NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

August 2, 2001

8:26 p.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.

May I ask everyone present to please rise and repeat with me the Pledge of Allegiance to the Flag.

(Whereupon, the assemblage recited the Pledge of Allegiance to the Flag.)

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

(Whereupon, the assemblage respected a moment of silence.)

ACTING PRESIDENT MEIER: Reading of the Journal.

THE SECRETARY: In Senate, Wednesday, August 1, the Senate met pursuant to adjournment. The Journal of Tuesday, July 31, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and regulations.

Senator Bruno.

SENATOR BRUNO: Mr. President, can we at this time adopt the Resolution Calendar.

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

(Response of "Aye.")

ACTING PRESIDENT MEIER: Those opposed, nay.

ACTING PRESIDENT MEIER:

(No response.)

ACTING PRESIDENT MEIER: The Resolution Calendar is adopted.

Senator Farley.

Senator Bruno.

SENATOR BRUNO: Senator?

SENATOR FARLEY: I don't like to jump in front, Joe.

Mr. President, on behalf of Senator Alesi, I wish to call up his bill, Number 5309A, which is now at the desk.

ACTING PRESIDENT MEIER: The Secretary will read.

THE SECRETARY: Calendar Number 1283, by Senator Alesi, Senate Print 5309A, an act to authorize.

SENATOR FARLEY: I now move to reconsider the vote by which this bill passed.

ACTING PRESIDENT MEIER: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 38.

SENATOR FARLEY: Mr. President, I now move to recommit this bill to the Committee on Rules.

ACTING PRESIDENT MEIER: So ordered.

Senator Bruno.

SENATOR BRUNO: Mr. President, can we have an immediate meeting of the Finance Committee in the Majority Conference Room.

ACTING PRESIDENT MEIER:

Immediate meeting of the Finance Committee in the Majority Conference Room.

SENATOR BRUNO: And the Senate will stand at ease pending the report of the Finance Committee. So hopefully they will recognize that we are standing at ease.

Thank you, Mr. President.

ACTING PRESIDENT MEIER: The Senate will stand at ease, pending the report of the Finance Committee.

(Whereupon, the Senate stood at ease at 8:30 p.m.)

(Whereupon, the Senate reconvened at 8:45 p.m.)

SENATOR SKELOS: Mr. President.

ACTING PRESIDENT MEIER: Senator Skelos.

SENATOR SKELOS: Can we have an immediate meeting of the Judiciary Committee in the Majority Conference Room.

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

SENATOR SKELOS: And if we could stand at ease.

ACTING PRESIDENT MEIER: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 8:46 p.m.)

(Whereupon, the Senate reconvened at 8:48 p.m.)

ACTING PRESIDENT KUHL: The Senate will come to order.

I ask the members to find their places, staff to find their places.

Senator Bruno.

SENATOR BRUNO: Mr. President, can we at this time return to the reports of standing committees.

And I believe that there is a report of the Finance Committee at the desk. I would ask that it be read at this time.

ACTING PRESIDENT KUHL: We'll return to the reports of standing committees.

There is a report of the Finance Committee at the desk. The Secretary will read.

THE SECRETARY: Senator Stafford, from the Committee on Finance, reports following bills:

Senate Print 900A, an act making appropriations, Senate Budget Bill.

Senate Print 902B, Senate Budget Bill, an act making appropriations for the support of government.

903B, Senate Budget Bill, an act making appropriations for the support of government.

904B, Senate Budget Bill, an act making appropriations for the support of government.

905B, Senate Budget Bill, an act making appropriations for the support of government.

1145B, Senate Budget Bill, an act in relation to implementing.

1146A, Senate Budget Bill, an act in relation to implementing.

1147B, Senate Budget Bill, an act to implement language.

1148B, Senate Budget Bill, an act to implement language.

And Senate Print 5754, by the Senate Committee on Rules, an act to amend the Tax Law.

All bills ordered direct to third reading.

ACTING PRESIDENT KUHL: Without objection, all bills are reported directly to third reading.

Senator Bruno.

SENATOR BRUNO: Mr. President, colleagues, we have before us a number of budget bills that represent a package that is a baseline budget that we're prepared to pass in this house.

We are over four months late in adopting a budget for the people of this state. So it's time that we create this movement, that we create some certainty in the lives of the constituency here in New York State.

In this baseline budget we are adopting the Governor's appropriation to increase school aid by 382 million. All of the other aspects that's in this baseline budget represent last year's budget. And that's what we're doing.

We have taken out of the 83.6 billion that the Governor submitted to us as

his proposed budget in the middle of January. The budget that will be before us is about 79.6 billion. That's 4 billion less than the Governor's proposed budget. It is all the money that is needed to keep state services ongoing. It is money that 14.1 billion of will go into education. That creates some certainty.

Now, there is some speculation that by passing this baseline budget that we will be encumbering or inhibiting the ability for some agencies to do their job and that we will encumber and inhibit the ability to let contracts for roads, for bridges, for other things. That is not the case. That is not the case. We are doing what we are doing because we haven't been able to get a fully negotiated budget in place.

This we are in agreement on in the Legislature. With the majority houses and in this house, we think that all of us will be in the same place. Which is a good thing.

So for those that think that because this budget is 4 billion under what the Governor proposed, let me just be

reassuring that everything that has to happen to keep this state functioning in an orderly way will be taken care of in the budget that is before us. And that we will be moving diligently towards negotiating a supplemental budget, which is what we've always done in this state.

Up to about ten years ago, we had a budget which many times was a baseline budget, then a supplemental was negotiated, and after that a deficiency to pick up whatever was left to be done. During those days, we had on-time budgets.

And if we progress and go forward with what we're doing, we are leaving the controversial, the differences that we have and the amounts that go into some of those places where we don't have total agreement, we're laying those aside. But be certain that what we are doing with the $79.6 billion budget adequately looks after the needs of the people of this state. It doesn't bring anything to a standstill, it doesn't stop anything.

Now, it will be reported that by

September 15th that there are many appropriations that will no longer be allowed to flow as a consequence of what we are doing. And that is a statement of fact. It's about $57 billion worth, matter of fact, that have been appropriated in the past that are only appropriated until September 15th. If we do nothing tonight in either house, on September 15th that 57 plus billion dollars will not be able to flow.

So there is no difference in that aspect of what we're doing. None. So doing nothing, all of that will stop September 15th. Doing what we're doing, we're not affecting that September 15th date. Because in order to do that, we have to come to a three-way agreement or a two-way agreement, and we're not there on that part of what we are still negotiating. And we will eventually compromise and get done.

So I say that to all of you. And those that have interests in what's going on, there's going to be a lot of rhetoric, a lot of conversation, a lot of press as a result of the first step that we're taking here in

putting a full budget in place tonight for the people of this state. So that's what this baseline is all about.

And this is different than some of what we've done over these last ten years or so. But being where we are, it's the right thing to do, it's the right way to go. And I would urge all of my colleagues in the Senate to be supportive.

