NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

July 21, 2004

12:50 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, Tuesday, July 20, the Senate met pursuant to adjournment. The Journal of Monday, July 19, 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 Skelos.

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

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

SENATOR SKELOS: And if we could stand at ease pending the return of the report of the Rules Committee.

THE PRESIDENT: The Senate stands at ease.

(Whereupon, the Senate stood at ease at 12:53 p.m.)

(Whereupon, the Senate reconvened at 1:06 p.m.)

THE PRESIDENT: Senator Skelos.

SENATOR SKELOS: Madam President,

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

THE PRESIDENT: Reports of standing committees.

The Secretary will read.

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

Assembly Print 4274B, by Member of the Assembly Gottfried, an act to amend the Public Health Law;

4421B, by Member of the Assembly Gottfried, an act to amend the Public Buildings Law;

11054, by the Assembly Committee on Rules, an act to amend the Labor Law;

Senate Print 2228A, by Senator Trunzo, an act to amend the Retirement and Social Security Law;

6000, by Senator Seward, an act to amend the Insurance Law;

6407A, by Senator Oppenheimer, an act authorizing the City of New Rochelle;

7572, by Senator Parker, an act to authorize the Congregation;

7675, by Senator Padavan, an act to amend a chapter of the Laws of 2004;

7676, by Senator Skelos, an act to amend the Public Health Law;

7682A, by Senator Mendez, an act to amend the Labor Law;

7685, by Senator Balboni, an act to amend the Criminal Procedure Law;

And Senate Print 7686, by Senator Nozzolio, an act to amend the Executive Law.

All bills ordered direct to third reading.

THE PRESIDENT: Senator Skelos.

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

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The report is accepted.

Senator Skelos.

SENATOR SKELOS: If we could take up the Rules report, noncontroversial.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 123, by Member of the Assembly Gottfried, Assembly Print Number 4421B, an act to amend the Public Buildings Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 2. This act shall take effect April 1, 2005.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56. Nays, 2. Senators Meier and Saland recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1096, by the Assembly Committee on Rules, Assembly Print Number 11054, an act to amend the Labor Law.

THE PRESIDENT: Read the last

section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1193, by Member of the Assembly Gottfried, Assembly Print Number 4274B, an act to amend the Public Health Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 8. This act shall take effect on the 60th day.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1799, Senator Parker moves to discharge, from the Committee on Rules, Assembly Bill Number 11554 and substitute it

for the identical Senate Bill Number 7572, Third Reading Calendar 1799.

THE PRESIDENT: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1799, by the Assembly Committee on Rules, Assembly Print Number 11554, an act to authorize the Congregation Beis Meir, Inc.

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, 57. Nays, 1. Senator Bonacic recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1890, Senator Trunzo moves to discharge, from the Committee on Rules, Assembly Bill Number 4487A and substitute it for the identical Senate Bill Number 2228, Third Reading Calendar 1890.

THE PRESIDENT: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1890, by Member of the Assembly Abbate, Assembly Print Number 4487A, an act to amend the Retirement and Social Security 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, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1891, Senator Seward moves to discharge, from the Committee on Insurance, Assembly Bill Number 9411 and substitute it for the identical Senate Bill Number 6000, Third Reading Calendar 1891.

THE PRESIDENT: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1891, by Member of the Assembly Silver, Assembly Print Number 9411, an act to amend the Insurance Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 60th day.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: In relation to Calendar Number 1892, Senator Oppenheimer moves to discharge, from the Committee on Rules, Assembly Bill Number 9879 and substitute it for the identical Senate Bill Number 6407A, Third Reading Calendar 1892.

THE PRESIDENT: Substitution ordered.

The Secretary will read.

SENATOR SKELOS: Calendar Number 1892, by Member of the Assembly Tocci, Assembly Print Number 9879, an act authorizing

the City of New Rochelle to accept an application.

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, 57. Nays, 1. Senator Bonacic recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1893, by Senator Padavan, Senate Print 7675, an act to amend a chapter of the Laws of 2004 amending the Public Health Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 1894, by Senator Skelos, Senate Print 7676, an act to amend the Public Health Law, in relation to authorizing the Commissioner of Health.

