ALBANY, NEW YORK

January 8, 1997

12:04 p.m.

REGULAR SESSION

LT. GOVERNOR BETSY McCAUGHEY ROSS, President

STEPHEN F. SLOAN, Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will come to order.

Would everyone please rise and join me in the Pledge of Allegiance.

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

THE PRESIDENT: The Most Reverend Howard J. Hubbard, Bishop of the Roman Catholic Diocese of Albany will lead us in prayer.

BISHOP HOWARD J. HUBBARD: Let us pray.

Most loving and gracious Lord, Who are the solstice of all wisdom, of all knowledge, of all justice, we pray Your blessings during this new year of 1997 upon all the members of our New York State family. Today we ask Your blessings upon the members of the Senate of the state of New York. We ask that You will grant to them the wisdom, the insight, the understanding, the compassion they need as they grapple with the critical matters of education, welfare, human services and taxation, which face the people of this, our Empire State.

Enlighten them with Your wisdom, inspire them with Your spirit, so that they may make decisions that are truly in accord with Your will and that best serve the needs of Your people. Enable them to be servants of the people, men and women of integrity and responsibility, committed to the common good, and for all this we Pray, O Lord, in Your sacred name. You Who live and reign both now and forever and ever. Amen.

THE PRESIDENT: Amen.

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.

The Secretary will call the roll to ascertain a quorum. Excuse me, Mr. Secretary. I understand that all oaths of office have already been filed with the Secretary of the Senate? Yes.

The Secretary will call the roll to ascertain a quorum.

THE SECRETARY: Senator Abate.

SENATOR ABATE: Present.

THE SECRETARY: Senator Alesi.
SENATOR ALESI: Here.
THE SECRETARY: Senator Breslin.
SENATOR BRESLIN: Here.
THE SECRETARY: Senator Bruno.
SENATOR BRUNO: Here.
THE SECRETARY: Senator Connor.
SENATOR CONNOR: Here.
THE SECRETARY: Senator Cook.
SENATOR COOK: Here.
THE SECRETARY: Senator DeFrancisco.
SENATOR DeFRANCISCO: Here.
THE SECRETARY: Senator Dollinger.
SENATOR DOLLINGER: Here.
THE SECRETARY: Senator Farley.
SENATOR FARLEY: Here.
THE SECRETARY: Senator Gentile.
SENATOR GENTILE: Here.
THE SECRETARY: Senator Gold.
SENATOR GOLD: Here.
THE SECRETARY: Senator Gonzalez.
(There was no response. )

Senator Goodman.
(There was no response. )
Senator Hannon.
SENATOR HANNON: Here.
THE SECRETARY: Senator Hoffmann.
SENATOR HOFFMANN: Here.
THE SECRETARY: Senator Holland.
SENATOR HOLLAND: Here.
THE SECRETARY: Senator Johnson.
SENATOR JOHNSON: Here.
THE SECRETARY: Senator Kruger.
SENATOR KRUGER: Here.
THE SECRETARY: Senator Kuhl.
SENATOR KUHL: Here.
THE SECRETARY: Senator Lachman.
SENATOR LACHMAN: Here.
THE SECRETARY: Senator Lack.
SENATOR LACK: Present.
THE SECRETARY: Senator Larkin.
SENATOR LARKIN: Present.
THE SECRETARY: Senator LaValle.
SENATOR LAVALLE: Present.
THE SECRETARY: Senator Leibell.
(There was no response. )

Senator Leichter.

SENATOR LEICHTER: Present.

THE SECRETARY: Senator Levy.

SENATOR LEVY: Present.

THE SECRETARY: Senator Libous.

SENATOR LIBOUS: Present.

THE SECRETARY: Senator Maltese.

Senator Maltese excused.

Senator Marcellino.

SENATOR MARCELLINO: Present.

THE SECRETARY: Senator Marchi.

SENATOR MARCHI: Present.

THE SECRETARY: Senator Markowitz.

SENATOR MARKOWITZ: Present.