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

SENATOR CONNOR: Thank you, Mr. President.

Just let me say -- I mean, does this budget have everything I would wish for in it? No. But I've yet to have a budget in 25 years here have everything in it that I would wish for. Nonetheless, they were budgets.

And I think at this date it's only appropriate that we put aside the partisan differences and partisan wranglings that we've had -- it's part of the process -- these past months and act in the best interests of the people of the State of New York and adopt a

budget. And that's what we're doing, adopting a budget.

Yes, it's a no-frills budget. Yes, it doesn't have a lot of things in here we would all wish for. But it does have in here the things that are necessary to keep the government of the State of New York functioning. And that is our responsibility as elected officials, it is our constitutional responsibility, and that's exactly what we're doing, Mr. President. We're putting a budget in place. Whatever does or doesn't happen after that does or doesn't happen. But we are meeting our responsibility of enacting a budget.

I applaud the Majority Leader and the Speaker for coming to this point. I think it's only appropriate that we put a budget in place, and that's what we're doing. It's a budget that will allow the government to function.

And I know earlier today there was a suggestion from the second floor that this budget somehow, because it cuts some appropriations to operate state agencies,

somehow or other was defective. Well, Mr. President, that is the prerogative of the Legislature. We created those departments and agencies, we created the programs they administer, and it is the Legislature's to decide at what level they need be funded. And that's what we're doing.

So, Mr. President, I urge all of my colleagues and I applaud all of my colleagues for their recognition that on this day it's time to adopt a budget. And that's what we're doing.

ACTING PRESIDENT KUHL: Senator Bruno, that brings us to the calendar.

SENATOR BRUNO: Mr. President, can we at this time have the noncontroversial reading of the calendar.

ACTING PRESIDENT KUHL: The Secretary will have the noncontroversial reading of Calendar Number 58.

THE SECRETARY: Calendar Number 1422, Senate Budget Bill, Senate Print 900A, an act making appropriations for the support of government, on Legislature and Judiciary Budget.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1423, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 1302B and substitute it for the identical Senate Bill Number 902B, Third Reading Calendar 1423.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1423, Assembly Budget Bill, Assembly Print Number 1302B, an act making appropriations for the support of government, on Public Protection and General Government Budget.

ACTING PRESIDENT KUHL: The

Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1424, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 1303B and substitute it for the identical Senate Bill Number 903B, Third Reading 1424.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1424, Assembly Budget Bill, Assembly Print Number 1303B, an act making appropriations for the support of government, on Transportation and Economic Development Budget.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1425, Senate Budget Bill, Senate Print 904B, an act making appropriations for the support of government, on Health, Mental Hygiene and Environmental Conservation Budget.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1426, Senate Budget Bill, Senate Print 905B,

an act making appropriations for the support of government, on Education, Labor and Family Assistance Budget.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1427, Senate Budget Bill, Senate Print 1145B, an act in relation to implementing certain provisions.

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

THE SECRETARY: Section 138. This act shall take effect immediately.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1428, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 1998A and substitute it for the identical Senate Bill Number 1146A, Third Reading Calender 1428.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1428, Assembly Budget Bill, Assembly Print Number 1998A, an act in relation to implementing.

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

THE SECRETARY: Section 44. This act shall take effect immediately.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1429, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 1999B and substitute it for the identical Senate Bill Number 1147B, Third Reading Calender 1429.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1429, Assembly Budget Bill, Assembly Print Number 1999B, an act to implement language.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1430, Senate Budget Bill, Senate Print Number 1148B, an act to implement language.

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

THE SECRETARY: Section 94. This act shall take effect immediately.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 51.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1431, by the Senate Committee on Rules, Senate Print Number 5754, an act to amend the Tax Law.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT KUHL: Announce the results.

THE SECRETARY: Ayes, 50. Nays, 1. Senator Padavan recorded in the negative.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Bruno, that completes the noncontroversial reading and the controversial reading of Calendar Number 58.

SENATOR BRUNO: Thank you, Mr. President. I believe that there are some nominations at the desk, and I would ask that they be presented at this time.

ACTING PRESIDENT KUHL: We will return to the order of reports of standing committees.

The Secretary will read the report of the Finance Committee, which is at the desk.

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

As a member of the New York State Olympic Regional Development Authority, Serge Lussi, of Lake Placid.

As a member of the Taconic State Park, Recreation and Historic Preservation Commission, Jane Alexander, of Carmel.

As a member of the Republic Airport

Commission, Stella M. Barbera, of Lindenhurst.

As a member of the Public Health Council, Maria I. New, M.D., of New York City.

As a member of the State Camp Advisory Council, Jordan Dale, of Nanuet.

And as a member of the State Hospital Review and Planning Council, Eric R. Allyn, of Skaneateles.

ACTING PRESIDENT KUHL: The question is on the confirmation of the nominations of the six named individuals. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT KUHL: Opposed, nay.

(No response.)

ACTING PRESIDENT KUHL: The nominees are confirmed.

The Secretary will read the report of the Judiciary Committee.

THE SECRETARY: Senator Lack, from the Committee on Judiciary, reports the following nomination:

As a justice of the Supreme Court of the Eleventh Judicial District, Carolyn

Geller, of New York.

ACTING PRESIDENT KUHL: Senator Lack.

SENATOR LACK: Thank you, Mr. President. I move the nomination of Carolyn Geller, of New York, as a justice of the Supreme Court of the Eleventh Judicial District.

We received the nomination from the Governor last week. We examined the credentials of Ms. Geller. They were found to be perfectly in order. The candidate appeared before the committee earlier this evening and was unanimously moved to the floor.

And it is with a great deal of pleasure that I yield to my colleague Senator Maltese for purposes of a second.

ACTING PRESIDENT KUHL: The chair recognizes Senator Maltese on the nomination.

SENATOR MALTESE: Thank you. Thank you, Senator Lack.

Carolyn Geller has a long relationship with Queens County. She grew up in Queens County and attended Jamaica High School. Her parents still reside in Queens

County, in Jamaica. She attended also the Adelphi University and Queens College, where she received her B.A. in history. She attended Hofstra University School of Law, where in 1979 she received her J.D., and she received her L.L.M. from the New York University School of Law in 1982.

As was indicated, she has a long relationship and has served the people of Queens County and the state since 1979, for over 20 years. She served as both an associate court attorney, where she researched and wrote decisions for judges, which will stand her in good stead in her service as a member of the judiciary. She now serves as a special referee in the matrimonial part, where she has served since May of '97.

She is here in the chamber and is joined by her daughter, Nancy Leib, and her friends Paul Shapiro and Ellen Wells.

And, Mr. President, I'm very proud to move the nomination of Carolyn Geller as a justice of the Supreme Court for the Eleventh Judicial District.

ACTING PRESIDENT KUHL: Is there

any other member wishing to speak on the nomination?