THE PRESIDENT: Read the last section.

SENATOR SKELOS: Section 2. 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 noncontroversial reading of the calendar.

SENATOR SKELOS: Madam President, we'll stand at ease temporarily. We're waiting for messages from the Governor.

THE PRESIDENT: The Senate stands at ease.

(Whereupon, the Senate stood at ease at 1:14 p.m.)

(Whereupon, the Senate reconvened at 1:40 p.m.)

THE PRESIDENT: Senator Skelos.

SENATOR SKELOS: Madam President, if we could return to the Rules calendar and take up Calendar Number 1896, by Senator Nozzolio.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 1896, by Senator Nozzolio, Senate Print 7686, an act to amend the Executive Law, in relation to the state DNA identification index.

THE PRESIDENT: Senator Skelos.

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

THE PRESIDENT: Yes, there is, Senator.

SENATOR SKELOS: Move to accept.

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The message of necessity is accepted.

Read the last section.

SENATOR SKELOS: Section 3. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2004.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

Senator Skelos.

SENATOR SKELOS: Madam President, there is a bill before us, shortly, by Senator Balboni. And if you could call up Calendar Number 1889 at this time.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 1889, by Senator Balboni, Senate Print 7685, an act to amend the Criminal Procedure Law, in relation to lifelong prosecution for terrorism.

THE PRESIDENT: Senator Skelos.

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

THE PRESIDENT: Yes, there is, Senator.

SENATOR SKELOS: Move to accept.

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(Response of "Nay.")

THE PRESIDENT: The message of necessity is accepted.

Senator Skelos.

SENATOR SKELOS: Madam President, I think a number of us would like to have an explanation of the bill.

THE PRESIDENT: Senator Balboni.

SENATOR SCHNEIDERMAN: Brief. Brief.

SENATOR BALBONI: Madam President, in a year in Albany when we have found it difficult to agree on many things, this bill before us is the culmination of several years of negotiations. And there are many things, many aspects in this bill that are the first of its kind in the country and

reflects the input of so many members, not only in this chamber, but also in the State Assembly.

But as much as it is a good thing to have come together, particularly in light of the coming convention, it is also kind of startling to consider that it is a beautiful July day and here we are once again having to consider probably the most horrible things that we as a society or a civilization could contemplate.

This bill does ten things. It creates a statute of limitations for the crime of terrorism of eight years, unless someone killed during the act, in which case there is no statute of limitations. We will hunt down whoever did the act forever.

A second piece is that it creates, for the first time in state law, the crimes of possession and use of a weapon of mass destruction -- specifically, chemical, biological, and radiological.

It authorizes the Commissioner of the Department of Health to create a list of select agents of both biological and chemical

weapons and defines, for the first time in state law, a weapon of mass destruction, in that not only is it a select agent, but it must be with the ability to disperse it and disseminate it.

The bill creates the crime of money laundering for terrorism, which more and more, if you take a look through the literature, through the newspaper accounts, is becoming a huge problem; that is, how to fund terrorism.

With the overthrow of the Taliban regime in Afghanistan, much of the financial support has been taken away from groups such as Al Qaeda. But they still continue to receive funds. The threshold for the first-degree crime of money laundering for terrorism is $75,000.

There is now a requirement that every convicted terrorist's DNA be placed into the DNA database.

The bill does something that I have called for for the last several years. It takes the Governor's executive order, which created the Office of Public Security, and places it into statute, and changes the name.

No longer will it be known as the Office of Public Security; it will now be known as the Office of Homeland Security.

I spoke at the Office of Public Security retreat last night in Saratoga, and I will tell you that fifty dedicated professionals really wanted this because they were just tired of having to explain, yes, we're the state arm of the Homeland Security.

But it does much more than that. For the first time in state law, this bill sets up a briefing requirement for sensitive information to the Legislature, adopting sensitive protocols for the transmission and discussion of confidential information. We've never done this before.

It expands the ability to train firefighters and first-responders on how to deal with a weapon of mass destruction. The first time we've done this in law. And the state fire administrator will be the one responsible for that. This recommendation came out of a hearing that the Assembly held on this bill.

