NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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3:15 p.m.

REGULAR SESSION

LT. GOVERNOR MARY O. DONOHUE, President

STEVEN M. BOGGESS, Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will please come to order.

I ask everyone present to please stand and repeat with me the Pledge of Allegiance.

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

THE PRESIDENT: With us this afternoon to give the invocation is Rabbi Nachman Simon, from Chabad-Lubavitch of the Capital District, in Delmar.

RABBI SIMON: Today marks the New Year for Trees, the Jewish Arbor Day.

In the middle of the winter, when the trees are barren and the grass is covered with snow, we remember the past, when the foliage fully bloomed and the land was covered with green. We also look forward to the future, when spring will arrive and the trees will begin to bud.

The fact that the New Year for Trees usually occurs in the midst of cold and frost is symbolic of our situation. The world lies stunned and dormant from the events from

last September. Even though we remember the sweet memories of peace and calm, we must also look forward to the future, towards a better tomorrow.

The Lubavitcher Rebbe always stressed that when problems occur, it is in order for us to rise above the challenges and find better ways to combat evil. Also, after we are given the opportunity to uplift ourselves, it is not sufficient to return in our former situation, but to make improvements for ourselves and for everyone around us.

May it be the will of the Almighty that He help each and every one of us to help the people of New York State and to make the world better for everyone.

May this be the last preparation needed before the arrival of the Moshiach, the Messiah, speedily in our days, and let us all say amen.

THE PRESIDENT: Reading of the Journal.

THE SECRETARY: In Senate, Sunday, January 27, the Senate met pursuant to adjournment. The Journal of Saturday,

January 26, was read and approved. On motion, Senate adjourned.

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

Senator Skelos.

SENATOR SKELOS: Madam President, there will be an immediate meeting of the Alcoholism and Drug Abuse Committee in the Majority Conference Room.

THE PRESIDENT: There will be an immediate meeting of the Alcoholism and Drug Abuse Committee in the Majority Conference Room.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

The Secretary will read.

THE SECRETARY: Senator Volker, from the Committee on Codes, reports the following bills:

Senate Print 66, by Senator Velella, an act to amend the Criminal Procedure Law;

85, by Senator Skelos, an act to amend the Civil Rights Law;

95, by Senator Maltese, an act to amend the Penal Law;

205, by Senator Volker, an act to amend the Criminal Procedure Law;

490, by Senator Marcellino, an act to amend the Penal Law;

1694A, by Senator Volker, an act to amend the Criminal Procedure Law;

2617A, by Senator Rath, an act to amend the Penal Law;

3499A, by Senator Wright, an act to amend the Criminal Procedure Law;

3644, by Senator Rath, an act to amend the Penal Law;

4327, by Senator Volker, an act to amend the Criminal Procedure Law;

4512, by Senator Johnson, an act to amend the Criminal Procedure Law;

5313, by Senator Volker, an act to amend the Penal Law and the Correction Law;

And 5653, by Senator Volker, an act to amend the Penal Law and others.

Senator Saland, from the Committee

on Children and Families, reports:

Senate Print 1447, with amendments, by Senator Meier, an act to amend the Domestic Relations Law;

2683A, by Senator Skelos, an act to amend the Family Court Act;

3434, by Senator Saland, an act to amend the Domestic Relations Law;

4231, by Senator Saland, an act to amend the Family Court Act; and

4899A, by Senator Saland, an act to amend the Social Services Law.

All bills ordered direct to third reading.

THE PRESIDENT: Without objection, all bills reported direct to third reading.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Farley.

SENATOR FARLEY: Thank you, Madam President.

I move that the following bills be

discharged from their respective committees and be recommitted with instructions to strike the enacting clause:

On behalf of Senator Libous, Senate 5483;

On behalf of Senator Maltese, 6104;

And on behalf of me, Senator Farley, 1993, 3792A, 4638, and 4746A.

Madam President, on page 8 I offer the following amendments to Calendar Number 56, Senate Print 2512A, and I ask that that bill retain its place on the Third Reading Calendar. That's on behalf of Senator McGee.