Hearing none, the question is on the nomination of Carolyn Geller, of New York, as a justice of the Supreme Court of the Eleventh Judicial District. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT KUHL: Opposed, nay.

(No response.)

ACTING PRESIDENT KUHL: The nominee is unanimously confirmed.

We're very, very pleased to have Justice Geller with us this evening, together with her daughter, Nancy Leib, and her friends Paul Shapiro and Ellen Wells.

Justice, congratulations.

(Applause.)

ACTING PRESIDENT KUHL: Senator Bruno.

SENATOR BRUNO: Mr. President, can we ask for an immediate meeting of the Rules Committee in the Majority Conference Room.

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

Senator Bruno.

SENATOR BRUNO: Mr. President, can we at this time return to motions and resolutions.

I believe there is a resolution at the desk by Senator Bonacic. I would ask that it be read in its entirety at this time.

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

There is a privileged resolution by Senator Bonacic at the desk. The Secretary will read the privileged resolution in its entirety.

Members please take their seats. Staff please take their places. If you have to have a conversation, please take it out of the room.

The Secretary will read.

THE SECRETARY: Legislative Resolution Number 2896, by Senators Bonacic and Bruno, paying tribute to the life and career of John T. Hamilton, Jr., distinguished attorney and devoted member of his community.

"WHEREAS, It is the sense of this Assembled Body to memorialize the purposeful lives of those individuals whose careers and public commitment have left an indelible mark upon this Empire State; and

"WHEREAS, This Assembled Body is duly moved" -

ACTING PRESIDENT KUHL: May we have a little order in the house, please. If you have to have a conversation, ladies, please take it out of chamber.

The Secretary will continue to read.

THE SECRETARY: "WHEREAS, This Assembled Body is duly moved this day to pay tribute to the life and career of John T. Hamilton, Jr., of Delhi, New York, who died on Thursday, July 19, 2001, at the age of 50; and

"WHEREAS, John T. Hamilton, Jr.,

was born in Delhi, New York, on April 17, 1951, to John Thomas Hamilton and Theresa L'Ecuyer Hamilton; and

"WHEREAS, John T. Hamilton, Jr., graduated in 1969 from Delaware Academy in Delhi. He earned a Bachelor of Arts degree from Hamilton College in 1973, and graduated cum laude from Albany Law School of Union University in 1976; and

"WHEREAS, John T. Hamilton, Jr., was married to Julia Whitlow Hamilton on September 3, 1977, and together they had two children, J.T. Hamilton and Sara Baer Hamilton; and

"WHEREAS, John T. Hamilton, Jr., was admitted to practice law in New York State in 1977. He was also admitted to practice in all Federal District Courts in New York State and the U.S. Court of Appeals of the Second Circuit. He maintained a private practice in Delhi, which he established in 1980; and

"WHEREAS, Additionally, John T. Hamilton, Jr., dedicated years of professional service to the New York State Senate. He worked as counsel to Senator Charles D. Cook

from 1980 to 1998; and

"WHEREAS, Furthermore, he served as counsel to the following committees in the New York State Senate: New York City Watershed Negotiations; Local Government; and Agriculture. Since 1999, he served as assistant counsel to the Majority Leader of the New York State Senate and as Senate home rule counsel; and

"WHEREAS, John T. Hamilton, Jr., was affiliated with numerous legal organizations, some of which include the Association of Trial Lawyers of America, the New York State Trial Lawyers Association, the New York State Bar Association, the New York County Lawyer's Association, the Delaware County Bar Association, the Law Guardian Liaison Committee of Delaware County, the Law Guardian Advisory Committee of Delaware County, and the Southern Tier Trial Lawyers Association; and

"WHEREAS, Moreover, John T. Hamilton, Jr., generously devoted his time and talents to countless civic and charitable endeavors, such as the Otschodela County Boy

Scouts of America Council, the Delaware County Historical Association, the Hamilton College Alumni Council, the Allen Residential Center/Sergeant Henry Johnson Youth Leadership Academy Advisory Committee, and the New York State Children and Family Services Committee. He also took great pride in the youth football team he coached, the Delhi Pee Wee Jets; and

"WHEREAS, John T. Hamilton, Jr., will be remembered as a gentle man who lived all of his days with courage and grace. His love, devotion, sensitivity and responsiveness to his family, friends, and all who knew him were his hallmark, tradition and legacy; and

"WHEREAS, John T. Hamilton, Jr., is survived by his former wife, Julia Whitlow Hamilton; two children, J.T. and Sara; two brothers and sisters-in-law, Mark and Bonnie and Pete and Jane; a sister, Anne; seven nieces and nephews; several aunts, uncles and cousins, and dear friend, Kathleen; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to pay tribute to the life and career of John T. Hamilton,

Jr., and to extend its sincere condolences to his family; and be it further

"RESOLVED, That a copy of this Resolution, suitably engrossed, be transmitted to the family of John T. Hamilton, Jr."

ACTING PRESIDENT KUHL: The chair recognizes Senator Bonacic on the resolution.

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

My relationship with John Hamilton was casual when I was an Assemblyman. And periodically we would have to interact with Senator Cook, who was one of my Senators in my district, and many times we would be referred to John Hamilton. John Hamilton was really a brilliant lawyer.

You know, when I talk of John Hamilton I almost have to talk about Charlie Cook, because they were like joined at the hip. John Hamilton loved Charlie Cook as a father. And I would say vice versa, Senator Charles Cook loved John Hamilton as a son.

John Hamilton served 18 years as Senator Cook's counsel. And I got to know him real well in the last two and a half years

when I took Senator Cook's seat.

I attended the wake about two weeks ago. And I bet there are many Senators in this Legislature who could stand up and talk about how John Hamilton touched them and their experiences with him. He had asked Charlie Cook to handle the service for him, because we knew he had cancer, and it hit him early. Here's a man 50 years old, never drank, never smoked, and then found out in roughly five months before his death on July 19th that he had cancer.

And I had an experience that I never had before. A good friend in Delhi threw a birthday party for John Hamilton on his fiftieth birthday. And, you know, people were -- didn't know how to handle it, whether they should go to a birthday party of someone who they knew was going to -- this was going to be his last birthday and they weren't sure how long he would live. But they went. And many Senate staffers and people he touched went to that birthday party.

And Charlie Cook got up there, was the master of ceremonies, and he had a long

two-by-four with a nail. And he said, "If anybody says anything sad or depressing, you're going to have to step on the nail."

Well, let me tell you something. That was a wonderful celebration of life and one of the best birthday parties I attended under some very tough circumstances. And every time a speaker got up and roasted John Hamilton, he grabbed that mike with all his strength and courage that he had and he gave it back to the people that were roasting him.

Unfortunately, his second dad, Senator Cook, died unexpectedly and could not handle the service for the anticipated death of John Hamilton. When I went to that church, I will tell you, it was standing room only. The people got up and we heard one story after another of acts of love. And the thing that impressed me the most was his particular fondness for children.

