NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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11:06 a.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 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 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, Monday, January 14, the Senate met pursuant to adjournment. The Journal of Sunday, January 13, was read and approved. On motion, Senate adjourned.

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

Senator Bruno.

SENATOR BRUNO: Madam President,

can we ask for an immediate meeting of the Tourism Committee in the Majority Conference Room.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

The Secretary will read.

THE SECRETARY: Senator Marcellino, from the Committee on Environmental Conservation, reports:

Senate Print 806, by Senator Marcellino, an act to amend the Environmental Conservation Law;

1052, by Senator Stafford, an act to amend the Environmental Conservation Law;

1053, by Senator Stafford, an act to amend the Environmental Conservation Law;

1054, by Senator Stafford, an act to amend the Environmental Conservation Law;

1841, by Senator Maltese, an act to amend the Environmental Conservation Law;

And 2283A, by Senator Bonacic, an act to amend the Environmental Conservation Law.

All bills ordered direct to third reading.

THE PRESIDENT: Without objection, all bills reported direct to third reading.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Bruno.

SENATOR BRUNO: Madam President, can we at this time adopt the Resolution Calendar.

THE PRESIDENT: All those in favor of adopting the Resolution Calendar by motion please say aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The motion is carried and the calendar is adopted.

Senator Bruno.

SENATOR BRUNO: Madam President and colleagues, I am rising to speak about one of our most cherished and esteemed colleagues, Senator Roy Goodman.

Now, some of you may wonder why we don't have a resolution that we are addressing and passing. And when I asked is there a resolution commemorating this occasion, I was told that resolutions are only proposed for those that are with us only in spirit.

Roy, thankfully, is here not only in spirit but physically, with all of his charm, his personality, his intellect, his wisdom, and joins us for what will be his last day as a senator -- because we're making him an honorary senator for today -- and in his chair, after 34 years of truly distinguished public service.

We can be proud that Roy has been a colleague here in this chamber. He is joined by his beautiful and charming wife, Barbara.

And, Barbara, we welcome you here and we commend you and applaud you, because no great man could be great without a great lady such as yourself supporting him and, I know,

leading him and shoring him up when he needed that.

(Applause.)

SENATOR BRUNO: Roy honestly, I can say without any reservation, he has been a real friend -- not to just the people in his district, but the people in all of New York State. Certainly a personal friend of mine and of my family's.

And I also have a wife named Barbara that I've spent most of the last 52 years with, and we share that in common.

Roy is -- I don't have to tell you, because you have been with him here, you have listened to him. He is gifted. He is talented. And his constituency has been fortunate to have most of 34 years of his energetic life.

We in New York State have been fortunate to share in all the good things that Roy has been able to help accomplish in this chamber, in the other chamber, and in New York State.

So, Roy, when I say we are indebted to you, all the people of this state are

indebted to you, I mean it as sincerely as anything that I can say.

And the good news, Senator Volker, is that Senator Goodman, your dearest and good friend, along with Senator Padavan -- and I could mention every single individual in this chamber -- is with us and, when he leaves, he is going on to global public service as president of the United Nations Development Corporation, managing millions and tens of millions, doing and continuing his good work. And again, at this young, energetic age, still making a tremendous contribution to the people of New York City and this state and throughout this world.

Roy, thanks for your friendship, thanks for all the good things that you have done so far, and thanks for the next 34 years of public service that you will be sharing with all the people of New York State.

Thank you.

THE PRESIDENT: Thank you, Senator Bruno.

Senator Farley.

SENATOR FARLEY: Yeah, I rise to

salute, as I said, really one of the legends.

I've been here for a lot of years. I have never heard anybody that could really work the English language like you can, Roy. I'll tell you, those remarks and speeches are truly something we'll always remember.

I was a number of years ago fortunate enough to be in a number of his revues down there. And I think Frank Padavan, as I recall, Senator Padavan was one of the guest stars, in a dress, and a few other things. They were really remarkable opportunities to embarrass yourself. But it was truly outstanding; they were remarkable in their breadth.

Let me just say Roy, of course he has been dubbed -- and it wasn't by himself as the "Statesman of the Senate." We have a new statesman of the Senate just assuming that title. But that title was given to him by the late Senator Javits, I knew that. And what a remarkable career you have had.

And I'll tell you, he's had some remarkable elections, none of which were more memorable than the last one, which he pulled

out.

And, Roy, we're very, very proud of you. I don't think this house will ever be the same without you. You have really made your mark here. And as Senator Bruno so aptly said, you're going on to very, very exciting things.

You're a very dear friend. I love you, I wish you well, and God bless you and your family.

THE PRESIDENT: Senator Skelos.

SENATOR SKELOS: Thank you very much, Madam President.

I too rise to really pay tribute to a person that all of us in the State Senate, both Republicans and Democrats, have a tremendous amount of respect for -- for his intellect, for his ability as a state senator, working tirelessly for his district and for the people of the state of New York, but also because of the hand of friendship that on numerous occasions I believe that he's extended to each and every one of us within this Senate chamber.

