NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 1, 2003

12:10 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 each 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, April 30, the Senate met pursuant to adjournment. The Journal of Tuesday, April 29, was read and approved. On motion, Senate adjourned.

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

Senator Skelos.

SENATOR SKELOS: Mr. President,

there will be an immediate meeting of the Rules Committee in the Majority Conference Room.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Fuschillo.

SENATOR FUSCHILLO: Thank you, Mr. President. On behalf of Senator McGee, please place a sponsor's star on Calendar Number 414.

ACTING PRESIDENT MEIER: So ordered.

SENATOR FUSCHILLO: Mr. President, I wish to call up Senate Print Number 4864, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT MEIER: The Secretary will read.

THE SECRETARY: Calendar Number 596, by the Assembly Committee on Rules, Senate Print Number 4864, an act to amend the Tax Law.

ACTING PRESIDENT MEIER: Senator Fuschillo.

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

ACTING PRESIDENT MEIER: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 37.

ACTING PRESIDENT MEIER: Senator Fuschillo.

SENATOR FUSCHILLO: I now offer the following amendments.

ACTING PRESIDENT MEIER: The amendments are received and adopted.

Senator Fuschillo.

SENATOR FUSCHILLO: Mr. President, on behalf of Senator Kuhl, on page number 37 I offer the following

amendments to Calendar Number 255, Senate Print Number 2308, and ask that said bill retain its place on Third Reading Calendar.

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

Senator Fuschillo.

SENATOR FUSCHILLO: Mr. President, on behalf of Senator Spano, on page number 30 I offer the following amendments to Calendar Number 431, Senate Print Number 3129, and ask that said bill retain its place on Third Reading Calendar.

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

Senator Fuschillo.

SENATOR FUSCHILLO: Mr. President, on behalf of Senator Little, I move the following bill on the order of second report be committed to the Committee on Finance: Senate Print Number 2625A, Calendar Number 542.

ACTING PRESIDENT MEIER: So ordered.

Thank you, Senator.

Senator Alesi.

SENATOR ALESI: Are there any substitutions at the desk?

ACTING PRESIDENT MEIER: We have one, Senator.

The Secretary will read the substitution.

THE SECRETARY: On page 4, Senator Morahan moves to discharge, from the Committee on Elections, Assembly Bill Number 7229 and substitute it for the identical Senate Bill Number 4143, First Report Calendar 589.

ACTING PRESIDENT MEIER: Substitution ordered.

Senator Alesi.

SENATOR ALESI: Mr. President, may we stand at ease pending the return of the Rules Committee.

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

(Whereupon, the Senate stood at ease at 12:14 p.m.)

(Whereupon, the Senate reconvened at 12:15 p.m.)

SENATOR ALESI: Mr. President.

ACTING PRESIDENT MEIER: Senator Alesi.

SENATOR ALESI: Mr. President, if we can return to reports of standing committees, I believe there is a report from the Rules Committee at the desk.

ACTING PRESIDENT MEIER: Reports of standing committees.

The Secretary will read.

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

Senate Print 4877, by the Senate Committee on Rules, an act to amend the Social Services Law.

ACTING PRESIDENT MEIER: Without objection, direct to third reading.

Senator Alesi.

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

ACTING PRESIDENT MEIER: Sorry, I jumped the gun on you, Senator Alesi.

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

(Response of "Aye.")

ACTING PRESIDENT MEIER: Those opposed, nay.

(No response.)

ACTING PRESIDENT MEIER: The report of the Rules Committee is accepted.

Senator Alesi.

SENATOR ALESI: Mr. President, if we can bring Senate Bill 4877 and open up the roll for anyone who wishes to vote on it at this time.

ACTING PRESIDENT MEIER: The Secretary will read.

THE SECRETARY: Calendar Number 599, by the Senate Committee on Rules, Senate Print Number 4877, an act to amend the Social Services Law, in relation to medical assistance exclusion.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MEIER: Order in the chamber.

Senator Alesi.

SENATOR ALESI: Thank you, Mr. President. Now that we have so many members present, for clarification, we opened the roll call only so certain members could vote, and then we will be withdrawing the roll call.

ACTING PRESIDENT MEIER: Would those members who wish to vote now, prior to the roll call being withdrawn, indicate by raising your hand. You'll be recognized one at a time.

SENATOR CONNOR: Mr. President, point of order. It's always been done as a slow roll call when members have to leave. That's how you get to record them, set it aside and finish the slow roll call later on, Mr. President.

ACTING PRESIDENT MEIER: Senator,

in terms of your point of order, the members are voting individually.

SENATOR CONNOR: Right. They have to call the individual names out.

ACTING PRESIDENT MEIER: Well, Senator, that's what -- Senator, if you don't mind, I'm presiding right now, and that's what I'm going to do.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes.

ACTING PRESIDENT MEIER: Senator Wright.

SENATOR WRIGHT: Aye.

ACTING PRESIDENT MEIER: Senator Nozzolio.

SENATOR NOZZOLIO: Mr. President, I wish to be recorded in the affirmative. Aye.

ACTING PRESIDENT MEIER: Senator Hoffmann.

SENATOR HOFFMANN: I wish to be recorded in the negative.

ACTING PRESIDENT MEIER: Senator Mendez.

SENATOR MENDEZ: No.

ACTING PRESIDENT MEIER: Senator Connor.

SENATOR CONNOR: Thank you, Mr. President. No.

ACTING PRESIDENT MEIER: Senator Smith.

SENATOR MALCOLM SMITH: No.

ACTING PRESIDENT MEIER: Senator Lachman.

SENATOR LACHMAN: No.

ACTING PRESIDENT MEIER: Senator Liz Krueger.

