NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

April 19, 2004

3:08 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 stand and join me in the Pledge of Allegiance to the Flag.

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

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

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

ACTING PRESIDENT MEIER: Reading of the Journal.

THE SECRETARY: In Senate, Sunday, April 18, the Senate met pursuant to adjournment. The Journal of Saturday, April 17, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Skelos.

SENATOR SKELOS: Mr. President, I believe there's a substitution at the desk.

ACTING PRESIDENT MEIER: The Secretary will read the substitution.

THE SECRETARY: On page 4, Senator Marcellino moves to discharge, from the Committee on Consumer Protection, Assembly Bill Number 1062 and substitute it for the identical Senate Bill Number 784, First Report Calendar 678.

ACTING PRESIDENT MEIER: Substitution ordered.

Senator Skelos.

SENATOR SKELOS: Mr. President, there's a resolution, 4509, at the desk by Senator Bonacic. Could we have the title read and move for its immediate adoption.

ACTING PRESIDENT MEIER: The

Secretary will read the title.

THE SECRETARY: By Senator Bonacic, Legislative Resolution Number 4509, paying tribute to the life and selfless heroism of Specialist Isaac Michael Nieves of Sidney, New York.

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

(Response of "Aye.")

ACTING PRESIDENT MEIER: Opposed, nay.

(No response.)

ACTING PRESIDENT MEIER: The resolution is carried.

Senator Skelos.

SENATOR SKELOS: Mr. President, if we could go to the noncontroversial reading of the calendar.

ACTING PRESIDENT MEIER: The Secretary will conduct the noncontroversial reading of the calendar.

THE SECRETARY: Calendar Number 13, by Senator Maziarz, Senate Print 3701A, an act to amend the Real Property Tax Law, in

relation to extending.

ACTING PRESIDENT MEIER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 180th day.

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 38.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 22, by Senator Balboni, Senate Print 524, an act to amend the General Business Law and the Penal Law, in relation to operating an aircraft while intoxicated.

ACTING PRESIDENT MEIER: Read the last section.

THE SECRETARY: Section 9. This act shall take effect on the first of November.

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 37. Nays,

1. Senator Duane recorded in the negative.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 219, by the Assembly Committee on Rules, Assembly Print Number 8334, an act to amend the Civil Practice Law and Rules, in relation to conducting depositions.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 38. Nays, 1. Senator Duane recorded in the negative.

ACTING PRESIDENT MEIER: The bill is passed.

Senator Skelos.

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

ACTING PRESIDENT MEIER:

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

The Secretary will continue to read.

THE SECRETARY: Calendar Number 273, by Senator Marcellino, Senate Print 772, an act to amend the Labor Law, in relation to designating as an unfair labor practice the granting of permanent replacement employee status.

ACTING PRESIDENT MEIER: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 120th day.

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 41.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 356, by Senator Robach, Senate Print 6214, an act to amend the Civil Service Law, in relation to reduction in force and recall provisions.

ACTING PRESIDENT MEIER: Read the last section.

THE SECRETARY: Section 7. This act shall take effect on the 90th day.

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 41.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 398, by Senator Volker, Senate Print 5801A, an act to amend the Local Finance Law, in relation to the sale of bonds and notes of the City of Buffalo.

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

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, 45.

ACTING PRESIDENT MEIER: The bill

is passed.

THE SECRETARY: Calendar Number 406, by Senator Libous, Senate Print 4794, an act to amend the Mental Hygiene Law, in relation to payments made by the Office of Mental Retardation and Developmental Disabilities.

ACTING PRESIDENT MEIER: Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 45.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 407, by Senator Skelos, Senate Print 4835A, an act to amend the Mental Hygiene Law, in relation to disclosure of sexual offender information.

ACTING PRESIDENT MEIER: Read the last section.

THE SECRETARY: Section 5. This

act shall take effect on the 180th day.

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 44. Nays, 1. Senator Duane recorded in the negative.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 430, by Senator Padavan, Senate Print 24A --

SENATOR LIZ KRUEGER: Lay it aside, please.

ACTING PRESIDENT MEIER: Lay the bill aside.

THE SECRETARY: Calendar Number 528, by Senator Meier, Senate Print 5737A, an act to amend the Tax Law, in relation to authorizing the County of Lewis to impose hotel or motel taxes.

ACTING PRESIDENT MEIER: There is a local fiscal impact note at the desk.

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, 47.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 555, by Senator Trunzo, Senate Print 5746A, an act to amend the Vehicle and Traffic Law, in relation to vehicle data recording devices.