On behalf of Senator Rath, on page 4 I offer the following amendments to Calendar 7, Senate Print 1450, and I ask that that bill retain its place.

On behalf of Senator Johnson, on page 8, Calendar Number 63, Senate Print 5260, I ask that that bill retain its place also.

THE PRESIDENT: The bills are so amended, hearing no objection, and they will also retain their place on the Third Reading Calendar.

And on your initial motion,

Senator, the enacting clauses will be stricken.

SENATOR FARLEY: Thank you.

THE PRESIDENT: Senator Skelos.

SENATOR SKELOS: Madam President, if we could go to the noncontroversial calendar.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 22, by Senator LaValle, Senate Print 1422, an act to amend the General Municipal Law, in relation to granting.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 54.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 24, by Senator Seward, Senate Print 2131, an act to amend the Town Law, in relation to

permitting.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 54.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 27, by Senator McGee, Senate Print 3560, an act to amend the General Municipal Law, in relation to enhancing.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 2. This act shall take effect 180 days.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 54.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 29, by Senator Rath, Senate Print 4095, an act

to amend the Local Finance Law, in relation to statutory installment bonds.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 54.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 40, by Senator Marcellino, Senate Print 806, an act to amend the Environmental Conservation Law, in relation to management.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 44, by Senator Maltese, Senate Print 1841, an act to amend the Environmental Conservation Law, in relation to penalties.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 64, by Senator Skelos

SENATOR SKELOS: Lay it aside for the day, please.

THE PRESIDENT: The bill is laid aside for the day.

Senator Skelos, that completes the reading of the noncontroversial calendar.

SENATOR SKELOS: Yes. Madam President, if we could stand at ease.

THE PRESIDENT: The Senate stands at ease, Senator.

(Whereupon, the Senate stood at ease at 3:25 p.m.)

THE PRESIDENT: Senator Malcolm Smith.

SENATOR MALCOLM SMITH: Yes, thank you, Madam President.

I know the rules of the Senate do not allow this, but if it was such and it did allow it, I would have, if I could have, recognized Richard Altabe, who is a gentleman in my district who runs the Yeshiva Darchei Torah school and represents most of the yeshivas in my area, which represents close to 3,000 students.

Unfortunately, I know that the Senate doesn't allow me to acknowledge his presence as he sits in the gallery today, so I will not do so. And I would so, if I could have.

Thank you.

THE PRESIDENT: And, as usual, done so with shrewdness and aplomb, Senator.

Senator Alesi.

SENATOR ALESI: Thank you, Madam President.

THE PRESIDENT: You're welcome.

SENATOR ALESI: I very much understand Senator Smith's dismay at not being able to introduce his guest according to the rules of the Senate, simply because I have three county legislators here from the County of Monroe: Pieter Smeenk, Bill Reilich, and Chief of Staff Jeff McCann.

If I were able to announce their presence, I would be happy to do so.

THE PRESIDENT: We're happy to cooperate with you on that, Senator Alesi.

Senator Skelos.

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

THE PRESIDENT: There will be an immediate meeting of the Rules Committee in the Majority Conference Room.

(Whereupon, the Senate reconvened at 3:34 p.m.)

THE PRESIDENT: The Senate will please come to order.

Senator Skelos.

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

THE PRESIDENT: Reports of standing committees.

The Secretary will read.

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

Senate Print 6119, by Senator Maltese, an act to amend the Education Law;

And Senate Print 6263, by Senator Skelos, an act to amend the Correction Law.

Both bills ordered direct to third reading.

THE PRESIDENT: Senator Skelos.

SENATOR SKELOS: Move to accept the report of the Rules Committee.

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The report is accepted.

Senator Skelos.

SENATOR SKELOS: Madam President, there will be an immediate meeting of the Transportation Committee in the Majority Conference Room.

THE PRESIDENT: There will be an immediate meeting of the Transportation Committee in the Majority Conference Room.

Senator Skelos.

SENATOR SKELOS: Madam President, at this time if we could take up Senate 6263.

THE PRESIDENT: The Secretary will read Senate 6263.