There's a saying we have about Roy,

and it is so true, that he is the statesman of the Senate. He is a person that every single one of us -- and again, I say Republicans and Democrats -- look up to. We wish, Roy, we had the command of the English language as you do.

John, we wish we had the command of the Italian language as you do also.

But, Roy, you have been a dear friend to both me and Gail, my wife, Gail, who worked with you for probably 11 or 12 years prior to moving to another situation. But certainly she reflects on all the wonderful days that she had with you, whether it's working up here, working in the district, the friendships that she made with your family, with Barbara, your children -- in a way, seeing them grow up also.

We are going to miss you. We truly are going to miss you. And I think every single one of us, as we see the day -- maybe some a little further down the road, some a little closer -- come where we have to say farewell to this institution, I only hope that I can go out with the respect and the strong feelings that everybody has for you on this

day, Roy.

Congratulations and God bless you.

THE PRESIDENT: Senator Stachowski.

SENATOR STACHOWSKI: I'd like to also rise and add a few words about Senator Goodman.

Senator, it's been a pleasure watching you operate on the Senate floor. It's been a great pleasure working with you on cultural events and meetings and different things that you've brought to life, including your latest, the Whitney art exhibition that's down in the museum currently. And I saw your picture in the paper, and you looked overjoyed again, as you always do at art things.

And I'm surprised that out of the first couple of speakers nobody had a bunch of graphs and charts to talk about, you know, with different subject matter, and then go through everything just in honor of all the charts and graphs we saw over the years with some of your presentations. Of course, now they're not allowed because of the rules. But I figured if the Majority Leader wanted to use

charts and graphs, nobody would oppose that, in light of the situation.

But everybody talks about the floor things and the cultural things, but I want to tell two quick stories about Senator Goodman which are some of the things that people wouldn't expect and what makes Roy and his family so friendly and such a warm part of everybody's life who comes in contact with him.

And one of them is who would ever think that a kid from Buffalo would go on a trip to Europe with Senator Goodman and some others, and we would be traveling through Austria and Senator Goodman would be trying to find a hat. One of those Austrian hats, green with the little feather, you know. And he went in Salzburg, and he couldn't find it. They didn't have his size.

So we were walking through a little village in Germany, and I said, "Senator Goodman, go in that hat shop, they're going to have your size." And they did. And he got his hat. And he was amazed: "How did you know?"

And what it really was, there's a lot more tourists in that little German village from America, so that you know they have larger head sizes, because Americans have bigger heads than most Europeans. I don't know why that is, but that's the way it is. Not to say that Senator Goodman has a big head, he just happens to have a larger hat size than they had in the little Salzburg shop.

And if you also went on those trips, you would have been privy to some of the wonderful exchanges and often recollections of the party the night before when the Goodhues and the Goodmans would go out to dinner. And then Frank Goodhue and Roy would go on and on, and their grasp of the English language -- both of them were pretty equal in that -- was fascinating. And then you'd get a report at the end of the trip from Senator Goodhue's husband, Frank, and it would be a wonderful recollection of all these different events.

And so you'd become closer to a gentleman like Senator Goodman, going on those

trips, because he's so friendly and he helps you out with all these different things, and his wife was always so charming -- and, by the way, more famous in Spain than he is. And I took note of that because of a dinner where people were toasting Mrs. Goodman's father as part of the evening. So it was a fascinating evening.

One other place, and my last part of my few comments, is who would expect that the statesman of the Senate and the gentleman from the Upper East Side of Manhattan would be one of the most enthusiastic softball players on the Senate softball team. But nobody had more enthusiasm and nobody waited in greater anticipation of the Senate and Assembly game than Senator Goodman. And he would always take the field at least for a couple of innings every year and have a great time, and always made you feel so special to be part of that team because of the joy he showed in playing in that game.

So those are just some of my recollections. And I'd like to thank you for the friendship, the many years that I got to

know you, and all the experiences that I've shared with you.

Congratulations and good luck.

THE PRESIDENT: Senator Stafford.

SENATOR STAFFORD: Thank you, Madam President.

Roy, as always when I get up to speak, everything has been said. But I do have to say that the sesquipedalianism has been really enjoyed. And for a definition of that word, as Roy told me, that's multisyllabic.

I remember in 1968 when Roy and Barbara were standing at the pool and they were at the Americana, at the 1968 convention. And at that convention, well, first, everyone was trying to get Roy to run. He had been Lindsay's finance commissioner. And Mike Seymour was standing there, and Roy finally said, "Yes, I think I am interested in running."

And that was the year, as he was saying he was interested in running, John Lindsay was jumping in the pool. Now, I don't know if it's because he nominated Spiro Agnew

or not. But it's also the same year that Joe Bruno wrote the speech for Perry Duryea to second Nixon. So it wasn't -- it wasn't -- a lot was going on down there.

But we're very, very fortunate to have Roy and to have him say yes.

Now, Barbara, Radcliffe and Harvard, you can't go wrong. You can't go wrong. Barbara from Radcliffe and Roy from Harvard.