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, 47.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 609, by Senator Maziarz, Senate Print 5835, an act to amend the Workers' Compensation Law, in relation to direct deposit.

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, 50.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 611, by Senator Velella, Senate Print 6455, an act to amend the Workers' Compensation Law, in relation to imposing penalties on third parties.

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, 50.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 617, by Member of the Assembly Tocci, Assembly

Print Number 5044, an act to amend the Civil Service Law, in relation to priority in employment.

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, 50.

ACTING PRESIDENT MEIER: The bill is passed.

THE SECRETARY: Calendar Number 634, by Senator Volker, Senate Print --

SENATOR LIZ KRUEGER: Lay it aside, please.

ACTING PRESIDENT MEIER: Lay the bill aside.

THE SECRETARY: Calendar Number 642, by Senator Skelos, Senate Print 5974, an act to amend Chapter 138 of the Laws of 1998, amending the Navigation 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, 50.

ACTING PRESIDENT MEIER: The bill is passed.

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

SENATOR SKELOS: Thank you, Mr. President. If we could go to the controversial reading of the calendar.

ACTING PRESIDENT MEIER: The Secretary will conduct the controversial reading of the calendar.

THE SECRETARY: Calendar Number 430, by Senator Padavan, Senate Print 24A, an act to amend the Executive Law.

SENATOR LIZ KRUEGER: Explanation.

SENATOR SKELOS: Mr. President, I believe we're on Calendar 430.

ACTING PRESIDENT MEIER: Yes.

SENATOR SKELOS: And an

explanation has been asked.

ACTING PRESIDENT MEIER: Senator Padavan, Senator Liz Krueger has requested an explanation of Calendar 430.

SENATOR PADAVAN: Thank you, Mr. President.

What the bill seeks to do, in very fundamental terms, is to in state law require as much cooperation as is feasible and appropriate between our police agencies and the United States Bureau of Immigration and Customs.

We know -- history is now telling us, regrettably -- that failures of cooperation between law enforcement agencies at all levels can be viewed as the genesis for the tragedies that we have had fallen upon us in New York City and elsewhere.

This bill would require state and local police agencies to cooperate. Specifically, it would require such agencies to verify the citizenship status of persons arrested -- I want you to underline that word, "arrested" -- under state law and who are reasonably suspected of being illegal aliens,

and to notify the Attorney General as well as the Bureau of Immigration and Customs of such persons' suspected status, and would provide for cooperation between the Attorney General and the federal agency.

It would prohibit local governments from preventing such cooperation from taking place.

We realize that immigration is primarily a federal responsibility. But as has been said by so many so often, if we're to deal with these issues of international terrorism and criminality, cooperation at all levels of government is essential. We cannot simply look to Washington and say they will solve all of these problems. Our local law enforcement agencies must be partners in that initiative.

So if they arrest someone for having committed a crime and there's an issue of immigration associated with that individual, then certainly the federal agency that has paramount responsibility should at a minimum be notified. And that is what this bill would provide.

ACTING PRESIDENT MEIER: Senator Krueger.

SENATOR LIZ KRUEGER: Thank you, Mr. President. If, through you, the sponsor would yield.

ACTING PRESIDENT MEIER: Senator Padavan, do you yield for a question?

SENATOR PADAVAN: Yes.

ACTING PRESIDENT MEIER: The sponsor yields.

SENATOR LIZ KRUEGER: Thank you.

Senator Padavan, how would we address the concern of people's civil liberties being violated based on their only being suspected of being an illegal immigrant? I think particularly in New York City, where the policy has been not to have government agencies asking people for documentation of their legal status, how do you see this as actually being translated at the local level?

SENATOR PADAVAN: Senator, you weren't listening to me. We're talking about someone who is arrested.

Let me give you an example. Not too long ago, four individuals in Flushing

Corona Park attacked a young couple, beat the young man senseless, and then raped, all of them raped the young woman. They were arrested. As it turned out, they were illegal immigrants, and they had arrest records a yard long.

Now, the obvious question is had upon their first arrest INS, the federal agency, been notified, would appropriate action have taken place to preclude this terrible crime and terrible tragedy from having occurred in Senator Sabini's district? I think the answer is yes.

And that is the answer you should give, or I would give, to any person who talks about why such an initiative is necessary.

SENATOR LIZ KRUEGER: Mr. President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT MEIER: Senator Padavan, do you continue to yield?

SENATOR PADAVAN: Yes.

ACTING PRESIDENT MEIER: The sponsor yields.

SENATOR LIZ KRUEGER: Thank you.

