ALBANY, NEW YORK

January 6, 1993

12:21 p.m.

REGULAR SESSION

LT. GOVERNOR STAN LUNDINE, President

STEPHEN F. SLOAN, Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will come to order. Senate will come to order.

I'd like to ask everyone present to rise and repeat the Pledge of Allegiance with me.

(The assemblage repeated the Pledge of Allegiance to the flag. )

THE PRESIDENT: Please be seated.

The invocation today will be given by the Reverend Howard J. Hubbard, Bishop of the Roman Catholic Diocese of Albany. Father Hubbard.

MOST REV. HOWARD J. HUBBARD: Let us pray.

O God of us all and Lord of history, You promised in Your mighty love for the human family, you shall be My people and I will be your God. We pray in a spirit of hope and expectation for Your blessing upon all who are gathered here for this 1993 opening session of the New York State Senate. In Your mighty

providence, O God of us all, You have endowed those who serve and represent the people of New York State in government with diverse gifts of wisdom, imagination, resourcefulness, awareness of our human frailty and a concern for the common good.

The year 1992 witnessed unimagin able suffering and radical dislocation for millions of our brothers and sisters around the world as well as the heroic efforts on the part of many to support the human dignity and needs of the homeless, the starving, the oppressed and the voiceless as in the present mission of mercy that our Marines are exercising in Somalia.

O caring God, bless, we pray, the gifts that our governor and each legislator bring to this year of opportunity to serve the people of New York State. Embolden our public servants to channel their efforts and energies to address courageously the issues and critical concerns that so many of our people have directly experienced through unemployment, drug and substance abuse, homelessness, as well as

victims of violence in many forms, be such racially, ethnically or gender motivated.

Enable, O God, our leaders and enable us, the people of New York State, to make 1992 the year of going the extra mile for one another, especially for children, the most vulnerable members of our human family, many of whom are experiencing material and/or spiritual poverty.

In Your compassion, O God of us all, strengthen our resolve and enable us together to pursue with cooperation and courage the goals these critical times mandate. Through it all, help us not to take ourselves too seriously so that we can be free to listen to and to learn from one another and to stretch our imagination as well as our ingenuity to confront the difficult tasks ahead.

For all this we pray, O God, in Your sacred name, You who live and reign both now and forever and ever. Amen.

THE PRESIDENT: Thank you, Bishop Hubbard.

The Chair now hands down a message from the state Board of Elections being the official certification of the duly elected members of the Senate, and directs that the same be filed. So ordered.

I'd like to ask if there are any Senators who -- present who have not taken their oath of office. If so, if they would please come to the front.

Please raise your right hands and repeat after me: I do solemnly swear that I will support the Constitution of the United States, the Constitution of the state of New York and that I will faithfully discharge the duties of the office of Senator according to the best of my ability.

Congratulations.

(Applause)

The Secretary will call the roll.

THE SECRETARY: Senator Babbush.

(There was no response. )

Senator Bruno.

SENATOR BRUNO: Here.
THE SECRETARY: Senator Connor.
(There was no response. )
Senator Cook.
SENATOR COOK: Here.
THE SECRETARY: Senator Daly.
SENATOR DALY: Here.
THE SECRETARY: Senator DeFrancisco.
SENATOR DeFRANCISCO: Here.
THE SECRETARY: Senator Dollinger.
SENATOR DOLLINGER: Here.
THE SECRETARY: Senator Espada.
SENATOR ESPADA: Present.
THE SECRETARY: Senator Farley.
SENATOR FARLEY: Here.
THE SECRETARY: Senator Galiber.
SENATOR GALIBER: Here.
THE SECRETARY: Senator Gold.
(There was no audible response. Senator Gold was present. )
THE SECRETARY: Senator

Gonzalez.

(There was no response. )

Senator Goodman.

SENATOR GOODMAN: Here.

THE SECRETARY: Senator Halperin.

SENATOR HALPERIN: Here.

THE SECRETARY: Senator Hannon.

(There was no response. )

Senator Hoffmann.

SENATOR HOFFMANN: Here.

THE SECRETARY: Senator Holland.

SENATOR HOLLAND: Here.

THE SECRETARY: Senator Johnson.

SENATOR JOHNSON: Here.

THE SECRETARY: Senator Jones.

SENATOR JONES: Here.

THE SECRETARY: Senator Kuhl.

SENATOR KUHL: Here.