I will say that one thing Roy has taught me is when you're questioned, put it in such a way that people can interpret it in any way.

(Laughter.)

SENATOR STAFFORD: You know, and do it very honestly and very straightforward, with credibility.

Also, Roy knows how to disagree and not be disagreeable.

We've all had great years. We're very, very fortunate. And as Joe said, the leader said, 34 more years in your new job I'm sure will be most enjoyable. And we look forward to all continuing to work together and

other activities together that we've had in the past.

Thank you.

THE PRESIDENT: Senator Velella.

SENATOR VELELLA: Thank you, Madam President -- no, don't say "uh oh."

But I had the good fortune of knowing Senator Goodman long before I was a senator, when I was a young boy working in the Republican politics in East Harlem, where I grew up. And Roy was the one elected Republican who most of us went down to help.

And let me say my first political job came from Roy Goodman and Vince Albano at that time, who were county chairmen, and I was asked to serve as a law secretary to a supreme court judge. And Roy called me and said, "I think you'll be a great guy for that." That was the first time I had a public position, and it was Roy who called me and asked me for that.

But that was when I was beginning. Later on I became a New York State assemblyman, and in the 1980s we faced something that we're facing today called

reapportionment. And my distinguished colleagues over in the Assembly -- at that time the house was controlled, as it is now, by the other party -- they decided to pick my house, in the middle of the district, and cut a piece of pie from there and eight Assembly districts. I subsequently ran and lost.

But the first person who called me and said, "Guy, what are you going to do with your life? We can find a spot for you" -- and in fact had arranged several interviews at the time for me -- was Roy Goodman.

He was a friend to me in the very beginning, a friend to me in my troubles, will always be a friend of everyone in this house. A great guy, not only a great senator, but a great person.

Roy, thank you.

THE PRESIDENT: Senator Marchi.

SENATOR MARCHI: Madam President, it was with some disappointment when I heard that you had other plans.

But, Roy, I remember him, I remember his predecessors, MacNeil Mitchell and so many people that filled this chamber.

And we had five Republicans from Queens before -- well, many years later. But we had been reduced to Billy Conklin and myself. We were the only New York City members in the Senate majority -- but it was a slender majority -- and trying to enlarge the voice of New York City.

And I remember meeting Roy when he would come up and furnish us with good information. I'd meet him on the train or riding along, and he was always a delight to converse with because he had this extraordinary experience preceded by academic excellence at the Harvard School of Business, where he received his master's with honors, and in his service as commissioner of finance.

He was a very valuable assist to this chamber ever -- long before he actually arrived here. And he was a person who you could discuss the arts, you could discuss a wide variety of subjects. And he was just as vital and informed and creative as has been my happenstance to experience.

When I think of Roy, I think of I don't know how many of you ever knew Clint

Dominick, who was a very close friend of mine, and then he lost out. But these were institutional losses. But they're not they're losses in the sense that they go on serving with great honor and distinction in other settings.

And you're going to be doing that. So that's a projection that we're proud of.

But we do miss their presence and their absence. But it's part of the traditions and feelings that we carry on that have strengthened this body, and why we have the feeling for each other that we experienced when first we came here.

So I certainly wish Roy renewed opportunities to embrace different disciplines, disciplines that he has savored over the years, and do it so well he will be able to do this on a planetary or worldwide experience.

So he's going to -- I'm sure the creative impact that he's had on anything he's ever dealt with will be enriched by his presence when he goes down to the big city to take on world responsibilities.

So I -- I'm very pleased that we have this outpouring and that there's so much feeling about it. And I want to wish Barbara all the best. She's been a joy and a delight every time we had the chance to meet and talk.

And I wish you both the best and the satisfaction of knowing that every single member in this chamber will regret that you but only on the condition that you promise to return and visit us on every occasion that's available.

Thank you, Madam President.

THE PRESIDENT: Senator Balboni.

SENATOR BALBONI: Madam President, I was 8 years old when Senator Goodman joined this chamber. And I am still learning from him every day I walk into the conference.

The thing that struck me about Roy Goodman initially when I would hear about the tales of Roy's exploits from Senator John Dunne, as a counsel, was that he was never shy about being unpopular. It's a very easy thing to go along to get along, and it is very difficult in our day and age to stand up for

something that perhaps nobody likes you to say, or say it at an inconvenient time, or take on an issue that might make other people uncomfortable.

That has never been Roy Goodman's plan. Roy has a passion for his district and for his issues that transcends his personal comfort zone. A lot of people can take a look at Roy and say, Well, what does a successful millionaire want to do with state government? Why have you been around here so long? You've been offered things all these years, and you've chosen to continue to serve this people and this system.

And it's because of his passion, Madam President, a passion that all of us would be well served to put in the back of our heads and in our hearts.

You have been a tremendous asset. You are part of the color and the vibrancy of this conference. Thank you for your service.

THE PRESIDENT: Senator Hoffmann.

