NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 11, 1999

3:05 p.m.

REGULAR SESSION

LT. GOVERNOR MARY O. DONOHUE, President

STEVEN M. BOGGESS, Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will come to order.

I ask everyone to please rise and repeat with me the Pledge of Allegiance.

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

THE PRESIDENT: Let us all bow our heads now in a moment of silence.

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

THE PRESIDENT: Reading of the Journal.

THE SECRETARY: In Senate, Friday, January 8th. The Senate met pursuant to adjournment. The Journal of Thursday, January 7th, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from State officers.

Motions and resolutions.

Senator Bruno.

SENATOR BRUNO: Madam President, I would like to offer up a privileged resolution and that it be read in its entirety and moved for its immediate passage.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Bruno, Legislative Resolution 95 congratulating the Troy High School Football Team and Coach Jack Burger upon the occasion of capturing the 1998 New York State Class AA Championship.

WHEREAS, Excellence and success in competitive sports can be achieved only through strenuous practice, team play and team spirit nurtured by dedicated coaching and strategic planning; and

WHEREAS, Athletic competition enhances the moral and physical development of the young people of this State, preparing them for the future by instilling in them the value of teamwork, encouraging a standard of healthy

living, imparting a desire for success and developing a sense of fair play and competition; and

WHEREAS, The Troy High School Football Team are the 1998 New York State Class AA Champions; the Flying Horses decisively downed the top ranked team in the State, Fairport of Section V, by a score of 26 to 9 to capture the State Class AA football title before, before a crowd of better than 5,000 at the Carrier Dome in Syracuse, New York on Sunday, November 29, 1998;

In addition to the 1998 Championship title, the Flying Horses captured the 1996 Championship, classifying them second to none; no other team has won two state titles since such championship games were established in 1993;

The athletic talent displayed by this team is due in great part to the efforts of Coach Jack Burger, a skilled and inspirational tutor, respected for his ability to develop potential into excellence;

The team's overall record, 12 and 1, is outstanding, and the team members were

loyally and enthusiastically supported by family, fans, friends and the community at large; and

WHEREAS, The hallmarks of the Troy High School Football Team, from the opening game of the season to participation in the championship, were a brotherhood of athletic ability, of good sportsmanship, of honor and of scholarship, demonstrating that these team players are second to none;

Athletically and academically, the team members have proven themselves to be an unbeatable combination of talents, reflecting favorably on their school;

Coach Jack Burger has done a superb job in guiding, molding and inspiring the team members toward their goals; and

WHEREAS, Sports competition instills the values of teamwork, pride and accomplishment, and Coach Jack Burger and his 35 outstanding athletes have clearly made a contribution to the spirit of excellence which is a tradition of their school; now, therefore, be it

RESOLVED, That this Legislative Body

pause in its deliberations to congratulate the Troy High School Football Team; its members: Derrick Senior, Shawn Miller, Bob Bocketti, Anthony Gagliardi, Mike Rinaldi, Greg Kirkman, Jaywan Scott, Joe Halse, Herb Kennedy, Greg Osganian, Mike Hurteau, Anthony Canty, Bobby Joe Fosmire, Kevin Carley, Rob Hicks, Mike Harrington, Mike Gaunay, Nick Gross, Rich Pena, Mark Gross, Chris Cardnuto, Pete Naimo, Adam Lord, Dom Testo, Dave Nadeau, John Roe, Brad Stevens, Brandan Mace, Justin Ned, Mousse Saiid, Wayman Walker, Hector Gutierrez, Barton Jones, Brian Bentley, and Rob Wells; Coach Jack Burger and Assistant Coaches Jeff Sitterly, Jim Canfield, Mark Galuski and Bill Mitchell on their outstanding season and overall team record; and be it further

RESOLVED, That copies of this Resolution, suitably engrossed, be transmitted to Donald Help -- Hepp, Superintendent; Armand Reo, Principal; James Bongo, Athletic Director; Jack Burger, Head Coach and to the members of the Troy High School Football Team.

