NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 12, 2003

3:07 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 rise and repeat with me the Pledge of Allegiance.

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

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

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

THE PRESIDENT: Reading of the Journal.

THE SECRETARY: In Senate, Friday, May 9, the Senate met pursuant to adjournment. The Journal of Thursday, May 8, was read and approved. On motion, Senate adjourned.

THE PRESIDENT: 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 resolutions.

Senator Bruno.

SENATOR BRUNO: Madam President, I believe there's a privileged resolution at the desk. I would ask that it be read in its entirety and move for its immediate adoption.

And I would ask the Sergeant-at-Arms to call the members to the chamber. Could we do that?

Thank you, Madam President.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Bruno, Legislative Resolution Number 1581, honoring Funny Cide, the first New York-bred horse to capture the illustrious Kentucky Derby.

"WHEREAS, on May 3, 2003, New York-bred Funny Cide captured the 129th running of the Kentucky Derby, the first leg of horse racing's Triple Crown, at Churchill

Downs in Louisville, Kentucky; and

"WHEREAS, Funny Cide, ridden by jockey Jose Santos and trained by Barclay Tagg, covered the mile and a quarter in a time of 2:01.19 to win the "Run for the Roses" by a length and three quarters in one of the ten fastest times; and

"WHEREAS, Funny Cide also became the first gelding to win the Derby since Clyde Van Dusen in 1929. In addition, the victory gave both New York-based jockey Jose Santos and his agent, Mike Sellitto, their first Derby victory, along with New York-based trainer Barclay Tagg; and

"WHEREAS, Funny Cide, by Distorted Humor out of the Slewacide mare Belle's Good Cide, was born at McMahon of Saratoga Thoroughbreds, LLC, owned by Joseph and Anne McMahon; and

"WHEREAS, Voted the New York-bred Champion Juvenile Male for 2002, Funny Cide is owned by Sackatoga Stables, which is managed by Jackson Knowlton and comprised of Gus Williams, David Mahan, Lew Titterton, Eric Dattner, Jon Constance, Harold Cring, Mark

Phillips, Peter Phillips, and Larry Reinhardt, a group of former high school friends from Sackets Harbor, New York, and two other partners from the Capital Region; and

"WHEREAS, Along the road to victory, Funny Cide was guided by assistant trainer and exercise rider Robin Smullen, groom Zacarias Quintana and hot walker Raunie Hart; and

"WHEREAS, Undefeated in three starts as a two-year-old, this tough, swift, versatile competitor always seems to put forth his best effort and is a worthy representative of those qualities that are most appealing among New York-breds; and

"WHEREAS, The accomplishments of Funny Cide, the New York Thoroughbred Breeder's, Inc., under the able leadership of President Gerald A. Nielsen and Executive Director Dennis J. Brida, and the New York State Thoroughbred Breeding and Development Fund Corporation, under the competent direction of Chairman William A. Levin and Executive Director Martin G. Kinsella, have raised New York breeding to a new level of

achievement; and

"WHEREAS, It is fitting and proper for this Legislative Body to take note of such a prestigious sporting event which brings great pride not only to thoroughbred Funny Cide and his proud owners, but to the horse racing industry and all the citizens of this great Empire State; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to honor Funny Cide, the first New York-bred horse to capture the illustrious Kentucky Derby, and to extend our best wishes on the quest for the Triple Crown; and be it further

"RESOLVED, that copies of this resolution, suitably engrossed, be transmitted to Jose Santos, Barclay Tagg, Mike Sellitto, Joseph and Anne McMahon, Jackson Knowlton, Gus Williams, David Mahan, Lew Titterton, Eric Dattner, Jon Constance, Harold Cring, Mark Phillips, Peter Phillips, Larry Reinhardt, Robin Smullen, Zacarias Quintana, Raunie Hart, the Board of Directors of the New York Thoroughbred Breeders, Inc., and the New York State Thoroughbred Breeding and Development

Fund Corporation."

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Thank you, Madam President and colleagues.

Funny Cide, in 2:01.19, did for New York State breeding what we in the Legislature and the governors have tried to do for decades: put us on the map, made us winners, made us champions.

And Barclay and Robin, the trainers, who found him when he was young and kept their eyes on him and bought him for the owners, for the team headed up by Jack Knowlton.