He was not a rich man, John Hamilton, but he gave more money as a human being to all the voluntary organizations in Delhi than all the attorneys together. He was a very charitable and generous man, and he

will be sorely missed. He has two brothers, a sister, two children, ages 18 and 14.

And we lost one of our own. We lost a good friend. We lost a great mind. We lost a great humanitarian. So on behalf of all of the members here, to his family we give our deepest condolences. But we know now that he's up there in heaven, sitting at the right side of the Lord, counseling the Lord with Senator Cook.

Thank you very much, Mr. President.

ACTING PRESIDENT KUHL: The chair recognizes Senator Bruno on the resolution.

SENATOR BRUNO: Thank you, Mr. President. It's hard to follow and know what to say after you hear what is part of this resolution and you hear Senator Bonacic.

And I simply stand to say that I was at Senator Cook's funeral service and spoke at it, as did Senator Bonacic, as did John Hamilton, Jr. And I have never been as impressed with any individual in the way he handled himself in speaking to that church full of people, how he related to everybody with his upbeat, positive manner.

Now, he knew what almost everyone else knew, that he was going to die within weeks. He was told that he had several months to live when the doctors found what they found. He was told, "You've got a few months to live, you ought to be doing the kinds of things that are important for you to do."

And Ken Riddett, who he reported to directly, shared that with me. And I said, "You tell John to spend time with his family, do whatever it is that he has to do for these next several months."

Ken said that they'd had that conversation and John said that he was going to be at work, he was going to do everything he had to do, because that's what he wanted to do, was lead his life as if nothing had happened.

Now, I'm sure with his wife, with his children, that had to be a great comfort, because he was comforting them. Just as at Senator Cook's funeral service, he was like the man in charge. He was as hospitable with me, with the others traveling with us in making sure we were accommodated, we knew

where we had to be, we knew where we had to sit. He was about as attentive as anyone could be.

And when you think about an individual at age 50, with a family, knowing what's happening in his life, and the way he handled himself right up until the day he died, I'm told, that is an inspiration to everyone whose life he touched. He was an associate counsel working with me, and he sure touched my life in ways that I will never, ever forget. He was the most upbeat, positive, capable, able individual that you could have near you in your life.

So all of us, when we go on with our daily tasks and we take life as seriously as we take it and we are confrontational with each other, we ought to just bear in mind that an individual like John Hamilton, Jr., was told, "You have months to live, and you're going to be dead," and he, recognizing what was important in life, didn't lament, didn't weep, didn't wail, didn't moan and groan and make life unpleasant for anybody, he just went on with his life, doing the kind of realistic,

day-to-day meaningful things that he did. And when he passed, he passed in peace.

So we're all certain that he is resting in peace. And as Senator Bonacic says, here we are, in somewhat of a controversial, confrontational mode here with some of what's going on, and John Hamilton, Jr., had some part in getting us to where we are. And I'm sure that if he could be here on the floor speaking he'd say, "Let's lean back and take a look at life and understand what's important."

Thanks very much, Mr. President.

ACTING PRESIDENT KUHL: Senator Saland, on the resolution.

SENATOR SALAND: Thank you, Mr. President.

My relationship with John went back some twenty years. He and I and several former colleagues were regular breakfast buddies over that period of time. When I say "regular," I would say the vast majority of days that we were in Albany, barring our having to attend some breakfast at some locale, we normally had breakfast together.

One of those people was also Senator Cook.

And we all, I think, viewed the beginning of our day as sort of the highlight of our day -- relaxed, informal, kidding around, talking about issues from time to time.

And when I served in the Assembly for some ten years, John, being the extraordinarily capable counsel that he is, assisted me on more than one occasion, not only in dealing with issues and bills that I was trying to prepare, but also in assisting me, through his wonderful relationship with Senator Cook and his position as his counsel, in occasionally being able to pass a bill that I managed to get through the Assembly.

And John certainly -- you heard John Bonacic. I've always felt that it's very difficult for someone other than a member of a profession to gauge the ability and the performance of a member of that profession. And speaking as an attorney, John Hamilton was an extraordinarily capable, talented - uniquely so -- lawyer. John certainly had the ability, when he dug his heels in, which was

often, to be somewhat unyielding. But invariably John seemed to be on the right side of the issues.

Oh, a couple of months ago we lost our former colleague Senator Cook. I happen to have been out of the country at the time. Charlie too was a wonderful, wonderful friend. And I called his home to express my condolences to his wife, Dottie. And while I was there, she gave the phone over to John. And John, in his own inimitable way, said: "Charlie's done it to me again. He promised me he would take care of my funeral arrangements, and look what he went and did."

A measure of John, because John had -- as I'm sure he probably told some others, John had called me at home to tell me of his terrible misfortune. And he didn't do it seeking sympathy. He didn't do it because he was melancholy. He did it simply because he wanted to be the one to tell me personally and that he didn't want me to find out of his misfortune from somebody else.

You've heard some very kind things said about John, and they certainly all ring

true. Beyond his ability, he was a gentleman. And he was someone who was never reluctant to speak his piece. He was always honest and forthright, always willing to tell you, whether you wanted to hear it or not, what in effect was the answer or the solution to your issue or problem. And if it didn't come down the way you thought it should come down, it wasn't his fault. Because being the wonderful, excellent counsel that he was, that wasn't his job, necessarily, to make it easy for you. He was there to make sure you were fortified with the best information you could have.

He was a wonderful friend, and I hope that I was as good a friend to him as he was to me. And I hope that his children, particularly, have a keen appreciation for the man that he was and the stature that he attained.

And, yes, he did have this wonderfully unique relationship with Charlie Cook, by which they both were blessed. And certainly the Lord has seen fit, perhaps prematurely in both cases, to take both of

them away, but that's part of a grander design that nobody here can possibly contemplate.

May he rest in peace and be the blessing to his children that he would always want them to believe of.

Thank you.

ACTING PRESIDENT KUHL: Senator Balboni, on the resolution.

SENATOR BALBONI: Mr. President, I rise for a brief observation.

Seventeen years ago I showed up in Albany, and one of the first people I meet and I work with is John Hamilton. And I look around this chamber, and there are people who were there that very day. Chris Cook, and I look up, and Janet, and Patty.

And what's really funny is that as we go through this business we have so many wonderful things to say about people, but we can look around and yet miss the fact that we're here together. And I think, Senator Bruno, it's wholly appropriate that tonight on a summer's night we stand here and we reflect upon the life of somebody who gave so much behind the scenes.

We always talk about the great deeds of the public officials. And yet in his -- the substance of this institution and the men and women who stand around us or in the offices and the agencies, John Hamilton brings us up very appropriately at this moment and says: Remember us too. We work with you, and we deserve as much as anybody else in this institution.

ACTING PRESIDENT KUHL: Senator Larkin, on the resolution.

SENATOR LARKIN: Thank you, Mr. President.

