

**RULES COMMITTEE**  
**of the**  
**Suffolk County Legislature**

**Minutes**

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A regular meeting of the Rules Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on **August 19, 2004**.

**Members Present:**

Legislator Allan Binder • Chairman  
Legislator Michael Caracciolo • Vice•Chair  
Legislator Andrew Crecca  
Legislator William Lindsay

**Members Not Present:**

Legislator Jon Cooper

**Also In Attendance:**

Mea Knapp • Counsel to the Legislature  
Alexandra Sullivan • Chief Deputy Clerk/SC Legislature  
Ellen Martin • Aide to Legislator Binder  
Nicole DeAngelo • Aide to Presiding Officer Caracappa  
Paul Perillio • Aide to Democratic Caucus  
Greg Trezn • Intern to Legislator Crecca  
Kim Kennedy • Aide to Legislator Caracciolo  
Jim Spero • Director/Budget Review Office  
Ben Zwirn • Assistant County Executive  
Adam Santiago • County Executive Assistant  
Elizabeth Mohr • Resident of Huntington  
All Other Interested Parties

-  
Minutes Taken By:

Alison Mahoney • Court Stenographer

**(\*The meeting was called to order at 3:52 P.M.\*)**

**CHAIRMAN BINDER:**

All please rise for the Pledge of Allegiance led by Legislator Caracciolo.

***Salutation***

The Rules Committee will come to order. I apologize for starting late but there was a briefing by the Police Commissioner for Legislators, it was out in Yaphank and so we came here as fast as we could. And of course, Legislator Lindsay did not drive faster than the speed limit, he would never do that, not with all of us in the car. What happened to Legislator Lindsay? He's coming, I assume.

**LEG. CARACCIOLO:**

He had his radar detector off, too.

**LEG. CRECCA:**

He needed a transmitter to change the lights.

**CHAIRMAN BINDER:**

I would like to go to the agenda but we're going to need Legislator Lindsay, unless there's anyone who would like to speak before the committee. No? Then you're good, okay. Emi Endo, Newsday, you don't want to speak before •• no, you don't want to do that, okay. I'm stalling here, seeing if we can ••

**LEG. CRECCA:**

He's right there.

**CHAIRMAN BINDER:**

Ah, there's Bill, okay. We'll go right to the agenda.

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**INTRODUCTORY RESOLUTIONS**

***1239•04 • Adopting Local Law No. 2004, a Charter Law adding Article XXXVI to the Suffolk County Charter to provide a Suffolk County Save Open Space (SOS) Fund (Caracciolo).*** Legislator Caracciolo?

**LEG. CARACCIOLO:**

Motion to approve.

**CHAIRMAN BINDER:**

You mean to report.

**LEG. CARACCIOLO:**

Report.

**CHAIRMAN BINDER:**

Let me ask Counsel our legal question first, as I do on all bills.

**MS. KNAPP:**

I have no legal problem with this bill at all. It's going to mandatory referendum, as you know. We have done similar bills in the past and they have been sustained, no problems.

**CHAIRMAN BINDER:**

My understanding is that there's another bill circulating, is that ••

**LEG. CRECCA:**

Yeah, that's what I was just checking on, another bill was filed some time today I believe which mirrors this bill in many of the same ways, although it does, I believe, reserve the option for the County to use the •• to bank the development rights and transfer them at a later time via Legislative resolution. The one exception is except the farmland element, the farmland element, that resolution does not allow, from what I understand or what I've been briefed on, does not allow the banking of credits from farmland acquisitions, farmland right acquisitions.

**CHAIRMAN BINDER:**

But it does have a banking or TDR component.

**LEG. CRECCA:**

Yeah; I'm using the word banking, it's probably not the word.

**CHAIRMAN BINDER:**

Right, TDR ••

**LEG. CRECCA:**

Leaves the option open at a future time for the County government to pursue to use those TDR credits, if I can call them that.

**CHAIRMAN BINDER:**

Okay, that's what I've •• we have a motion. Is there a second?

**LEG. CRECCA:**

Motion to table.

**CHAIRMAN BINDER:**

Well, you don't have to table. In the committee, if it doesn't get out it stays on committee, it doesn't go away.

