THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 3, 2004

11:05 a.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.

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

THE PRESIDENT: Reading of the Journal.

THE SECRETARY: In Senate, Monday, February 2, the Senate met pursuant to adjournment. The Journal of Friday, January 30, 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.

The Secretary will read.

THE SECRETARY: Senator DeFrancisco, from the Committee on Judiciary, reports the following bills:

Senate Print 1485, by Senator DeFrancisco, an act to amend the Surrogate's Court Procedure Act;

1884, by Senator Marchi, an act to amend the Judiciary Law;

3756, by Senator Balboni, an act to amend the Real Property Law;

4857, by Senator Wright, an act to amend the Uniform Justice Court Act;

5512, by Senator Flanagan, an act to amend the Real Property Law;

And Senate Print 5898, by Senator Velella, an act to amend Chapter 455 of the Laws of 1997.

All bills ordered direct to third reading.

THE PRESIDENT: All bills reported direct to third reading.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Skelos.

SENATOR SKELOS: Madam President, if we could adopt the Resolution Calendar, with the exception of Resolution 3296.

THE PRESIDENT: All in favor of adopting the Resolution Calendar, with the exception of Resolution 3296, please say aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The calendar is so adopted.

Senator Skelos.

SENATOR SKELOS: Madam President, if we could take up Resolution Number 3296, by Senator Little, have the title read, and move for its immediate adoption.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Little, Legislative Resolution Number 3296, recognizing the 100th Anniversary of The

Post-Star newspaper of Glens Falls, New York.

THE PRESIDENT: Senator Little.

SENATOR LITTLE: Thank you.

If I may, I would like to comment on this resolution, which recognizes a local newspaper in my hometown, the Glens Falls Post-Star.

The Post-Star began as the Morning Post in the fall of 1904. It began as an election campaign newsletter by a group of businessmen. One of those businessmen later went on to become Governor Dix, who is from Glens Falls.

The paper has existed for one hundred years, purchasing other local newspapers and becoming the morning newspaper with a large circulation to the entire greater Glens Falls area.

Many notable people have worked for The Post-Star, including our Pulitzer Prize winner, William Kennedy, and our own Senate Majority Leader, Senator Bruno, who was a Post-Star carrier in his youth.

We've had many notable publishers -- Arthur P. Irving, a very

distinguished Glens Falls resident for many, many years, the publisher of The Post-Star, as well as Karl Davidson.

And we are joined today by our current publisher, James Marshall, seated in the gallery, along with our editor, Ken Tingley, with a reporter, Maury Thompson, and long-time Post-Star photographer Monty Calvert.

I'm very pleased to have this resolution passed here in the Senate and am joined on the resolution by Senator Bruno and Senator Farley, and certainly wish this newspaper well, having served the community for one hundred years. And we look forward to another 100 years or 200 years, whatever.

It's a long-standing newspaper providing news coverage and community service to our area, and I congratulate them.

Thank you.

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Thank you, Madam President. And Senator Little, thank you for introducing the resolution.

I want to thank Jim Marshall, Ken

Tingley, the managing editor, and Maury Thompson, who reports, for joining us here.

This really is something that we do -- and we don't do it just routinely. When a resolution like this passes, it becomes part of the archives, the history of this state. And it's important that we recognize institutions like The Post-Star, one hundred years old.

Now, Betty mentioned some of the notables -- excluding me -- that we're relating -- like Bill Kennedy, Pulitzer Prize. When I was playing in high school, he was associate editor, I believe, there, then went on with The New York Times.

And Harold Tanner, who lived on Pearl Street, two blocks from where I lived, Harold distinguished himself. Harold worked there as a journalist, I think early in his life, went out to make lots of money in the investment banking community, became chairman of the board of Cornell. Really contributing.

But I can tell you this. The Post-Star had a great effect on my life, for better or for worse.

Now, Arthur Irving, in my time, was the publisher. Arthur Irving -- Betty, do you remember Arthur Irving? You're a little young. But Arthur Irving was one of the best citizens in all of the Capital Region and in Glens Falls. He lived up on Garrison Avenue, a beautiful brick house. Coincidentally, my brother lives in that house.