It also does something that I was

talking with Director McMahon last night about: it creates for the first time an ability to review, inspect and then secure chemical plants.

In this state, in this Legislature we have created a bill for water security, water plant security, electrical or energy transmission and generation facility security. And now the last leg of that stool for security is chemical plants.

And we've learned many things from the bill that Senator Padavan passed and Senator Wright put together on the electrical facilities. This is a critical component for this state.

The bill also creates, for the first time, puts into law Senator Mary Lou Rath's effort to make the placement of a substance that is not anthrax but is purported to be anthrax a crime.

It also creates a statewide wireless network advisory board. This has come out of the concern that was generated when M/A-COM received the bid for the development of the statewide wireless network.

This will now integrate the Legislature with that entire process.

One little fact, I attended a meeting on it yesterday, and 60 percent of the state is currently covered by cellular service. Only 60 percent. After the lessons learned in 9/11, that's just unacceptable.

And then, lastly, it does something that Jim Kallstrom spoke about the first time I ever met him, in the days following September 11th when he came and he briefed the Legislature. He spoke about the possibility of terrorists using a small plane as a delivery vehicle into a major metropolitan hub. And as you know, small planes can travel 150 miles. And yet when he did a review of all the different rural airports, he found absolutely no security whatsoever.

And in fact, this scenario was the basis of a television program, one of the most frightening I've seen, on the show "CSI." Or I think it was "24."

That's what's in the bill.

What's not in the bill? The issue of roving wiretaps, which was very

controversial. The issue of the .50-caliber sniper weapons, that's not in here. The requirement that money laundering be at a $500,000 level, that's been taken out.

Ladies and gentlemen, I think this is a very, very positive step. And in a time when we are continually hearing about threats overseas directed towards this country, particularly in the upcoming political season, I think this is a very crucial step, a three-way agreement that will in fact make New Yorkers safer.

Thank you, Madam President.

THE PRESIDENT: Senator Volker.

SENATOR VOLKER: Madam President, very quickly.

I just want to congratulate Senator Balboni on this bill and say that I've been here a few years, probably more years than I should. And by the way, there's another bill on this agenda that -- Senator Nozzolio's bill, that amends the DNA bill that was passed here earlier.

These bills, by the way, are all agreed on. And in fact, this is an unusual

bill, Senator Balboni's bill. If you look at it, it has a Republican governor and a Democratic attorney general as the people requesting this bill. Plus both houses have agreed on it.

And the reason I say this is, you know, there's a lot of talk about that we can't come to any agreement on anything. I must tell you, in my humble opinion, the bill that we passed here, what was it, three weeks ago, the DNA bill, and this bill right here are the most important criminal justice bills passed this decade.

And, you know, there may be others in the future. But as of right now, these are the two most important criminal justice bills, if you look at how much they enhance and how much they deal with. It shows you what our state can do when we're faced with very, very serious problems.

The DNA bill, I have to be perfectly honest with you, I thought that would take two or three more years. Not in this house; I was talking about the other house.

And this bill, this bill makes common sense. But sometimes it's difficult, in our age, because common-sense reporting sometimes is hard to do. In fact, people are paying little attention to this bill here. Really. I mean, the outside media. But this bill is huge. And it represents not only for this state, for the country -- because we are the linchpin in criminal justice for the entire country.

And my congratulations to the Governor, obviously; the Attorney General; and to Senator Balboni, who I can tell you has done just yeoman work in the area of homeland security and deserves an immense amount of accolades for the time and the effort he's put into it.

(Scattered applause.)

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

The Secretary will read the substitution.

THE SECRETARY: In relation to Calendar Number 1889, Senator Balboni moves to discharge, from the Committee on Rules,

Assembly Bill Number 11723A and substitute it for the identical Senate Bill Number 7685, Third Reading Calendar 1889.

THE PRESIDENT: Substitution ordered.

Read the last section.

THE SECRETARY: Section 19. This act shall take effect immediately.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57. Nays, 1. Senator Duane recorded in the negative.

THE PRESIDENT: The bill is passed.

Senator Skelos.

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

THE PRESIDENT: The Senate stands at ease.