THE SECRETARY: Senator Maziarz.

SENATOR MAZIARZ: Present.

THE SECRETARY: Senator Meier.

SENATOR MEIER: Present.

THE SECRETARY: Senator Mendez.

SENATOR MENDEZ: Present.

THE PRESIDENT: Senator Bruno, a quorum is present.

SENATOR BRUNO: Thank you.

THE PRESIDENT: The Chair hands

down a communication from the Governor.

THE SECRETARY: Senator Stafford.

SENATOR STAFFORD: Do we have a resolution, Madam President? Sorry. Go ahead.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Dear Madam President: I would appreciate the privilege of appearing before your honorable bodies in joint session on Wednesday, January 8, 1997, at 1:00 p.m., or as soon thereafter as may be convenient, to deliver personally my annual message to the Legislature.

Sincerely, George E. Pataki.

THE PRESIDENT: Senator Stafford.

SENATOR STAFFORD: Madam President, it's indeed an honor and a pleasure for me to hand up the first resolution for the 1978 -- excuse me '98 -- '97-98 -- whatever. I ask that the resolution be read. Thank you.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator

Stafford, Senate Resolution providing for the election of Joseph L. Bruno as Temporary President of the Senate for the years 1997 through 1998.

SENATOR GOLD: Madam President.

THE PRESIDENT: Senator Gold.

SENATOR GOLD: Madam President, if it was 1978, maybe I could vote for that, but for the good of 1997, I want to offer a substitute resolution, and have an opportunity to speak on it.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Gold, Senate Resolution providing for the election of Martin Connor as Temporary President of the Senate for the years 1997 through 1998.

SENATOR GOLD: O.K. Madam President. Usually when I've had the occasion to do these in the past, I think I've done it with -- start with a little humor and, to tell you the truth, this year I feel it's a little more serious because I really do think, based upon the legislative history of the last few years, that there is a time for new leadership

in this house, a leadership which obviously brings respect for us as members, respect for our needs and certainly an appreciation of the work of each of us as members.

We all have constituencies, and we owe that constituency our loyalty, our dedication, our hard work -- and we do that - our best efforts. A leader really has more than that. He has a constituency at the local level which is obvious. He's got statewide concerns, but also is responsible to us as a constituency, and that responsibility is to see to it that basically we can do our work, do it in an atmosphere of equity and fairness. Tell you the truth, maybe stop what we've had as Senatoring by slogan and get to start substituting substance for press.

I would suggest that Bishop Hubbell* (should be Hubbard) said we should start with wisdom and insight and I believe that if we take the opportunity this year to make Senator Connor our leader, that is something which we can look forward to. Senator Connor is not only knowledgeable and articulate, bright, but he's an individual who is practical, and

he's someone who has brought equity and respect to the Democratic Conference in this Senate and he can do that for the Senate in general, and I offer that to you.

I think that, with the help of the press, we might be able to stop legislation by slogans, by press release and get down to real substance. People are sick of hearing about property tax relief. They want to see it. They're sick of seeing -- hearing about fiscal responsibility. They want to see it, and real legislative reform means respect for every member in this chamber.

With this in mind, Madam President, it is with a great deal of pride and certainly from my point considered a great honor to ask this body to elect Martin Connor as our next President Pro Tem.

THE PRESIDENT: On the substitute resolution offered by Senator Gold, all those in favor signify by saying aye.

(Response of "Aye.")

Opposed nay.

(Response of "Nay." )

The nays have it. The resolution

is defeated.

Senator Stafford.

SENATOR STAFFORD: Thank you, Madam President.

I, for the first time in my legislative career, I'll have to disagree with Senator Gold, and I'm sure it won't be the last.

Your Excellency, it's a pleasure to see you here again this year, and it is an honor for me to rise and to support the resolution nominating Joseph L. Bruno President Pro Tem and Majority Leader of the New York State Senate.