I went to school with Mary, from kindergarten -- his daughter, Mary Irving, a beautiful lady in every way -- from kindergarten until we graduated together. And seating was usually that she was here (indicating), because it was the Bs and the Is by rows. Her brother and Arthur's son, Arthur, I believe went to New York, to The New York Times, and distinguished himself there. Marsha, the daughter, lives, I believe, out West, not here in the state.

But I delivered The Post-Star for about five years, when I was 12, 13, 14, 15, like a lot of young people did. And now listen to this. You get up at 6:00 in the morning, 5:30 in the morning, walk seven or eight blocks. You were on the top of Glen

Street. Were any of you there on top of Glen? You're all in the new building. You were on top of Glen? Yeah.

Walk there, get the papers, 123, 144 papers, fold them. Today they're either folded or in plastic bags. We used to have to fold them, stuff them in a bag, lug them, in the middle of the winter, or put them on a bike and deliver it through the whole east end. That was my route.

And I lived about seven or eight blocks from the top of the hill. I grew up where you are now. Where they are now is a beautifully renovated train station. That was the train station. I lived a block from there, kitty corner. My brothers delivered The Post-Star.

And when I think about The Post-Star, I think about my childhood, I think about my family, I think about all of the things that happened around your newspaper with Arthur Irving.

And I know, Jim, you carry on in that tradition of just being good citizens. And I hope you can appreciate how you affect

the community's life.

Now, I read and Betty told me that you have had more awards since '99 than ever in your previous almost hundred years. So that shows that there is diligence, conscientiousness, commitment to the community when they get like 17 awards, state and national awards.

So, Betty, hopefully they cover you objectively and adequately.

I represent South Glens Falls; you have some readership there. I know my brother and sister get the paper there, and they live there. Most of my family is still in Glens Falls. We grew up three or four blocks apart, Betty and I.

So I am proud that I am a native of Glens Falls, that you are natives of Glens Falls. You go back a hundred years. I don't go back quite a hundred years. Someday I hope to.

(Laughter.)

SENATOR BRUNO: And, David, you'd be happy about that?

(Laughter.)

SENATOR BRUNO: So I really just wanted to add a few words to the recognition and the acknowledgement of the great contribution that you make. Because there isn't anything that goes on that The Post-Star isn't involved in or covering in that community, telling the news, delivering the news, and everyone looking for that paper, and the community service that you perform.

So we're indebted to you. And we welcome the opportunity to say some positive things and to recognize you in a positive way. Congratulations to you.

Thank you, Madam President.

THE PRESIDENT: Senator Farley.

SENATOR FARLEY: Thank you, Madam President.

I also rise to wish happy birthday to The Post-Star. Much of my formative years were in Indian Lake, New York. And we used to visit Glens Falls, and that was going to the big city. And of course Indian Lake was where The Post-Star was the oracle of truth up that way.

And even today, in my Senate

district, Corinth and so much of western and northern Saratoga County is serviced by that great newspaper.

To last a hundred years in any business is really significant. And to know that our Majority Leader was a paperboy in Glens Falls is also very significant to everybody in this chamber.

But I certainly commend you. It's still a fine newspaper. You have a great tradition of history. A lot of great people came from Glens Falls besides you, Senator Bruno. Charles Evans Hughes, who ran for president, I think twice, was a Glens Falls native. So many others who may have been a paper boy for The Post-Star.

But at least from my perspective, I'm pleased to be on the resolution and to wish The Post-Star a happy hundredth birthday.

Thank you very much.

THE PRESIDENT: All in favor of the resolution please signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

Senator Bruno.

SENATOR BRUNO: Thank you, Madam President.

Can I ask for an immediate meeting of the Finance Committee in the Majority Conference Room.

THE PRESIDENT: There is an immediate meeting of the Finance Committee in the Majority Conference Room.

Senator Bruno.

SENATOR BRUNO: Any other motions waiting to come to the floor?

THE PRESIDENT: Senator Fuschillo.

SENATOR FUSCHILLO: Thank you, Madam President.

On behalf of Senator Libous, on page number 11 I offer the following amendments to Calendar Number 126, Senate Print Number 5727, 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 Johnson, I move to commit Senate Print Number 497, Calendar Number 183 on order of third reading to the Committee on Finance.

THE PRESIDENT: So ordered, Senator.

SENATOR FUSCHILLO: Thank you.