SENATOR LIZ KRUEGER: No. Thank you.

SENATOR ALESI: Mr. President, may we withdraw the roll call at this time and lay the bill aside temporarily.

ACTING PRESIDENT MEIER: The roll call is withdrawn.

The bill is laid aside temporarily.

Senator Alesi.

SENATOR ALESI: Thank you, Mr. President. May we stand at ease until 2:15 this afternoon.

ACTING PRESIDENT MEIER: The

Senate will stand at ease until 2:15 this afternoon.

(Whereupon, the Senate stood at ease at 12:20 p.m.)

(Whereupon, the Senate reconvened at 3:08 p.m.)

ACTING PRESIDENT MORAHAN: The Senate will please come to order.

Senator Skelos.

SENATOR SKELOS: If we could return to motions and resolutions, I believe there's some housekeeping at the desk.

ACTING PRESIDENT MORAHAN: We'll return to motions and resolutions.

Senator Farley.

SENATOR FARLEY: Thank you, Mr. President.

On behalf of Senator Hoffmann, Mr. President, I wish to call up her bill, Print Number 2127, which was recalled from the Assembly, which is now at the desk.

The Secretary will read the title.

ACTING PRESIDENT MORAHAN: The Secretary will read.

THE SECRETARY: Calendar Number

252, by Senator Hoffmann, Senate Print 2127, an act to amend the Public Officers Law.

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

ACTING PRESIDENT MORAHAN: The Secretary will call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

SENATOR FARLEY: Thank you, Mr. President. I now offer the following amendments.

ACTING PRESIDENT MORAHAN: The amendments are received.

Senator Bonacic.

SENATOR BONACIC: Thank you, Mr. President.

On behalf of Senator LaValle, I offer, on page 17, the following amendment to Calendar Number 151, Senate Print Number 924B, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT MORAHAN: The amendments are received, and the bill will

retain its place on the Third Reading Calendar.

Senator Skelos.

SENATOR SKELOS: Mr. President, can we go to the noncontroversial reading of the calendar, please.

ACTING PRESIDENT MORAHAN: The Secretary will read.

THE SECRETARY: Calendar Number 441, by Senator Skelos, Senate Print 2843, an act to amend Chapter 371 of the Laws of 2002.

ACTING PRESIDENT MORAHAN: Read the last section.

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

ACTING PRESIDENT MORAHAN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MORAHAN: Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT MORAHAN: The bill is passed.

THE SECRETARY: Calendar Number 445, by Senator LaValle, Senate Print 487, an

act to amend the Education Law, in relation to the disclosure of gifts.

ACTING PRESIDENT MORAHAN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of August.

ACTING PRESIDENT MORAHAN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MORAHAN: Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT MORAHAN: The bill is passed.

THE SECRETARY: Calendar Number 451, Senator Leibell, Senate Print 2360, an act to amend the Criminal Procedure Law, in relation to orders of recognizance or bail.

ACTING PRESIDENT MORAHAN: Read the last section.

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

ACTING PRESIDENT MORAHAN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MORAHAN: Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT MORAHAN: The bill is passed.

THE SECRETARY: Calendar Number 459, by Senator Volker, Senate Print 3506, an act to amend the Penal Law, in relation to trespassing in a motor vehicle.

ACTING PRESIDENT MORAHAN: Read the last section.

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

ACTING PRESIDENT MORAHAN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MORAHAN: Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT MORAHAN: The bill is passed.

THE SECRETARY: Calendar Number 460, by Senator Trunzo, Senate Print 3705, an

act to amend the Penal Law, in relation to prohibiting.

ACTING PRESIDENT MORAHAN: Read the last section.

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

ACTING PRESIDENT MORAHAN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MORAHAN: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MORAHAN: The bill is passed.

THE SECRETARY: Calendar Number 477, by Senator Maziarz, Senate Print 2627, an act to authorize the town of Newfane, Niagara County, to change the method of raising revenue.

ACTING PRESIDENT MORAHAN: Read the last section.

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

ACTING PRESIDENT MORAHAN: Call

the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MORAHAN: The bill is passed.

Senator Skelos.

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

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

The Secretary will continue to read.

THE SECRETARY: Calendar Number 479, by Senator Little, Senate Print 3818, an act to amend Chapter 719 of the Laws of 1980.

ACTING PRESIDENT MORAHAN: Read the last section.

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

ACTING PRESIDENT MORAHAN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MORAHAN: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MORAHAN: The bill is passed.

THE SECRETARY: Calendar Number 498, by Senator Robach, Senate Print 3905, an act to amend the Labor Law and the Workers' Compensation Law, in relation to prohibiting.

ACTING PRESIDENT MORAHAN: Read the last section.

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

ACTING PRESIDENT MORAHAN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MORAHAN: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MORAHAN: The bill is passed.

THE SECRETARY: Calendar Number 503, by Senator Fuschillo, Senate Print 1780, an act to amend Chapter 820 of the Laws of 1955.

ACTING PRESIDENT MORAHAN: Read the last section.

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

ACTING PRESIDENT MORAHAN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MORAHAN: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MORAHAN: The bill is passed.

Senator Hassell-Thompson.

SENATOR HASSELL-THOMPSON: Yes, Mr. President. I rise to request unanimous consent to be recorded in the negative on Calendar Number 414.

ACTING PRESIDENT MORAHAN: Senator, that was starred for today, so we didn't vote on it.

SENATOR HASSELL-THOMPSON: Okay. Thank you.

ACTING PRESIDENT MORAHAN: Somebody was thinking about you.

SENATOR SKELOS: Mr. President.

ACTING PRESIDENT MORAHAN: Senator Skelos.

