NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

September 13, 2001

3:03 p.m.

REGULAR SESSION

LT. GOVERNOR MARY O. DONOHUE, President

STEVEN M. BOGGESS, Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will please come to order.

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

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

THE PRESIDENT: In the absence of clergy, may we please bow our heads in a moment of silence.

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

THE PRESIDENT: Reading of the Journal.

THE SECRETARY: In Senate, Wednesday, September 12, the Senate met pursuant to adjournment. The Journal of Tuesday, September 11, 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, there is a concurrent resolution at the desk. I would ask that the title be read at this time and move for its immediate adoption.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Bruno, Concurrent Resolution Number 3105 of the Senate and Assembly providing for a joint Assembly for the purpose of receiving messages from the Governor, the Majority Leader of the Senate and the Speaker of the Assembly, and for the purpose of considering a joint resolution.

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The Concurrent Resolution Calendar is adopted.

Senator Bruno.

SENATOR BRUNO: Madam President, thank you.

If all of the members of the Senate could now proceed to the Assembly chamber, the entrance being through the front off their lobby.

And after our joint session if we could return to session here, because we have some other business that will come before us.

And the Senate will stand at ease until that time. Thank you.

THE PRESIDENT: The Senate will proceed to the Assembly chamber and will stand at recess until the completion of the joint session.

(Whereupon, the Senate stood at ease at 3:07 p.m.)

(Whereupon, the Senate reconvened at 4:14 p.m.)

THE PRESIDENT: The Senate will

come to order.

Senator Bruno.

SENATOR BRUNO: Madam President, can we ask for an immediate meeting of the Finance Committee in Room 332.

THE PRESIDENT: There will be an immediate meeting of the Finance Committee in Room 332.

SENATOR BRUNO: Thank you. And we will stand at ease until we get the report.

Thank you, Madam President.

THE PRESIDENT: The Senate stands at ease.

(Whereupon, the Senate stood at ease at 4:15 p.m.)

(Whereupon, the Senate reconvened at 4:26 p.m.)

THE PRESIDENT: The Senate will please come to order.

Senator Bruno.

SENATOR BRUNO: Madam President, can we at this time return to reports of standing committees. I believe there's a report from the Finance Committee. I would ask that it be read at this time.

THE PRESIDENT: Reports of standing committees.

The Secretary will read.

THE SECRETARY: Senator Stafford, from the Committee on Finance, reports the following bills:

Senate Print 5784A, Budget Bill, an act making reappropriations for the support of government;

And Senate Print 5789A, Budget Bill, an act making appropriations for payments related to the attack on the World Trade Center.

Both bills ordered direct to third reading.

THE PRESIDENT: Without objection, the bills are ordered direct to third reading.

Senator Bruno.

SENATOR BRUNO: Madam President, can we call up Calendar Number 1413.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 1413, Senate Budget Bill, Senate Print 5784A,

an act making reappropriations for the support of government.

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Is there a message of necessity at the desk?

THE PRESIDENT: Yes, there is, Senator.

SENATOR BRUNO: Move to accept the message.

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The message is accepted.

Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

THE PRESIDENT: The bill is passed.

Senator Bruno.

SENATOR BRUNO: Madam President, can we at this time take up Calendar Number 1414.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 1414, Senate Budget Bill, Senate Print 5789A, an act making appropriations for payments related to the attack on the World Trade Center.

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Is there a message of necessity at the desk?

THE PRESIDENT: Yes, there is, Senator.

SENATOR BRUNO: Move to accept the message.

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The message is

accepted.

Senator Bruno.

SENATOR BRUNO: Madam President and colleagues, we have just passed the reappropriation bill that flows about $51 billion through the state into the needs of the people of this state.

And the bill that's before us provides all or part of $5 billion, $5½ billion that is for the relief of the people that are suffering this terrible tragedy in New York City and to help the municipality of New York City recover from the tragedy that took place early Tuesday morning.

And we are here together and we just left a joint session where we had not been together before, the Senate and the Assembly -- parties, differences being put aside -- in what for me and I believe for you was an emotional setting, passing a resolution just recognizing the horror that's taken place in people's lives and establishing a legislative position on that and what we intend to do and what our feelings are.