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Are there any substitutions at the desk?

THE PRESIDENT: Yes, there are, Senator.

SENATOR BRUNO: Can we make those substitutions now, Madam President.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: On page 16, Senator Flanagan moves to discharge, from the Committee on Judiciary, Assembly Bill Number 9333 and substitute it for the identical Senate Bill Number 5182A, Third Reading Calendar 180.

And on page 17, Senator Maltese

moves to discharge, from the Committee on Transportation, Assembly Bill Number 608 and substitute it for the identical Senate Bill Number 4106, Third Reading Calendar 192.

THE PRESIDENT: Substitutions ordered.

Senator Bruno.

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

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 7, by Senator LaValle, Senate Print 916, an act to amend the General Municipal Law, in relation to allowing for the use.

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, 50.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 11, by Senator McGee, Senate Print 2771, an act to amend the General Municipal Law, in relation to intermunicipal cooperative agreements.

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, 50.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 14, by Senator Little, Senate Print 4949, an act to amend the General Municipal Law, in relation to the procurement of transit vehicles.

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, 50.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 25, by Senator Kuhl, Senate Print 1247, an act to amend the Highway Law, in relation to the temporary discontinuance.

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, 51.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 49, by Senator Farley, Senate Print 1465, an act to amend the Not-for-Profit Corporation Law, in relation to providing.

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, 52.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 54, by Senator Leibell --

SENATOR SCHNEIDERMAN: Lay it aside.

THE PRESIDENT: The bill is laid aside.

THE SECRETARY: Calendar Number 75, by Senator Little, Senate Print 4925, an act to amend the Local Finance Law.

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, 52.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 79, by Senator McGee, Senate Print 2859, an act to amend the Vehicle and Traffic Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 30th day.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 53.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 127, by Senator Skelos, Senate Print 5958 --

SENATOR SCHNEIDERMAN: Lay it aside.

THE PRESIDENT: The bill is laid aside.

THE SECRETARY: Calendar Number 152, by Senator LaValle, Senate Print 298, an act to amend the Education Law, in relation to the unlawful sale of dissertations.

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, 53.

THE PRESIDENT: The bill is passed.

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

SENATOR BRUNO: Madam President, can we at this time take up the controversial calendar.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 54, by Senator Leibell, Senate Print 4815, an act to amend the New York State Urban Development Corporation Act.

SENATOR SCHNEIDERMAN: Explanation.

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Madam President, I believe Senator Leibell is going to appear momentarily to give an explanation.

And there is Senator Leibell to give an explanation. We applaud Senator Leibell.

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

SENATOR LEIBELL: Yes, thank you.

Madam President, this bill authorizes the State Urban Development Corporation to enter into a variety of interest-rate exchanges, including fixed-to-floating rate swaps and floating-to-fixed rate swaps.

The UDC has had this authority to enter into such exchanges previously and has used it without any incidents.

Such authority, however, was viewed as unnecessary due to high stock market conditions and was allowed to sunset in July of 2000.

The stock market conditions are still correcting themselves, and the UDC has once again requested this authorization in order to save the state money on its investment capital.

Interest-rate exchange agreements can result in much lower net cost of borrowing, reduce the financial exposure of the corporation, or reduce the corporation's exposure to changes in interest rates in a particular financial transaction.

If we were to enact this legislation, it would save substantial money for the state.

This bill did pass last year in the Senate, 61 to 1.

THE PRESIDENT: Senator Krueger.

SENATOR LIZ KRUEGER: Madam President, if, through you, the sponsor would yield.

THE PRESIDENT: Senator Leibell, do you yield for a question?

SENATOR LEIBELL: Yes, I do.

THE PRESIDENT: Go ahead, Senator Krueger.

SENATOR LIZ KRUEGER: Thank you, Madam President.

We had this discussion last year when the bill was brought to the floor, so I don't want to necessarily reenact my whole series of questions.

But last year I had the concern, as I do now, that these are technically swaps or even derivative arrangements and these are considered in the financial markets as what are called high-risk types of investments.

And if we are asking or we are giving an off-budget authority, the UDC, the authority to go into these kinds of financial arrangements, what kind of protections or limits would this legislation set on ensuring, one, that somebody is managing these in a way that they are tracking, extremely carefully, these high-risk investments?