SENATOR SKELOS: If we could go to Calendar Number 599 and have the last section read for the purposes of Senator Bonacic and Senator Andrews voting.

ACTING PRESIDENT MORAHAN: The Secretary will read.

THE SECRETARY: Calendar Number 599, by the Senate Committee on Rules, Senate Print 4877, an act to amend the Social Services Law.

ACTING PRESIDENT MORAHAN: Read the last section.

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

ACTING PRESIDENT MORAHAN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MORAHAN: Senator Bonacic.

SENATOR BONACIC: Mr. President, I'd like to be recorded in the negative on this vote, please.

ACTING PRESIDENT MORAHAN: You

will be so recorded, Senator.

SENATOR BONACIC: Thank you, Mr. President.

SENATOR SKELOS: Please recognize Senator Andrews.

ACTING PRESIDENT MORAHAN: Senator Andrews.

SENATOR ANDREWS: On this historic occasion, I want to vote the same way Senator Bonacic voted.

ACTING PRESIDENT MORAHAN: You will be recorded in the negative, Senator.

SENATOR ANDREWS: Thank you.

SENATOR SKELOS: Please withdraw the roll call.

ACTING PRESIDENT MORAHAN: The roll call is withdrawn.

The bill is laid aside.

Senator Golden, why do you rise?

SENATOR GOLDEN: I rise to vote aye on that bill, sir.

ACTING PRESIDENT MORAHAN: We have to call it up again.

Senator Skelos.

SENATOR SKELOS: Mr. President,

if we could go back to Calendar Number 599. And we have one more individual that would like to vote at this time.

ACTING PRESIDENT MORAHAN: The Secretary will read.

THE SECRETARY: Calendar Number 599, by the Senate Committee on Rules, Senate Print 4877, an act to amend the Social Services Law.

ACTING PRESIDENT MORAHAN: Read the last section.

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

ACTING PRESIDENT MORAHAN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MORAHAN: Senator Golden.

SENATOR GOLDEN: I vote aye, sir. Thank you.

SENATOR SKELOS: Withdraw the roll call.

ACTING PRESIDENT MORAHAN: Senator Golden will be recorded in the affirmative.

The roll call is withdrawn.

The bill is laid aside.

Senator Skelos.

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

ACTING PRESIDENT MORAHAN: The Secretary will read.

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

Senate Print 1401A, Senate Budget Bill, an act making appropriations for the support of government, legislature and judiciary budget.

And Senate Print 1404B, Senate Budget Bill, an act making appropriations for the support of government, in relation to appropriations made thereto, health and mental hygiene budget.

Both bills ordered direct to third reading.

ACTING PRESIDENT MORAHAN:

Without objection, both bills are ordered directly to third reading.

Senator Skelos.

SENATOR SKELOS: Mr. President, at this time if you could take up Calendar Number 597.

ACTING PRESIDENT MORAHAN: The Secretary will read.

THE SECRETARY: In relation to Calendar Number 597, Senator Johnson moves to discharge, from the Committee on Finance, Assembly Bill Number 2101A and substitute it for the identical Senate Bill Number 1401A, Third Reading Calendar 597.

ACTING PRESIDENT MORAHAN: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 597, Budget Bill, Assembly Print Number 2101A, an act making appropriations for the support of government.

ACTING PRESIDENT MORAHAN: Read the last section.

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

ACTING PRESIDENT MORAHAN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MORAHAN: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MORAHAN: The bill is passed.

THE SECRETARY: In relation to Calendar Number 598, Senator Johnson moves to discharge, from the Committee on Finance, Assembly Bill Number 2104B and substitute it for the identical Senate Bill Number 1404B, Third Reading Calendar 598.

ACTING PRESIDENT MORAHAN: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 598, Budget Bill, Assembly Print Number 2104B, an act making appropriations for the support of government.

SENATOR ONORATO: Explanation.

ACTING PRESIDENT MORAHAN: Senator Johnson, an explanation has been requested.

SENATOR JOHNSON: Mr. President, this bill includes a state shared Medicaid restoration of $1 billion to provide critical funding for hospitals, nursing homes, healthcare providers, a variety of other important health programs.

It restores $18.5 million to the Office of Mental Health to keep five psychiatric centers open, $11.8 million to restore funding for the Institute for Basic Research and the Office of Mental Retardation and Developmental Disabilities, and restores $6.4 million in funding for critical programs that serve senior citizens throughout our state.

Thank you.

ACTING PRESIDENT MORAHAN: Thank you, Senator Johnson.

Read the last section.

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

ACTING PRESIDENT MORAHAN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MORAHAN:

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MORAHAN: The bill is passed.

Senator Meier.

SENATOR MEIER: Senator Morahan, I'm sorry, I was called out of the chamber. Did we just vote on S1404B?

ACTING PRESIDENT MORAHAN: Yes.

SENATOR MEIER: I request unanimous consent to be recorded in the negative on 1404B.

ACTING PRESIDENT MORAHAN: Senator Meier will be recorded in the negative on Calendar 1404B, without objection -- Calendar Number 598.

Senator Duane.

SENATOR DUANE: Thank you, Mr. President. If I could have unanimous consent to be recorded in the negative on Calendar Number 459.

ACTING PRESIDENT MORAHAN: Without objection, Senator Duane will be recorded in the negative on Calendar 459.

Senator Skelos.

SENATOR SKELOS: Mr. President, if we could return to Calendar Number 599 at this time.

ACTING PRESIDENT MORAHAN: The Secretary will read.

THE SECRETARY: Calendar Number 599, by the Senate Committee on Rules, Senate Print Number 4877, an act to amend the Social Services Law, in relation to medical assistance exclusion.

SENATOR OPPENHEIMER: Explanation.