I first met John when reapportionment took place and I became a part of Sullivan and Ulster County -- places that I'd never been, didn't know the town, didn't know anything. And I received a phone call from him, and he said, "Senator Cook's going to be gone for a few days, so I have a few extra days. I'll take you around and show you Sullivan and Ulster County."

We went to eight towns, villages. Every place we went: "John, how are you?" "John, how's things going?" John, to them:

"What can I do for you?" No matter what issue was there, how small it was or what was the major concern, he sat down, took his time, took his pad out, took all of their notes, made sure he had their correct phone numbers. And he was very serious about it. And he introduced me to them and told them, "This is the new kid on the block, he's going to work with Senator Cook and I."

And I was very impressed that, you know, here he could have had a few days off, because Cook was away, and John took his own time to take me around, to show me places that I didn't know. He introduced me to people that I would have to know and work with. And I was totally taken of how everyone, no matter whether it was the mayor, whether it was at the hospital, whether it was someone of the uppity-ups in the community, they all knew him, they were all pleased to meet with him.

And I found that all the time that I was in the Assembly, before I came to this house, I never had a counsel. John said to me, "Don't worry about that. Whatever you need, you call me. Here's my home phone, call

me, morning, noon, or night, whatever I can do. Because remember one thing, this is a one-trip. We don't go around twice. We're here to serve the people best. And it's served best when we can work together. Never mind what side you're on of an issue, but what we ought to do is to try to work it out."

And I found out over the years the more I knew John Hamilton, the more I appreciated what he was all about. Steve mentioned about his breakfasts. I invited him for breakfast one morning because of a meeting, and he said, "Do you serve the breakfast that I'll get with Steve and Charlie at the diner?" And I said, "I don't think I'll get that close to it." But it showed you the kind of an individual he was.

Senator Bruno mentioned, and Senator Bonacic, about the day of Senator Cook's funeral. Here he was, you could see him, he was perspiring something profusely. He took everybody around and made sure that we knew where we were going. And here was an individual who knew his days were numbered. But his commitment to his friend Senator Cook

and to the members of this Legislature -- and not only that, but the members of the staff that make up part of this institution here that went to that funeral, all knew that this man was on borrowed time. But he had the time to make sure that everyone was comfortable at that funeral for his dear friend Charlie Cook.

Two weeks before he died, I had been up in Ulster County and happened to talk to him. And he just said, "Goodbye, my friend." I never paid attention of it till I got home, and then when John Bonacic called me and told me that he'd passed away. He knew he was on borrowed time.

But here was a man that was on this earth and what he did while he was here we should all thank God that during our lifetime we met John Hamilton.

ACTING PRESIDENT KUHL: Senator Farley, on the resolution.

SENATOR FARLEY: Thank you, Mr. President.

I've served here in the Senate for 25 years. I knew Charlie Cook and John Hamilton prior to that time. I think the

relationship that existed between Senator Cook and John Hamilton was incredibly unique. He was a -- he did everything for Charlie Cook politically. They were like brothers. An incredible relationship. I spent a lot of time with both of them. Senator Cook was one of my dearest friends, and as was John Hamilton.

I think you can see sometimes the love that we -- that our Senators show for staff members who are such decent, bright, hardworking, self-sacrificing people. One of the last things that Senator Cook said to me at the Senate dinner was "I'm going to devote the rest of my life to looking after, taking care of John Hamilton, to make sure that John gets through this." Unfortunately, he died shortly thereafter.

I told that to John Hamilton at the funeral, what Senator Cook said to me. And he started to cry; his eyes welled up. And it was very evident that he knew that Charlie Cook was looking out for him.

For some reason, I thought that John Hamilton might make it. I know he had a

terrible prognosis, but he never really let anybody know that. He was always upbeat. And unfortunately, his death came as a surprise and a shock to me.

But John Hamilton was a wonderful, good and decent man, as was his dear and close friend Senator Cook. He was taken too soon as a young man. He had an awful lot to offer. But, you know, we have to go through this in life. And let it be the lesson to us, that so often they say the good die young. I'll tell you, John Hamilton was a good man.

ACTING PRESIDENT KUHL: Senator Bruno, Senator Bonacic has indicated to the desk that he would like to open this up to all members. Should we follow normal procedure and put all members on this unless they wish to indicate to the desk that they don't wish to be on this resolution?

SENATOR BRUNO: Yes, Mr. President.

ACTING PRESIDENT KUHL: The Secretary will follow that recommendation.

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

(Response of "Aye.")

ACTING PRESIDENT KUHL: Opposed, nay.

(No response.)

ACTING PRESIDENT KUHL: The resolution is unanimously adopted.

Senator Bruno.

SENATOR BRUNO: Mr. President, can we at this time return to reports of standing committees.

I believe there is a report of the Rules Committee at the desk, and I ask that it be read at this time.

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

There is a report of the Rules Committee at the desk. The Secretary will read.

THE SECRETARY: Senator Bruno, from the Committee on Rules, reports the following bills:

Senate Print 2306, by Senator Farley, an act to amend the Vehicle and Traffic Law.

4943A, by Senator Leibell, an act to authorize the Town of Putnam Valley.

4592A, by Senator LaValle, an act to amend the Education Law.

5492A, by Senator Libous, an act authorizing the Commissioner of Transportation.

Assembly Bill 9191, by the Assembly Committee on Rules, an act to amend the Labor Law.

Senate Print 2292, by Senator Maltese, an act to amend the Public Authorities Law.

Senate Print 5521A, by Senator Hassell-Thompson, an act to authorize the Bronx.

2764B, by Senator Leibell, an act authorizing the establishment.

5643, by Senator Morahan, an act to authorize the Commissioner of General Services.

5687, by Senator Johnson, an act to amend the Environmental Conservation Law.

5705, by Senator LaValle, an act to amend a chapter of the Laws of 2001.

5709A, by Senator Wright, an act to amend Chapter 519 of the Laws of 1999.

And Assembly Print 9061A, by the Assembly Committee on Rules, an act to authorize the State of New York.

All bills ordered direct to third reading.

ACTING PRESIDENT KUHL: Senator Bruno.

SENATOR BRUNO: Mr. President, I would move to accept the report of the Rules Committee.

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

(Response of "Aye.")

ACTING PRESIDENT KUHL: Opposed, nay.

(No response.)

ACTING PRESIDENT KUHL: The report is accepted. The bills are ordered directly to third reading.

Senator Bruno.

SENATOR BRUNO: Mr. President,

can we at this time take up the noncontroversial reading of Calendar 58A.

ACTING PRESIDENT KUHL: The Secretary will read the noncontroversial reading of Supplemental Calendar 58A.

THE SECRETARY: In relation to Calendar Number 208, Senator Farley moves to discharge, from the Committee on Rules, Assembly Bill Number 4244 and substitute it for the identical Senate Bill Number 2306, Third Reading Calendar 208.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 208, by Member of the Assembly Tonko, Assembly Print Number 4244, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT KUHL: Read the last section.