And, two, are they -- I guess I'll make it two questions, Madam President, if the sponsor doesn't mind. And, two, are there any limits set on how much the UDC could put into these interest-rate exchanges or swaps?

Because in the past, in past years when Governor Pataki had proposed this model, he had actually said in his capital plans and debt service analysis that these are considered higher-risk types of investments and only a limited amount of state debt should ever be allowed to be invested this way.

SENATOR LEIBELL: With respect to the amount, the market really does control that.

With respect to categorizing this as a high risk, indications we've had is that

there are always going to be varieties of risk and different levels of risk, but that this is not a great risk. It's been done many times in many places before. It's done in the private sector.

This is something that is viewed as having a limited utility but, to the extent that it is utilized, it will save the state substantial monies.

SENATOR LIZ KRUEGER: Thank you, Madam President. Briefly on the bill.

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

SENATOR LIZ KRUEGER: Thank you.

I appreciate Senator Leibell's answer to my questions, but I want to clarify that I do think that this is a high-risk type of investment. And when you read through various analyses of the types of debts that states take on, in fact, swaps, derivatives, interest-rate changes are defined by the market as a very volatile type of investment, and there is risk involved.

It is quite a few years now since Orange County went bankrupt over swaps and

derivatives arrangements, and there have been some protections built into the market. But as I believe the Senator said himself in his opening presentation, the market is still adjusting itself.

And the concern in this market is that it is volatile. We discover each day that there is exposure of various corporations to having not provided accurate information to the public or to government, and there are still investigations going on by the SEC and by our own Attorney General Eliot Spitzer as to some of the behavior of some investment corporations.

And I am very concerned that New York State should not be investing our money in high-risk types of investments, even though it is true with a high risk can come a high reward. You can see higher earnings, but you could also take a higher risk of losing your capital in this type of investment.

And I am also particularly concerned that this bill doesn't set any limits on how much the UDC might be investing in this type of financial vehicle. It doesn't

set any mandate on what kind of oversight must be applied.

When the Comptroller of the State of New York invests state money for a variety of reasons, there's an entire institutional structure and a series of rules that are applied about the investment of New York State monies.

But I don't believe that the UDC, as an off-budget authority, was set up for this purpose or has anywhere near the type of institutional structure in place to watch this volatile market and these types of volatile investments carefully or carefully enough for the people of New York State.

So I do understand that, again, with a higher risk might come a higher return, which might save the people of New York State money over time. I think that the risks are greater than the reward in this situation and that as a state we should be relatively conservative with our investment strategies, particularly because we have lost so much money in the last few years in the market. And these are again, I think, still considered

volatile and even risky investments.

Michigan, for example, does allow some of its money to be invested using swaps or derivatives, but they have a very carefully laid out statute about what can and cannot be done, how much can be invested, what kind of oversight, what the role of the governing body must be, and even something called swap management plans and debt management plans for evaluating this.

I don't believe that this legislation as it's being presented offers any of those models.

And again, to allow off-budget authorities the kind of power that they already have, plus the ability to now walk into volatile market arrangements, would not be in the best interests of the State of New York. Even though it is true in some short-term scenario we might see a higher return, we could also see a significant loss or even default on these monies.

So while I don't claim to be the world's expert on interest-rate swaps or derivatives, I have done enough homework to

convince myself that this is considered a relatively high-risk venture in finance and it's not what we should be allowing any off-budget authority in New York State to be taking on for itself with our money.

So I will be voting no against your bill again this year.

Thank you very much, Madam President.

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

Senator Schneiderman.

Senator Skelos, first of all.

SENATOR SKELOS: Madam President, if I could interrupt, there will be an immediate meeting of the Tourism Committee in the Majority Conference Room, followed by a meeting of the Aging Committee.

THE PRESIDENT: There will be an immediate meeting of the Tourism Committee in the Majority Conference Room, followed by a meeting of the Committee on the Aging.

Senator Schneiderman.

SENATOR SCHNEIDERMAN: Thank you, Madam President. On the bill.

THE PRESIDENT: You may proceed, Senator.

SENATOR SCHNEIDERMAN: I think that while there may be some disagreement as to the degree of risk in these particular transactions that are at issue in this legislation, I suspect that my colleagues all can agree that there is substantial risk to the economic future of our state if we continue to allow public benefit corporations and authorities to operate the way they are operating now.