SENATOR HOFFMANN: Among all his many wonderful attributes, one of the things that Senator Goodman has demonstrated to all

of us is that education is a lifelong pursuit and that we should all be more enriched by those opportunities that abound to grow our minds and to receive the influence of cultural activities that are there for the taking if we only keep our eyes open.

I've watched with amazement while he discusses with a staff person or another colleague the differences between a fine painting. He will know immediately the difference between a Monet and a Chagall, and he can talk with intimate detail about the latest nuances in some new play or a movie. He enjoys the arts in a way that few of us have ever really taken the time to understand or appreciate.

But more than that, he brings back that feeling of renewal and that enrichment to all of us. And it's something that I think we will probably have a very difficult time replacing because we perhaps have taken it so much for granted.

Everyone has made a reference to his unbelievable vocabulary. But how many times I have been so pleased that he was able

in a single word to capture the moment in a way that nobody else did. And in fact, quite frequently he's been right on target when he's used the word "sophomoric" in reference to some of the things that we've experienced.

And I only wish that we took to heart some of his admonitions to rise above that which might be mundane, sophomoric, or less worthy of us than perhaps we should consider ourselves to be.

The thing that has most endeared me to Senator Goodman, however, is his compassion and his willingness to look far beyond his own station in life to the needs of other people. His commitment to women and women's rights through the years in many, many respects has been unparalleled in this chamber, and I feel a great, deep sense of personal loss that he's leaving at a time when we still have work to do for women, for other minorities, and for many people whose needs have not been taken as seriously as Senator Goodman has taken them.

It is a tremendous loss for this chamber, for all of us personally, and for the state of New York. We value your friendship,

and we're glad that you will remain in close touch.

THE PRESIDENT: Senator Volker.

SENATOR VOLKER: Madam President -- and I will try to be brief. I know that the Majority Leader is probably getting a little bit nervous. But I will be brief.

When I first came down here -- and as I said previously, my father was one of the few people that preceded John Marchi in the Legislature, and he gave me a little bit of advice. And he said, "You know, you're going down there," he told me who I should talk to and so forth. And he said, "The Senate now has 32 Republicans and Roy Goodman."

(Laughter.)

SENATOR VOLKER: And I said 32 Republicans and -- and then when I got down here, I realized what he was talking about.

Of course, if you look at his district, it was the most amazing thing in the history of the world that Roy has been able to survive all these years. I mean, it is an interesting conglomeration of groups,

people -- and mostly Democrats, in all honesty. And Roy survived over those years.

Senator Padavan and I, who have been here a few years, we were just speculating about the U.N., by the way. You know how they have these people that if you ask to speak, you know, at the U.N., they have these people that interpret.

I think, Roy, what you should do is if you're going to do that, you should submit certain words. Because there's a lot of things on this floor -- I don't know how many times you have been speaking and you'll say something and we'll look at each other and say "What is that word? What does that mean?"

In fact, I remember Dick Schermerhorn, who sat right here, one time said that he was going to get a dictionary and a thaurosis [sic], or whatever the hell it was, just to figure out whatever it is

(Laughter.)

MULTIPLE SPEAKERS: Thesaurus.

SENATOR VOLKER: -- just to figure out -- oh, excuse me, you know how I am

(Laughter.)

SENATOR VOLKER: -- just to figure out what Roy was saying.

Shows you what I know. I'm from upstate New York. What can I tell you.

(Laughter.)

SENATOR VOLKER: At any rate, I'll finish by saying, Roy -- and I was a little concerned, Senator Bruno, when I heard we were going to do a resolution, because I did know the rule, and Roy looked really healthy yesterday when I saw him.

And I'm glad in a way we didn't do that, because it's good that we can tell him how much we love him before he goes, I think, to New York City, where -- I don't know what's going to happen down there, Roy. We wish you the best of luck. And by the way, frankly, I think it's certainly their gain, and I mean that sincerely, and our loss.

The final thing I want to say is that I was here in 1975 when we had probably the greatest crisis this state has ever seen. And, I mean, we talk now about this crisis as big, and it is a big crisis. Of course at

that time, New York City had an $18 billion debt and a $14 billion budget. If you don't think those were difficult times -- and the state was teetering, literally; UDC was teetering.

And each day our friend Roy would of course come up, because he had the pipeline all over the place, and he was -- in fact, he was on the phone sometimes with two phones, as we all know Roy does. But what he would do is he would give us the bad news and then, as we were sitting around there, you know, looking at each other as if why did we get into this business, he would then pop up and come up with the damndest jokes that any of us have ever heard and break the entire conference up.

And he has had an ability over the years to come up with things -- and I write them down, really, but I just cannot remember them and I can't do them the way Roy does, because he has such a great presence with doing that sort of thing.

We're going to miss that, Roy. We're going to miss a lot of things, but we're really going to maybe miss the necessity

around here to be able to break up the tension and to not only do good jokes but to give us some wise advice.

Good luck to you, and good luck to your wife, Barbara. And we'll hopefully see you on a regular basis.

THE PRESIDENT: Senator Morahan.

SENATOR MORAHAN: Thank you, Madam President.