**LEG. CRECCA:**

Oh, it doesn't.

**CHAIRMAN BINDER:**

No, it doesn't go away.

**LEG. CARACCIOLO:**

Mr. Chairman?

**CHAIRMAN BINDER:**

Legislator Caracciolo.

**LEG. CARACCIOLO:**

Yes. I know if Jonathan, I mean, Legislator Cooper were here there would be a second, but I'm

a little bit puzzled, I would like to hear from Mr. Lindsay as to his position on these resolutions, because one is viable, one is not. And maybe, Bill, before you respond to that, Counsel, if there is another resolution being filed today, when, given our Legislative scheduled, could that be acted upon?

**MS. KNAPP:**

A resolution being filed today under ordinary circumstances would not be acted upon until the September 28th meeting.

**LEG. CARACCIOLO:**

Which would not •• which would not meet the requirements of putting it on the ballot; it is a Charter referendum.

**MS. KNAPP:**

September 27th being the last day that the Board of Elections can receive anything that has to go on the ballot. However, if a CN is delivered for a new resolution, then it could be considered at Tuesday's meeting.

**LEG. CARACCIOLO:**

Okay. Mr. Zwirn, could you advise as to whether or not it is the intention of the Executive to issue a CN on that resolution?

**MR. ZWIRN:**

I believe there is •• the County Executive will issue a CN under the proviso that there were enough votes to pass it, the Presiding Officer has made that representation and the County Executive will provide a CN.

**LEG. CARACCIOLO:**

Okay. Could you come up because that leads to a number of other questions. Could you clarify the reference to the Presiding Officer?

**MR. ZWIRN:**

There have been discussions on a revised version of the Open Space Acquisition Program which included TDR's where they reserve •• in a portion of it at any rate. I mean, the bill I think is just •• I think I just received a copy of it and sent it back over to the County Exec's Office.

But with regard to the Presiding Officer, one of the main concerns we had was getting enough support for a bill so we can get this on for referendum. As you know, we've tried to do it earlier but we didn't have the votes and we're up against a deadline right now and if it's not done •• we have to file •• the key to this is notification for a public hearing the County Executive has to have; that has to be done by tomorrow in order for this to work. It's an anticipatory notice which means we have to have a copy of a bill to be published so people would know that they can come speak on it. And the other thing, we also had to know that we have a bill that would pass.

**LEG. CARACCIOLO:**

When would those public hearings be held?

**MR. ZWIRN:**

The would be held •• I believe they would be held the 26th of August.

**LEG. CARACCIOLO:**

Okay.

**MR. ZWIRN:**

In other words, there's no way we could make the notification unless we did it prior.

**LEG. CARACCIOLO:**

Okay. Since the committee members don't have a copy of that bill it would be premature to really comment further about it. One of the aspects of TDR that I've been concerned about is how do they work and we'll discuss that on Tuesday if there is a CN. But if Legislator Lindsay would be kind enough to maybe just comment on his position with respect to these two resolutions?

**LEG. LINDSAY:**

To be very frank with you, Legislator Caracciolo, when this issue came up last week I was prepared to vote for the original bill and the discussion came up about the credits being added to it and I really thought that was a good idea. I thought it was a way of kind of migrating the cost of this huge land purchase, for one thing, and the possibility of using those credits to

expand our affordable housing in the County as well.

**LEG. CRECCA:**

Through the Chair, if I could just add to that? I'm sorry.

**CHAIRMAN BINDER:**

Legislator Crecca.

**LEG. CRECCA:**

Just so we're clear, too. My understanding of the bill that was filed this afternoon, or was just filed, is that it just reserves the right to do that, it certainly does not make it a guarantee or any presumption that those will be used for workforce housing or anything, it just leaves the option open for that to possibly happen in the future. It would have to be done by duly enacted resolution of the Legislature and, of course, with the County Executive's •• unless there was an override, you know, County Executive's signature. So it just leaves options open.

**MR. ZWIRN:**

Right.

**LEG. CARACCIOLO:**

Again, I will reserve judgment, it's not before us, until I see it and I'll speak to other aspects of this issue on Tuesday with relation to this new resolution.