THE SECRETARY: Senator Lack.

Senator Lack excused.

Senator Larkin.

SENATOR LARKIN: Here.

THE SECRETARY: Senator LaValle.
SENATOR LAVALLE: Here.
THE SECRETARY: Senator Leichter.
SENATOR LEICHTER: Present.
THE SECRETARY: Senator Levy.
SENATOR LEVY: Here.
THE SECRETARY: Senator Libous.
SENATOR LIBOUS: Present.
THE SECRETARY: Senator Maltese.
(There was no response. )
Senator Marchi.
SENATOR MARCHI: Here.
THE SECRETARY: Senator Marino.
SENATOR MARINO: Here.
THE SECRETARY: Senator Markowitz.
SENATOR MARKOWITZ: Here.
THE SECRETARY: Senator Masiello.
SENATOR MASIELLO: Oh, here.
THE SECRETARY: Senator Mega.
SENATOR MEGA: Here.

THE SECRETARY: Senator Mendez.
SENATOR MENDEZ: Here.
THE SECRETARY: Senator Montgomery.
(There was no response. )
Senator Nolan.
(There was no response. )
Senator Nozzolio.
SENATOR NOZZOLIO: Here.
THE SECRETARY: Senator Ohrenstein.
SENATOR OHRENSTEIN: Here.
THE SECRETARY: Senator Onorato.
SENATOR ONORATO: Here.
THE SECRETARY: Senator Oppenheimer.
(There was no response. )
Senator Padavan.
SENATOR PADAVAN: Here.
THE SECRETARY: Senator Pataki.
SENATOR PATAKI: Here.
THE PRESIDENT: A quorum is present.

I'd like to see order because I only get to speak to you once every two years. Given that this, my opportunity, is rare, I really appreciate this order and attention.

I want to welcome -- take this opportunity to welcome all of you here, you and your families who contribute so much to your ability to serve, to the 1993 legislative session.

I especially want to welcome the new Senators, and offer a cordial welcome and offer, at least on the part of this officer, to work collegially with all of you.

I guess that makes the rest of you "old" Senators, although I think that's only in point of service, not necessarily in years. I know that all of you, though, whether you have served here in the Senate before or not, to some extent have a new challenge. Because of redis tricting, many districts are quite different and you have new constituents. Certainly we all face daunting challenges, but we're going to give it the commitment and the energy that this

state so richly deserves.

Serving in the Senate is a very great privilege, and I think each of you should consider it as such. Serving in the 216th Sen ate will, I believe, be a particularly rewarding experience due to the distinguished leadership of the Temporary President, Ralph Marino. The Governor and I look forward to working with Senator Marino and his very able staff and, indeed, we look forward to working with all of you as we face what is a challenging year, but we also think a year of opportunity.

I'd also like to welcome especially Senator Fred Ohrenstein, the Minority Leader, a gentleman and a strong advocate on so many critical issues that face us today.

Finally, I want to thank all of you for the courtesies that you've extended. It -- I reminded myself today that this is the seventh time I've had the opportunity to begin a Senate session, and I guess the fourth time on this kind of an occasion where we're starting anew. I look forward to this session ahead as

a -- with as much excitement and commitment as any before.

The Chair now hands down a communication from the Governor. The Secretary will read.

THE SECRETARY: January 5th, 1993. Dear Mr. President: I would appreciate the privilege of appearing before your honorable bodies in joint session on Wednesday, January the 6th, 1993 at 1:00 p.m., or as soon there after as may be convenient, to deliver personal ly my annual message to the Legislature.

Sincerely, Mario Cuomo.

THE PRESIDENT: To be filed.

SENATOR LEVY: Mr. President.

THE PRESIDENT: Senator Levy.

SENATOR LEVY: I hand up Senate Resolution Number 1 and ask that it be read.

THE PRESIDENT: Secretary will read.

THE SECRETARY: Senate Resolution Number 1, by Senator Levy:

RESOLVED, that Senator Ralph J.

Marino be, and he hereby is elected Temporary President of the Senate for the years 1993-1994.

THE PRESIDENT: On the resolution, all those in favor say aye.

(Response of "Aye.")

THE PRESIDENT: Senator Levy, proceed. Senator Levy is recognized.

SENATOR LEVY: Mr. President, it's a genuine honor and privilege to rise to nominate Senator Ralph J. Marino to be the Senate Majority Leader and President Pro Tem for his third term as Senate Majority Leader.