THE SECRETARY: Calendar Number 84, by Senator Skelos, Senate Print 6263, an act to amend the Correction Law, in relation to the registration of sex offenders.

THE PRESIDENT: Senator Skelos.

SENATOR SKELOS: Madam President, is there a message at the desk?

THE PRESIDENT: Yes, there is, Senator Skelos.

SENATOR SKELOS: Move to accept.

THE PRESIDENT: All those in favor of accepting the message of necessity signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The message is accepted.

Read the last section.

THE SECRETARY: Section 27. This act shall take effect immediately.

THE PRESIDENT: Call the roll.

SENATOR DOLLINGER: Madam President.

THE PRESIDENT: Senator Dollinger.

SENATOR DOLLINGER: I believe Senator Paterson asked for an explanation.

THE PRESIDENT: Senator Skelos, an explanation has been requested.

SENATOR SKELOS: Madam President, in November 2001 the state was informed that we had not complied with federal law, which could result in the loss of 10 percent of our

Byrne money grant of about $3 million.

By passing this bill, New York State will be in full compliance with federal mandates concerning the so-called Megan's Law.

THE PRESIDENT: Senator Paterson.

SENATOR PATERSON: Madam President, if Senator Skelos would yield for a question.

THE PRESIDENT: Senator, will you yield for a question?

SENATOR SKELOS: Yes.

THE PRESIDENT: Senator Skelos yields, Senator.

SENATOR PATERSON: Senator, I just noticed that there are a number of provisions in this bill. And I want to know if all of the provisions in this bill fall under the federal requirements.

SENATOR SKELOS: Yes, they do.

SENATOR PATERSON: Okay. Thank you very much, Madam President.

THE PRESIDENT: Senator Dollinger.

SENATOR DOLLINGER: Madam President, just to be heard on the bill.

I voted in favor of this in the Rules Committee, and I will vote in favor of it on the floor. But this issue came up in the Codes Committee in front of Senator Volker today, the question of requiring compliance with the registration by those who have been adjudicated as number-three or Level 3 offenders.

In our community in Rochester, in the neighborhood groups that have dealt with this issue, we have run into a problem because the police have informed us that they don't have a leverage to get Class 3 offenders to register consistent with the law.

The law requires that if they change their residence, for example, they must reregister. It can require, in certain cases, that they reregister or contact the police at periodic times in order to notify them that they're maintaining their current address.

What we have been told, what I have been told in a number of neighborhood meetings, by the officers in charge of sex offender registry compliance in the city of Rochester, is that the current penalty of a

misdemeanor is not sufficient to obtain compliance with offenders' obligation to register and notify the police of an address change.

I've talked with Senator Volker about a change that would raise the penalty for noncompliance with the strict requirements of registration from a Class A misdemeanor to a Class D felony, so that these offenders would have a further incentive to comply with the registration requirements.

Otherwise, what happens, Madam President, is that the registration requirement ends up as somewhat illusory, because offenders don't register. The police are attempting to enforce them under a misdemeanor penalty, they don't comply.

Oftentimes, in the first offense, what they will do is simply plead to an ACD with an assurance of compliance in the future, and as a consequence we don't get their attention.

It seems to me that it's been a problem in Rochester. My guess is it's a problem throughout the rest of the state. I

think what we need to do is, if the sex offender registry is really going to work, we need to increase the penalties for noncompliance so that everyone who is on the list who's designated as a Level 3 offender, the most serious form of offender, will get a clear message that when we say "Register and comply with the dictates of the registry," it absolutely must be done, or, frankly, they'll go back to jail.

That's the only way I can see to do it. The City of Rochester Police Department has recommended that.

And I would urge that -- I'm going to vote in favor of this bill, but my hope is that this issue will not die and that eventually in the Codes Committee this year we'll get compliance and increase the penalty to a felony.

I congratulate Senator Skelos, who I know has worked on the sex offender registry since their initiation here in the state, that now we're going to be in full compliance with the federal government. And my hope is that we'll get to that next step of increasing

penalties as well.

Thank you.

SENATOR SKELOS: Madam President, if I could, I'll take a deep breath and say I agree with Senator Dollinger.