**CHAIRMAN BINDER:**

Okay. ***1520•04 • Adopting Local Law No. 2004, A Local Law to amend the voting policy of the Airport Lease Screening Committee (Schneiderman).*** Counsel, any questions about their voting policy and legal requirements for voting?

**LEG. CARACCIOLO:**

Can I get an explanation?

**LEG. CRECCA:**

Yeah, explanation on the bill?

**MS. KNAPP:**

This is the bill that •• I should start with the present •• the law as it presently stands requires that any lease at the airport be approved by •• actually unanimously by the entire Airport Lease Screening Committee; if it's not a unanimous approval then every lease has to come to the Legislature.

Legislator Schneiderman sponsored this because there's apparently been at least one vacancy on the Airport Lease Screening Committee, so that this change in the Local Law, if passed, would require a unanimous vote so long as three quarters of the committee were present; so six out of the eight have to be present and then they have to be unanimous.

**CHAIRMAN BINDER:**

Legislator Lindsay.

**LEG. LINDSAY:**

I'd really like to hear from Mr. Zwirn about this. I know that we've just changed managers out there and I have been troubled for a long time about how difficult we've made it to lease property or buildings on the airport property. I mean, does this fit in with the new manager's scheme of increasing our revenue from the airport?

**MR. ZWIRN:**

I think the County Executive's concern is that the airport is properly managed and the leases are proper and I think they're working on a bill to actually have the leases come back to the Legislature. At committee Legislator Carpenter had said that there was always a way for the Legislature to keep a handle on what was going on at the airport and the County Executive agrees. So I think the County Executive, believe it or not, is going to submit a bill that the leases should be approved by the full Legislature as opposed to even by the committee, maybe the committee review the leases but that the leases come back to this full body for final confirmation.

**LEG. LINDSAY:**

Well, maybe some of my colleagues that certainly have more time here than I do could help me out. Wasn't this committee originally created to expedite the lease process so it didn't have to come back; that, in fact, hasn't happened, right?

**LEG. CRECCA:**

No, that I know.

**LEG. LINDSAY:**

Our record out there is abysmal as far as leasing space, I know some businessmen that wanted to lease buildings there and it became so difficult they walked away from it, you know.

**MR. ZWIRN:**

Well, I think we're trying to work on a proposal that would maybe streamline it but also keep the oversight here at the Legislature. And there have been problems at the airport over the years and part of it I think is because there hasn't been enough oversight, I think that's the County Executive's position and he thinks that the Legislature is the rightful place to review it. And we would agree with Legislator Carpenter on her remarks at committee, that she would like to keep a better handle on things and she said there were some companies out there she didn't even know existed because they weren't involved with the process anymore.

**LEG. LINDSAY:**

I'm going to make a motion to table subject to the other bill coming over.

**CHAIRMAN BINDER:**

We don't have to do that, it's just a question of whether •• we take a motion to report, if it gets reported it does, otherwise it stays on the agenda.

**LEG. LINDSAY:**

Okay.

**LEG. CRECCA:**

Have you spoken to Legislator Schneiderman about all this?

**MR. ZWIRN:**

I mentioned it at committee at the time that the County Executive was more concerned about oversight from the Legislature. I mean, he's afraid that anybody could •• he's afraid it gets out of control over there. I mean, even though the appointments should be able to keep a handle on it because the Presiding Officer gets an appointment, the County Executive has a

representative there ••

**LEG. CRECCA:**

Okay. In the interim, you guys haven't filed, the County Executive hasn't filed a resolution yet.

**MR. ZWIRN:**

No, we'll probably look for somebody to work within the Legislature.

**LEG. CRECCA:**

What I would recommend, I would recommend that that be Legislator Schneiderman, usually that Legislator from the 2nd district has taken the lead on these issues. What I would suggest to my fellow committee members if that we pass this out for the simple reason that you're talking about •• unless it's ready by next week which I'm sure it won't be, you're talking probably the earliest it can be enacted is the November or December meeting. So at least this is sort of a stopgap measure, a little bit of a heightened ••

**MR. ZWIRN:**

We won't have your support at that time, though.

**LEG. CRECCA:**

Who knows. Right now I'm planning on being here till December 31st, but I could be enticed otherwise. No, but in all complete seriousness, I don't see the harm in enacting this in the meantime and I am supportive of what you're saying though, Ben, I think it makes sense.