I've known Ralph for more than 30 years, and he's been a friend during that period of time; and throughout those years I've seen him carry out his governmental responsibilities as a town councilman in the town of Oyster Bay, as a member of a school board, and I had the privilege of sitting next to him right here for 18 years when, during much of that period of time, he chaired the Corrections Committee and he quietly and resolutely built a nationwide

reputation for his expertise, his accomplish ments and his achievements; and I served with him and watched him in action as the chair of the Long Island Senate delegation at very, very difficult times, sometimes emotionally charged times.

He demonstrated time and time again his leadership qualities to all -- his leadership qualities to those who disagreed with him as well as to those who agreed with him; his perpetual open-minded willingness to listen; his warmth, his patience, and his calm regardless of provocation and regardless of circumstances.

His great ability to persuade and to influence catapulted him into being elected as the Majority Leader in 1988 and re-elected in 1990. These qualities are his hallmark and his tradition and, because of them, he was able to forge a consensus within our diverse Majority and with the Governor and the Assembly to jointly, as an equal partner, to lead our state through the drastic, the dire and the tumultuous economic times of the past four years.

I say to you that a lesser man or a lesser woman could not and would not have succeeded. A lesser man or woman could not and would not have overcome the unparalleled reelection campaign waged against him this year -- an election campaign from without which is part of our system; a reelection campaign waged against him from within, and a reelection campaign waged against him as an assault when "within" and when "without" combined in their assault upon him. That Ralph Marino is here today is a testimonial to him personally, to the leader he is and the legislator that he has been.

So, Ralph, in nominating you for your third term as Majority Leader, I know that I speak for the 33 other members of our Majority when I say we like you, we respect you, we place our trust in you again, and we will follow you now and in the future as our leader.

Mr. President, it is my great honor and privilege to nominate Senator Marino.

SENATOR GOLD: Mr. President.

Mr. President.

THE PRESIDENT: Senator Saland.

SENATOR SALAND: Mr. President, thank you.

It is a distinct privilege and honor to have the opportunity to second the nomination of Senator Ralph Marino. Certainly, I am not going to dwell upon his numerous accomplishments, his 24 years of service, nor his -- his recent successes as the Majority Leader, and Temporary President over the course of his prior two terms.

I would prefer, Mr. President, to dwell on the subject of Ralph Marino -- Ralph Marino the man, his character and the leadership that he has afforded this chamber and not only this chamber but the people of the state of New York.

He serves not merely the people of Nassau and Suffolk County in the 5th Senatorial District. He has a larger responsibility that the office to which we have nominated him requires him to bear. Positions of authority

can be very heady, if not intoxicating, and, in fact, I'm sure we all know people who do not bear up to that authority as well as others. They can't handle it. They seem, in time, to undergo a metamorphosis that makes it difficult to recognize the person whom we chose, the man or woman who we close to serve in that position of leadership, in that position of authority.

Senator Marino has served since January of 1989 and he was picked for that position by his colleagues, by the majority of the Republican -- Republican Majority at that time, because of the qualities that he lent - his personal qualities, his intellect, his distinguished record, but beyond that because of the respect that he had earned among his colleagues, and, interestingly, respect is something that we don't acquire by way of genetics. You can't buy it; no way in the world it's marketable. Not only can't you buy it, but you can't impose it on others. There's only one way you get respect, and that's by earning it, and Ralph Marino has earned the respect and the

loyalty of not only his conference, but of people throughout this chamber, both sides of the aisle, and people throughout New York.

He's a man who earned that respect not only from his colleagues and constituents, but far and wide beyond the borders of this state as well. He served extraordinarily well as Temporary President but through some extremely difficult times. He's responded to his weighty responsibilities in a fashion that not many could.

Make no mistake about it, he's a man of dignity, humility, decency and grace, and make no mistake about the fact that those qualities should not be confused with a lack of resolve, nor should they be confused with a lack of will.

Ralph Marino is a leader. He's been tested by many, not only here in this state Capitol but, as alluded to earlier by Senator Levy, under an extraordinary test under fire in his district in his most recent reelection campaign, a reelection campaign that saw what I

would consider to be a bizarre amalgam of interests attempting to unseat him, and his people knew and knew well, the kind of leader he will be, the kind of representative he had been, and returned him with overwhelming numbers.