(Laughter.)

SENATOR SKELOS: When we originally introduced, again, Megan's Law, we sought to have a felony penalty for failure to comply. The Assembly felt a misdemeanor, A misdemeanor, would be more appropriate. We wanted to get the bill passed.

I should point out a second offense is a D felony.

THE PRESIDENT: Does any other member wish to be heard?

Then the debate is closed.

Read the last section.

THE SECRETARY: Section 27. This act shall take effect immediately.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 2. Senators Duane and Montgomery recorded in the negative.

THE PRESIDENT: The bill is passed.

Senator Skelos.

SENATOR SKELOS: Madam President, would you please take up Senate 6119, by Senator Maltese.

THE PRESIDENT: The Secretary will read Senate 6119, by Senator Maltese.

THE SECRETARY: Calendar Number 83, by Senator Maltese, Senate Print 6119, an act to amend the Education Law, in relation to extending.

SENATOR HEVESI: Explanation.

THE PRESIDENT: Senator Maltese, an explanation has been requested by Senator Hevesi.

SENATOR MALTESE: Madam President, this bill has been drawn up at the request of the New York City Board of Elections, and both the Democratic executive director and the Republican deputy director, as well as the Democrat and the Republican commissioners.

And I think the best way to speak about the merits of the bill would be to quote

from the letter from Danny DeFrancesco, who is the executive director of the City Board. I'll paraphrase. But he is writing at the request of the board to postpone for one year the election of the members of the community school boards within the city of New York.

The election is presently scheduled for Tuesday, May 7th. In terms of elections, it's nigh upon us.

The board believes that a postponement of this election would be in the best interests of the citizens of New York because the board, as many people know, is in the downtown area and was very severely affected by being in close proximity to Ground Zero.

The board has performed admirably, not only the people in the New York City Board, but the members and the personnel in the boards of the five counties in New York City. The fact that many people felt that they would not be able to adequately handle the four elections -- the original primary that had been scheduled for that day of infamy, September 11th; the 9/25, which was

the postponement day; the Election Day in November; and the runoff election -- and all four were carried through with great efficiency.

The board feels that the holding of the school board election on May 7th would come right about the time that they would also be acting on the reapportionment for the city of New York. As all my esteemed colleagues know, we will be in the process of reapportioning for all legislative elections as well as Congressional elections.

The city of New York has over 5,000 election districts, and they will be -- the board will be called upon to work closely with their commissioners, their political commissioners, as well as all personnel, to draw the districts and prepare maps for petitioning.

The petitioning for the school board election is due to begin January 29th, which would on its face indicate the impossibility of being able to carry it out at the very same time they're preparing for reapportioning.

In addition, as a side note, at a time of very restricted and curtailment of services being contemplated, we have a situation where the school board election would cost $9 million. Now, to expend $9 million to $10 million -- and this estimate is provided by the New York City Board as well as their counsels.

So the other thing that -- the other point that the commissioners pointed out, at the last school board election, approximately 3 percent of the enrolled voters that are eligible to vote in the school board elections participated.

So the saving of money, the difficulty of carrying it out at the same time as reapportionment, the difficulties that the board would encounter, the proximity to the regular primary elections, all mandate that this be postponed.

In addition to the postponement, of course, all terms of the school board members would be extended for one year.

I have not received letters or communications from all the school boards, but

I have received communications from some of the school boards. No school board has indicated in any way any opposition to this bill. And as a matter of fact, the school boards that have communicated with us have indicated their support for this bill.

SENATOR HEVESI: Madam President.

THE PRESIDENT: Senator Hevesi.

SENATOR HEVESI: Thank you, Madam President. Would the sponsor please yield?

THE PRESIDENT: Senator Maltese, do you

SENATOR MALTESE: Yes.

THE PRESIDENT: He yields. You may proceed, Senator.

SENATOR HEVESI: Thank you. Through you, Madam President.

I understand the purpose of this legislation. I intend to support this legislation. And nobody disputes the reasoning or rationale behind the need for it.