(Whereupon, the Senate stood at ease at 1:53 p.m.)

(Whereupon, the Senate reconvened at 1:59 p.m.)

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Madam President,

can we at this time call up Calendar Number 1886.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: In relation to Calendar Number 1886, Senator Mendez moves to discharge, from the Committee on Rules, Assembly Bill Number 11760A and substitute it for the identical Senate Bill Number 7682A, Third Reading Calendar 1886.

THE PRESIDENT: Substitution ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1886, by the Assembly Committee on Rules, Assembly Print Number 11760A, an act to amend the Labor Law.

SENATOR BRUNO: Is there a message of necessity from the Governor?

THE PRESIDENT: Yes, there is, Senator Bruno.

SENATOR BRUNO: Then I would move that we accept the message.

THE PRESIDENT: All in favor of accepting the message of necessity please

signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The message of necessity is accepted.

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 PRESIDENT: Senator Bruno, to explain your vote.

SENATOR BRUNO: Thank you, Madam President, and to explain my vote. And I won't be long.

It's been four years since we voted to raise the minimum wage here in this state. And I think that it is appropriate that we be supportive of this legislation. And as we all know, in the bill it moves the minimum wage from $5.15 to $6.00 January of '05, to $6.75 in January of '06, to $7.15 in January of '07.

We hope that the federal government will act. And they really have about --

almost a year and a half to act. So we're petitioning the federal government in every way, and our representatives, that they do something to address what should be addressed across the entire United States, and not state by state, putting some states at a competitive disadvantage and others at an advantage.

So we're hoping by doing this we help the federal government and all the people that are elected to represent us focus on getting this done.

The rest of the bill moves the wages from tips up, in the same percentage exactly as the minimum wage.

People out there who earn the minimum wage deserve a raise. You can't support a family, they can't support themselves. All of us have always supported this. We've just been waiting for the federal government. It's apparent now that they're not acting. We hope they will; they still have time. But if they don't, we're going to move the minimum wage and get it done on behalf of the people who truly need it here in this state.

Thank you, Madam President.

THE PRESIDENT: Senator Diaz, to explain your vote.

SENATOR DIAZ: Thank you, Madam President.

Since 1960, the minimum wage in the State of New York has not remained at the rate of inflation. On the other hand, we all know that residents of New York City, especially the residents of the 32nd Senatorial District, which I represent, has been facing increases in taxes, increases in real property taxes, increases in public transportation -- fare increases, subway, buses, even taxis. They have been faced with increases in gasoline prices, increases in parking tickets.

Some of the increases, milk prices. Parents cannot make effort to buy -- they have to make efforts to buy milk for their children. Senior daily food contribution has been increased to one dollar. Rent has been increased. Telephone bills, cable TV, even chewing gum has been increased to the residents of the people of New York.

For this reason, many families are

obligated to live check to check and work long hours to support themselves and afford an increase in prices. A full-time worker earning minimum wage in the state of New York earns $10,712 a year, well below the federal poverty line. That individual has to support another person.

In the state of New York, 70 percent of employees that earn the minimum wage are adults. Twelve states in the U.S. pay a higher minimum wage than New York. The minimum salary is now $5.15 an hour. And with this increase, it will be, in a few years, to $7.10. This increase will benefit approximately 700 [sic] people.

I praise this effort, and I thank you, Senator Mendez, for introducing this bill. And I am supporting this bill, and I'm proud to vote yes. And I hope that the residents of my district will appreciate the effort that we are making here. And again, Senator Mendez, thank you for introducing this bill.

THE PRESIDENT: Senator Bruno and Senator Diaz will both be recorded as voting

in the affirmative on this bill.

Senator Leibell.

SENATOR LEIBELL: Thank you, Madam President.

First, I'd like to compliment Senator Bruno and Senator Mendez for the work they have done on this. And I know there have been discussions over quite a period of time now, some months, over this issue on minimum wage. I think this will be one of the more important pieces of legislation that we will enact this year.

And as the Majority Leader noted, as we wait for the federal government to catch up with us, it's important that we acknowledge that there are those people in our society for whom this will be a tremendous benefit.