ACTING PRESIDENT MORAHAN: Senator Farley, an explanation has been requested.

SENATOR FARLEY: If there's anybody else that would like to explain it, feel free.

But let me just say, this is a bill that we pass every single year for the last twenty-some-odd, maybe 30 years or more. It's a bill that basically addresses Medicaid funding for abortion.

The Supreme Court of the United States has said that you cannot outlaw

abortion. We understand that. What this does is basically bring New York State into conformity with the other 43 states in the nation that say that you'll pay for abortions for rape, incest, and where the life or health of the mother is in jeopardy.

Now, I think this is rather significant that we pass this legislation, because every year this house has spoken to it. It is never even taken up on the Assembly floor, which is unfortunate.

There's a number of people in this chamber that vote for this bill that consider themselves pro-choice, such as Governor Pataki, when he was here, and so many others, but they feel that abortion is a personal and a private decision and public funds should not necessarily pay for elective abortions.

Poll after poll, including the New York Times poll, has addressed this. And the majority of people feel very deeply on this subject. And I respect the opinions of people. And myself, I happen to feel very strongly as far as life is concerned.

But I do want to recall the

statement, because many of you are new here, of a senator who served here for a number of years and who was a leader in this area, Senator Howard Nolan from Albany, who Senator Breslin took his place.

Senator Nolan used to always address this, and he addressed it, I thought, with a very poignant point of view. He says, "You know, I have a lot of poor people and a lot of affluent people in my district, and I have a lot of affluent people that come in and say, 'We need to provide these abortions for these poor women.'"

He says, "I have a lot of poor women that come into my office. They have problems with their rent, they have problems with this and with that." He says, "I try to help them. I've never had one of them come in and say, 'We need more abortions.'"

I think that really sends a message. There's a lot of groups in this area that -- Planned Parenthood -- that could pay for these elective abortions if they wish. I think as a taxpayer, and as so many of us, that we ought to come into conformity with the

rest of the nation and what the federal government says is the reality here, that we only pay for a poor women in an incident for rape, incest, or where the health or life of the mother is in danger.

You know, this is an issue that is very emotional with many people. It's always a slow roll call. I respect anybody's judgment in this area, no matter how you feel, and I would hope that you respect mine.

There's a lot of people that generally speak on this. I suppose you could mail in the things that you said last year. But in essence, what I ask is that you consider voting for this legislation because I think, particularly in this time of fiscal constraints, we could use the money. And it's a piece of legislation, in my judgment, whose time has come.

In 1994, a poll by the Journal of American Medical Association found that 69 percent of Americans opposing abortion coverage in any healthcare reform package. And of course we do provide that also.

But basically, I think that this

legislation is reasonable, it's modest, and it's something that is supported by a number of people. And I urge its passage.

ACTING PRESIDENT MORAHAN: Thank you, Senator.

Senator Oppenheimer.

SENATOR OPPENHEIMER: Thank you, Senator Farley, for your moderate approach to this issue.

And actually I would like to just correct one figure that my colleague offered, when you said that 43 states are prohibiting state funding for choice, state Medicaid funding. Actually, just to be specific, it's 32 states. The other states are providing state Medicaid funding.

ACTING PRESIDENT MORAHAN: Senator Farley, do you wish to respond?

SENATOR FARLEY: I could name them for you.

SENATOR OPPENHEIMER: I will give this to you afterwards.

SENATOR FARLEY: Okay. 42.

SENATOR OPPENHEIMER: I'd like to speak on the bill, if I may.

ACTING PRESIDENT MORAHAN:

Senator Oppenheimer, on the bill.

SENATOR OPPENHEIMER: And as Senator Farley has said, many of us do feel that all women, irrespective of their wealth, should have access to a medically safe and a legal abortion. And that's why we support this bill. And the majority of people in New York State have been found to support this thinking.

New York State did take very bold, bold steps, because we believed this, in 1970. And at that time, poor women were suffering disproportionately very high maternal and infant losses both. There were a great deal of deaths due to illegal abortions and high-risk, very closely spaced pregnancies.

But New York has protected reproductive freedom for its poorest women ever since then, and we've done it through the state Medicaid funding for abortion, as the federal funding cannot go towards that.

You know, today we hear a great deal about early detection, early intervention in our healthcare, because we recognize that

early identification is going to mean less costly procedures, less complicated procedures, and provide for better health for the patient. And the fact is that many women are delaying abortion because they don't have the money to pay for the procedure.

A study by the Kaiser Family Foundation Report reveals that almost half the women who obtain abortions after 15 weeks of pregnancy were delayed by problems in obtaining the services or raising the money or finding or getting a provider.

Abortion after the first trimester of pregnancy is more complicated and is more expensive, and there are far fewer providers who will perform the procedure. And poor women who are able to raise the money needed for this abortion do it at a great sacrifice to themselves and to their families, very often having to do without funds for food, for clothing, paying the rent.

And if you're looking to compare the people, the Medicaid recipients and the non-Medicaid-eligible women who are looking to abortion for their -- to resolve this problem,

60 percent of Medicaid recipients say that they're paying for the abortion but that it is entailing very serious hardships. Whereas the non-Medicaid-eligible women, only 26 percent of them said that it was a serious financial hardship for them. So clearly it is the poor women who are suffering if we cannot provide them with this Medicaid funding.

The time it takes to raise the money for an abortion increases the delay between when you decide to have an abortion and when you, the woman, actually are having the procedure done. And this problem was focused on by the Alan Guttmacher Institute, which found that Medicaid-eligible women wait an average of two to three weeks longer than other women to have the abortion.