I rise also to pay tribute to Roy Goodman, maybe from a different aspect. I don't have the long, rich, fulfilling history with Roy as many of you others have here in the Senate. But when I first came here in May of '99, just three short years ago, it was a little bit intimidating. I was a new senator.

And I had known of Roy, although I did not know him personally, for many, many years -- of all his activities up here in the state level, that he's been woven into the history of the city of New York or of its politics. Anything of any major consequence that was going on in New York City, there was always Roy Goodman's name in the paper.

And when I first met him, I felt

like I was meeting an icon then, someone who is a hero to so many people. But what he did for me as a newcomer which really impressed me, this lion of the Senate, he took me under his wing, so to speak, took me to dinner, I think when I was only here a few days, gave me some of his wisdom, made me feel so welcome and so good to be part of this wonderful institution. And.

It's something, Roy, that's going to stay with me forever, however long that may be.

And your sense of humor, as Senator Volker pointed out, and others, is without parallel. By far one of the greatest repertoire of jokes that I have ever known any human being to possess in one skull, that no matter what a person would say, "That reminds me" or "Did you hear of the one of this?"

And, Roy, it's been a wonder to know you personally, a wonder to be with you, and I will miss you. Good luck. You're the statesman of the Senate, but you're a statesman in life too.

Thank you, Roy.

THE PRESIDENT: Senator Maltese.

SENATOR MALTESE: I'm very, very proud that I've known Roy for more than 30 years. And ideologically during those 30 years we've probably agreed even a few times during those 30 years.

The one thing about Roy, whatever side we were on, whether it was the same side or adversaries, Roy was always a gentleman. I remember specifically a year that we were backing a newscaster from the south, Barry Farber. And it was very -- the race itself got at times very bitter. But I ran into Roy at the Board of Elections, after a lawyers' bout, and Roy was an absolute gentleman, I think so -- not only polite, but much more than that. Very cordial, very friendly, just as he always is.

And added to his title of "Statesman of the Senate" I think we can certainly add "a gentleman of the Senate."

And, Dale, speaking as somebody who has been labeled a dinosaur at times, I can tell you that a theosaurus is a member of the brontosaurus family.

(Laughter.)

SENATOR MALTESE: But, Roy, certainly I want to, on behalf of my wife, Constance, who was Queens chairman of the Council for the Arts -- and so many other people across the city and across the state and indeed across the country -- convey a great debt of gratitude. Certainly, again, Roy can be termed the cultural giant not only of the Senate but of the Legislature.

Roy's role on the national level has been one that was preeminent. There isn't anybody involved in running for office, for statewide office in New York State, that has not been indebted to Roy Goodman. Certainly the breadth and length of his influence was important to me when I first came, and since then as a colleague and as a good friend.

I will miss him. I will miss him in New York City, I will miss him in New York State, I'll miss his presence, I'll miss his friendship. I think we can add to his title "Senator, New York City."

Thank you.

THE PRESIDENT: Senator Rath.

SENATOR RATH: Thank you, Madam President.

I too have not been here a terribly long time, and Roy was one of the first people who befriended me and brought some of the nuances to me that I think everyone needs to learn about this particular house.

The length and breadth of everyone's interests have been talked about some, and particularly Senator Goodman's, but everyone's are particularly long and broad as we bring them to our work here in the Senate. And of course, as everyone has mentioned, the arts and cultural community not only in New York City but all across the state, as Roy and I have talked about any number of times what goes on in various places across the state, and he's been encouraging and helpful every chance he could be.

But some of the other things, Roy, that you have brought to us -- your love of the Big Sky Country, the wonderful photographs that you've shared with us from you and your family and your wife's time out in the Big Sky Country.

Your photo gallery, as you would come around and snap various of us as we were thinking or talking or whatever we might have been doing that you thought was particularly interesting, and would show us the following week and we'd say "Hmm, interesting, yes."

Your work with the Investigations Committee is not to be left without comment, because that has been a body of work that will be here for years and years and people will look to those reports and to those studies that you have given us, Roy, as a backdrop for some very serious, important information and important work.

And so in a concluding comment, Roy, you have woven a very, very rich tapestry that all of us here are talking about and viewing from a different perspective today, but one we won't forget, one that the Senate as a whole will not forget.

And thank you for setting such a wonderful example, not only with your work but with your life.

THE PRESIDENT: Senator Malcolm Smith.

SENATOR MALCOLM SMITH: Thank you very much, Madam President.

I, like Senator Morahan, don't have the long history of experiences or times with Senator Goodman. But I can tell you one of any individual's finer moments is when you can be a part of a body or work with someone that you have admired from afar.

I can remember when I was at Fordham, Denzel Washington and I were roommates, and he used to share with me how he would look forward to working with particular actors and what it would mean to him. I can remember talking with Mark Jackson, who played for various NBA teams, and he would also talk about how it would be a fine moment for him to play basketball with certain individuals who he admired while he was growing up.