We have over 70 major public authorities. We have dozens of other smaller ones. We have a system of off-book recordkeeping and financing that really is as intricate and opaque as anything that has been cooked up in these corporations that are now under investigation at the federal and the state level.

There is no excuse, for those of us who are public servants and are responsible for supervising the expenditure of public funds, for us to allow year after year this situation to get worse and worse.

And it's really something that cuts against the entire principle of public authorities. Although they were originally enacted to provide something that was beyond politics, we find that we have very few things more political and less subject to scrutiny than the public authorities in this state.

Senator Paterson has introduced legislation to deal with this. There is legislation in the Assembly. And I think that the points that Senator Krueger is making could be made about dozens of transactions in dozens of authorities all across the state every week.

Quite simply, we have an out-of-control, off-book monster growing in this state. We have authorities that are carrying more debt than all but a few states in the entire country.

It's time to get that back in line. It's time to reform the Authorities Law. It's time for us to get this done before another series of scandals and a collapse in the state's bond ratings occasioned by the collapse in the bond rating of one of our

authorities.

I am going to vote in favor of this bill. But I do think that if we don't deal with the issue of authorities in the next year or two -- and I hope we will this session -- we're going to find that the long-term economic health of this state is seriously put at risk. We have the authority to do it. It's time for us to act.

Thank you, Madam President.

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, 56. Nays, 1. Senator L. Krueger recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 127, by Senator Skelos, Senate Print 5958, an

act to amend the Public Officers Law, in relation to authorizing correction officers.

THE PRESIDENT: Senator Schneiderman.

SENATOR SCHNEIDERMAN: Madam President, if the sponsor would yield for a question.

THE PRESIDENT: The Senator yields. You may proceed, Senator Schneiderman.

SENATOR SCHNEIDERMAN: Through you, Madam President, what is the position of Nassau County on this bill? Have they requested this legislation, or are they in support of it?

SENATOR SKELOS: This legislation is supported by the CSEA.

Two years ago, I passed legislation that the Assembly did not pass that would allow the sheriff who currently does not reside in Nassau County to reside in -- not to reside in Nassau County and to hold the position.

So I would assume, although I have not heard directly from the county executive

or his representatives -- they may be busy right now. But I know that there is an indication of support for the other bill, so I am confident that he would want the same rights for the correction officers.

SENATOR SCHNEIDERMAN: Thank you.

Thank you, Madam President.

On the bill.

Obviously this is an issue that we were addressing yesterday and that is a subject of concern to some of our members. And it is very important to us that the local governments play a role in this.

And while they are very busy working on behalf of the people's business, I am sure that the executive of Nassau County would be responsive if we sought information about their position on this.

I hope that we will be able to, as the session goes on, clarify what their position is. If the county wants it and this is something that works for them, then I think everyone is inclined to support it.

Thank you, Madam President.

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 3. This act shall take effect immediately.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

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

SENATOR SKELOS: Madam President, if we could return to reports of standing committees, I believe there's a report of the Finance Committee at the desk.

THE PRESIDENT: The Secretary will read.

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

As a member of the Niagara Frontier Transportation Authority, James C. Roscetti, Esquire, of Lewiston.

As a trustee of the Power Authority

of the State of New York, Michael J. Townsend, Esquire, of Fairport.

As a member of the Small Business Advisory Board, Loretta Kaminsky, of Buffalo.

As a trustee of the State University Construction Fund, Stephen V. Reitano, of Scarsdale.

As members of the Advisory Council on Alcoholism and Substance Abuse Services, Chris William Brown, Jr., of Buffalo; Roy Kearse, of Amityville; and Veronica A. Uss, of Livingston.

As members of the Advisory Council to the Commission on Quality of Care for the Mentally Disabled, Richard P. Johnson, of Schenectady, and Regis Obijiski, of Kingston.

As a member of the Mental Health Services Council, Clara K. Wentland, of Menands.

As a member of the Public Health Council, William F. Streck, Ph.D., of Cooperstown.

As members of the State Hospital Review and Planning Council, Joseph A. Crisafulli, of Loudonville, and Jeffrey A.