And the cost of the abortion of course increases the longer that a woman waits. While the average cost of a first trimester, non-hospital abortion in 1997 -- that's the last time we have these figures -- was a little over $300, the charge jumped to a bit over $600 at 16 weeks of gestation. And the charge then more than tripled to over

$1,100 at twenty weeks.

So it's more costly. And of course we all know it's a more serious procedure as time goes on. And there are health implications the longer the delay.

This house really should be proud of the historic work it did many years ago, and it has done, to ensure that the health of all women is protected. And I think it would be sad and shameful to turn back the clock and to turn our backs on poor women. And I believe it would be violating our responsibilities under Article 17 of our State Constitution, which says that we should provide aid, care, and support of the needy.

So I would urge all my colleagues to vote against this. It's in the best tradition of our state.

ACTING PRESIDENT MORAHAN: Senator Stavisky.

SENATOR STAVISKY: Thank you, Mr. President.

As surely as May arrives, we have another perennial; in addition to our Tulip Festival, we have the Medicaid funding for

abortion. And this is indeed a perennial bill which surfaces each year.

I agree with Senator Farley, this is not a choice issue. It's an economic issue. And it's an economic issue because we are denying a procedure to somebody because they are poor. We're denying a procedure to them because they can't afford medical care.

I think that's wrong, and I urge my colleagues to vote no.

Thank you, Mr. President.

ACTING PRESIDENT MORAHAN: Thank you, Senator.

Senator Montgomery.

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

I would just like to respond to one of the issues that Senator Farley raised with regard to how many poor women come into a legislator's office and request anything. I would really be very surprised if many poor women came into a legislative office to ask for anything. Because they generally don't, unfortunately.

So that is not any indication that

I can use to assume that poor women are not interested in access to healthcare. And, right, it's a private issue for them, they feel. Thank you.

In addition, Mr. President, I want to just say to Senator Farley and my colleagues that I know that this is a very highly tinged emotional issue, the question of whether or not a woman has a right to services that lead to abortion. I think even the question of whether or not women have a right to full and complete reproductive services is even a question.

But the fact of the matter is that is not the question before us. And so since we are not arguing that right -- because the New York State Constitution allows it, the U.S. Supreme Court decision has allowed it. And so we're not really arguing whether or not we have the right. Some of us obviously are arguing what we believe should be the right or should not be. But certainly that is not the question.

The question is simply will we deny equal access to all reproductive services for

every woman in the state. That's the question before us. And so whether or not we agree with what the service should be, we all agree, I believe, that it is a constitutional right for every woman to have equal access.

And since we provide -- we try, we attempt to, we wish to provide access to health services to all of our citizens, to whatever extent possible, and since reproductive rights is a right of every citizen, even men have it, and hopefully we want to maintain the same right to every woman in our state.

So I hope that my colleagues who are voting today are voting based on your understanding of whether or not you agree that all women, no matter their income, should have the same rights to the same health services, the same level of healthcare as every other woman. That's simply the question.

And, Mr. President, I certainly will be opposing this legislation.

ACTING PRESIDENT MORAHAN: Thank you, Senator Montgomery.

Is there any other Senator wishing

to be heard on this bill?

Senator Meier.

SENATOR MEIER: Thank you, Mr. President. Just briefly.

This is a matter that I think a lot of people bring great emotion to when we debate it. And it is an issue that I've risen to talk about on many other occasions.

The perspective that those who vote in favor of this come from is that we are dealing with a human life that deserves to be respected and protected from that moment. That is a point of view that not everyone shares. That is a point of view about which reasonable people and people of goodwill can differ.

But the motivation that comes from those of us who will vote for this bill is simply that, that we believe we are dealing with voting on the application of funds extracted from the taxpayers of this state to pay for the destruction of life. And that is our perspective.

And we understand, by the way, that that is perhaps not a perspective even shared

by a majority of those who live in this state. Probably not. It is one, though, that we feel compelled by that point of view to advance.

And I would also say this. And I say this, if I may, without sounding as if I'm bragging, I think I have established some credibility in this chamber in terms of representing the interests of poor people as chairman of the Social Services Committee: I would hope that we could offer poor women a vision for the future of their children more inspiring and more ennobling than taxpayer-financed abortions.

I would like to close, maybe, if I could, on this note. So often it seems that debate that deals about the issue of abortion consists of people on extreme ends of the spectrum screaming at each other and hurling invective and raising dire kinds of insults, almost, about who is a murderer or about who on the other side would turn women back to the dark ages. And I think for the most part it is only the extremists who really qualify for those labels.

We bring this bill to the floor

today, and Senator Farley brings it to the floor, out of moral conviction. We will vote on moral conviction.

I would suggest, though, that what would be helpful is if many of us who consider ourselves to be pro-life and carry that label proudly, and those of you who choose the label pro-choice, if we could sometimes spend a little more time talking about what's good for children, talking about how we can help people who choose life to take care of their children, talking about how we can help people who choose abortion to choose life and to give these children a chance to be born, talking about how we can lift the poor out of poverty, how they can obtain jobs and prosperity and a real future for their children, and so that the future we can offer these poor women is more ennobling and more inspiring than taxpayer-funded abortions.

ACTING PRESIDENT MORAHAN: Thank you, Senator Meier.

Any other Senator wishing to be heard on this bill?

SENATOR MONTGOMERY: Slow roll

call.

ACTING PRESIDENT MORAHAN: You want to speak on the bill, Senator Diaz?

SENATOR DIAZ: If you allow me to explain my vote when my time comes, then --

ACTING PRESIDENT MORAHAN: Yes.

SENATOR DIAZ: Yes.

SENATOR MONTGOMERY: Slow roll call.

SENATOR ADA SMITH: Slow roll call.