Jack worked here in the Senate. He got his training here in the Senate to have a good eye and a keen mind, with Senator Marchi, who is the longest-serving legislator in all of the United States, and then went on in business in Saratoga.

And Funny Cide is now my most famous constituent.

(Laughter.)

SENATOR BRUNO: Lives in the 43rd District most of the time, at Joe and Anne

McMahon's breeding ranch and farm.

And Joe and Anne went into business some 31 years ago, something like that, and really are pioneers here in the state, and did it the hard way, to build a breeding program and a breeding farm, which just takes a lot of know-how, hard work, persistence, endurance, all the good things.

So what a team. And Rita Santos is here, with four beautiful children -- where's Rita? -- with the four beautiful children. Jose had to be in California, straightening out the record for history that he is a winner, he is a champion, and Funny Cide truly is a champion and worthy to be the lead, the first time ever for a New York-bred to win the Derby.

Jose Santos, first time ever to win the Derby. Barclay Tagg and Robin, first time ever to win the Derby.

Jack, I don't think you've ever had a Derby winner before -- no, in that team.

(Laughter.)

SENATOR BRUNO: But you know what? Truly, I get very excited when I think

about the controversy over the breed back rule when we were funding the breeding program here in New York State.

We have done, we together -- together here in the Senate, in the Assembly, with the Governor -- some great things, not for just the people of New York State, the 40,000 people that work in breeding and agriculture, the 40,000 acres that are in breeding farms throughout New York State, the $6.5 million that was paid out in 2002 to breeders for New York awards.

All of those good things have happened with people having faith, having confidence, recognizing that New York State, working together, everybody in the industry -- trainers, breeders -- everyone that works out there, legislators, business, investors, just partnering together to move New York State into the forefront in racing and in breeding in the world.

So I am as proud as I can be to congratulate everyone that has been involved in getting us to this momentous occasion.

And the Preakness is this Saturday.

And I doubt that the odds will be 12 to 1.

(Laughter.)

SENATOR BRUNO: You think so? I have a feeling that those days are gone forever, because we are going to watch a champion in the second leg of the Triple Crown.

Thank you, Madam President.

THE PRESIDENT: Senator Nozzolio.

SENATOR NOZZOLIO: Madam President, on the resolution.

I rise with great pride in echoing Senator Bruno's comments, our leader, who left one important component out, that if it wasn't for his leadership in establishing this entire breeding industry and supporting it the way he has, Senator, I daresay we all would not be as successful here, not only with Funny Cide but across the state.

I represent the Finger Lakes region and the Finger Lakes Racetrack. And I've learned to be aware of the importance of New York-bred thoroughbreds to the racing industry and to our New York State economy. Nearly 1200 New York bred horses are stabled

at the Finger Lakes racetrack. Nearly 80 percent of the races there are exclusively for New York-breds. And the track employs over 1500 people on and off the track and generates nearly $50 million in the activity in our state economy.

And I say that because with one swoop of the race, Funny Cide has done so much to shed light on the importance of this very important industry to New York State that I rise to thank the owners and trainers and congratulate them in echoing Senator Bruno's comments.

That those buddies from Sackets Harbor brought this courageous gelding to victory, and that Funny Cide should be the next "I Love New York" commercial. Because to see you on the winner's stand, the owners and trainers and those who brought Funny Cide there, our hearts were with such pride that you brought this attention to such an important industry in New York State.

I'd close by saying to Trainer Tagg and Jack Knowlton and the rest of the partners of Sackatoga Stables, yes, you won the Derby,

we'll be rooting for you at the Preakness and the Belmont stakes, but we really need you to come to the Finger Lakes this year and win the New York Derby at the track later this summer.

I can guarantee that the people of the Finger Lakes region are very proud of what you accomplished. Thank you very, very much. You've just added another chapter to why we all love New York.

Thank you, Madam President.

THE PRESIDENT: Senator Wright.

SENATOR WRIGHT: Thank you, Madam President. On the resolution.

I stand to speak on behalf of the other end of the state from Sackatoga. That's Sackets Harbor in Jefferson County.

Now, normally I'm rising from Jefferson County to talks about dairy. I don't claim to have Leader Bruno's knowledge of the horse industry. But I do know some of the individuals who have been involved and invested in Sackatoga. And we're very pleased to see that investment come to fruition with the winning of the Derby with Funny Cide.