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Thank you, Madam

President.

Colleagues, let me just rise and congratulate, having read of the outstanding accomplishments of the Troy Flying Horses and having distinguished themselves the way they have, making everyone in this Region and in this State as proud as we can be.

And when you hear the litany that is recited in their distinguished career so far, we can't help but think about what makes for champions.

How do you become a champion? And you're champions. It's hard work, dedication, commitment, going above and beyond, not taking the easy way, striving, persevering. And you come out champions.

I'm not sure it was recited, but they had a 12 and 1 record. And unless I'm mistaken, their first game was a loss. Now, you think about them recovering from that loss and going on to beating one of the best teams. And, by the way, the team that won the championship last year. And they did win the State Championship two out of three years. That is an accomplishment.

When you talk about overcoming losses, that's what life is all about. You have wins and you have losses. You have been able to show, just as in life, that you weren't awfully disappointed. While you always want to win, you didn't accept the loss, you didn't lay down, you didn't say, "This is going to be just a season." You went on, thanks to your dedication, thanks to your coach, Jack Burger, and all the support you've had. I see Jim Canfield, the line coach and good friend, here; Armand Reo, your Principal; Don Hepp, your Superintendent; Jim Bongo, your athletic director. Your parents, your friends, your colleagues, your teammates, your cheerleaders, all together, supported you as you dedicated yourselves to become champions.

When you hear a resolution like this in this chamber, you want to recognize that a hundred years from now you can come back to this chamber and this resolution will be part of the history. And I know a lot of you a hundred years from now will be here.

That's supposed to be funny. You can laugh.

(Laughter.)

SENATOR BRUNO: And -- but just as we pass laws, we pass laws in this chamber, there isn't a law of this State that doesn't get deliberated and passed in this chamber, not one.

These Resolutions are just like a law. They become part of the record in the history of this State. You are part of that record. You are now part of that history. What you have accomplished is recorded for posterity, forever, as an outstanding achievement.

I want to tell you, as constituents of mine, I am as proud as I can be that you are here, that you are champions. But I'm proud of you as individuals.

Anthony Canty is up there, and I see Anthony. And Anthony is 15 years old. Anthony comes up and gives me a hand on occasion, regular occasions on Saturdays on our farm. And Anthony got an education this past weekend. He mucked stalls with me. And Anthony is a city guy. Okay? And when I said, "Anthony, we're gonna muck stalls," you know what he said? "Is that really what you call it, mucking stalls?" And that is what you call it. And you know what that is for those of you that aren't on a farm?

(Laughter.)

SENATOR BRUNO: Okay. My colleague here, Deputy Majority Leader said, "Yes, they know, because we're in that business."

And, by the way, it's horses that are in those stalls that necessitate mucking. Okay? And we on this floor sometimes indulge ourselves in a little of what the same thing the horses do, but in different ways.

But I want to just conclude by saying we're gonna have a party. We're glad that you're here and we are going to have a little reception right outside, and everyone in the chamber, of course, is invited to attend that reception. And we're doing that because we want you to understand that we recognize that you are outstanding individuals, that you are true champs. And I don't say that in any glorified way. I say it because sometimes you need to hear that what you did was uncommon, it was different, and you want to keep right on doing that. And I am certain that you will throughout your whole life. And sitting up there, my colleagues here and others, will be the future senators, the Assembly people, the governors,

maybe a President, they're the people that will be running this State and running our lives. And based on what you've done so far, we will be in good hands.

So thanks for joining us and thank you, Madam President.

(Applause.)

THE PRESIDENT: Senator Farley.

SENATOR FARLEY: Thank you, Madam President.

You know, as a Senator from the Capital District, let me say that everybody, and coming from Schenectady, I know that Senator Breslin feels the same, we adopt you and we're so proud of you and we offer you our sincere congratulations.