He has risen to and excelled in each of the challenges. And let me just remind Leo Durocher, wherever he may be, that nice guys can finish first, and we have in our ranks amongst the nicest. He's finished first, will continue to be first and he will lead us successfully through two more years and, again, Mr. President, my privilege to have the opportunity to second Senator Marino's nomination.

THE PRESIDENT: Senator Gold.

SENATOR GOLD: Thank you, Mr. President.

Mr. President, I offer up the following substitute resolution, and I say very respectfully to Senator Levy and Senator Saland that your resolution is not bad. I just wanted to offer you something that's a little better.

I was a little taken back by Senator Levy saying that he was speaking on behalf of himself and 33 others. Right away politics! We're here, Senator Levy, to elect an officer of the Senate. If you want Senator Marino as a Republican leader, I think that's a great choice, but talking for the Senate as a whole -- by the way, as an aside, Senator Marino, in case we're not successful, I want you to know I always liked you.

I want to also point out that my resolution has significant support. I think we're at 26 and a half if you count the little Santiago over there; so we're not that far off.

The new Democratic Senate members are here ready for business and, when the expression is used as it was a few minutes ago about having a consensus, I think consensus starts with a cross-section of the Conference and, if you look at our Conference as it's developed under the leadership of the gentleman sitting at my right, we are very proud.

There are seven women in the New

York State Senate. You will find them on this side of the aisle. There are four members of the Senate with Puerto Rican/Hispanic back grounds. You will find them on this side of the aisle. We have five members of the Afro American culture and background. You will find them on this side of the aisle. We're very proud of that, and that has developed over a period of time whereby a Senator from the West Side of New York, New York City, who's been here for some 31 years and spent 17 of those years as the Democratic leader, and things like I've just spoken about don't happen by accident. They happen because you get a certain moral tone from the top. You get a certain concern from the top and then you can effectuate those kind of things.

Fred Ohrenstein, by definition, is bright; he's articulate; he's energetic; he's dedicated. He pays half my mortgage, but those of you who know him -- and that should be everybody in this chamber -- know that he is an outstanding spokesman for things which really

matter in this state -- individual rights, fiscal integrity of this Legislature, openness of this Legislature, safety of individuals regardless of their race, their religion, their biases of one sort or another with regard to their personal life, to the environment, transit, you-name-it issue, and there is no area where Fred Ohrenstein was has not been out spoken and indicated strong leadership.

As a matter of fact, if he had been the leader prior to this, we would already have major legislative reform. We would already have a bias crime bill that meant something. We would already have fairness throughout the systems greater than we've been able to develop over the years.

I take nothing away from a good friend and certainly a dedicated public servant, Senator Marino, but I would urge that we -- we do what the -- what I would like to see the state do, get a little less political, a little more governmental in our thinking and accept the substitute resolution and make Senator Manfred

Ohrenstein our new President Pro Tem and Majority Leader.

THE PRESIDENT: On the resolution nominating Senator Marino as the Temporary President of the Senate, all those in favor say aye.

(Response of "Aye.")

Opposed nay.

(There was no response. )

The ayes have it. The Temporary President of the Senate, Senator Ralph Marino.

(Applause)

The Chair will acknowledge that we have received a communication that Senator Ohrenstein has been elected Minority Leader.

(Applause)

I apologize for being presumptuous in my earlier remarks in referring to you in your positions to which you've just been elected.

The swearing in of the Temporary President of the Senate: I do solemnly swear that I will support the Constitution of the

United States, the Constitution of the state of New York, and that I will faithfully discharge the duties of the office of Temporary President of the Senate according to the best of my ability.

Congratulations.

SENATOR MARINO: Thank you very much.

(Applause)

THE PRESIDENT: Senator Marino.

SENATOR MARINO: Mr. President, we have a committee here from the Assembly, Assemblyman Cochrane and Assemblyman Friedman.

THE PRESIDENT: Assemblyman Friedman. Assemblyman Friedman?

SENATOR MARINO: Would you welcome them, please, and I understand they have a message from the Assembly.

THE PRESIDENT: Message from the Assembly.

ASSEMBLYMAN FRIEDMAN: Oh, we've been instructed to invite this honorable body to join us in the Assembly chamber to receive a

message from the Governor.

THE PRESIDENT: Thank the members of the Assembly. The message is received and accepted.

Senator Marino.

SENATOR MARINO: Mr. President, I know the time is short, but I just wanted to thank Senator Levy, Senator Saland and even Senator Gold for the kind remarks which permit me to continue two more years as the Majority Leader here.