THE SECRETARY: Section 2. This act shall take effect in 60 days.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1091, by Senator Leibell, Senate Print 4943A, an act to authorize the Town of Putnam Valley.

ACTING PRESIDENT KUHL: There is a home rule message at the desk.

The Secretary will read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1202, Senator LaValle moves to discharge, from the Committee on Rules, Assembly Bill Number 83A and substitute it for the identical Senate Bill Number 4592A, Third Reading Calendar 1202.

ACTING PRESIDENT KUHL: The

substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1202, by Member of the Assembly Morelle, Assembly Print Number 83A, an act to amend the Education Law.

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

THE SECRETARY: Section 2. This act shall take effect in 18 months.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1219, by Senator Libous, Senate Print 5492A, an act authorizing the Commissioner of Transportation.

SENATOR PATERSON: Lay it aside, please.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: Calendar Number

1400, by the Assembly Committee on Rules, Assembly Print Number 9191, an act to amend the Labor Law and the State Finance Law.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1410, Senator Maltese moves to discharge, from the Committee on Rules, Assembly Bill Number 7250 and substitute it for the identical Senate Bill Number 2292, Third Reading Calendar 1410.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1410, by Member of the Assembly Abbate, Assembly Print Number 7250, an act to amend

the Public Authorities Law.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1411, Senator Hassell-Thompson moves to discharge, from the Committee on Rules, Assembly Bill Number 8902A and substitute it for the identical Senate Bill Number 5521A, Third Reading Calendar 1411.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1411, by the Assembly Committee on Rules, Assembly Print -

SENATOR SKELOS: Lay it aside.

THE SECRETARY: -- Number 8902A,

an act to authorize the Bronx.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: In relation to Calendar Number 1412, Senator Leibell moves to discharge, from the Committee on Rules, Assembly Bill Number 5104B and substitute it for the identical Senate Bill Number 2764B, Third Reading Calendar 1412.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1412, by Member of the Assembly Galef, Assembly Print Number 5104B, an act authorizing the establishment.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill

is passed.

THE SECRETARY: In relation to Calendar Number 1415 -

SENATOR PATERSON: Lay it aside, please.

THE SECRETARY: -- Senator Morahan moves to discharge, from the Committee on Rules, Assembly Bill Number 9222 and substitute it for the identical Senate Bill Number 5643, Third Reading Calendar 1415.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1415, by the Assembly Committee on Rules, Assembly Print Number 9222, an act to authorize the Commissioner of General Services.

ACTING PRESIDENT KUHL: The bill is before the house.

SENATOR PATERSON: Lay it aside, please.

ACTING PRESIDENT KUHL: Lay the bill aside.

THE SECRETARY: In relation to

Calendar Number 1416, Senator Johnson moves to discharge, from the Committee on Rules, Assembly Bill Number 8972B and substitute it for the identical Senate Bill Number 5687, Third Reading Calendar 1416.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1416, by the Assembly Committee on Rules, Assembly Print Number 8972B, an act to amend the Environmental Conservation Law.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1418, by Senator LaValle, Senate Print 5705, an act to amend a chapter of the Laws of 2001.

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

THE SECRETARY: Section 2. This act shall take effect on the same date as a chapter of the Laws of 2001.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1419, by Senator Wright, Senate Print 5709A, an act to amend Chapter 519 of the Laws of 1999.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1421, by the Assembly Committee on Rules, Assembly Print Number 9061A, an act to authorize the State of New York.

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

THE SECRETARY: Section 2. This act shall -

SENATOR PATERSON: Lay it aside, please.

ACTING PRESIDENT KUHL: Lay the bill aside.

Senator Skelos, that completes the noncontroversial reading of Calendar Number 58A.

SENATOR SKELOS: Mr. President, if we could stand at ease, please.

ACTING PRESIDENT KUHL: The Senate will stand at ease.

Senator Velella.

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

ACTING PRESIDENT KUHL: There

will be an immediate meeting of the Finance Committee, immediate meeting of the Finance Committee in the Majority Conference Room, Room 332. Immediate meeting of the Finance Committee in the Majority Conference Room, Room 332.

The Senate will continue to stand at ease.

(Whereupon, the Senate stood at ease at 9:50 p.m.)

(Whereupon, the Senate reconvened at 10:11 p.m.)

SENATOR VELELLA: Mr. President.

ACTING PRESIDENT KUHL: Senator Velella.

SENATOR VELELLA: Can we return to motions and resolutions.

I believe there is a resolution at the desk by Senator Bruno and Senator Stavisky. May we have the title read and have it adopted at this time.

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

The Secretary will read the

privileged resolution at the desk.

THE SECRETARY: By Senator Bruno, Legislative Resolution Number 2897, mourning the untimely death of Samuel McPhaul, distinguished citizen and devoted member of his community.

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

(Response of "Aye.")

ACTING PRESIDENT KUHL: Opposed, nay.

(No response.)

ACTING PRESIDENT KUHL: The resolution is adopted.

Senator Velella.

SENATOR VELELLA: Can we stand at ease pending the return of the Finance Committee.

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

(Whereupon, the Senate stood at ease at 10:13 p.m.)

(Whereupon, the Senate reconvened

at 10:30 p.m.)

ACTING PRESIDENT KUHL: Senator Morahan.

SENATOR MORAHAN: Yes, Mr. President. There will be an immediate meeting of the Rules Committee in the Majority Conference Room.

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

SENATOR MORAHAN: Can we return to reports of committees.

ACTING PRESIDENT KUHL: Return to the order of reports of standing committees.

SENATOR MORAHAN: I believe there's a report from the Finance Committee at the desk.

ACTING PRESIDENT KUHL: There is.

SENATOR MORAHAN: Would you like to have that read, sir.

ACTING PRESIDENT KUHL: The Secretary will read the report of the Finance Committee.

THE SECRETARY: Senator Stafford,

from the Committee on Finance, reports the following bills:

Senate Print 5723, by the Senate Committee on Rules, an act making an appropriation.

5724, by the Senate Committee on Rules, an act making an appropriation.

5725, by the Senate Committee on Rules, an act making an appropriation.

5726, by the Senate Committee on Rules, an act making an appropriation.

5727, by the Senate Committee on Rules, an act making an appropriation.

5728, by the Senate Committee on Rules, an act making an appropriation.

5729, by the Senate Committee on Rules, an act making an appropriation.

5730, by the Senate Committee on Rules, an act making an appropriation.

5731, by the Senate Committee on Rules, an act making an appropriation.

5732, by the Senate Committee on Rules, an act making an appropriation.

5733, by the Senate Committee on Rules, an act making an appropriation.

5734, by the Senate Committee on Rules, an act making an appropriation.

5735, by the Senate Committee on Rules, an act making an appropriation.

5736, by the Senate Committee on Rules, an act making an appropriation.

5738, by the Senate Committee on Rules, an act making an appropriation.