So I believe it's appropriate that

we at this time just recognize that -- and it's redundant to say it, but we have to recognize that our lives are changed. People's lives in New York City and in New York State as well as in this country are changed.

But our responsibilities as elected representatives -- and we collectively represent all of the people in New York State. And their lives are changed: some, close, with hurt and pain, and some at more of a distance, but still painful. It's all pain. It's all suffering. And with pain and suffering, with the magnitude of what took place, there's a financial burden.

And so as representatives of the people of this state, what we're addressing here, with the support of the Governor and the Assembly and the leadership of the Governor and the Assembly and you in your respective districts, we are taking a first step and a huge step towards helping people meet the financial needs that are going to come up day after day after day.

And I say our lives are going to be

different because we have had differences of opinion in this house, with the other house, within government, within the branches. But that is set aside for now, because what we have to do now, truly, is reassess our priorities and recognize that the priorities and needs of the people of this state have changed. They're different today than they were last Monday.

And we as a body, as a legislative body will have to be responsive -- as we are today, as we may have to be next week or the week after or the week after -- because we just don't fully comprehend or understand or can get our minds and hearts and arms around what has taken place, because it's unprecedented in our lives.

So I just want to share that thought that we all just share, that we are in this thing together. We're going to have to be doing whatever is necessary to help in the city, wherever that takes us throughout the state. I appreciate the support and the cooperation that we've had in getting us here today, because I know it's been difficult not

knowing what life will look like. And I will only share with you that we'll be communicating as quickly as we can as we go forward, so that we can get as much order in our lives as is possible under these circumstances.

Thank you, Madam President.

THE PRESIDENT: Senator Connor.

SENATOR CONNOR: Thank you, Madam President.

Thank you, Senator Bruno. And thank you for your leadership and concern in this.

The twin towers were in my district. Lower Manhattan is my district. But the fact of the matter is -- and I think this is true of all of us on both sides of the aisle who are from downstate -- we all have friends, relatives, and constituents who work there. People travel in from all over Long Island and the northern suburban counties and Connecticut and New Jersey. 50,000 people worked in those towers. Another 150,000 visit or pass through or meet there every day.

The enormity, you don't want to -

you know, my wedding reception was in Windows on the World. You know? And my kids have grown up -- that was the first landmark they ever noticed. You can see it from my neighborhood. My son started last week at Stuyvesant High School, four blocks away. It became the triage center after we got the kids out.

A series of coincidences led me to be taking my son to Stuyvesant High School down the West Side Drive from a medical appointment a bit late for school. It was about a quarter to 9:00. I saw that, and he went on to school. We still thought it was an accident; it would be a terrible fire.

And I can't get out of my mind all those first responding police officers, some on motorcycle, and fire companies from Lower Manhattan. Obviously, the first in were - sustained enormous losses.

I went through on a personal level the shock of seeing that second plane go in, seeing people jumping and realizing my son was there. And that's the ultimate father's - you know, and I almost -- you have mixed

feelings, a little bit of guilt. You'd go down and help all these people, but you think, you know, my first job is to get that 14-year-old kid out of here and get him home to his mom. And then, afterwards, the enormity of the buildings falling and realizing how many thousands of people are involved. And now the rescue efforts.

You know, the President said they'll do whatever it takes. Well, New York is going to need a lot of help. There's another 30 or 40 buildings around there that may or may not have to come down. There were 14,000 businesses in that radius of where they think the damage is. A lot of families have lost loved ones forever. And tens of thousands of New Yorkers are going to wake up next week and realize they're unemployed.

This is a massive human tragedy that will call for an ongoing, massive relief. These cowards not only struck innocent life, they struck the financial capital of the country and inflicted serious damage.

And I appreciate certainly all of my colleagues in both houses, the leadership

of the Governor, and the President's commitment, because this really -- I think we're going to need a Marshall Plan here. I think we'll recover, because we are New Yorkers and we are Americans. Our spirits will come back. Certainly our fighting spirit has not left any of us; it's been reborn again.