I look forward to service with Senator Ohrenstein who has always been most cooperative with me and as the leader of the Minority in getting the business of this chamber done year in and year out in a very competent manner.

We have tough times, we've had tough times, and I've enjoyed the cooperation of Senator Ohrenstein and the Democrats and that side of the aisle as well as the Republicans on our side.

With the faltering economy, it

has not been easy and we've had other problems, as you know. We've got to address the problem of the capital infusion for the MTA, the Blue Cross-Blue Shield problem that confronts us right now, the problem of jobs and taxes and the economy and education and social services that we all are very sensitive to and we will, I'm sure, work together, Senator Ohrenstein and myself, the Governor and the Speaker in getting -- getting those problems resolved in a manner befitting the wonderful people of this state. We will do it, hopefully, in a manner which gives credit -- brings credit to all of us and in a manner in which we will be jointly compromising, cooperating and trying to work out the solutions to very pressing needs of our people.

So while we may disagree during the session, I know it will be in a spirit which will be dedicated to our best efforts on behalf of all of the people of New York State and, if we do that, then I'm content that we will have a very productive session and that we will leave

here with a feeling of accomplishment.

So I thank you in anticipation of your cooperation, Senator Ohrenstein, and the members of your Conference, and I know that the members of my conference look forward to a very productive session.

I am very pleased to welcome the new Senators here today: Senator Pataki, on my side, Senator Wright, Senators DeFrancisco and Nozzolio. I'm sure you'll all be happy to vote for all of these tough measures, and jump in the pool with all the rest of us to ensure that a proper job is done this year.

I also want to acknowledge the election of some good Democrat candidates: Nellie Santiago, Mary Ellen Jones from my own home town, I understand, who is here; Pedro Espada, and Richard Dollinger. And congratula tions on your elections. I wish you well and, if you have any problems, see this guy over here.

So welcome to everybody. I'm sure we'll work together very well.

Thank you.

(Applause)

THE PRESIDENT: Senator Ohrenstein.

SENATOR OHRENSTEIN: Mr. President, very briefly, I too would like to, first of all, thank Senator Gold for those very warm remarks, and I very much appreciate what you have said, and I thank you for it.

I also want to thank the Demo cratic members of the Senate for their continued confidence in me and in my leadership. I look forward to a very, very productive year. I particularly look forward to working with a new Democratic administration in Washington to bring changes to this country both in the way government is administered and in the way we deal with our economy and the many, many issues that are plaguing our people.

So I think while it will be difficult, I think it will also be a very, very productive year and very, very exciting as we look for new and -- for new departures particu

larly in Washington. I also look forward to working with you, with the Governor and the Lieutenant Governor and, of course, the Speaker of the Assembly in -- in fashioning a Democratic program which will look forward to solving these many problems.

I certainly want to congratulate my colleague and friend, Senator Marino, who has had a tough year, and I do want to congratulate him for the several election victories that he has obtained this year, and I think he not only was victorious but he earned those victories in the way he's conducted himself, and I look forward to working with him and all of you in this very difficult time.

I simply want to say one thing: I had an earlier occasion to speak here when one of our new members was sworn in, Senator Santiago, and I at that time was -- explained or I tried to explain the Constitution of the state of New York to those assembled, and I called to their attention the fact that Senator Marino, while he may be the Majority Leader, is also

elected as the Temporary President of the Senate and I want to emphasize that word that he is the "Temporary" President of the Senate, so don't let your head get too big on that subject.

And finally, I want to join Senator Marino in welcoming all of the new members on the Republican side and, of course, particularly the members -- the new members on our side: Senator Santiago, Senator Dollinger, and Senator Espada, and Senator Mary -- Senator Jones, Mary Ellen Jones, from Rochester, and let's look forward to a good, productive and exciting year.

(Applause)

THE PRESIDENT: Resolution. Senator Marino.

SENATOR MARINO: Yes, may we have Resolution Number 3?

THE PRESIDENT: Secretary will read.

THE SECRETARY: Senate Resolution Number 3, by Senator Marino:

RESOLVED, that Stephen F. Sloan

of Guilderland be, and he hereby is elected Secretary of the Senate for the years 1993-1994.

THE PRESIDENT: All those in favor, say aye.

(Response of "Aye.")

Opposed nay.

(There was no response. )

The ayes have it. The resolution is adopted.

