
8 be increased from 26 months to 50 months. It's  
9 expected to increase the number of bids received  
10 and decrease the cost from increased  
11 competition.

12 SENATOR DOLLINGER: Mr.  
13 President.

14 ACTING PRESIDENT KUHL: Senator  
15 Dollinger.

16 SENATOR DOLLINGER: Just one  
17 question for the Deputy Majority Leader on the  
18 bill.

19 ACTING PRESIDENT KUHL: Senator  
20 Skelos, do you yield to a question?

21 SENATOR SKELOS: Yes, I do.

22 ACTING PRESIDENT KUHL: The  
23 Senator yields.

24 SENATOR DOLLINGER: What is the  
25 anticipated savings because of this?

1                   SENATOR SKELOS: That's a very  
2                   good question. It's estimated that it will save  
3                   about \$100,000 out of a million.

4                   SENATOR DOLLINGER: And one other  
5                   question, Mr. President. What happens to those  
6                   savings? I assume they would go back to the  
7                   surplus at the end of the year and then either  
8                   be reappropriated or back into the general fund.

9                   SENATOR SKELOS: Basically the  
10                  Legislative Budget would not have to spend an  
11                  additional \$100,000. It's not like we're going  
12                  to get a refund. It's just that your budget in  
13                  that area would be \$100,000.

14                  SENATOR DOLLINGER: Thank you,  
15                  Mr. President.

16                  Explanation satisfactory.

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

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

21                  ACTING PRESIDENT KUHL: Call the  
22                  roll.

23                  (The Secretary called the roll.)

24                  THE SECRETARY: Ayes 48.

25                  ACTING PRESIDENT KUHL: The bill

1 is passed.

2 Senator Skelos.

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

8 ACTING PRESIDENT KUHL: We'll  
9 return to the order of reports of standing  
10 committees.

11 I'll ask the Secretary to read  
12 the report of the Rules Committee which is at  
13 the desk.

14 THE SECRETARY: Senator Bruno,  
15 from the Committee on Rules, offers up the  
16 following bills directly for third reading:

17 Senate Print 500-A, by Senator  
18 Johnson, an act to amend the Real Property Tax  
19 Law;

20 2034, by Senator Rath, concurrent  
21 resolution of the Senate and Assembly;

22 3059-A, by Senator Trunzo, an act  
23 to amend the Administrative Code of the city of  
24 New York;

25 4352, by Senator Maltese, an act

1 to amend the Criminal Procedure Law;  
2 4888, by Senator Kuhl, an act to  
3 amend the Vehicle and Traffic Law;  
4 5263-B, by Senator Libous, an act  
5 to amend the Insurance Law;  
6 5338, by Senator DeFrancisco, an  
7 act to amend the Public Health Law;  
8 5374-B, by Senator Montgomery, an  
9 act to amend the Penal Law;  
10 5505-A, by Senator Stachowski, an  
11 act to amend Chapter 276 of the Laws of 1993;  
12 5688, by Senator Stafford, an act  
13 to amend the Tax Law;  
14 6004-B, by Senator Holland, an  
15 act to amend the Education Law;  
16 6385-A, by Senator DeFrancisco,  
17 an act to amend the Vehicle and Traffic Law;  
18 6404, by Senators Kuhl and  
19 others, an act to amend the Retirement and  
20 Social Security Law;  
21 6495-A, by Senator Rath, an act  
22 to amend the Real Property Tax Law;  
23 6664, by Senator Kuhl, an act to  
24 amend the Tax Law;  
25 6767, by Senator Kuhl, an act to