5739, by the Senate Committee on Rules, an act making an appropriation.

5740, by the Senate Committee on Rules, an act making an appropriation.

5741, by the Senate Committee on Rules, an act making an appropriation.

5742, by the Senate Committee on Rules, an act making an appropriation.

5743, by the Senate Committee on Rules, an act making an appropriation.

5744, by the Senate Committee on Rules, an act making an appropriation.

5745, by the Senate Committee on Rules, an act making an appropriation.

5746, by the Senate Committee on Rules, an act making an appropriation.

5747, by the Senate Committee on

Rules, an act making an appropriation.

5748, by the Senate Committee on Rules, an act making an appropriation.

5749, by the Senate Committee on Rules, an act making an appropriation.

5750, by the Senate Committee on Rules, an act making an appropriation.

5751, by the Senate Committee on Rules, an act making an appropriation.

5752, by the Senate Committee on Rules, an act making an appropriation.

5753, by the Senate Committee on Rules, an act making an appropriation.

5755A, by the Senate Committee on Rules, an act making an appropriation.

5758, by the Senate Committee on Rules, an act making an appropriation.

5759, by the Senate Committee on Rules, an act making an appropriation.

5760, by the Senate Committee on Rules, an act making an appropriation.

5761, by the Senate Committee on Rules, an act to authorize.

5762, by the Senate Committee on Rules, an act making an appropriation.

And 5763, by the Senate Committee on Rules, an act allowing the transfer.

All bills ordered direct to third reading.

ACTING PRESIDENT KUHL: Without objection, all bills are ordered directly to third reading.

Senator Morahan.

SENATOR MORAHAN: Mr. President, if we could stand at ease pending the return of the Rules Committee.

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

SENATOR MORAHAN: Thank you, sir.

(Whereupon, the Senate stood at ease at 10:34 p.m.)

(Whereupon, the Senate reconvened at 10:45 p.m.)

ACTING PRESIDENT KUHL: Senator Morahan.

SENATOR MORAHAN: Yes, Mr. President.

ACTING PRESIDENT KUHL: I ask the members to find their places, staff to find

their places.

Senator Morahan.

SENATOR MORAHAN: Thank you, Mr. President.

If we could return to reports of standing committees, I believe there's a report of the Rules Committee at the desk.

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

There is a report of the Rules Committee at the desk. I'll ask the Secretary to read.

THE SECRETARY: Senator Bruno, from the Committee on Rules, reports the following bills:

Senate Print 5700, by Senator Stafford, an act to amend the Judiciary Law.

5717, by Senator Spano, an act to amend the Labor Law.

4256A, by Senator Maltese, an act to amend the General Municipal Law.

5613A, by Senator Skelos, an act to amend the Real Property Tax Law.

And 5722, by the Senate Committee

on Rules, an act to amend the Insurance Law.

All bills ordered direct to third reading.

ACTING PRESIDENT KUHL: Senator Morahan.

SENATOR MORAHAN: Yes, Mr. President. I move that we accept the report of the Rules Committee.

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

(Response of "Aye.")

ACTING PRESIDENT KUHL: Opposed, nay.

(No response.)

ACTING PRESIDENT KUHL: The report is accepted. The bills are ordered directly to third reading.

Senator Morahan.

SENATOR MORAHAN: Mr. President, can you call up Calendar 1420, by Senator Spano.

ACTING PRESIDENT KUHL: The Secretary will read Calendar Number 1420.

It's on Supplemental Calendar 58B.

THE SECRETARY: Calendar Number 1420, by Senator Spano, Senate Print 5717, an act to amend the Labor Law.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Morahan.

SENATOR MORAHAN: If we could take the rest of the bills on that calendar in order, Mr. President.

ACTING PRESIDENT KUHL: The Secretary will read the rest of Calendar Number 58B, beginning with Calendar Number 1417, by Senator Stafford.

THE SECRETARY: Calendar Number 1417, by Senator Stafford, Senate Print 5700, an act to amend the Judiciary Law and the

Uniform City Court Act.

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

THE SECRETARY: Section 3. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2001.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1432, Senator Seward moves to discharge, from the Committee on Rules, Assembly Bill Number 6572A and substitute it for the identical Senate Bill Number 2675A, Third Reading Calendar 1432.

ACTING PRESIDENT KUHL: The substitution is ordered. The Secretary will read the title.

THE SECRETARY: Calendar Number 1432, by the Member of the Assembly Gantt, Assembly Print Number 6572A, an act to amend

the Vehicle and Traffic Law and the Insurance Law.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Lay the bill aside.

Senator Morahan.

SENATOR MORAHAN: Yes, Mr. President. If we could continue to read the calendar in order, starting with 1434.

ACTING PRESIDENT KUHL: The Secretary will read Calendar Number 1434.

For the benefit of the members, just so that you're clear, we read 1434 before, but the wrong bill was read. The right bill will now be read. So we'll continue on in order.

The Secretary will read Calendar Number 1434, by Senator Maltese.

THE SECRETARY: In relation to Calendar Number 1434, Senator Maltese moves to discharge, from the Committee on Rules, Assembly Bill Number 8381A and substitute it

for the identical Senate Bill Number 4256A, Third Reading Calendar 1434.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1434, by the Assembly Committee on Rules, Assembly Bill Number 8381A, an act to amend the General Municipal Law.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1435, by Senator Skelos, Senate Print 5613A, an act to amend the Real Property Tax Law.

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

THE SECRETARY: Section 7. This

act shall take effect immediately.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: Calendar Number 1437, by the Senate Committee on Rules, Senate Print Number 5722, an act to amend the Insurance Law.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Morahan, that completes the noncontroversial and controversial reading of Supplemental Calendar 58B.

SENATOR MORAHAN: Thank you, Mr.

President. I ask now that the Senate stand at ease until 11:50 this evening.

ACTING PRESIDENT KUHL: The Senate will stand at ease for approximately fifty minutes, till 11:50, when we will reconvene.

(Whereupon, the Senate stood at ease at 10:56 p.m.)

(Whereupon, the Senate reconvened at 11:44 p.m.)

ACTING PRESIDENT KUHL: The Senate will come to order.

Senator Skelos.

SENATOR SKELOS: Thank you, Mr. President. If the members could find their way back into the chamber, we'd like to start a couple of minutes early so that we can complete at a reasonable hour this evening. So if the members could come in.

And we will be reviewing the bills on Senate Calendar Number 59.

ACTING PRESIDENT KUHL: For the benefit of the members who can hear us, the request from the Majority Leader is to come to the chamber so that we can commence a couple

of minutes before the 11:50 reconvening, prepared to take up Calendar Number 59, which is on all of the members' desks.

The Senate will come to order. Members please take their places, staff find their places.

Senator Skelos.

SENATOR SKELOS: Mr. President, if we could call up Calendar Number 59.

ACTING PRESIDENT KUHL: The Secretary will read Calendar Number 59, in order.