So I'm very pleased to be a supporter of this legislation. I think it will go a long way towards helping those who need the most help. Thank you.

THE PRESIDENT: Senator Morahan.

SENATOR MORAHAN: Thank you, Madam President.

I too rise in support of this bill.

And I want to congratulate Senator Bruno and the conference for acting on this matter at this time.

We have heard all the dire predictions before, every time this minimum wage has been raised. It really has had minimal, if any, impact on business in New York.

This bill is carefully crafted to take the minimum wage up over a period of years, and I think the final impact will be around the end of 2006. So it seems to me that this is a bill that's long overdue.

And I recognize Senator Bruno's concern about the federal government moving the bill -- or moving the wages if the federal people acted. Taking that concept really implies that the cost of living and the cost of getting along is the same from New York to California, and we know that's not all true.

So I have no problem, considering that other neighboring states here in the Northeast region have already raised their minimums, that we do this today. And I proudly support the bill.

Thank you.

THE PRESIDENT: Senator Morahan and Senator Leibell, you will both be recorded as voting in the affirmative on this bill.

Senator Mendez, to explain your vote.

SENATOR MENDEZ: Madam President, first I want to thank Senator Bruno and the majority of the members of the Republican conference for their extraordinary cooperation in trying to resolve this issue.

I am positively convinced that each one of us here in this room today understands very clearly that this is an issue of social justice. We, the Empire State of the country, all our surrounding states, they have had a higher minimum wage to benefit the workers.

And I think that today, in taking this action, all of us in this Senate and all the legislators in the Assembly as well, we are redeeming ourselves for not having been able to accomplish more during this session.

So I am very happy also for all those workers that they work very, very hard every day. They will be working with a better

pay, nothing -- they will not become millionaires, but their lives will be eased economically. They will have more food on the table for their children. And that will make -- having more money to spend will improve economic activity in the neighborhood.

So as far as I'm concerned, thank you. And I think that this is a glorious, glorious day in New York State.

THE PRESIDENT: Senator Mendez, you will be recorded as voting in the affirmative on this bill.

Senator Spano.

SENATOR SPANO: Thank you, Madam President. To explain my vote.

Several months ago I had an opportunity to meet with several hundred people in Westchester County who lobbied very effectively for an increase in the minimum wage. There is a coalition of people across the state, particularly in the metropolitan area, who did a very effective job in reaching out to members of this Legislature, pointing out that we need to treat every working man and woman in this state with dignity. And

that's what this bill does.

The federal government should act. We should not wait for the federal government to act. They should take a page out of our books and show that we have the leadership here that we have shown in recent years, whether it be treating migrant farmworkers with dignity or increasing the minimum wage.

And the fact that Senator Bruno has put this bill out on the floor today sends a very strong message to every working man and woman in this state that we respect the job that you continue to do. And to those very effective groups that did such a great job in lobbying, I say thank you.

I vote in the affirmative.

THE PRESIDENT: Senator Spano, you will be so recorded as voting in the affirmative.

The Secretary will announce the results.

THE SECRETARY: Those recorded in the negative on Calendar Number 1886 are Senators Little, Maltese, McGee, Meier, Nozzolio, Saland, and Seward. Ayes, 51.

Nays, 7.

THE PRESIDENT: The bill is passed.

(Applause from gallery.)

THE PRESIDENT: Senator Bruno.

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

THE PRESIDENT: No, there isn't, Senator.

SENATOR BRUNO: Could we then at this time recognize Senator Ada Smith for an announcement.

No? Madam President, let's not recognize Senator Smith at this moment, okay --

(Laughter.)

SENATOR BRUNO: -- other than to recognize her accomplishments here in the Senate generally.

(Laughter.)

THE PRESIDENT: So ordered.

SENATOR BRUNO: Madam President, there being no further business to come before the Senate, I would move that we stand adjourned until tomorrow at 10:00 a.m., and

recognize the fact that tomorrow we will also be convening an extraordinary session as called by the Governor.

THE PRESIDENT: On motion, the Senate now stands adjourned until tomorrow at 10:00 a.m., when it will meet in extraordinary session at the call of the Governor.

(Whereupon, at 2:12 p.m., the Senate adjourned.)