Perhaps you didn't understand my question, so let me try to rephrase it. My question was not whether or not they had been arrested. I accept your argument there.

The question is, how are the local authorities supposed to make a determination of whether or not this is an illegal immigrant at the time of arrest, and what would be the process for ensuring that people who were not illegal immigrants from being sort of sent over, so to speak, to --

SENATOR PADAVAN: Well, the bill, if it became law, would only be applicable to someone who is arrested. It's only applicable to someone who has committed a crime.

Now, what is a reasonable indication relevant to that person? I'll give you some. Phoney driver's licenses, phoney Social Security cards, documents that are also forged in their possession. That's a pretty good indication. And that's what these individuals mostly carry. You can buy this stuff all over the place.

That's a reasonable indication. And I'm sure if we thought about it and sat

down, we'd come up with many others. That's the answer to your question.

SENATOR LIZ KRUEGER: Mr. President, if the sponsor would continue to yield.

SENATOR PADAVAN: One more question, Senator.

ACTING PRESIDENT MEIER: The sponsor yields.

SENATOR LIZ KRUEGER: Thank you.

Since there's already a delicate and difficult balance in immigrant communities between the police and the communities, do you think that your bill would have a chilling effect on having immigrants, whether they have legal status or perhaps don't have legal status, coming forward to report crimes to the police, to assist the police in hunts for dangerous criminals, as you described yourself in your example given to me earlier?

Do you share perhaps any of my concern that this type of law would actually increase the chances that noncitizens would fear approaching the police and working with the police to in fact try to find criminals

and arrest them who are committing the types of heinous acts you described in their communities, because of new fears that suddenly having any interaction with the police would result in the potential for them being either wrongly targeted or profiled as an undocumented immigrant or, in some cases, in fact, targeted as an undocumented immigrant even though they were not the committer of a crime?

SENATOR PADAVAN: I understand the question, Senator.

SENATOR LIZ KRUEGER: Thank you.

SENATOR PADAVAN: All right. Quite to the contrary, in immigrant communities the victims are most frequently immigrants, throughout the City of New York in particular. They're the ones who become victimized by criminals who would commit all kinds of acts to body, person and property.

Therefore, it is certainly, in my view, the desire of immigrants in every community in the city and state to want those individuals out of their neighborhoods, away from their children, so that their lives can

be safer and they can live in peace and prosperity. Because that's why they're here, not to be victimized by criminals who are in this country for no other reason than to commit crimes. That's the answer.

ACTING PRESIDENT MEIER: Senator Sabini.

SENATOR SABINI: Mr. President, through you, may I address a question to the sponsor?

ACTING PRESIDENT MEIER: Senator Padavan, do you yield for a question from Senator Sabini?

SENATOR PADAVAN: Yes.

ACTING PRESIDENT MEIER: The sponsor yields.

SENATOR SABINI: First of all, Senator Padavan, I just wanted to note that that heinous crime that you talked about that occurred in the railroad yards adjacent to Flushing Meadow Park was in -- it was no less heinous, but it was in Senator Stavisky's district, not in mine.

I just want to ask a quick question regarding your bill, since this bill has been

around for a couple of years.

The government entities that are most affected by this bill within the State of New York would be the local police departments. I'm just wondering if you had any memoranda of support or any discussion with local entities anywhere in the state regarding their feelings about this legislation and their ability to make it workable if it became law.

SENATOR PADAVAN: I have no memorandums from the New York City Police Department, if that's your question. Is it?

SENATOR SABINI: Or any police department.

SENATOR PADAVAN: No, I have no memorandums.

SENATOR SABINI: Thank you.

SENATOR PADAVAN: By the way, Senator, just as a matter of information, the report I received is that the individuals accused of brutally raping a woman on the edge of Flushing Meadow Park -- is that your district?

SENATOR SABINI: Not that part of

it.

SENATOR PADAVAN: They were walking through the park. You told me the other day, why was I at that event when it was in your district and I didn't tell you.

SENATOR SABINI: Madam President.

ACTING PRESIDENT McGEE: Senator Sabini.

SENATOR SABINI: No, what I said -- I share Flushing Meadows Park with Senator Stavisky.

SENATOR PADAVAN: The Senator and I were at the --

SENATOR SABINI: Flushing Meadows Corona Park, Senator Padavan. I have the Corona section and --

SENATOR PADAVAN: By way of explanation, the Senator and I were at an event celebrating the 40th anniversary of the World's Fair and what anniversary of the 1939 World's Fair.

And he said to me, "What are you doing in my district without telling me?"