My question is one of a more broad or more long-term public policy question, which is should we really be extending school board terms in consideration of practical

problems of implementation that probably could have been foreseen a number of years ago? I mean, we knew we were going to be in a reapportionment year this year and what have you.

So my question to you is, Senator, while this is necessary, what is your -- as the chair of the Senate Elections Committee, what's your vision as to where we're headed with school board elections, given the problems that I think most of us in this chamber recognize? Where are we headed with community school boards in New York City?

SENATOR MALTESE: Madam President, there is legislation being contemplated, of course, that would change, certainly, the prerogatives and responsibilities of the New York City Board of Education in the City of New York, and they range from outright abolition to turning all or most of the powers over to the mayor of the City of New York.

In addition, contemplated legislation contains provisions which would abolish the community school boards.

I think that in the intervening time between now and the Election Day for next year, the Senate Elections Committee, of which Senator Hevesi is a member, both Democrat and Republican, will be considering the future of community school boards, working together with the mayor of the City of New York and the City Council and their new speaker, Gifford Miller. So we'll be taking a serious look at this.

The shortness of time now meant that we, in agreement with the Assembly, would do this, enact this stopgap measure. At the same time, we are taking a serious look at all the ramifications of continuing school board elections, continuing the school boards, and continuing the Board of Education in its present shape or form.

SENATOR HEVESI: Thank you.

Madam President, on the bill.

THE PRESIDENT: You may proceed, Senator Hevesi, on the bill.

SENATOR HEVESI: Thank you. Very briefly, on the bill.

I'm appreciative of the sponsor's response to that question and hopeful that we

will in fact do that in the next year, "that" being really take under consideration what needs to be done for fixing a system that is so badly broken that you will find few advocates of it, to the extent to which we have come to the point where many individuals who used to have confidence in the necessity of a school board election for reasons of its implementation have now said: You know what? Forget it. Nobody shows up.

Which, by the way, is a problem that probably could have been remedied by having a system that wasn't so -- what's the right word? -- ridiculous that, to be honest with you, I will confess I don't really understand it, the system for electing community school board members.

That's actually not true. I understand it after somebody explains it to me for ten minutes, and then two months later I forget it again.

And we wonder why nobody shows up at the school board elections and why is it that we're holding school board elections in May and why we didn't have the foresight to

prevent holding these elections this particular year.

Having said that, the broader issue of whether or not, after the reforms that we made in 1996, which really took power justifiably, I believe, took power away from the local school boards, whether they serve a place or whether right now they serve merely to be a distraction to real issues of teaching in the classroom in the city of New York. And we alluded today during the joint fiscal committees, Senate Finance and Assembly Ways and Means Committee, to the problems of public school governance in New York City.

So I would suggest that in the next year at the very least, at the very least we remedy the election problems of the community school boards in New York City by holding them at the same time, by changing their structure and doing a number of things to make it easier to boost turnout and do a host of things that we need to do to make a process palatable if you're going to even have a system where you have community school boards, something I think really doesn't need to exist anymore in

New York City and something that I hope that the Senate and Assembly will take up this year.

The time has come both for the local community school boards and for the central Board of Education to be debated publicly and for action to be taken in terms of governance for the New York City public school system.

Thank you, Madam President.

THE PRESIDENT: Senator Dollinger.

SENATOR DOLLINGER: Just on the bill briefly, Madam President.

This bill affects elections a long ways away from Rochester, New York, that I represent. But I've participated in the debate about the community school boards in New York City simply because my view is that despite the practical problems -- and I agree there are practical problems, Senator Maltese, that drive this bill -- I just can't vote to postpone elections.

It seems to me that this is so antidemocratic in the sense that we have terms

of elections, we pass those terms, we create an expectation in the public that they'll be able to vote for people and change their choice and alter their choice on a regular basis.

I understand and appreciate the practical problems underlying this bill, but merely because for some reason things can't be processed fast enough to cover other important elections doesn't seem to me to be a sufficient justification to say we're going to postpone elections.

I don't mean to make any direct analogies, but I've always read in my lifetime that -- you read all those stories about those faraway places that were postponing elections and, every time they did, somebody in America would stand up and say, Well, gee, why are they doing that? What's wrong? Something must be wrong if they're postponing elections.