This past fall after I'd run a number of times -- I mentioned this earlier this year -- I was in a gathering and someone came up to me and said, "You know, you're fortunate, you don't have to play up to people. You don't have to say what they want to hear. You don't have to curry favor." Someone else walked over to me and said, "He can do it the best of anybody I've ever seen," and now you're all about to see it again.

Joe Bruno has worked with all of

us. He's become close to all of us. You'll hear it today from me in this very short presentation. However, we do go back, but it was during this past two years I was called in to -- called in, not invited, summoned as a Majority Leader can do because when he or she is a Majority Leader, they can do it, and we talked for a few minutes. I knew there was something else, and we talked for a few minutes and he said to me, "You know, when I sat back there on that back bench," he said, "I was told by a Senator who had been here longer than I, that, you know, Joe, you sort of lost -- sometimes you've lost your bearings a bit, sometimes you're a bit too direct. Sometimes you speak your mind, sometimes, you know, you know what I'm trying to say and you know you don't lose sight of the fact that you're here to win friends and influence people."

So I thought a minute. He told me who it was. I said, "Yes, but look where you are now and look where that Senator is." The Senator no longer is here who said it to him, was defeated, and he's Majority Leader. Yet I took to heart what he said.

What I'm trying to say is he's worked with every one of us, on the big issues and on personal issues. He lives this place and that was an example.

I'm going to be a bit presumptuous, but I said a number of things last year when I was talking. I left out one point that I had felt bad about for two years. I say it very quickly. When I got here in December of 1965 at the organization luncheon that I hadn't taken office yet, I was told that we were going to have reapportionment, one man, one vote, 1964, and we were going to have new districts and I was going to be put in with an incumbent. You talk about the tide ebbing and flowing. It was ebbing, my friends, for me and I would not be here today if I had not been put in a district where I was with Joe Bruno and him supporting me in 1966 and making it possible for me to serve. I left it out inadvertently last year, and I say it heartfelt this year.

I said a number of things two years ago that I did include obviously, and I said that we had a leader who did know how to work, that came from a working family, who came

here with his values, had been successful in business, had done well in whatever he'd done. He'd been president of his Young -- he'd been president of the New York State Young Republicans, the New York State JCs. I've been in business with him, I've been on his board in a public corporation, but I said he would do the job, and I said he would do it well and, my friends, I mentioned de Tocqueville, he quotes or he mentions in his writings "the habit" and I said, the habit he was talking about was the habit of taking responsibility for one's actions and if people do not do that, then we will not have self-government, and Joe Bruno does take the responsibility and he is -- he is a leader.

I said he'd be a valuable partner to our new Governor, and he has been and they both have done such a tremendous job. Just for example, losing 500,000 jobs the last ten years before the last two years, now gaining over 100,000, and I could go on and on, what's been done in the partnership with Joe Bruno and George Pataki.

This is probably the most important thing I did say, and I'll say it

again. He came here at a relatively older age. He's got younger as you can see, but he established his values. He knew what he stood for, and he had his own parameters and he spoke out. He meant what he said. Nothing was personal, but he had these values and, as I say, he stood for something and he did it at times at personal and political sacrifice, but that's why he's where he is today. He's done such a tremendous job.

I mentioned Dante last year, who said, quote, Those who were loathe from living to be either blamed or praised, close quote and then he suggested that they deserve worse than the lowest depths. But this gentleman takes a position, he stands there, he leads, he takes the consequences and he's always there and every one of us in the state of New York is better for Joseph L. Bruno, and I hereby support and nominate this gentleman for 1997-98 President Pro Tem, Majority Leader of the New York State Senate.

Thank you. (Applause)

THE PRESIDENT: Thank you, Senator Stafford.

The question is on the resolution. All those in favor signify by saying aye.

(Response of "Aye.")

Opposed nay.

(Response of "Nay." )

THE PRESIDENT: The resolution is adopted, and the Chair states for the record that Senator Joseph L. Bruno has been elected Temporary President of the Senate for the years 1997 to 1998. Senator Bruno, I'd like to administer the oath of office.