Please repeat after me -- raise your right hand and repeat after me: I do sol emnly swear that I will support the Constitution of the United States, the Constitution of the state of New York and that I will faithfully discharge the duties of the office of Secretary of the Senate according to the best of my ability.

Congratulations.

(Applause)

Senator Marino.

SENATOR MARINO: Mr. President, we have the two resolutions appointing

committees to inform the Governor and the Assembly, and I would suggest that there's a little more business to be conducted and, after the speech of the Governor's, we should return here and quickly get rid of that business and then adjourn for the day.

THE PRESIDENT: So that after this resolution, the Senators will proceed immediately to the Assembly chamber and we will then return here after the conclusion of the Governor's message.

The Secretary will read.

THE SECRETARY: Senate Resolution Number 6, by Senator Marino:

RESOLVED, that the Senate and Assembly meet in joint assembly in the Assembly chamber at 1:00 p.m. today, for the purpose of receiving a message from the Governor.

Senate Resolution Number 7, by Senator Marino:

RESOLVED, that the President appoint a committee of two to inform the Governor of the election of Ralph J. Marino as

Temporary President of the Senate for the years 1993-1994, the Senate is organized and ready to proceed with business, and will meet with the Assembly in the Assembly chamber at 1:00 p.m., to receive the Governor's message.

THE PRESIDENT: All in favor - pardon? All in favor say aye.

(Response of "Aye.")

Opposed nay.

(There was no response. )

The ayes have it. The resolutions are adopted. The Chair appoints Senator Padavan and Senator Espada to wait upon the Governor.

The Secretary will read.

THE SECRETARY: Resolution Number 8, by Senator Marino:

RESOLVED, that the President appoint a committee of two to wait upon the Assembly and inform that body of the election of Ralph J. Marino as Temporary President of the Senate for the years 1993-1994, that the Senate is organized and ready to proceed with business

and will meet jointly with the Assembly in the Assembly chamber at 1:00 p.m. today to receive the Governor's message.

THE PRESIDENT: On the resolution, all those in favor say aye.

(Response of "Aye.")

Opposed nay.

(There was no response. )

The ayes have it. The resolution is adopted.

The Chair appoints Senator Pataki and Senator Jones to wait upon the Assembly.

The Senate will now stand in recess.

(Whereupon at 12:58 p.m., the Senate recessed until 2:19 p.m.)

THE PRESIDENT: The Senate will reconvene.

I understand that Senator Montgomery has not taken her oath. If you would raise your right hand and repeat after me: I do solemnly swear that I will support the Constitu tion of the United States, the Constitution of

the state of New York, and that I will faithfully discharge the duties of the office of Senator according to the best of my ability.

Congratulations.

(Applause)

Senator Marino.

SENATOR MARINO: Mr. President, I'd like to hand up a resolution.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Senate Resolution Number 4, by Senator Marino:

RESOLVED, that Pauline Williman be, and she hereby is elected the Official Stenographer of the Senate for the years 1993-1994.

THE PRESIDENT: All those in favor say aye.

(Response of "Aye.")

Opposed nay.

(There was no response. )

The ayes have it. The resolution is adopted.

Senator Marino.

SENATOR MARINO: Thank you, Mr. President.

I hand up the following resolution, ask for its passage.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Senate Resolution Number 5, by Senator Marino:

RESOLVED, that John P. Everhardt be, and he hereby is elected Sergeant-at-Arms of the Senate for the years 1993-1994.

THE PRESIDENT: On the resolution, all those in favor say aye.

(Response of "Aye.")

Opposed nay.

(There was no response. )

The ayes have it. The resolution is adopted.

Senator Marino.

SENATOR MARINO: I'd like to hand up the following resolution and ask for its adoption.

THE PRESIDENT: Secretary will read.

THE SECRETARY: Senate Resolution Number 9, by Senator Marino:

RESOLVED, that the rules of the Senate for the year 1991 as last amended be adopted as the rules of the Senate for the years 1993-1994.

SENATOR LEICHTER: Mr. President.

THE PRESIDENT: Senator Leichter.

There will be order in the chamber.

SENATOR LEICHTER: Senator Marino, I haven't had a chance to check with the Minority Leader on that, but at least just speaking for myself, I think in the past we've always put that aside until we've had a chance to -- to look at it more carefully and then have an opportunity to make comment.