You can see the tremendous attendance on this side of the aisle. It has nothing to do with the fact that this is the Majority Leader's team that's up there.

(Laughter.)

SENATOR FARLEY: It's to honor you, totally.

But my congratulations to you. It's truly an honor to be the finest in the State.

We're very, very proud of you. The entire Capital District salutes you and we wish you well. And it's onto next year.

And, Coach Burger, you should be very proud of your team and all the administration this year, because I know that we are.

Thank you.

(Applause.)

THE PRESIDENT: Senator Larkin.

SENATOR LARKIN: Thank you, Madam President.

I look around this chamber here, and I see Senator Farley from Schenectady, my dear friend, Majority Leader from Glens Falls, and Jack Burger, family from Newburgh. I'm the only Senator sitting here who was born and raised in Troy.

South Troy against the world. Right?

(Applause.)

SENATOR LARKIN: How about that?

Congratulations.

But when I was a youngster here a few years ago, I played for that other team called LaSalle.

(Laughter.)

SENATOR LARKIN: Thank you all very much.

(Applause.)

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

And may I at this time congratulate you as my hometown team. Go Troy.

(Applause.)

THE PRESIDENT: Senator Bruno.

SENATOR STAFFORD: Madam President.

THE PRESIDENT: Yes, Senator Stafford.

SENATOR STAFFORD: I just want to mention one point. Those of us who have been here a few years, we want the team to know, on a very serious note, we do have a rule here that we aren't supposed to clap. And I haven't heard people given a hand that many times. And if we could, of course, it would blow out the ceiling.

But we want the team to know that it was a bit of an exception here today.

(Applause.)

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Madam President, just after that, our distinguished Senator Stafford from Glens Falls, why doesn't the team all stand up and the cheerleaders and let's just again give them a round of ovation? All right?

(Applause.)

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Thank you very much, Madam President.

I believe there's another resolution at the desk, a privileged resolution sponsored by Senator DeFrancisco. I would ask that the title be read and that we recognize Senator DeFrancisco and move for its immediate adoption.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator DeFrancisco, Legislative Resolution Number 18 congratulating the Jordan-Elbridge High School Boys' Cross Country Team and Coach Roger Roman for their outstanding season, overall team

record, and capture of the New York State Cross Country Championship.

THE PRESIDENT: The question is on the resolution.

All in favor, signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response).

THE PRESIDENT: The resolution is adopted.

Senator Bruno.

SENATOR BRUNO: Madam President, at this time, we are handing up committee assignments, chairs and leadership positions. I would ask that they be immediately filed.

THE PRESIDENT: Notice will be filed in the Journal.

Recognize Senator Kruger.

SENATOR KRUGER: Thank you, Madam Chairman.

I move that the following Bills be discharged from their respective committees and be recommitted with instructions to strike the enacting clause: Senate Numbers 403, 410, 423, 427, 428, 453, 454, 500, 511, 519, 520 and 526.

Thank you.

THE PRESIDENT: So ordered, Senator.

Senator Bruno.

SENATOR BRUNO: Madam President, after consultation with our distinguished Minority Leader, Senator Connor, I believe there are some temporary appointments that we are handing up and ask that they be recorded.

THE PRESIDENT: Thank you, Senator. Notice will be filed in the Journal.

Senator Bruno.

SENATOR BRUNO: Is there any other business at the desk, Madam President, that we should be attending this afternoon?

THE PRESIDENT: Not at this time, Senator.

SENATOR BRUNO: Thank you, Madam President.

Then, at this time -

Is there any other business here?

At this time, there being no further business to come before the Senate, I would move that we stand adjourned until Tuesday, at - coming at 3 p.m. -- backwards. We are

adjourning until tomorrow -- I've skipped a week -- at 11 a.m.

Thank you.

THE PRESIDENT: All right. On motion, the Senate stands adjourned until Tuesday, January 12th at 11 a.m.

Have a good day.

(Whereupon, at 3:25 p.m., the Senate adjourned.)