Raise your right hand. Do you solemnly swear to support the Constitution of the United States of America, the Constitution of the state of New York and faithfully discharge the duties of the office of Temporary President of the Senate of the state of New York to the best of your ability?

SENATOR BRUNO: I do.

THE PRESIDENT: Congratulations. You are now the Temporary President.

(Standing ovation. )

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Madam President,

Bishop Hubbard, my colleagues here in the Senate: A special word of thanks to Senator Ron Stafford for the very, very kind and generous words, and Ron and I do go back a lot more years than he can remember. He demonstrated that here; but he does say the nicest things and he does the best things on behalf of his constituency and the people of this state. And, Ron, I thank you very much for your support and for your friendship that we have had over the years.

I also want to thank Senator Gold for indicating and proving in this environment that we are truly a body that deliberates and anyone can say anything they please and they don't have to be right. (Laughter).

And I want to say a special word of congratulations to my colleague, my really friend, Senator Marty Connor, newly elected Minority Leader. I want to wish him well, and I want to make a commitment to him that we will do our best to keep him in that position over the years.

We have spent the last two years, many of us, together. We have some new additions

to the house, and I want to congratulate Senator Ray Meier, who is here from Utica (applause), and next to him Senator Neil Breslin from Albany (applause) and Senator Vincent Gentile from Brooklyn (applause), who joined us here, Olga, and David Rosado is also here from the Bronx and John Sampson, we have met before, from Brooklyn. Thank you. Thank you.

In the last two years, those of us who were here did a lot of great things on behalf of the people of this state, spent two years together. We can be proud of the things that we did together, and we do things together whatever side of the aisle that we're on because we really do nothing unless we do it together. We changed the way we function in this chamber over the last two years. We're more efficient; we're more professional. We're more business like. I believe we're much more productive than we have ever been here in this chamber, and we started -- Ron mentioned that we cut back since we did a lot of good things in partnership with our great Governor George Pataki. We're going to hear a message from the Governor very shortly, a message that will look us forward and

take us forward, and we will be proud to partner with him in continuing the good work that we are doing on behalf of the people of this state.

We have some issues that will come before us this year, and they are going to be difficult issues and, Bishop Hubbard, you said it right and we need God's prayers and we need people's support and we need their prayers because, while we will have differences of opin ion, all of us in this chamber are well inten tioned. We're trying to do what's right on be half of the people in this state and our constituencies.

None of us in this chamber are trying to hurt anybody in this state. We are working to try and improve the quality of life for all New Yorkers, all New Yorkers, and we will do that in conjunction with the Assembly, with the Governor as we go forward. We do have some difficult issues, and I'm going to appeal to my colleagues here, in the other house, to the leadership, to the Governor, that we engage in the debate on these issues sooner rather than later, in January and in February and in March, so that we can strive to resolve our differences

and go forward with a budget on time on April 1st, and some of the most difficult issues that we have to deal with, in welfare reform and budget reform and property tax reform, energy costs that are still too high, just to name a few.

We can resolve our differences and we can resolve them in February and in March and I've said this before, and I will keep saying it. There isn't anything that we can't agree on by April 1st that we can agree on in July, August, September, as long as anyone wants to stay here, but this process is one that we cannot come to a positive conclusion with a budget or with any other important matters unless we have the Assembly and the Senate functioning together.

So my pledge to all of you here and to the people of this state is that we will do our best to discuss the issues, debate the issues, do it honestly, do it openly and sooner rather than later, so that we can get on with our business in serving the constituency of this state, and I am proud to be a partner with our Governor George Pataki.

He has provided the leadership in these last two years that has turned this state around. We're looking upward, we're looking forward, and we're looking into the 21st Century with great optimism, and I look forward to the next two years in working in conjunction with this Governor and with you in serving your constituency and mine and all the people of this state.