Now, the history goes on that these

gentlemen convened over some liquid refreshment. Now, those of you who don't know where Sackets Harbor is, let me point out -- because it's been reported as Western New York and many other things -- it's on the eastern shore of Lake Ontario, one hour north of Syracuse. And it's home to Sackets Harbor 1812 beer, which is also bottled in Saratoga, Senator Bruno's district.

So there are some very clear correlations, many of which and many a good idea in Sackets has started over a cold refreshment. Not the least of which was Mr. Constance being elected mayor of the village of Sackets Harbor.

(Laughter.)

SENATOR WRIGHT: So he has spent some time in our business as well.

But they truly are the pride of the community. The colors are the colors of the local school district, the Sackets Harbor School. So you can see that there's a great deal of pride.

We're very glad and very pleased to have all of the owners that could join us

today. We want to extend congratulations on behalf of Sackets Harbor, Jefferson County, and those of us in the rest of the state who are not as recognized as Saratoga. Well done.

And Godspeed this weekend.

THE PRESIDENT: Senator Farley.

SENATOR FARLEY: Thank you, Madam President.

I rise to pay tribute to this magnificent team that put together a great winner. Having been born and raised in Jefferson County and living in the summer a lot in Sackets Harbor, my congratulations to them.

But let me just say a word about the Capital District and how we supported Funny Cide. The OTB parlors ran out of money. They couldn't even pay off the bettors that supported your horse. And, you know, that really says something. And I'm sure there's going to be a few bob waged this year in the Preakness.

But we're very, very proud of you. And as somebody that represents half of Saratoga County -- usually the rural half.

Senator Bruno gets all the famous people like Funny Cide. I get a few too.

But my congratulations to all the owners, to Mrs. Santos. There's wonderful news coming on your husband, and we're very, very proud of him. What a great race. And I know he's going to be trying extra hard in Preakness, and we're going to have a winner come next Saturday.

All the best to everybody that's involved with this great horse.

THE PRESIDENT: Senator Hoffmann.

SENATOR HOFFMANN: Thank you, Madam President.

There are many of us here who look upon this as a great victory, not only for the horse world but for New York agriculture. The McMahons run a family farm. And here in New York State, we're very proud of the fact that the number-two piece of agriculture in our great agricultural heritage is the equine world. And with their great foresight and success, we are now on the map.

The wonderful words that were spoken in Kentucky were resounding all over

the world. And even today people are now aware for the first time of New York's very significant role in this industry.

In the 1970s, the foresight of some of the people in this room that put together the breeding fund has paid off handsomely. And it is with the support of that breeders' fund that we are able to continue building an industry.

There are other states, other countries that would only dare imagine what we have here in New York State. And yet so many people in New York and other parts of the United States have not fully grasped this great wonder that we have in our breeding industry. With Funny Cide, now we have an awareness. And I think Senator Nozzolio said it very effectively. This is an "I Love New York" campaign slogan absolutely packaged for us.

Jack, when you said "This is one for the little people," you were right. Because we have small, very special farms as well as large ones. We have breeding programs that include our SUNY campuses. Morrisville

University, right in the middle of my district, has played a part in helping to train some of the horses that have gone on to great success.

This is a state where we all take pride, and there are many ways that we are going to continue growing this very significant industry.

I'm proud of the fact that we've taken the sales tax off of goods and purchases that affect production agriculture, including the equine world. Let's see what we can do to cheer this wonderful horse and his owners and his trainers on to the next round.

Before I sit, I also have to say it's unfortunate that there were people who dared to question the way Funny Cide was treated. Because it is so well known that the trainers of this magnificent horse have always put the horse first. That cannot be said for every other horse and, indeed, for every other state.

But here in New York, we take great pride in the way all of our animals are treated, and I'm proud of the fact that the

owners and the trainers of Funny Cide have always maintained the highest level of respect for the animal.

THE PRESIDENT: Senator Stachowski.

SENATOR STACHOWSKI: I'd like to rise also and join Senator Bruno in congratulating the owners of Funny Cide and, of course, Mrs. Santos, on behalf of her husband, the jockey.

I think it's a great opportunity for New York breeding to take another step forward. Obviously, now that you have a New York-bred that's a Kentucky Derby winner, that will help enormously.

And probably today, with everybody so jubilant, would be a good time to look at the way the breeders' fund is dealt with in the OTB law. And it might be a good time to revisit that and make sure that the breeders' fund and the breeders, the horse owners, get a little bit better break out of OTB.