I would say if it's wrong to do in democracies in other parts of the world, it's not right to do even in New York City.

I appreciate and can understand and perhaps empathize with the practical problems,

but postponing elections just doesn't seem to me to be the right way to deal with it.

I'll vote no, Madam President.

THE PRESIDENT: Does any other member wish to be heard?

Senator Lachman.

SENATOR LACHMAN: Yes, Madam President, I'm going to vote yes on this bill.

Besides the technical problems we now have with the Board of Elections, I think a bill involving community school boards must be considered in an overall framework of the Board of Education of the City of New York.

And since the mayor and the City Council president today had certain recommendations at the Finance Committee hearing about this, I think it would be unwise to separate the two and vote yes or no on the two, because they are related to one another.

So without in any way discussing my opinions on the subject, I think unfortunately that won't be an election this year, but fortunately we'll be able to discuss the entire educational structure of the city of New York on this issue.

THE PRESIDENT: Does any other member wish to be heard?

Senator Stavisky.

SENATOR STAVISKY: I couldn't decide whether I wanted to say something.

I'm going to vote yes on this bill also. And I think it's important to remember -- I'm sorry, I was out of the chamber at a Transportation Committee meeting -- but approximately 3 percent of the voters come out to vote in school board elections. And this has to be part of the larger package, as Senator Lachman has said, of the whole question of school governance.

This is an issue which is crying out for change and for changes for the better. And so I think this has to be part of the package, and I vote yes.

THE PRESIDENT: Does any other member wish to be heard on this bill?

Then the debate is closed.

Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 2. Senators Dollinger and Duane recorded in the negative.

THE PRESIDENT: The bill is passed.

Senator Marcellino.

SENATOR MARCELLINO: Thank you, Madam President. May we now return to the reports of standing committees. I believe you have some committee reports to be read.

THE PRESIDENT: Reports of standing committees.

The Secretary will read.

THE SECRETARY: Senator McGee, from the Committee on Alcoholism and Drug Abuse, reports:

Senate Print 5476A, by Senator Fuschillo, an act to amend the Vehicle and Traffic Law and the Penal Law;

6120, by Senator Saland, an act to amend the Vehicle and Traffic Law.

Senator Trunzo, from the Committee on Transportation, reports:

Senate Print 763, by Senator

Trunzo, an act to amend the Vehicle and Traffic Law;

860, by Senator Balboni, an act to amend the Vehicle and Traffic Law;

1237A, with amendments, by Senator Trunzo, an act to amend the Vehicle and Traffic Law;

1854, by Senator Maltese, an act to amend the Vehicle and Traffic Law;

4388, by Senator Kuhl, an act to amend the Vehicle and Traffic Law;

4669, by Senator Trunzo, an act to amend the Vehicle and Traffic Law;

And 6264, by Senator Johnson, an act to amend the Vehicle and Traffic Law.

All bills ordered direct to third reading.

THE PRESIDENT: Without objection, all bills ordered direct to third reading.

Senator Marcellino.

SENATOR MARCELLINO: Madam President, is there any housekeeping at the desk?

THE PRESIDENT: No, there isn't,

Senator.

SENATOR MARCELLINO: Therefore, at this time, Madam President, on behalf of Senator Bruno, I hand up the following committee changes and ask that they be filed in the Journal.

THE PRESIDENT: The committee changes are received, and they will be filed in the Journal, Senator.

Senator Dollinger.

SENATOR DOLLINGER: Madam President, I believe the Minority Leader, Senator Connor, has handed up to the desk a series of changes in the leadership positions in the Democratic conference. I'd ask that those be filed as part of the records of the Senate.

THE PRESIDENT: They have been received and will be filed in the Journal.

Senator Marcellino.

SENATOR MARCELLINO: Madam President, at this time, there being no further business before the house, I move we adjourn until Tuesday, January 29th, at 11:00 a.m.

THE PRESIDENT: On motion, the Senate stands adjourned until Tuesday, January 29th, at 11:00 a.m.

(Whereupon, at 3:57 p.m., the Senate adjourned.)