So I can't say thank you enough to my colleagues who helped me in the leadership roles: Senator Dean Skelos, who is my deputy here and who sits in the chamber, and certainly Ron Stafford who takes the responsibility, and Senator Owen Johnson, a lot of the people that have taken leadership positions with me, Senators Velella and Spano and Libous, and I'm remiss in that I will miss some and be in trouble, but I want to say thank you for the trust, for the confidence and the support that you give me, and we will need your continuous faith and prayers and support as we go forward over these next two years to serve our mutual constituency.

Thank you very much.

(Applause)

THE PRESIDENT: Thank you, Senator Bruno.

I would also like to acknowledge that we have received a communication from the Senate Democratic Conference which I will read: It is with great pleasure that the members of the Senate Democratic Conference inform you that Senator Martin Connor was elected on December 3rd, 1996 as Minority Leader of the state Senate and request that this communication be entered into the Journal of Wednesday, January 8, 1997.

(Applause)

Senator Connor.

SENATOR CONNOR: Thank you, Madam President.

Madam President, Bishop Hubbard, first my congratulations to my friend and colleague, Senator Bruno, with whom I have disagreed many times and who has disagreed with me many times without ever either of us being disagreeable, and I think that's important to remember as we go forward in this session and face so many contentious issues.

Senator Gold, thank you for your

gracious remarks and your efforts and I know, Madam President with her acute sense of hearing, recognized that there were more Ayes for that substitute resolution and less Noes than when we did it all two years ago.

In that context, I do want to join in welcoming the new members on our side, Senator Breslin and Senator Gentile, Senator Sampson and Senator Rosado, and also to Senator Meier who joins us on the other side of the aisle.

Madam President, I think it's important that we always remember that we're here to do the people's business and that most of our citizens really don't think there's a Republican or a Democratic way to solve our problems and they send us here in faith, each of us as an individual representing a constituency and that we will reason together, argue together and hopefully arrive at a reasonable solution to all the problems we face.

If there's anything I've observed in the years I've been here, and I don't go back as far as Senator Stafford when, in 1965, I was I think a Sophomore in college -- I'm sorry

about that, Ron -- but I have been here a number of years, and there has been a tendency regrettably -- and I don't lay blame on any particular individual, him or perhaps either house or -- or institution of government, whether it be executive or legislative -- but there has been a general tendency, in my opinion, to over-politicize on partisan bases, many, many issues. Indeed some months it seems like every issue is a partisan issue and, if a Democrat says yes, the Republicans have to say no, and vice versa, and that's not good for the commonweal, and it's not good for us as colleagues, and it's not good for this institution we all serve and love because it's the people's institution and it doesn't belong to any one political party any more than good ideas belong to any one political party, and I would ask us sometimes when we are tempted to take that big step forward and run to the partisan barricade, so to speak, that we step back a little bit and think what's the problem with giving someone in the other party credit for a good idea? What's the problem with treating a colleague with respect? We are all

elected by approximately the same number of constituents all of whom have the right to be respected in their choice and, if they chose a colleague that you don't like because it's not from your party, that's no reason to disrespect that choice that the voters made.

In that spirit, I pledge to all of you, certainly my colleagues in the Democratic Conference who I all thank for your faith and trust once again in me, but to all of you, that we shall attempt to go forward on that basis. That doesn't mean, Madam President, we shall not have philosophical differences; we shall not disagree about priorities or solutions. We have in the past and I expect we will continue to, and we will argue that out hopefully, though, in a framework in this body, in a framework of collegiality and respect for divergent and different views.

Senator Bruno talked about some issues coming up. I once again say on behalf of this Conference, we have our priorities. We have values which we respect -- jobs, justice and the future.

That means education is a

priority to the future of our state and for its economic health in the future as well as the well-being of those who will be our adult citizens in the near future.

That means respect for those elderly and those who require a quality health care system, that we uphold that. That's a value. That's a New York value. That's an American value. That also means that we work together to create jobs, good jobs with health insurance, with benefits and, while some steps have been taken on a bipartisan basis to bring that about, we have in the past differed about the best way to cut taxes -- cut taxes.