And maybe then they wouldn't have so much money to buy racetracks and other things, and they'd put the money into the

breeding fund in New York State, where it would be used much better by the people that work so hard in this industry. And obviously, with this as a kick-off point, I can't see a better time.

And I don't think that my talking about this takes away anything from this resolution, because the reason for this resolution is to celebrate the fact that New York State finally has a Kentucky Derby winner.

And I'm not surprised that there was a challenge about that, because I know that in Kentucky, as happy as they are that there was another great champion, they weren't real happy that it was a New York-bred. Because they always like the fact that it's a Kentucky-bred horse or something of that nature, and they don't like to see that spread out.

And so it couldn't be a better day, and I'm so happy for all the owners. And actually, due to my attending the dinner this year and Howard Nolan introducing me to one of the owners, it helped me out financially too,

to have been at that dinner.

(Laughter.)

SENATOR STACHOWSKI: So congratulations, and good luck in the future.

THE PRESIDENT: Senator Smith, you wish to be heard?

SENATOR ADA SMITH: Thank you, Madam President.

THE PRESIDENT: You're welcome.

SENATOR ADA SMITH: I too rise to congratulate the owners, the breeders, the trainers, and especially our famous jockey.

I have to say that a few years ago Senator Farley and I were here over the weekend of the race, and we decided that we would make a little wager. And we won.

So the Friday before the race, Senator Farley came to me and said: "Are we betting this year?" And I hadn't paid any attention to it. So we got the paper, and would you believe, I picked the horses in the order that they won, the first three horses.

So I want to thank you for benefiting me and my pocketbook.

(Laughter.)

SENATOR ADA SMITH: And I want to thank you for being great sportspeople and for bringing honor to the State of New York.

THE PRESIDENT: The question is on the resolution. All in favor please signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

And congratulations on behalf of the Senate and the State of New York.

(Sustained applause.)

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Madam President, can we at this time open this resolution to all the members in the chamber. And any that would like not to be on it, just indicate privately to the chair.

Thank you, Madam President.

THE PRESIDENT: Any member who does not wish to sponsor this resolution please notify the desk.

Senator Fuschillo.

SENATOR FUSCHILLO: Thank you, Madam President.

On behalf of Senator LaValle, on page number 32 I offer the following amendments to Calendar Number 336, Senate Print Number 281, and ask that said bill retain its place on Third Reading Calendar.

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

Senator Fuschillo.

SENATOR FUSCHILLO: Madam President, on behalf of Senator Larkin, on page number 47 I offer the following amendments to Calendar Number 592, Senate Print Number 1222, and ask that said bill retain its place on Third Reading Calendar.

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

SENATOR FUSCHILLO: Madam President, on behalf of Senator Balboni, on page number 42 I offer the following amendments to Calendar Number 530, Senate Print Number 3852, and ask that said bill

retain its place on Third Reading Calendar.

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

SENATOR FUSCHILLO: Madam President, on behalf of Senator Larkin, I wish to call up Senate Print Number 1225, recalled from the Assembly, which is now at the desk.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 108, by Senator Larkin, Senate Print 1225, an act to amend the Civil Practice Law and Rules.

THE PRESIDENT: Senator Fuschillo.

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

THE PRESIDENT: The Secretary will call the roll upon reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

SENATOR FUSCHILLO: Madam President, I now offer the following amendments.

THE PRESIDENT: The amendments are received, Senator.

Senator Schneiderman.

SENATOR SCHNEIDERMAN: Thank you, Madam President.

On behalf of Senator Parker, I would move that the following bills be discharged from their committees and be recommitted with instructions to strike the enacting clause: Senate 4275, Senate 4277, Senate 4276, Senate 4278.

THE PRESIDENT: So ordered, Senator.

SENATOR SCHNEIDERMAN: Thank you.

THE PRESIDENT: Senator Velella.

SENATOR VELELLA: Are there any substitutions at the desk?

THE PRESIDENT: Yes, there are, Senator.

The Secretary will read.

THE SECRETARY: On page 5, Senator Maltese moves to discharge, from the Committee on Higher Education, Assembly Bill Number 781 and substitute it for the identical Senate Bill Number 3274, First Report Calendar

743.

On page 6, Senator Kuhl moves to discharge, from the Committee on Local Government, Assembly Bill Number 7081 and substitute it for the identical Senate Bill Number 2232, First Report Calendar 754.