SENATOR STAVISKY: Slow roll call.

ACTING PRESIDENT MORAHAN: Since there is a sufficient number of Senators asking for a slow roll call, the clerk will call the roll slowly.

Read the last section first.

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

Senator Alesi.

SENATOR ALESI: Yes.

THE SECRETARY: Senator Andrews voting in the negative earlier today.

Senator Balboni.

SENATOR BALBONI: Yes.

THE SECRETARY: Senator Bonacic voting in the negative earlier today.

Senator Breslin.

SENATOR BRESLIN: No.

THE SECRETARY: Senator Brown.

SENATOR BROWN: No.

THE SECRETARY: Senator Bruno.

(Senator Bruno was indicated as voting in the affirmative.)

THE SECRETARY: Senator Connor voting in the negative earlier today.

Senator DeFrancisco voting in the affirmative earlier today.

Senator Diaz.

SENATOR DIAZ: Mr. President, I'd like to explain my vote.

ACTING PRESIDENT MORAHAN: Senator Diaz is recognized to explain his vote.

SENATOR DIAZ: Thank you. Thank you, Mr. President.

I am a new Senator, only five months here. And I have a Minority Leader who tells us: Vote your conscience. And I'm also

a Democrat from the City of New York, from the County of the Bronx, representing one of the poorest districts in New York City. I'm also the president of a New York Hispanic clergy organization composed of more than 150 ministers who represent thousands and thousands of poor people in the City of New York.

And I'm glad that I see children in the balcony today. But then, now is one of those times when you have to decide, do you go with the majority or do you follow your Minority Leader's advice and vote your conscience? Which one will you go? Will you act as a Democrat and vote with all your colleagues from the City of New York? Or will you vote your conscience?

Abortion is a choice that people make. And in life, when you make a choice, sometimes the choice you make is good, sometimes the choice you make is bad. But you have to live with the choice that you make. But it is a choice. It is your choice, and you are the one that makes that choice.

We are now dealing with a budget

where we are trying to increase taxes to working people. Now we are asking those working people: Work, so out of your work we take money to pay for someone's abortion.

And they will use the term we are trying to defend poor women. And I represent poor women. I represent a poor district. But ladies and gentlemen, abortion is wrong no matter how you put it. And to use the working people's money to pay for someone that knowingly made a choice, knowingly made a choice -- I know that if I go to bed with this woman, that woman could get pregnant. And that women knowingly went to bed with that man, knowing that if she goes to bed with that man, she could become pregnant. And now you're asking me to pay for it?

That is wrong. Morally wrong. We are grownups. The children in the balcony are listening to me. And people have to make choices. You make a choice, you live with it. You decide to go out --

ACTING PRESIDENT MORAHAN: Senator Diaz. Excuse me, Senator.

SENATOR DIAZ: My two minutes are

up? Allow me one minute. I am voting --

(Shouting from other Senators.)

SENATOR DIAZ: Okay, give me all the one you want. I'm on fire here.

(Laughter.)

SENATOR DIAZ: I'm on fire. Give me all the one you want.

(Shouting from other Senators.)

ACTING PRESIDENT MORAHAN: On a rare occasion I'll ask --

SENATOR DIAZ: When I get on fire, I --

ACTING PRESIDENT MORAHAN: On the rare occasion, I just asked Senator Skelos to sit down. Now you can continue.

(Laughter.)

ACTING PRESIDENT MORAHAN: You can continue, Senator.

SENATOR DIAZ: So I am representing poor people and poor people that make that choice, make a choice to go out with a man and have a good time.

And you make that choice to have a good time, you pay for that. It is your choice. Nobody asked you to do it. Nobody

asked you to, nobody forced you to do it. You desired it. Now you have to live up to the consequences of that choice.

I'm a married man, happily married. And I could decide, it's my choice, it is my choice to decide if I go out with another woman or not. It is my choice. If I make a choice to go out with another woman, I know that that woman could get pregnant. But I decide to go out with her. And now that woman becomes pregnant, and I want the State of New York to pay for the abortion.

That is wrong, morally wrong. Ladies and gentlemen --

ACTING PRESIDENT MORAHAN: Senator Diaz, we'd like to hear the end of that story, but I think we're going to have to ask you to vote at this time.

SENATOR DIAZ: So you're telling me to be quiet.

ACTING PRESIDENT MORAHAN: No, just asking for your vote.

SENATOR DIAZ: No, no, what I'm saying, I want to explain my vote. I've got to explain my vote.

ACTING PRESIDENT MORAHAN: Okay. But the rules say that --

SENATOR DIAZ: And the way how to explain my vote, ladies and gentlemen, I'm telling you all these things, and I'm voting affirmative on this thing.

Thank you.

(Scattered applause.)

ACTING PRESIDENT MORAHAN: Senator Diaz will be recorded in the affirmative.

Any other Senator wish to be heard?

I'm sorry, I got so swept up. Okay.

(Laughter.)

ACTING PRESIDENT MORAHAN: Continue to call the roll, please.

THE SECRETARY: Senator Dilán.

SENATOR DILAN: No.

THE SECRETARY: Senator Duane.

SENATOR DUANE: No.

THE SECRETARY: Senator Farley.

SENATOR FARLEY: Aye. Si.

(Laughter.)

THE SECRETARY: Senator Flanagan.

SENATOR FLANAGAN: Yes.

THE SECRETARY: Senator Fuschillo.

SENATOR FUSCHILLO: Yes.

THE SECRETARY: Senator Golden voting in the affirmative earlier today.

Senator González.

SENATOR GONZALEZ: No.

THE SECRETARY: Senator Hannon.

SENATOR SPANO: Aye.