**CHAIRMAN BINDER:**

Motion to report by Legislator Crecca, I'll second the motion to report. Any more discussion? All those in favor? Opposed? Abstentions?

**LEG. CARACCILO:**

Abstain.

**LEG. LINDSAY:**

Opposed.

**CHAIRMAN BINDER:**

Legislator Lindsay is opposed, Legislator Caracciolo abstains; it is ***not reported out, it's still on the agenda.***

***1574•04 • Adopting Local Law No. 2004, a Local Law to reduce light pollution from County•owned buildings (Schneiderman).***

**LEG. CRECCA:**

Motion.

**CHAIRMAN BINDER:**

Why don't we get an explanation and a question of whether there's any legal questions; you can do both at once.

**MS. KNAPP:**

No, I don't think there's any legal question. This Local Law simply regulates us internally as a County and what it does is require that Public Works, in any buildings that they build new or any replacement of ••

**CHAIRMAN BINDER:**

Fixtures.

**MS. KNAPP:**

I'm not allowed to say the word luminaire again, I guess, huh?

**LEG. CRECCA:**

No, I made fun last time.

**MS. KNAPP:**

Lighting fixtures••

**CHAIRMAN BINDER:**

There you go.

**MS. KNAPP:**

•• that any such replacement or new fixtures be what they call fully shielded. The definition is

one that is proposed State legislation that has not yet passed, but it refers to putting the light directly down. And there are many exceptions built in for sports lighting and then the final exception allows the Public Works Commissioner to make a determination that it would be either unsafe or inappropriate.

**CHAIRMAN BINDER:**

Okay, as long as we don't revisit the thought that we're going to make all of Suffolk County and residents do the same thing; it was a proposal some years ago and thankfully it went away. But I can understand us doing it for us, I mean, we make a decision for the County and with the taxpayers money how it should be spent. So we have a motion by Legislator Crecca, second by Legislator Caracciolo to ••

**LEG. CARACCIOLO:**

No, no, no, I won't second that.

**CHAIRMAN BINDER:**

I'll second.

**LEG. CARACCIOLO:**

I have a question on that.

**CHAIRMAN BINDER:**

I'm sorry, I'll second to report. Legislator Caracciolo.

**LEG. CARACCIOLO:**

Counsel, if you could just describe what the real parameters or effectiveness of this resolution, then maybe I can support it. But it sounds to me that it may not really have the force and effect that one would hope, as the title might indicate. There are a lot of exceptions, I would like to know what the real impact, positive impact might be.

**MS. KNAPP:**

Sure. Well, it might be easier just to specify the exemptions, I may have been a little cavalier in

my discussion of them. It does require any County installation, parking lot or building, to have these fully shielded luminaires; I know I'm not supposed to say that but I don't know what else to call them. The exemptions are if Federal or State funding requirements preclude the use of it, it's an exception if the luminaire is part of an historic or decorative luminaire in a continuous lighting design where replacement piecemeal would unacceptably degrade the aesthetic characteristics.

**CHAIRMAN BINDER:**

Christmas lights.

**MS. KNAPP:**

Situations •• no, I think that •• I think that would be some of our historic structures, if they were replacing just one light it wouldn't make any sense to replace that one light on an historic building with something that wasn't historic anymore. Situations where special requirement and that's sports facilities, tunnels, traffic control devices, airports. And the last one, the catchall, "Situations where written determinations with findings have been made by the Commissioner of Public Works what specify an exemption to the requirement of Section 3 is necessary and appropriate for a compelling safety interest which cannot be adequately addressed by any other method," and that determination has to be filed with the County Executive and the Clerk of the Legislature.

**LEG. CARACCIOLO:**

Okay, thank you.

**CHAIRMAN BINDER:**

We have a motion and a second to report. Any discussion? If not, all those in favor? Opposed?

**LEG. CARACCIOLO:**

Abstain.

**CHAIRMAN BINDER:**

Abstention, Legislator Caracciolo. ***1574 is reported to the floor for the next meeting.***

**1687•04 • Adopting Local Law No. 2004, a Charter Law to clarify delegation of responsibility during absence or disability of County Executive (Crecca).** Let me ask Counsel, any legal questions that we think, we think might be a problem.