On page 6, Senator Skelos moves to discharge, from the Committee on Local Government, Assembly Bill Number 5787 and substitute it for the identical Senate Bill Number 2511, First Report Calendar 755.

And on page 8, Senator McGee moves to discharge, from the Committee on Health, Assembly Bill Number 6596 and substitute it for the identical Senate Bill Number 2781, Second Report Calendar 625.

THE PRESIDENT: Substitutions ordered.

Senator Velella.

SENATOR VELELLA: Can we have the noncontroversial reading of the calendar now, Madam President.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number

52, by Senator Marcellino, Senate Print 885, an act to repeal Title 17 of Article 23.

SENATOR SCHNEIDERMAN: Lay it aside.

THE PRESIDENT: The bill is laid aside.

THE SECRETARY: Calendar Number 201, by Senator Farley, Senate Print 2261, an act to amend the Banking Law, in relation to regulation of agents.

ACTING PRESIDENT MEIER: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 150th day.

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 252, by Senator Hoffmann, Senate Print 2127A, an act to amend the Public Officers Law, in relation to the qualification.

ACTING PRESIDENT MEIER: Read the

last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 393, by Senator Kuhl, Senate Print 837, an act to amend the County Law, in relation to wireless communications.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 455, by Senator Skelos, Senate Print 3344, an

act to amend the Penal Law, in relation to assaults at a sports contest.

SENATOR SCHNEIDERMAN: Lay it aside.

ACTING PRESIDENT MEIER: Lay the bill aside.

SENATOR VELELLA: Lay the bill aside for the day, please.

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

THE SECRETARY: Calendar Number 520, by Member of the Assembly Titus, Assembly Print Number 7487, an act to amend the Family Court Act, the Domestic Relations Law, and the Social Services Law.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 528, by Senator McGee, Senate Print 2805A, an act to amend the General City Law, the Town Law, and the Village Law.

ACTING PRESIDENT MEIER: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the first of July.

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 534, by Senator Velella, Senate Print 3183, an act to amend the Criminal Procedure Law, in relation to the commission of crimes against children.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 559, by Senator Marcellino, Senate Print 4097, an act to amend the Parks, Recreation and Historic Preservation Law, in relation to the term of cooperative agreement.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 577, by Senator Volker, Senate Print 2299, an act to amend the Real Property Tax Law, in relation to a taxing district's obtaining the incidents.

ACTING PRESIDENT MEIER: Read the

last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MEIER: The bill is passed.

Senator Velella, that completes the noncontroversial calendar.

SENATOR VELELLA: Can we proceed to the reading of the controversial calendar.

ACTING PRESIDENT MEIER: The Secretary will read.

THE SECRETARY: Calendar Number 52, by Senator Marcellino, Senate Print 885, an act --

SENATOR SCHNEIDERMAN: Explanation.

ACTING PRESIDENT MEIER: Senator Marcellino, Senator Schneiderman has requested an explanation of Calendar Number 52.

SENATOR MARCELLINO: Mr. President, this bill that is on the floor

today was on the floor last week. At that time, a request was made that more time was needed, a week was needed by one of our Senators, one of my colleagues, to do some research and check things out --

ACTING PRESIDENT MEIER: Excuse me, Senator Marcellino.

Can we have some order in the chamber, please, so we can hear the Senators who are debating the bill.

Senator Marcellino.

SENATOR MARCELLINO: At the time, a request was made for a week's delay of the vote, and we agreed to that.

The time has expired. No one has contacted my office seeking any information on this particular piece of legislation during that time frame, so the bill is now live.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative on Calendar Number 52 are Senators Duane, Lachman, and Montgomery. Also Senator Marchi. Ayes, 55. Nays, 4.

ACTING PRESIDENT MEIER: The bill is passed.

Senator Velella, that completes the calendar.

SENATOR VELELLA: Mr. President, is there any housekeeping at the desk?

ACTING PRESIDENT MEIER: No, there is not.

SENATOR VELELLA: Mr. President, there being no further business to come before the Senate, I move we stand adjourned until Tuesday, May 13th, at 3:00 p.m.

ACTING PRESIDENT MEIER: On motion, the Senate stands adjourned until Tuesday, May 13th, at 3:00 p.m.

(Whereupon, at 3:38 p.m., the Senate adjourned.)