THE SECRETARY: Senator Hassell-Thompson.

ACTING PRESIDENT MORAHAN: Senator Hassell-Thompson, to explain her vote.

SENATOR HASSELL-THOMPSON: Thank you, Mr. President, to explain my vote.

Each of us is representative, we are representatives of more than 300,000 people who elected us to office. Not one of them elected us to be the moral arbiter of their behavior. But what they did elect us to do was to give them equal access.

And voting no against this bill does not have anything to do with my personal and moral obligation to myself and my choices.

But it does say that I have the obligation to make equal access to the people who sent me to the Senate chambers.

Therefore, I will vote no.

ACTING PRESIDENT MORAHAN: Senator Hassell-Thompson will be recorded in the negative.

Continue the roll call.

THE SECRETARY: Senator Hoffmann voting in the negative earlier today.

Senator Johnson.

SENATOR JOHNSON: Aye.

THE SECRETARY: Senator L. Krueger voting in the negative earlier today.

Senator C. Kruger.

(No response.)

THE SECRETARY: Senator Kuhl.

SENATOR KUHL: Aye.

THE SECRETARY: Senator Lachman voting in the negative earlier today.

Senator Larkin.

SENATOR LARKIN: Aye.

THE SECRETARY: Senator LaValle.

SENATOR LaVALLE: Aye.

THE SECRETARY: Senator Leibell.

SENATOR LEIBELL: Aye.

THE SECRETARY: Senator Libous.

SENATOR LIBOUS: Aye.

THE SECRETARY: Senator Little.

SENATOR LITTLE: Aye.

THE SECRETARY: Senator Maltese.

SENATOR MALTESE: Aye.

THE SECRETARY: Senator Marcellino.

SENATOR MARCELLINO: Aye.

THE SECRETARY: Senator Marchi.

SENATOR MARCHI: Aye.

THE SECRETARY: Senator Maziarz.

SENATOR MAZIARZ: Aye.

THE SECRETARY: Senator McGee.

SENATOR McGEE: No.

THE SECRETARY: Senator Meier.

SENATOR MEIER: Aye.

THE SECRETARY: Senator Mendez voting in the negative earlier today.

Senator Montgomery.

ACTING PRESIDENT MORAHAN: Senator Montgomery, to explain her vote.

SENATOR MONTGOMERY: Yes, Madam President -- Mr. President, excuse me. I'm

sorry.

ACTING PRESIDENT MORAHAN: Close.

(Laughter.)

SENATOR MONTGOMERY: To explain my vote.

I must say I'm a little jolted by Reverend Dr. Senator Diaz.

But I just want to say to you, Mr. President, and my colleagues and Senator Diaz, that, you know, notwithstanding the issues that you have raised regarding how people make choices, what choices they make and who pays for them, this issue is really not about that.

Because the fact of the matter is 41 percent of all of the abortions performed in New York State are done so in New York City. So your constituents certainly are availing themselves, as well as mine.

But moreover, even if we do not provide access to those services, they will figure out how to get them, it's just that they will have to pay for them in other ways. And that is what we want to avoid. Not the question of whether or not they will or that you will prevent them from doing it, because

they are -- we don't provide the funding. They will do it. It's just at a greater price.

Mr. President, I'm voting no to this legislation.

ACTING PRESIDENT MORAHAN: Senator Montgomery will be recorded in the negative.

Continue the roll call.

THE SECRETARY: Senator Morahan.

SENATOR MORAHAN: Yes.

THE SECRETARY: Senator Nozzolio voting in the affirmative earlier today.

Senator Onorato.

SENATOR ONORATO: Aye.

THE SECRETARY: Senator Oppenheimer.

SENATOR OPPENHEIMER: To explain my vote, Mr. President, if I may.

ACTING PRESIDENT MORAHAN: Senator Oppenheimer, to explain her vote.

SENATOR OPPENHEIMER: I would like to mention to Senator Diaz -- oh, he's left -- that I believe nationwide the majority of abortions are performed on married women.

Because one of the problems that has been found is that if your children are too closely spaced, it can severely impact your -- the woman's health. So that is a statistic I'll be happy to search out for Senator Diaz.

For Senator Meier, I think I would have to say that the people that are speaking on behalf of this issue -- against this issue, excuse me, are the very people that have spoken out so loudly and clearly on issues such as early childhood healthcare, early childhood education, support for families that need literacy training, that need job skills development, that need education remediation. We are the very people that want to see the families of these poor women supported as much as we possibly can.

So I don't think you have people yelling at each other in this chamber. We fully understand what each other is saying. And we also understand we come from different philosophies and different backgrounds. And I have four nuns who come to see me every year and say: "We have five issues to discuss, but we won't discuss the first." And then we sit

down and talk about the things that we can work together on.

And I think that is something that we see in this chamber. We try and work together on both sides, coming from different philosophies.

But I personally would hate to see women delay this procedure because of a lack of funds, have a less healthy opportunity for a safe procedure, perhaps not in a safe and clean environment. It worries me. And therefore, I'll be voting against this. And -- that's all.

ACTING PRESIDENT MORAHAN: Senator Oppenheimer will be recorded in the negative.

Continue to call the roll.

THE SECRETARY: Senator Padavan.

SENATOR PADAVAN: Yes.

THE SECRETARY: Senator Parker.

SENATOR PARKER: Mr. President, if I can, on the bill.

ACTING PRESIDENT MORAHAN: Senator Parker, to explain his vote.

SENATOR PARKER: It's interesting

to me that earlier this year, a couple of months ago, we were here and many folks on the other side of the aisle talked very patriotically about this country and about the war and about veterans and about how important it was for us to deal with antiterrorism because we are Americans.