**MS. KNAPP:**

No, it's a simple Charter change.

**CHAIRMAN BINDER:**

Simple Charter change. Motion to report by Legislator Crecca, second by myself. Any other discussion? All those in favor? Opposed?

**LEG. LINDSAY:**

Opposed.

**LEG. CARACCIOLO:**

Opposed.

**CHAIRMAN BINDER:**

Legislator Caracciolo opposes, Legislator Lindsay opposes, **and that is not reported.**

**CHAIRMAN BINDER:**

**1688•04 • Adopting Local Law No. 2004, a Local Law to establish a seizure procedure to stop child pornography (Crecca).** Any legal questions on 1688, Counsel?

**MS. KNAPP:**

1688 allows the seizure of property of child pornographers. As with any other seizure law, there are issues of constitutionality. It's been drawn I hope as narrowly it can be drawn in that the seized property is defined as any property whose use contributed directly and materially to the commission of an offense as defined in this article. However, there have been other Federal or State child pornography seizure laws that have been declared to be unconstitutional by the courts, this one is slightly different, it is more narrowly defined, but there have always been issues on these kinds of laws.

**CHAIRMAN BINDER:**

Well, we've done crack house laws, we've done DWI laws, we've done seizure laws where we think it was appropriate and necessary, so it would seem on this one the public good would override that.

We have •• did you make a motion? Motion by Legislator Crecca, second by myself to report 1688. Any discussion? If not, all those in favor? Opposed? **1688 is reported (VOTE: 4•0•0 •1 Not Present: Legislator Cooper).**

**1805•04 • Adopting Local Law No. 2004, amending Local Law No. 20•2002 to provide accurate and truthful filing responsibility for County Election Campaign Finances (Binder).**

**LEG. CARACCIOLO:**

Explanation.

**CHAIRMAN BINDER:**

Let me ask legal questions and then I'll give you an explanation, if there's any legal question on this.

**MS. KNAPP:**

As you know, this is the one that the legal question arose as to whether or not the Board of Elections can be directed and that's certainly a very serious legal question. It was rendered somewhat moot by the fact that the Commission of Elections signed a declaration that they would do this and that declaration could only be rescinded if they both agree to rescind it. So I think that the most serious question was responded to.

**CHAIRMAN BINDER:**

Right. The explanation is that this is the follow•on law without the •• directing the Board of Elections to actually do the posting because they've taken it upon themselves, it would be very hard for them to reverse out of that, they would actually have both Commissioners would have to reverse out of that. They've also agreed to send the information over to the Campaign Finance Board, they've also taken it upon themselves to ••

**LEG. CARACCIOLO:**

Okay, I got it.

**CHAIRMAN BINDER:**

Now, the other thing, just real quick, I handed out at the Ways & Means Committee meeting to show that one month later, I took it off the Internet, there were only six •• Legislator Lindsay being one of them •• six actually were able to file. I know my ••

**LEG. CARACCIOLO:**

You mean with the ••

**CHAIRMAN BINDER:**

On the electronic filing. I know my Treasurer has been trying since the date of filing, this is what it looks like, there's only seven or eight here but a lot had been filed and I couldn't •• I haven't been able to get it in because we keep having server errors, compatibility errors; they don't have the ability to help us. They don't have the manpower ••

**LEG. CARACCIOLO:**

Okay.

**CHAIRMAN BINDER:**

•• Board of Election does and that's where we should go.

**LEG. CARACCIOLO:**

Okay.

**CHAIRMAN BINDER:**

So I will make a motion and a second.

**LEG. CARACCIOLO:**

Second.

**CHAIRMAN BINDER:**

Motion to report by myself, second by Legislator Caracciolo.

All those in favor? Opposed? **Reported (VOTE: 4•0•0•1 Not Present: Legislator Cooper).**

***S57•2004 • Memorializing Resolution requesting Federal government to enforce Immigration Laws (Caracciolo).***

**LEG. CARACCIOLO:**

Counsel, what is the title of the resolution?

**CHAIRMAN BINDER:**

Is there another title?

**MS. KNAPP:**

Absolutely.

**CHAIRMAN BINDER:**

Okay.