We, in this body, have offered alternatives to suggestions you have made. We are happy to see the focus now on local taxes, property taxes, because we have identified and argued for the past several years that local property taxes were the biggest deterrent to business growth in New York and the biggest injustice to our citizens who had to pay those taxes.

And when we talk about jobs, we give credit where credit is due. In Governor

Pataki's first months, New York State experienced a 1.8 percent growth in jobs. Over 118,000 new jobs were created, and we applaud that. We regret that it doesn't measure up to the prior 22 months before Governor Pataki became governor, when New York created 156,000 new jobs out at a 2.2 percent growth rate.

So we're ready to work with the Governor, Majority in this house and whatever. We think some of our ideas are better and we look at hopefully encouraging you to join us in some programs that will get us back to that 2.2 percent job growth because the last 22 months haven't been as bad as a loss, have been "better", as they say, "than a sharp stick in the eye" but they haven't measured up to our past experience.

So with that said, Madam President, I look forward to a year where in the spirit of cooperation, we do advance solutions and programs to meet some of our common goals.

Thank you very much.

(Applause)

THE PRESIDENT: Thank you, Senator Connor.

Senator Bruno.

SENATOR BRUNO: Madam President, we're handing up a resolution and ask that it be passed immediately.

THE PRESIDENT: The Secretary will read it.

THE SECRETARY: By Senator Bruno, Senate Resolution that Stephen F. Sloan, of Guilderland, New York, be and hereby is elected Secretary of the Senate for the years 1997 through 1998.

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

(Response of "Aye.")

Opposed nay.

(There was no response. )

The resolution is adopted, and the Chair states for the record that Stephen F. Sloan has been elected Secretary of the Senate for the years 1997 to 1998, and it's my pleasure to administer the oath of office to him.

Do you solemnly swear to support the Constitution of the United States and the Constitution of the state of New York and

faithfully discharge the duties of the office of Secretary of the Senate of the state of New York, to the best of your ability?

MR. SLOAN: I do.

THE PRESIDENT: Our Secretary, ladies and gentlemen.

(Applause)

SENATOR BRUNO: Madam President, we hand up another resolution, ask that you read the title and that we move its immediate passage.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Bruno, Senate Resolution that Pauline E. Williman be and hereby is elected the Official Stenographer of the Senate for the years 1997 through 1998.

THE PRESIDENT: On the resolution, all in favor please signify by saying aye.

(Response of "Aye.")

Opposed nay.

(There was no response. )

The resolution is adopted. Congratulations, Miss Williman.

(Applause)

SENATOR BRUNO: Madam President, I hand up another resolution, ask that the title be read and move for its immediate adoption.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Bruno, Senate Resolution that John P. Everhardt be and hereby is elected Sergeant-at-Arms Emeritus of the Senate for the years 1997 through 1998 and that William C. Martin be and hereby is elected Sergeant-at-Arms of the Senate for the years 1997 through 1998.

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

(Response of "Aye.")

Opposed nay.

(There was no response. )

The resolution is adopted. Congratulations, Mr. Everhardt and Mr. Martin.

(Applause)

Senator Bruno.

SENATOR BRUNO: Madam President, we now hand up a concurrent resolution and ask

that it be immediately adopted.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: The Assembly sent for concurrence Assembly Concurrent Resolution Number 7. Senator Bruno moves to substitute Assembly Concurrent Resolution Number 7.

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

Oh, is there a substitution ordered? The substitution is ordered. The Secretary will read the title, please.

THE SECRETARY: Assembly Resolution Number 7, Concurrent Resolution with the Senate and Assembly, providing for a joint assembly for the purpose of receiving a message from the Governor at 1:00 p.m. today.

THE PRESIDENT: On the resolution, all in favor signify by saying aye.

(Response of "Aye.")

Those opposed nay.

(There was no response. )

The resolution is adopted.

Senator Bruno.