SENATOR MARINO: I think we've passed it in the past. My recollection,

Senator, is that we have passed the resolution always on condition that the Minority can bring up the rules again at some future date.

SENATOR LEICHTER: All right. And that is all right. I have no problem with that. Thank you.

THE PRESIDENT: On the resolution, all those in favor say aye.

(Response of "Aye.")

Opposed nay.

(There was no response. )

The ayes have it. The resolution is adopted.

Senator Marino.

SENATOR MARINO: I hand up the following resolution and ask for its adoption, please.

THE PRESIDENT: Secretary will read.

THE SECRETARY: Senate Resolution Number 10, by Senator Marino:

RESOLVED, that unless otherwise ordered by the Senate, the hours of meeting

shall be as follows: Mondays 2:30 p.m.; Tuesdays, 3:00 p.m.; Wednesdays and Thursdays at 11:30 a.m., and Fridays at 10:00 a.m.

THE PRESIDENT: On the resolution, all those in favor say aye.

(Response of "Aye.")

Opposed nay.

(There was no response. )

The ayes have it. The resolution is adopted.

SENATOR MARINO: Mr. President, we have Senator Volker has a -

THE PRESIDENT: Senator Volker.

SENATOR MARINO: Senator Volker has two privileged resolutions which are very important to the state of New York.

THE PRESIDENT: Senator Volker.

SENATOR VOLKER: Mr. President, would you read -- I don't have the numbers on here. Would you read the first of these resolutions, whatever number they are -- I don't see a number on here -- as relating to recognizing the Buffalo Bills football team on

the occasion of their record-setting come back.

THE SECRETARY: Legislative Resolution, by Senator Volker and others, recognizing the Buffalo Bills football team upon the occasion of their record-setting comeback against the Houston Oilers.

SENATOR ONORATO: Would you give us the score?

SENATOR VOLKER: Mr. President.

THE PRESIDENT: Senator Volker.

SENATOR VOLKER: The score is ever emblazoned on my mind: 41-38.

Mr. President, the resolution and the one that follows commending Frank Reich for the greatest comeback in professional football league history, were put together with the help of Senator Stachowski and others in western New York, and already on the resolution are the western New York legislators and Senator Marino and Senator Ohrenstein. Anyone else who would like to go on -- matter of fact, we thought about putting the entire Senate on, but we

thought we'd better first ask, so if anybody would like to go on -- maybe first I should ask if anybody would not like to go on. Senator Padavan -- no. But anyway, we would like everybody to go on this.

We commend the Bills, and the next resolution commends the quarterback, Frank Reich, and we are going to deliver these resolutions to the Buffalo Bills post haste.

Thank you.

SENATOR MARINO: Mr. President, since the Jets or Giants did not qualify this year -

THE PRESIDENT: Senator Marino.

SENATOR MARINO: Since the Jets or Giants did not qualify this year, I think this is an exceptional resolution, and I join with my colleague in passing it.

SENATOR STACHOWSKI: On the resolution, Mr. President.

THE PRESIDENT: On the resolution -- Senator Stachowski. Excuse me.

SENATOR STACHOWSKI: As far as I

know, nobody on the Minority objects to being on this resolution and on behalf of the people, including myself, who stayed for the game, as Senator Volker did, we're happy to have them on this resolution.

THE PRESIDENT: Are you suggesting that anybody who turned out for television but didn't stay for the whole game should be allowed to be on this?

SENATOR STACHOWSKI: No.

THE PRESIDENT: The Chair misunderstood. The Chair misunderstood.

On the resolution, all those in favor say aye.

(Response of "Aye.")

Opposed nay.

(There was no response. )

The ayes have it. The Buffalo Bills remain honored forever.

SENATOR MARINO: Mr. President.

THE PRESIDENT: Senator Volker. I'm sorry.

SENATOR VOLKER: Yeah, I'd like

to second -- the second resolution on Frank Reich too.

THE PRESIDENT: I thought I took care of them both together.

On the resolution regarding quarterback Frank Reich, all those in favor say aye.

(Response of "Aye.")

Opposed nay.

(There was no response.)

The ayes have it. The resolution is adopted.

Senator Marino.

SENATOR MARINO: Mr. President, there being no further business, I move we adjourn until Monday, January 11th, at 2:30, intervening days to be legislative days.

THE PRESIDENT: The Senate stands adjourned.

(Whereupon at 2:25 p.m., the Senate adjourned. )