**LEG. CARACCIOLO:**

It never was immigration laws, so let's get it straight once and for all.

**CHAIRMAN BINDER:**

Sorry, it could be a staff error.

**LEG. CARACCIOLO:**

The old, old 42 was ••

**MS. MARTIN:**

I cut and paste, that's what 57 is.

**LEG. CARACCIOLO:**

Ah.

**CHAIRMAN BINDER:**

Ah. That's what happens when we use a computer, how fast we use word processing, it's a fatal flaw.

**MS. KNAPP:**

It's a Memorializing Resolution •• wait, I'm looking at the old one.

**CHAIRMAN BINDER:**

Okay, so **S57** is, the new title and what should have been on the agenda is?

**MS. KNAPP:**

***Memorializing Resolution requesting State and Federal officials to enforce existing laws to recover lost tax revenue***, that was amended as of June 10th, 2004.

**CHAIRMAN BINDER:**

Lost tax revenue.

**LEG. CARACCIOLO:**

Right. Counsel, does immigration or immigration laws or immigrants appear anywhere in this resolution?

**MS. KNAPP:**

The word appears once and it's in a WHEREAS clause this says, "WHEREAS these practices lead to the exploitation of the most vulnerable workers" ••

**CHAIRMAN BINDER:**

Ooh, I agree with that.

**MS. KNAPP:**

•• "many of whom are immigrants who have historically been the backbone of the American economy."

**LEG. CARACCIOLO:**

Okay. Hopefully this puts in full context what the motive and spirit of 42 was by taking out some trigger words that some colleagues felt were objectionable.

**CHAIRMAN BINDER:**

And we apologize for making the situation worse by putting it on the agenda that way. So under the new title, motion by Legislator Caracciolo to report, I will second that. Is there any discussion?

If not, all those in favor? Opposed? ***Sense 57 is reported out (VOTE: 4•0•0•1 Not Present: Legislator Cooper).***

***S61•2004 • Memorializing Resolution requesting the New York State Legislature to enact legislation protecting real estate commissions (Carpenter).***

**LEG. CRECCA:**

What's that?

**CHAIRMAN BINDER:**

I probably know what that is, it is a New York State law that would escrow commissions, a lot of times real estate brokers don't get their commissions at the table because there's a question and it's circulating right now in New York State law to escrow it so they can get their commissions; a lot of real estate brokers end up with nothing after they've done their work so this is •• and please put me down as a cosponsor of S61. Let me ask Counsel; my wife is not only an attorney but she has her broker's license and does some brokering, would that make me •• would that give me a conflict of interest on a Sense Resolution? I just •• I want •• I hadn't even thought of it until just now.

**MS. KNAPP:**

On a Sense Resolution?

**CHAIRMAN BINDER:**

No. Okay, so I'll cosponsor it.

**MS. KNAPP:**

I mean, you can't ••

**CHAIRMAN BINDER:**

I know, I can't do anything.

**LEG. CRECCA:**

I don't think there's a conflict.

**CHAIRMAN BINDER:**

Right, I don't think you can have a conflict. Okay, so we have •• I'll make the motion, second by Legislator Caracciolo. All those in favor? Opposed? ***S61 is reported out (VOTE: 4•0•0 •1 Not Present: Legislator Cooper).***

***S62•2004 • Sense of the Legislature Resolution requesting Governor Pataki to approve legislation regulating gift cards (Lindsay).*** Legislator Lindsay makes a motion to report.

**LEG. CARACCIOLO:**

Second.

**CHAIRMAN BINDER:**

Second by Legislator Caracciolo. I assume that's when the float, you're probably talking on the float? I think you had one like this, didn't you?

**LEG. LINDSAY:**

We have a Local Law now that was just passed this year ••

**CHAIRMAN BINDER:**

Right.

**LEG. LINDSAY:**

•• that would publicize some of the hidden charges, mostly that after the gift card •• after a certain period of time it starts diminishing in value, most people don't know that.

**CHAIRMAN BINDER:**

They take administrative; first they take the float then it's administrative.

**LEG. LINDSAY:**

Right, but what we would like to do is to make this a Statewide policy rather than just Suffolk.