SENATOR BRUNO: Madam President, we offer up another resolution, ask you to read its title and move for its immediate adoption.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Bruno, Senate Resolution: Resolved that the President appoint a committee of two to inform the Governor of the election of Joseph L. Bruno as Temporary President of the Senate for the years 1997 through 1998 and that 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: The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

Those opposed nay.

(There was no response. )

The resolution is adopted. The Chair appoints Senators Nozzolio and Breslin to wait upon the Governor for the purpose of notifying him that the Senate is ready to

proceed.

Senator Bruno.

SENATOR BRUNO: And Madam President, we hand up another resolution, ask you to read its title and move for its immediate adoption.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Bruno, Senate Resolution: Resolved that the President appoint a committee of two to wait upon the Assembly and inform that body of the election of Joseph L. Bruno as Temporary President of the Senate for the years 1997 through 1998, and 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. to receive the Governor's message.

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

(Response of "Aye.")

Opposed nay.

(There was no response. )

The resolution is adopted. Chair

appoints Senators Larkin and Gentile to wait upon the Assembly -- to wait upon the Assembly? -- to wait upon the Governor and inform that the Senate is ready to proceed.

Senator Bruno.

SENATOR BRUNO: Madam President, I believe we are joined by Assemblymen Farrell and Faso, and I believe they have a message from the Assembly.

ASSEMBLYMAN FASO: Madam President, for the Assembly, this is Assemblyman Faso, and Assemblyman Farrell to inform the Senate that we have elected the Honorable Sheldon Silver, Speaker, and that we stand ready to wait upon the Senate in joint session with the Governor.

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: And Madam President, we will offer up another resolution, ask that the title be read and move for its immediate adoption.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Bruno, Senate Resolution providing the rules of the

Senate for the years 1996 as last amended be adopted as the rules of the Senate for the years 1997 through 1998.

THE PRESIDENT: The question is on the resolution.

SENATOR CONNOR: Madam President. Madam President, with the understanding that the Minority could at this time offer amendments to, we believe, improve these rules, because of the exigencies of today, the time exigencies, we just -- we consent to this with the usual understanding that at a later date the Minority may offer amendments to these rules for consideration.

THE PRESIDENT: Thank you, Senator Connor.

The question is on the resolution. All those in favor signify by saying aye.

(Response of "Aye.")

Opposed nay.

(There was no response. )

The resolution is adopted.

Senator Bruno.

SENATOR BRUNO: Madam President,

we have another resolution, and we would ask that we move for its immediate adoption.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Bruno, Senate Resolution providing for the hours of meeting by the Senate for the years 1997 through 1998.

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

(Response of "Aye.")

Opposed nay.

(There was no response. )

The resolution is adopted.

SENATOR BRUNO: And Madam President, I believe we have a privileged resolution by Senator Seward. I would ask that the title be read and move for its immediate adoption.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Seward, Legislative Resolution honoring Anne Eves upon the occasion of her retirement as

Commissioner of the Cortland County Board of Elections.

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

(Response of "Aye.")

Opposed nay.

(There was no response. )

The resolution is adopted.

SENATOR BRUNO: And I believe, Madam President, that I have a privileged resolution at the desk. Ask that the title be read and move for its immediate adoption.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Bruno, Legislative Resolution congratulating the Waterford High Boys Soccer Team and Coach Patrick Udeh upon the occasion of their captur ing the New York State Class D Championship.

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

(Response of "Aye.")

Opposed nay.

(There was no response. )

The resolution is adopted.

SENATOR BRUNO: And, Madam President, our work being done for this day and our organizational and procedural which have been adopted, I would now recommend that we move to the Assembly Chambers where we will hear the State of the State from our esteemed Governor George Pataki at 1:00 p.m. sharp, and I would move at this time that we adjourn until January 13, Monday, at 3:00 p.m., intervening days to be legislative days.

THE PRESIDENT: The Senate will now proceed to the Assembly Chamber for the Governor's message, after which the Senate stands adjourned until Monday, January 13th, at 3:00 p.m., intervening days to be legislative days.

(Whereupon at 12:50 p.m., the Senate adjourned. )