ACTING PRESIDENT McGEE: And you said?

(Laughter.)

SENATOR SABINI: Madam President, actually, I was welcoming Senator Padavan back to the home of his alma mater, Newtown High School, which is in Elmhurst, in my district.

And we share Flushing Meadows Corona Park with Senator Stavisky, as it's been named for the last 20 years. I have the Corona section; she has the Flushing Meadows section.

ACTING PRESIDENT McGEE: Read the last section.

Oh. Senator Schneiderman.

SENATOR SCHNEIDERMAN: Yes, Madam President, very briefly on the bill.

ACTING PRESIDENT McGEE: Senator Schneiderman, on the bill.

SENATOR SCHNEIDERMAN: I don't think this bill is going to move forward. We've debated it in the past.

I would say, though, that it is absolutely clear to me from my discussion with local law enforcement officers that this in not something that is popular in the law enforcement community.

And I would call to the attention of all my colleagues the April 12th article in the New York Times citing law enforcement officers and authorities around the country, quote, warning that these arrangements may make immigrants wary of cooperating with the police or reporting crime and could lead to racial profiling at the expense even of people in the country legally.

I think this is a troublesome issue. It is a difficult issue. And I don't think the issue is resolved by essentially trying to make all of our local law enforcement officials enforce a set of laws through an ambiguous process. And I'm trying to figure out who should be, quote, reasonably suspected of being present in the United States illegally.

I vote no. Again, I urge everyone to vote no. And I hope that when it comes time for us actually to deal with some of these difficult issues relating to immigration, we will be able to do better.

Thank you.

ACTING PRESIDENT McGEE: Senator

Balboni.

SENATOR BALBONI: Yes, Madam President. Let me just clarify something.

I think that what the Senator just was referring to was a piece of legislation that would require local law enforcement officers to enforce immigration violations. Because when you take a look at the national police conferences, when you speak with the people in Washington, they'll tell you that that is a principal concern because of a lack of money.

The thing that they do want, at least that they've been asking for, particularly after 9/11, is the ability to share information. That's exactly what Senator Padavan's bill does.

As a matter of fact, Senator Padavan's bill doesn't go as far as a lot of people said we should go, because he limits it to arrests. A lot of people will say that police officers at a stop should be able to inquire as to the immigration status of an individual.

Senator Padavan doesn't go that

far. He says, you know what, we're going to protect the rights not only of the people who are stopped but of the people in their community. Because when you say if you are arrested, we can check.

Now, this is a sharing of information. What's so funny about this debate is that I've sat in rooms at the White House where people have sat and talked to each other: We need to share more information. And people from the states have said: Why don't you give us more information? And they say back: Well, why don't YOU give us more information?

And here we are arguing, Nope, we shouldn't share the information. Sometimes life has a funny way of repeating itself.

Senator Padavan's bill is exactly what we should be doing. It protects the rights of the people who are out there. And remember, we're merely inquiring. This is not going to stop anybody from coming forward with any information to help law enforcement and help keep their communities safe.

ACTING PRESIDENT McGEE: Read the

last section.

Senator Schneiderman.

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

ACTING PRESIDENT McGEE: Senator Schneiderman, on the bill for the second time.

SENATOR SCHNEIDERMAN: I'm always pleased to hear about Senator Balboni's travel schedule.

But whatever they're saying in the White House, I assure you that at the 33rd and 34th precincts in Upper Manhattan, they do not take that point of view. This legislation would -- please, they would love to meet you. They're nice guys. He's not at the 33rd and 34th precinct.

SENATOR MARCELLINO: Do you two want to be alone?

SENATOR SCHNEIDERMAN: I'd like to be alone without him, actually, but that's a different issue.

(Laughter.)

SENATOR SCHNEIDERMAN: This is a serious matter. And I would again urge that the quote I read from the New York Times does

not relate simply to the requirement of arrest or the requirement that local law enforcement officials enforce the federal law.

It does refer to the complaints of local officials, including in my district, about forcing them, essentially, to not use their discretion on when to refer things forward to the federal authorities, to the ICE, but requiring them, as this bill would, when anyone is reasonably suspected of being present in the United States illegally, of passing this information along, verifying the status and all the other provisions.

And again, there are several different efforts discussed in this article. It's pretty straightforward. It talks about the police chiefs in Boston, Houston, several communities in California and around the country, who are concerned about the arrangement.

It is a very -- let's not -- I mean, all kidding aside, it is a very serious problem when people are discouraged from going to the police to report crimes or to cooperate with the police because they're concerned

about their immigration status. And some people even who are here legally are concerned about how they're going to be treated.