Kraut, of East Meadow.

As members of the Board of Visitors of the Binghamton Psychiatric Center, Edward G. Giegucz, of Vestal, and Nancy Ann Thomas, of Binghamton.

As members of the Board of Visitors of the Bronx Psychiatric Center, Dennis Castiglione, of the Bronx, and Kurt Douglas Sass, of the Bronx.

As members of the Board of Visitors of the Central New York Developmental Disabilities Services Office, Richard Wayne Hogeboom, Jr., of Camden; John P. McCrea, of Jamesville; and Henry F. Miller, Jr., of Barneveld.

As a member of the Board of Visitors of the Central New York Psychiatric Center, John J. Finn, of Clinton.

As members of the Board of Visitors of the Hudson Valley Developmental Disabilities Services Office, Helen S. Crabbe, of Orangeburg, and Alice L. Kayser, of Orangeburg.

As a member of the Board of Visitors of the Middletown Psychiatric Center,

M. Lori Schneider-Wendt, of Hurleyville.

As a member of the Board of Visitors of the Mid-Hudson Psychiatric Center, John C. Schwartz, of Slate Hill.

As members of the Board of Visitors of the St. Lawrence Psychiatric Center, Patrick R. Rourk, of Norwood, and Imogene Wager, of Ogdensburg.

As a member of the Board of Visitors of the Taconic Developmental Disabilities Services Office, Cheryl Wilcox, of Wassaic.

And as a member of the Board of Visitors of the Western New York Developmental Disabilities Services Office, Mary Ellen Murphy, of West Seneca.

THE PRESIDENT: Senator Skelos.

SENATOR SKELOS: Madam President, I'd like to move the nominations at this time.

THE PRESIDENT: The question is on the confirmation and nominations as read by the Secretary. All in favor please signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The nominees are all hereby confirmed.

Senate Skelos.

SENATOR SKELOS: Madam President, if we could just stand at ease. There will be two reports coming shortly.

THE PRESIDENT: The Senate stands at ease.

(Whereupon, the Senate stood at ease at 11:40 a.m.)

(Whereupon, the Senate reconvened at 11:43 a.m.)

ACTING PRESIDENT MEIER: Senator Skelos.

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

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

SENATOR SKELOS: If we can stand at ease, please.

ACTING PRESIDENT MEIER: The

Senate will stand at ease.

(Whereupon, the Senate stood at ease at 11:44 a.m.)

(Whereupon, the Senate reconvened at 11:53 a.m.)

SENATOR SKELOS: Madam President.

THE PRESIDENT: Senator Skelos.

SENATOR SKELOS: If we could return once again to reports of standing committees, I believe there are two reports at the desk. I ask that they be read at this time.

THE PRESIDENT: Reports of standing committees.

The Secretary will read.

THE SECRETARY: Senator Maziarz, from the Committee on Tourism, Recreation and Sports Development, reports:

Senate Print 769A, by Senator Marcellino, an act to amend the Navigation Law;

3996, by Senator Johnson, an act to amend the Parks, Recreation and Historic Preservation Law;

And Senate Print 4516, by Senator

LaValle, an act to amend Chapter 453 of the Laws of 2000.

Senator Golden, from the Committee on Aging, reports:

Senate Print 506, by Senator Maziarz, an act to amend the Public Health Law;

1532, by Senator Farley, an act to amend the Education Law;

2222, by Senator Golden, an act to amend the Executive Law;

3372, by Senator Golden, an act to amend the Vehicle and Traffic Law;

4411, by Senator Maziarz, an act to amend the Executive Law;

And Senate Print 6007, by Senator Golden, an act to amend the Executive Law.

All bills ordered direct to third reading.

THE PRESIDENT: All bills ordered direct to third reading.

Senator Skelos.

SENATOR SKELOS: Is there any housekeeping at the desk?

THE PRESIDENT: No, there isn't,

Senator Skelos.

SENATOR SKELOS: There being no further business to come before the Senate at this time, I move we adjourn until Monday, February 9th, at 3:00 p.m., intervening days being legislative days.

THE PRESIDENT: On motion, the Senate now stands adjourned until Monday, February 9th, 3:00 p.m., intervening days being legislative days.

(Whereupon, at 11:50 a.m., the Senate adjourned.)