Many people in this chamber support the troops and, you know, many of us supported a war that was supposed to be about protecting American freedoms.

But interestingly enough that we are willing to go and bomb other countries to protect American freedoms, but we're not willing to cast a vote that will protect freedom and particularly the freedom of choice right here in this chamber.

I am appalled, because this is really about not whether we think it's right or wrong. We're not here to cast a moral vote. We're here to cast a vote for equality, to allow people access. And that's exactly what this bill denies.

Mr. President, I'm voting no on this bill because this bill is, one, out of

step with what our Constitution has really set up and what the U.S. Supreme Court in Roe versus Wade has established, which is that this is, you know, something that's legal. And we should not try to make it illegal or make it unaccessible by the actions that we take here on the state level.

And so I'm asking my colleagues on the other side of the aisle and my colleague here on this side of the aisle to change your votes, to vote for freedom, to vote for democracy, and to vote for America.

Thank you. I'm voting no.

ACTING PRESIDENT MORAHAN: Senator Parker will be recorded in the negative.

Continue to call the roll.

THE SECRETARY: Senator Paterson.

SENATOR PATERSON: No.

THE SECRETARY: Senator Rath excused.

Senator Robach.

SENATOR ROBACH: Yes.

THE SECRETARY: Senator Sabini.

SENATOR SABINI: Mr. President,

to explain my vote.

ACTING PRESIDENT MORAHAN: Senator Sabini, to explain his vote.

SENATOR SABINI: Whether or not one agrees with the Supreme Court decision, the fact of the matter is it's the law of the land now that abortion is legal.

And in addressing Senator Farley's remarks, I'd like to point out that I don't want to be in a position where someone has to come to my office and ask for help in obtaining an abortion because they can't afford it. I don't want to put a constituent in that position.

I don't believe that a constituent, a woman, would make that decision capriciously. It's not plastic surgery. It's not something that one would do very lightly. And if someone is in a position of making that decision and making that decision to seek an abortion, I want them to have it as safely and ably as they can.

And if they can't afford it, I believe it's our responsibility to pay for it. So I'll be voting no on this.

Thank you.

ACTING PRESIDENT MORAHAN: Senator Sabini will be recorded in the negative.

Continue to call the roll.

THE SECRETARY: Senator Saland.

SENATOR SALAND: Aye.

THE SECRETARY: Senator Sampson.

(No response.)

THE SECRETARY: Senator Schneiderman excused.

Senator Seward.

SENATOR SEWARD: No.

THE SECRETARY: Senator Skelos.

SENATOR SKELOS: Yes.

THE SECRETARY: Senator A. Smith.

ACTING PRESIDENT MORAHAN: Senator Smith, to explain her vote.

SENATOR ADA SMITH: Thank you, Mr. President.

I too believe very strongly that we have a moral obligation to vote our conscience. Therefore, I -- even more so after hearing the Reverend Dr. Diaz -- realize that we are morally responsible for our

sisters, our sisters who cannot afford to have the same luxuries that we may have under the Constitution of this country.

Therefore, I will be voting no, because every woman should have the right to have the freedom of choice.

ACTING PRESIDENT MORAHAN: Thank you, Senator. You will be recorded in the negative.

Continue to call the roll slowly.

THE SECRETARY: Senator M. Smith recorded in the negative earlier today.

Senator Spano.

SENATOR SPANO: No.

THE SECRETARY: Senator Stachowski.

SENATOR STACHOWSKI: Yes.

THE SECRETARY: Senator Stavisky.

ACTING PRESIDENT MORAHAN: Senator Stavisky, to explain her vote.

SENATOR STAVISKY: Mr. President, I too believe in equality of opportunity for everyone. And I vote no.

ACTING PRESIDENT MORAHAN: Senator Stavisky will be recorded in the

negative.

Continue to call the roll.

THE SECRETARY: Senator Trunzo.

SENATOR TRUNZO: Yes.

THE SECRETARY: Senator Velella.

SENATOR VELELLA: Yes.

THE SECRETARY: Senator Volker.

SENATOR VOLKER: Yes.

THE SECRETARY: Senator Wright voting in the affirmative earlier today.

ACTING PRESIDENT MORAHAN: Call the absentees.

THE SECRETARY: Senator C. Kruger.

(No response.)

THE SECRETARY: Senator Sampson.

(No response.)

ACTING PRESIDENT MORAHAN: Announce the results.

THE SECRETARY: Ayes, 34. Nays, 24.

ACTING PRESIDENT MORAHAN: The bill is passed.

SENATOR BALBONI: Mr. President.

ACTING PRESIDENT MORAHAN:

Senator Balboni.

SENATOR BALBONI: Is there any housekeeping at the desk?

ACTING PRESIDENT MORAHAN: There is no housekeeping at the desk, Senator Balboni.

SENATOR BALBONI: Then, Mr. President, I would like to advise the Majority members that there is a Majority conference immediately following session.

And tomorrow there will be a conference of the Majority in the Majority Conference Room at 10:30, with session at 11:00 o'clock.

There being no further business, I move that the Senate stand adjourned until 11:00 o'clock tomorrow morning.

ACTING PRESIDENT MORAHAN: Senator Ada Smith.

SENATOR ADA SMITH: Thank you, Mr. President.

There will be a Minority conference tomorrow at 10:45 in the Minority Conference Room.

ACTING PRESIDENT MORAHAN: Thank

you.

There will be an immediate meeting of the Majority in the Majority Conference Room.

There will be a conference of the Majority at 10:30 tomorrow morning, after which session will resume. We are now in adjournment until 11:00 o'clock tomorrow, May 2nd.

(Whereupon, at 4:02 p.m., the Senate adjourned.)