So let's not -- you know, let's not treat this too cavalierly. I think there are problems with this legislation. I urge everyone to vote no.

And the problems and the concerns of law enforcement officers may not be unanimous, but it certainly is something that has been raised by responsible officers in my district and elsewhere.

Thank you, Madam President.

ACTING PRESIDENT McGEE: One more time. Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 30th day.

ACTING PRESIDENT McGEE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Those Senators recorded in the negative on Calendar Number 430 are Senators Andrews, Brown, Diaz, Dilán, Duane, Gonzalez, Hassell-Thompson, L. Krueger, Montgomery, Paterson, Sabini, Sampson,

Schneiderman, A. Smith, and Stavisky. Ayes, 42. Nays, 15.

ACTING PRESIDENT McGEE: The bill is passed.

THE SECRETARY: Calendar Number 634, by Senator Volker, Senate Print 6249, an act to amend the Criminal Procedure Law, in relation to granting certain powers.

ACTING PRESIDENT McGEE: Read the last section.

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

ACTING PRESIDENT McGEE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56. Nays, 1. Senator Duane recorded in the negative.

ACTING PRESIDENT McGEE: The bill is passed.

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

SENATOR RATH: Thank you, Madam Chairman. Please return to reports of standing committees.

ACTING PRESIDENT McGEE: The

Secretary will read.

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

Senate Print 6932, by the Senate Committee on Rules, an act making appropriations for the support of government.

ACTING PRESIDENT McGEE: Without objection, the bill is reported directly to third reading.

Senator Rath.

SENATOR RATH: If we can please take up Senate 6932, emergency appropriation bill.

ACTING PRESIDENT McGEE: The Secretary will read.

THE SECRETARY: Calendar Number 693, by the Senate Committee on Rules, Senate Print 6932, an act making appropriations for the support of government and to amend Chapter 18 of the Laws of 2004.

ACTING PRESIDENT McGEE: Senator Rath.

SENATOR RATH: Is there a message of necessity and appropriation?

ACTING PRESIDENT McGEE: There is a message of necessity and appropriation at the desk.

SENATOR RATH: Move to accept.

ACTING PRESIDENT McGEE: All in favor of accepting the motion signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT McGEE: Opposed, nay.

(Response of "Nay.")

ACTING PRESIDENT McGEE: The message is accepted.

The Secretary will read the last section.

THE SECRETARY: Section 22. This act shall take effect immediately.

SENATOR SCHNEIDERMAN: Explanation.

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

SENATOR JOHNSON: Madam President, this bill will pay the expenses of operating the state government for the next week, from now until next Monday. It includes

Medicaid, unemployment, school aid payments, payments to employees of the state, contractual obligations, et cetera.

Thank you.

ACTING PRESIDENT McGEE: Read the last section.

THE SECRETARY: Section 22. This act shall take effect immediately.

ACTING PRESIDENT McGEE: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 2. Senators Sabini and Schneiderman recorded in the negative.

ACTING PRESIDENT McGEE: The bill is passed.

Senator Lachman.

SENATOR RATH: Is there any housekeeping at the desk?

ACTING PRESIDENT McGEE: Senator Lachman.

SENATOR RATH: Oh, I'm sorry, Senator Lachman.

SENATOR LACHMAN: Madam Chair, I'd like to be recorded as voting in the

negative on Calendar Number 430, S24A.

ACTING PRESIDENT McGEE: Without objection.

Senator Trunzo.

SENATOR TRUNZO: Madam President, I commit Senate Bill Number 2043, Calendar Number 541 on order of third reading, to the Committee on Finance.

ACTING PRESIDENT McGEE: So ordered.

Senator Rath.

SENATOR RATH: There being no further business, I move we adjourn until Tuesday, April 20th --

ACTING PRESIDENT McGEE: Just one moment.

Senator Krueger.

SENATOR LIZ KRUEGER: Thank you, Madam President. If I could have unanimous consent to be recorded in the negative on Bill 6932.

ACTING PRESIDENT McGEE: Without objection.

SENATOR LIZ KRUEGER: Thank you.

ACTING PRESIDENT McGEE: Senator

Rath again.

SENATOR RATH: Survey the room this time.

There being no further business, I move we adjourn until Tuesday, April 20th, at 3:00 p.m.

ACTING PRESIDENT McGEE: On motion, the Senate stands adjourned until Tuesday, April 20th, at 3:00 p.m.

(Whereupon, at 3:39 p.m., the Senate adjourned.)