**CHAIRMAN BINDER:**

So there's another one, 62 I would cosponsor also because I think that's important. Okay, motion by Legislator Lindsay, second by Legislator Caracciolo to report. All those in favor?

Opposed?

***Sense 62 is reported out (VOTE: 4•0•0•1 Not Present: Legislator Cooper).***

***S63•2004 • Sense of the Legislature Resolution requesting New York State Legislature to repeal antiquated vicarious liability laws (Carpenter).*** Counsel?

**MS. KNAPP:**

This has to do with the leasing of cars. Apparently there has been a decline in the availability of car leases because some companies don't want to lease cars because of New York State laws that make the owner vicariously liable if there's an accident.

**LEG. CARACCIOLO:**

Cosponsor.

**CHAIRMAN BINDER:**

Motion by Legislator Caracciolo, second by myself to report out. And you can put me down as a cosponsor on that, too, I'm supportive of that, and Legislator Lindsay would cosponsor.

**LEG. CRECCA:**

Madam Clerk, the one, was that me who voted against this, do you know? You don't have the Public Safety roll call, do you?

**MS. SULLIVAN:**

No.

**LEG. CRECCA:**

You don't, okay; I'll just check it. You can leave me as voting for it.

**CHAIRMAN BINDER:**

Okay. So all those in favor? Opposed? ***Sense 63 is reported (VOTE: 4•0•0•1 Not Present: Legislator Cooper).***

***S65•2004 • Sense of the Legislature Resolution requesting New York State and the towns in Suffolk County to adopt a uniform Mobile Infrared Transmitter (MIRT) System that identifies users (Alden).***

I will make the motion to report, second by Legislator Lindsay,  
 And please put me down as a cosponsor on this one. I'm going to be cosponsoring all of these;  
 it's great that they come here because then I get to see them if I haven't, I don't jump on these  
 memorializing resolutions as much. All those in favor? Opposed? ***Sense 65 is reported***  
***(VOTE: 4•0•0•1 Not Present: Legislator Cooper).***

***S66•2004 • Memorializing Resolution requesting the New York State Legislature to***  
***enact S.6951•A, limiting registered sex offenders contact with children (O'Leary).***

**LEG. LINDSAY:**

I'll make a motion.

**CHAIRMAN BINDER:**

Motion by Legislator Lindsay, I'll second to report. I would normally cosponsor, I just haven't •  
 • it's based on specific legislation, I haven't read it, so before I do ••

**LEG. CARACCILO:**

Whose the Senate sponsor?

**MS. KNAPP:**

Senator LaValle.

**LEG. CARACCILO:**

Okay, I'll cosponsor.

**CHAIRMAN BINDER:**

Okay. Yeah, put me on as a cosponsor; it can't be bad to limit registered sex offenders contact  
 with children, it cannot be bad. So another cosponsor. All those •• we have a motion, we have  
 a second. All those in favor? Opposed? ***Sense 66 is reported (VOTE: 4•0•0•1 Not***  
***Present: Legislator Cooper).***

***S68•2004 • Sense of the Legislature Resolution requesting Judicial authorization of***  
***electronic monitoring when recommended by Probation (Caracappa).*** I will make a  
 motion to report that, second by Legislator Lindsay. And please put me as another cosponsor;

I'm liking these today, finally decent Sense Resolutions. All those in favor? Opposed? ***Sense 68 is reported (VOTE: 4•0•0•1 Not Present: Legislator Cooper).***

***S69•2004 • Sense of the Legislature Resolution requesting towns in Suffolk County reassess illegal multifamily housing (Caracappa).*** I already said I think that I wanted to cosponsor, but put me on as a cosponsor on that. And I'm going to make the motion, second by Legislator Caracciolo. All those in favor? Opposed? ***That's reported out (VOTE: 4•0•0•1 Not Present: Legislator Cooper).***

And I'm going to recess this to the call of the Chair, and the reason I'm going to do that is, especially with 1239 outstanding and I don't know what's going on with that, I would like to keep this thing open so we might be able to have a meeting at the full Legislature. Okay? So we are recessed until the call of the Chair which could be at the full meeting of the Legislature.

***(\*The meeting was recessed at 4:22 P.M.\*)***

***Legislator Allan Binder, Chairman  
Rules Committee***