THE SECRETARY: In relation to Calendar Number 1438, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9334 and substitute it for the identical Senate Bill Number 5723, Third Reading Calendar 1438.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1438, by the Assembly Committee on Rules, Assembly Print Number 9334, an act making an appropriation.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1439, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9335 and substitute it for the identical Senate Bill Number 5724, Third Reading Calendar 1439.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1439, by the Assembly Committee on Rules, Assembly Print Number 9335, an act making an appropriation.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1440, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9336 and substitute it for the identical Senate Bill Number 5725, Third Reading Calendar 1440.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1440, by the Assembly Committee on Rules, Assembly Print Number 9336, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1441, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9337 and substitute it for the identical Senate Bill Number 5726, Third Reading Calendar 1441.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1441, by the Assembly Committee on Rules, Assembly Print Number 9337, an act making an appropriation.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1442, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9338 and substitute it for the identical Senate Bill Number 5727, Third Reading Calendar 1442.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1442, by the Assembly Committee on Rules, Assembly Bill Number 9338, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1443, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9339 and substitute it for the identical Senate Bill Number 5728, Third Reading Calendar 1443.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1443, by the Assembly Committee on Rules, Assembly Print Number 9339, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1444, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9340 and substitute it for the identical Senate Bill Number 5729, Third Reading Calendar 1444.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1444, by the Assembly Committee on Rules, Assembly Print Number 9340, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1445, Senator Stafford moves

to discharge, from the Committee on Finance, Assembly Bill Number 9341 and substitute it for the identical Senate Bill Number 5730, Third Reading Calendar 1445.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1445, by the Assembly Committee on Rules, Assembly Print Number 9341, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1446, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9342 and substitute it

for the identical Senate Bill Number 5731, Third Reading Calendar 1446.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1446, by the Assembly Committee on Rules, Assembly Print Number 9342, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1447, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9343 and substitute it for the identical Senate Bill Number 5732, Third Reading Calendar 1447.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1447, by the Assembly Committee on Rules, Assembly Print Number 9343, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1448, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9344 and substitute it for the identical Senate Bill Number 5733, Third Reading Calendar 1448.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1448, by the Assembly Committee on Rules, Assembly Print Number 9344, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1449, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9345 and substitute it for the identical Senate Bill Number 5734, Third Reading Calendar 1449.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number

1449, by the Assembly Committee on Rules, Assembly Print Number 9345, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1450, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9346 and substitute it for the identical Senate Bill Number 5735, Third Reading Calendar 1450.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1450, by the Assembly Committee on Rules, Assembly Print Number 9346, an act making an

appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1451, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9347 and substitute it for the identical Senate Bill Number 5736, Third Reading Calendar 1451.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1451, by the Assembly Committee on Rules, Assembly Print Number 9347, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the

last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1452, Senator Stafford moves discharge, from the Committee on Finance, Assembly Bill Number 9349 and substitute it for the identical Senate Bill Number 5738, Third Reading Calendar 1452.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1452, by the Assembly Committee on Rules, Assembly Print Number 9349, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1453, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9350 and substitute it for the identical Senate Bill Number 5739, Third Reading Calendar 1453.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1453, by the Assembly Committee on Rules, Assembly Bill Number 9350, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1454, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9351 and substitute it for the identical Senate Bill Number 5740, Third Reading Calendar 1454.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1454, by the Assembly Committee on Rules, Assembly Print Number 9351, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1455, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9352 and substitute it for the identical Senate Bill Number 5741, Third Reading Calendar 1455.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1455, by the Assembly Committee on Rules, Assembly Print Number 9352, an act making an appropriation.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill

is passed.

THE SECRETARY: In relation to Calendar Number 1456, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9353 and substitute it for the identical Senate Bill Number 5742, Third Reading Calendar 1456.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1456, by the Assembly Committee on Rules, Assembly Print Number 9353, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to

Calendar Number 1457, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9354 and substitute it for the identical Senate Bill Number 5743, Third Reading Calendar 1457.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1457, by the Assembly Committee on Rules, Assembly Print Number 9354, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1458, Senator Stafford moves to discharge, from the Committee on Finance,

Assembly Bill Number 9355 and substitute it for the identical Senate Bill Number 5744, Third Reading Calendar 1458.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1458, by the Assembly Committee on Rules, Assembly Print Number 9355, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1459, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9356 and substitute it for the identical Senate Bill Number 5745,

Third Reading Calendar 1459.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1459, by the Assembly Committee on Rules, Assembly Print Number 9356, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1460, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9357 and substitute it for the identical Senate Bill Number 5746, Third Reading Calendar 1460.

ACTING PRESIDENT KUHL: The

substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1460, by the Assembly Committee on Rules, Assembly Print Number 9357, an act making an appropriation.

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

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1461, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9358 and substitute it for the identical Senate Bill Number 5747, Third Reading Calendar 1461.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1461, by the Assembly Committee on Rules, Assembly Print Number 9358, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1462, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9359 and substitute it for the identical Senate Bill Number 5748, Third Reading Calendar 1462.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1462, by the Assembly Committee on Rules,

Assembly Print Number 9359, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1463, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9360 and substitute it for the identical Senate Bill Number 5749, Third Reading Calendar 1463.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1463, by the Assembly Committee on Rules, Assembly Print Number 9360, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1464, Senator Stafford moves to discharge, from the Committee on Finance. Assembly Bill Number 9361 and substitute it for the identical Senate Bill Number 5750, Third Reading Calendar 1464.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1464, by the Assembly Committee on Rules, Assembly Print Number 9361, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1465, Senator Stafford moves to discharge, from the Committee on Finance. Assembly Bill Number 9362 and substitute it for the identical Senate Bill Number 5751, Third Reading Calendar 1465.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1465, by the Assembly Committee on Rules, Assembly Print Number 9362, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1466, Senator Stafford moves to discharge, from the Committee on Finance. Assembly Bill Number 9363 and substitute it for the identical Senate Bill Number 5752, Third Reading Calendar 1466.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1466, by the Assembly Committee on Rules, Assembly Print Number 9363, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1467, Senator Stafford moves to discharge, from the Committee on Finance, Assembly Bill Number 9364 and substitute it for the identical Senate Bill Number 5753, Third Reading Calendar 1467.

ACTING PRESIDENT KUHL: The substitution is ordered.

The Secretary will read the title.

THE SECRETARY: Calendar Number 1467, by the Assembly Committee on Rules, Assembly Print Number 9364, an act making an appropriation.

ACTING PRESIDENT KUHL: Read the last section.

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

ACTING PRESIDENT KUHL: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT KUHL: The bill is passed.

Senator Bruno.

SENATOR BRUNO: Mr. President, I would move, without objection, that we stand adjourned until August 3rd at 12:14 a.m.

ACTING PRESIDENT KUHL: Without objection, the Senate stands adjourned until August 3rd at 12:14 a.m.

(Whereupon, at 12:14 a.m., the Senate adjourned.)