1 amend the Town Law;  
2 6874-A, by Senator Larkin, an act  
3 to amend the Retirement and Social Security Law;  
4 6990, by Senator Marchi, an act  
5 to amend Chapter 741 of the Laws of 1985;  
6 7035-A, by Senator Alesi, an act  
7 to amend the Public Authorities Law;  
8 7101, by Senator Johnson, an act  
9 to amend the Transportation Law;  
10 7190-A, by Senator Leibell and  
11 others, an act to amend the Executive Law;  
12 7224-A, by Senator Farley, an act  
13 to adjust certain state aid payments;  
14 7297, by Senator Marcellino, an  
15 act to amend the Education Law;  
16 7401, by Senator Johnson, an act  
17 to amend the Vehicle and Traffic Law;  
18 7411, by Senator Johnson, an act  
19 to amend the Vehicle and Traffic Law;  
20 7415, by Senator Nozzolio, an act  
21 to amend the Tax Law;  
22 7463-A, by Senator Leichter, an  
23 act to authorize the city of New York;  
24 7473, by Senator Spano, an act to  
25 amend the Local Finance Law;

1                   7482, by Senator Leibell, an act  
2           to amend the Private Housing Finance Law;  
3                   7578, by Senator Fuschillo, an  
4           act to amend the Vehicle and Traffic Law;  
5                   7579, by Senator Fuschillo, an  
6           act to amend the Vehicle and Traffic Law;  
7                   7602, by Senator Johnson, an act  
8           to amend the Vehicle and Traffic Law;  
9                   7605, by Senator Padavan, an act  
10          to amend the State Finance Law;  
11                  7621, by Senator Saland, an act  
12          to amend the Domestic Relations Law;  
13                  7622, by Senator Stafford, an act  
14          to amend Chapter 814 of the Laws of 1987;  
15                  7625, by Senator Velella, an act  
16          to amend the Public Authorities Law;  
17                  7635, by Senator Meier, an act to  
18          amend the Civil Rights Law; and  
19                  7650, by Senators DeFrancisco and  
20          others, an act to adjust certain state aid  
21          payments.  
22                    All bills directly for third  
23          reading.  
24                    ACTING PRESIDENT KUHL:   Senator  
25          Skelos.

1                   SENATOR SKELOS:  Is there any  
2                   other housekeeping at the desk?

3                   ACTING PRESIDENT KUHL:  The  
4                   motion is to accept the report of the Rules  
5                   Committee.  All those in favor signify by saying  
6                   aye.

7                   (Response of "Aye".)

8                   Opposed, nay.

9                   (There was no response.)

10                  The Rules report is accepted.

11                  The bills are ordered directly to  
12                  third reading.

13                  We do have some housekeeping,  
14                  Senator Skelos.  We can go to motions and  
15                  resolutions.

16                  The Chair recognizes Senator  
17                  Marcellino.

18                  SENATOR MARCELLINO:  Mr.  
19                  President, on page number 6, on behalf of  
20                  Senator Hannon, I offer the following amendments  
21                  to Calendar Number 167, Senate Print Number  
22                  4973-A, and ask that said bill retain its place  
23                  on the Third Reading Calendar.

24                  ACTING PRESIDENT KUHL:  The  
25                  amendments to Calendar Number 167 are received

1 and adopted. The bill will retain its place on  
2 the Third Reading Calendar.

3 SENATOR MARCELLINO: Thank you,  
4 Mr. President.

5 ACTING PRESIDENT KUHL: Senator  
6 Skelos -- Senator Seward.

7 SENATOR SEWARD: Mr. President,  
8 if I could have unanimous consent, I would like  
9 to be recorded in the negative on Calendar 1283.

10 ACTING PRESIDENT KUHL: Without  
11 objection, hearing no objection, Senator Seward  
12 will be recorded in the negative on Calendar  
13 Number 1283.

14 SENATOR SEWARD: Mr. President.

15 ACTING PRESIDENT KUHL: Senator  
16 Seward.

17 SENATOR SEWARD: Is there any  
18 housekeeping at the desk?

19 ACTING PRESIDENT KUHL: The  
20 housekeeping is clean at the desk, Senator  
21 Seward.

22 SENATOR SEWARD: In that case,  
23 Mr. President, there being no further business,  
24 I move we adjourn until Monday, June 15, at 3:00  
25 p.m., intervening days being legislative.

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ACTING PRESIDENT KUHL: Without  
objection, the Senate stands adjourned until  
Monday, June 15th, 3:00 p.m., intervening days  
to be legislative days.

(Whereupon, at 11:29 a.m., the  
Senate adjourned.)