And we're going to need substantial assistance from all Americans. And I trust and hope it will be there, because we can't let them win. And we won't let them win. And that's why we're going to do things like reschedule our elections. Because if we don't have our elections, then they've won, they've taken something from us. And we can't let them take anything from us more than they did by force. We can't give in and give them any more.

So I know -- I appreciate the support and concern. You know, I have -- in addition to all these businesses, we have a lot of residences down there, thanks to a bill we passed a few years ago. And my staff, without benefit of any office, because our

offices are all within the frozen zone down there, you know, have gotten lights and electricity back on for one housing complex, 5,000 people, elderly people, high-rise, no electricity.

I remind my colleagues who perhaps aren't familiar with the urban reality, no electricity has meant they've had no water for the last three days, and no elevators. And if you're elderly and live on the 30th floor with no water or electricity or elevators, you have no food except for the kindness of neighbors who walk it up to you.

So there's much to be done. Thousands of New Yorkers have just pitched in. I won't name -- one of our colleagues, whom I excused today, refused to leave his volunteer efforts digging through the rubble. He's younger and stronger than many of us physically, and -- but we appreciate him doing that.

So, Madam President, I think out of the saddest day in the history of New York and the United States, in a lot of ways, I think we will come back, due to the indomitable

spirit of New Yorkers.

You know, they asked the mayor the other night, and the police commissioner, if there'd been any problems. And I really - what is amazing is in the midst of all this tragedy we have heard nothing about looting. We've heard nothing about people taking advantage -- you know, criminals taking advantage of the situation.

That's the real New York. Everybody is pulling together. Everybody is together. Everybody is praying together, working together. And we will go on to win this together.

Thank you, Madam President.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

THE PRESIDENT: The bill is passed.

Senator Bruno.

SENATOR BRUNO: Madam President, can we ask for an immediate meeting of the Rules Committee in the Majority Conference Room.

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

The Senate will please come to order.

Senator Bruno.

SENATOR BRUNO: Madam President, can we return to the order of standing committees. I believe there's a report from the Rules Committee at the desk. I ask that it be read at this time.

THE PRESIDENT: Reports of standing committees.

The Secretary will read.

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

Senate Print 5790, by Senator Bruno, an act to amend the Public Authorities Law;

And Senate Print 5791, by Senator

Maltese, an act relating to the Emergency Primary Election Rescheduling Act of 2001.

Both bills ordered direct to third reading.

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: I would move to accept the report of the Rules Committee.

THE PRESIDENT: All in favor of accepting the report of the Rules Committee please say aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The report is accepted.

Senator Bruno.

SENATOR BRUNO: Madam President, can we at this time take up Calendar Number 1436.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 1436, by Senator Bruno, Senate Print 5790, an act to amend the Public Authorities Law.

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Is there a message of necessity at the desk?

THE PRESIDENT: Yes, there is, Senator.

SENATOR BRUNO: Move to accept the message.

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The message is accepted.

Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

THE PRESIDENT: The bill is passed.

Senator Bruno.

SENATOR BRUNO: Madam President, can we take up Calendar Number 1475.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 1475, by Senator Maltese, Senate Print 5791, an act relating to the Emergency Primary Election Rescheduling Act of 2001.

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Is there a message at the desk?

THE PRESIDENT: Yes, there is, Senator.

SENATOR BRUNO: Move to accept the message.

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The message is accepted.

Read the last section.

THE SECRETARY: Section 6. This act shall take effect immediately.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

THE PRESIDENT: The bill is passed.

Senator Bruno.

SENATOR BRUNO: Madam President, I would move that we adjourn with a moment of silence out of respect for the deceased and those grieving for their loved ones.

And we will reconvene at the call of the Majority Leader, with intervening days being legislative days.

THE PRESIDENT: On motion, the Senate stands adjourned until the call of the Majority Leader, intervening days being legislative days.

We will now recognize a moment of silence, in the spirit of the joint session, out of respect and reflection for the deceased, the wounded -- in any way -- and those grieving for their lost loved ones in these sad days in New York State and our country.

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

(Whereupon, at 4:54 p.m., the Senate adjourned.)