Well, I can tell you I used to from time to time see Senator Goodman on television. He used to have those bright red ties with the wonderful handkerchief that always matched, or it was a green tie. And when he would begin to speak, it was clear that this was an individual who mastered the

English language, in addition to mastering the discipline of thoughts and ideas.

And I can tell you, it was, for me, nothing better when I got elected to know that Senator Goodman was here and was going to be here. It was a very fine moment for me.

And I will tell you, Senator Goodman, God willing, one of the greatest honors for me will be, when I write my memoirs, should that occur, that I will be able to say that I served in a body that you were a part of. And I thank you for that, and God bless you.

THE PRESIDENT: Senator Bonacic.

SENATOR BONACIC: Thank you, Madam President.

I also have not shared as many years as my colleagues with Senator Goodman. But a lot of the things that have been spoken about today, Roy -- your intelligence level, your oratory skills, your humor, your generosity in being a teacher and sharing your knowledge -- I saw all of that and was impressed with all of that.

But I thought your best work, which

impressed me, was the way you handled yourself in conference. You always adhere to your convictions. In a time of power politics and party-line votes, you stood for things that might have been unpopular. You were a visionary. Whether it's women's health, bias crime, rent control, you were out there speaking for your people.

I myself admire that independence, that courage, that passion. Those kinds of individuals and elected officials are becoming more and more rare. So for that, Roy, you've enriched my life. You've been a wonderful example. You've been a great senator and a tremendous humanitarian.

To you, your wife, and your family, good health, peace, and success in your next endeavor. Thank you, Roy.

THE PRESIDENT: Senator Lachman.

SENATOR LACHMAN: Very briefly, I think it was just about six years ago when I walked into this chamber for the first time, and I witnessed a debate between Senator Goodman and Senator Franz Leichter. It was fierce, it was substantive, it was articulate.

It was the Upper East Side and the Upper West Side. And I thought of the debates in the old U.S. Senate between Henry Clay and John C. Calhoun and what they might have sounded like.

It was sad when Senator Leichter left these chambers. It's going to be sad to miss Senator Goodman as well. Like an era is changing; it's passing.

But we always will remember Senator Goodman in New York City for something else. In New York we have these advertisements on television, ABC Eyewitness News. And people from out of town would come into the city and they would open up their TV and they would see three or four or five or six trucks and buses which said "ABC Eyewitness News" in all sections of Manhattan.

I remember a number of years ago I was in Manhattan with my son -- and I think it was the Upper West Side rather than the Upper East Side, Roy -- and my son said to me, "Oh, there goes that truck again." And I thought he meant ABC Eyewitness News, but it wasn't. It said "The Statesman of the Senate, Roy Goodman." And this bus would go all over the

City of New York. In fact, I think there were advertisements on many, many buses throughout the city.

Roy, you have become in this chamber an articulate speaker, a passionate speaker for the convictions that you hold dear, especially in culture and the humanities and what I hold most dear, in education. We're going to miss that and miss it greatly.

But you're going into a new world, literally, a world of the United Nations, as president of the U.N. Development Corporation. I know, based upon your past experiences, based upon your knowledge of the world and national scene as well as the state and local scene, I know you will do an outstanding job. And I wish you Godspeed.

THE PRESIDENT: Senator Paterson.

SENATOR PADAVAN: Thank you, Madam President -- did you say Padavan or Paterson?

THE PRESIDENT: Senator Paterson.

Well, you're close.

SENATOR PADAVAN: We often get confused.

(Laughter.)

SENATOR PATERSON: Madam President, it's interesting the times that Senator Padavan answers to my name.

On behalf of Senator Connor, and I hope I speak for all the members of the minority, we traditionally don't always get our way around here. And when that's the case, when we feel we're right on the issues, we pound on the issues. When we feel we're right on the facts, we pound on the facts. And sometimes when we just feel we're right, we just pound on the table.

But after that tertiary reaction, we always had a fourth option, and that was to seek counsel from Senator Goodman.

Senator Goodman is an individual, he holds his principles above all other objects and all things. And many times he has been someone for which we could talk to about some of the issues that Senator Bonacic was talking about -- bias crime, women's right to choose, campaign finance. And always there was a great deal of wisdom and quite often there was a great deal of advocacy by Senator

Goodman, who at the same time I think was thought to be very loyal and very much in favor of his colleagues on the other side of the aisle.

How rare is it that you ever meet an individual who is so manifestly brilliant and yet everybody loves them. There's so many people who have been blessed with great intellect or great talent and couldn't help but flaunt it in front of other people in a kind of a pompous and arrogant fashion. And yet Senator Goodman has some of the great virtues of caring and concern. And obviously his ability to command the language, his dynamic, articulate, and perceptive style rightly make him the statesman of the Senate.

And in spite of my concern and remorse that he's leaving the Senate, I'll be looking forward to hearing some of the enlightened remarks of the new statesman of the Senate, Senator Guy Velella.

(Laughter.)

SENATOR PATERSON: So what I would want to point out is that one of the first days that I was here, in January of

1986, we had a resolution on trying to halt some of the actions of businesses that engaged in trade with South Africa. And although the resolution failed, it was Senator Goodman, who was coming from the funeral of the late Senator Jacob Javits that day, who got up and admonished us that we might not pass this resolution but that we as New Yorkers were also citizens of the world and had to understand the apartheid conditions in South Africa and how we had to join the fight to try to eliminate them.

I think it's only appropriate that Senator Goodman, who himself is a citizen of the world, will go to the United Nations Development Corporation and serve them with the great dignity and distinction that he has served here. This is what he brought to his mayoral campaign in 1977, this is what he brought to the Charter Revision Commission of New York, which he served so admirably on in 1975.

And I was one who watched him as just a citizen at that time and then was given the opportunity to serve with him as his

colleague. He was always very fair and very nice to me. He helped with some of the arts facilities in our district. He was always someone that was very kind and very able to reach out to his colleagues and show friendship.

And I would just say that Shakespeare wrote about people like Senator Goodman when he wrote that "They rightly do inherit heaven's graces/and husband nature's riches from expense/they are the lords and owners of their faces/others but stewards of their excellence."

And I think that probably the most fitting commentary I ever read that would befit Senator Goodman is that he can walk among kings and retain the common touch.

THE PRESIDENT: Senator Padavan.

SENATOR PADAVAN: Thank you, Madam President.

First let me say, Barbara, you are a remarkable lady. To put up with him for all these years is truly a great accomplishment.

In the interests of time, let me say I subscribe to all the wonderful words

that have been spoken here about our colleague Roy Goodman. But I'd like to share with you some personal observations and remembrances.

The first time I met Roy was in 1968. We were asked to join together with a group of people who still were of a mind to support a candidate for mayor, John Lindsay, who had decided to become a Democrat. The spokesman for that rather eclectic group was Senator Goodman.

As we stood there and as I listened, two thoughts came to mind. The first one was why was I there. The second one was who was this person talking. He went on and on -- eloquently, of course, as we would expect, but he never took a breath.

The second time I met him was as an official in the Buildings Department, and Roy was about to convene a hearing about a perennial issue dealing with corruption in the Buildings Department. And my boss, the commissioner, said, "You're a Republican. Would you go see this guy? We're in the middle of all of these very sensitive investigations, and the last thing we need is

to have a public airing of what we're in the middle of doing."

So I went over there, and he was very generous and very kind, and we talked at great length. And he did withdraw, at least for that period of time, from his public hearings about corruption in the Buildings Department.

The third time I met him was when I was running for office, and I appeared on the front page of the New York Times in a rather unflattering way. And the person they said you must go and see about the New York Times and anything else is Roy Goodman.

And I did go and see him. And he was very, very solicitous -- calmed me down, gave me some good advice, advice that I think we could all benefit by, and we have over the years. And ever since then, we've been good friends.

Roy is famous for many things, as you've all talked about. And some of his Royisms, Harvardian comments -- the one I remember the most is "pusillanimous pipsqueakery." You've all heard that, right?

When I first heard it I hadn't the slightest idea what he was saying, so I went to the thesaurus -- where is Dale? -- and I looked it up.

Pipsqueakery: Anything or anyone regarded as small or insignificant. Pusillanimous: Timid, cowardly, lacking courage. So what he was in effect telling us all was that we were insignificant cowards, and we didn't know it.

As a good friend, I did many things that I'd rather not do because Roy asked me to do them. And the one I remember the most is when he would put on an annual theatrical fund-raiser, usually a musical-type event, and I was asked to be his secretary. And I have the proof right here: I was Francine.

(Laughter.)

SENATOR PADAVAN: The only one who could get me in drag. I didn't mind it so much that night, but the next day when I picked up the New York Post and there it was -- it took a lot of years to live that one down.

But certainly we will miss Roy for

so many reasons. His good humor, his ability to focus on an issue with precision, get to the crux of the matter, bring us to where we should be in understanding it, whether we agreed with his position or not, is something we will all miss.

He will continue, of course, as we've all been saying here, to serve the city and now on a more global basis. God help the United Nations and all the people therein. But I know that he will enjoy that, they will enjoy having him there, and we will continue to be good friends.

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Madam President and colleagues, I am told that almost everyone that hasn't been on their feet wanted to have something to say about Senator Goodman.

Senator Goodman understands our life as well or better than all of us. And our life dictates that we take a break and that we recess until about 2:00 o'clock. But before we do that, we have several thousand people up visiting with us that are on the Capitol steps now, waiting to visit with many

of you and with me, and I'm supposed to be speaking to them now.

But I would ask that anyone that still wants to speak, we'll return at 2:00 and we will continue to say whatever people feel is appropriate at that time.

But before we do that, Madam President and colleagues, I would like to ask that we give unanimous consent to allow Senator Roy Goodman to express his few remarks for a few minutes here, while we're all together and it's now high noon.

So with your indulgence, we would like to ask Senator Goodman to get to his feet.

THE PRESIDENT: Without objection, the esteemed Senator Roy Goodman has the floor.

SENATOR GOODMAN: Madam President and my beloved colleagues, it's very hard indeed to find words to say thank you for the wonderful things you've said, which must be treated like fine cologne: They should be sniffed but not swallowed.

(Laughter.)

SENATOR GOODMAN: I confess to you I feel a little like a body at an Irish wake: You're indispensable to the occasion, but you're not asked to say very much.

(Laughter.)

SENATOR GOODMAN: In fact, I'm called to mind the statement that the Leaning Tower of Pisa said to Big Ben, the clock in London. It said: "If you've got the time, I've got the inclination."

(Laughter.)

SENATOR GOODMAN: I'd just like to share with you one or two quick thoughts and take you on a quick trip down memory lane, if I might, because rarely have I had the opportunity to speak in this vein in this wonderful house of dear -- dear and close pals.

May I say to you that as my mind goes back to my very first days in the Senate, I think my first debate was when I sat on the shelf in the position that Senator Padavan finds himself, and the minority leader, who was then Senator Joseph Zaretzki, a formidable Columbia wrestler -- who stood about 4 feet

11 inches off the ground, but he was a very muscular, rambunctious fellow. And I was asked to introduce a bill to outlaw cane swords in New York. A cane sword is a thing that looks like a cane but when you pull it apart, it actually has a sword in it.

Zaretzki got up when the bill was called and said, "This is the most absurd piece of legislation that's ever been before this house, and I see no reason for us to waste our time on it."

We had three police officers who had come to Albany carrying cane swords. I withdrew one of them and waved it over his head for a few moments, and he said, "At this point I suggest we give this bill unanimous passage."

(Laughter.)

SENATOR GOODMAN: Then too I do recall very vividly many occasions on which there have been unique happenings in this house, one of which involved another potential use of a sword, when one of our senators challenged another to a duel. Senator Sidney von Luther was given to nutrition involving

peanuts that were not yet shelled, and he sat next to Senator Al Lewis, who was inclined to wear blue suits. And the peanut shells found their way on to Senator Lewis's lapels and the rest of his garb.

And then we got into a very bitter budget debate, and I remember Senator Lewis walking around the chamber carrying a sign which said "Lions, three; Christians, nothing"

(Laughter.)

SENATOR GOODMAN: -- at which point what was happening was we were making some ferocious cuts in the budget.

I did make a couple of notes so that I wouldn't forget a few of these piquant events.

We've had a group of distinguished leaders of the state who formed a thing called the Mickey Mouse Club that used to involve Governor Rockefeller, Governor Malcolm Wilson, and the various key players in their administrations. We'd have a once-a-year gathering down at Jack's, on the second or third floor, out of public view.

At a certain moment when the clock struck 9:00, up we jumped, we opened our shirts to reveal Mickey Mouse T-shirts, donned our Mickey Mouse ears, and sang M-I-C-K-E-Y, M-O-U-S-E.

(Laughter.)

SENATOR GOODMAN: And from there on, the evening blended well into the martinis, which were amply served at that moment.

Then there were times when -- you know, the lobbyists play a remarkable role in this general process of ours. There was even an amazing lobbyist named Nick Kisberg who once revealed that he had the key to every leader's office, to which he could admit himself upon his own desire.

That lasted about one day. When it hit the newspapers, Nick was quickly retired and lobbying returned to a more conventional pattern.

We've had some remarkable individuals. I think I should say also the Senate Club is a great group. After you've been here for a few years, you're able to join

the Senate Club. And it's customary for the returning senators to give a report on what they've been doing for the past year.

On one occasion, one of our colleagues got up. He'd unfortunately been incarcerated at Sing Sing. And he got up and he said, "Actually, gentlemen, I've been" let's see what exactly -- I'm trying to look through the -- "Oh, yes," he said, "I've had a federal appointment." That was his

(Laughter.)

SENATOR GOODMAN: And so it goes. The great folklore of the Senate is richly peppered with all sorts of anecdotary which would take us to midnight to even scratch the surface of.

But suffice it to say the one transcending thing I recall about the house, apart from the goodwill which you've so richly manifested in your overly generous remarks about me today, is the wonderful humor which pervades our work even at its most serious moments.

Let me say to you that my feelings for individuals are very strong indeed, and

I'd like just for a moment to tick off a few men that will forever live in my memory. One is, of course, Nelson Rockefeller; the governors of the state Malcolm Wilson, Hugh Carey, Mario Cuomo, and of course George Pataki, who in my book is a remarkably talented and wonderful individual with a true heart. And since it's election time, I won't impose upon you the given election panegyric, but I think he's a great man.

There are the leaders of the Senate. There are people such as -- well, I'll just go back for a moment or two to speak of the majority leaders. Earl Brydges was the first one I knew here. He slumped into his seat in tears at the conclusion of the abortion debate because, even though he opposed the bill with all his heart, he felt that the consciences of the Senate should have a chance to be expressed in a vote. And it went against him, and he was deeply and in a sense tragically impacted by it, but nevertheless he let the will of the Senate prevail, which to my mind was a sign of greatness.

There are of course the wonderful additional names which I could summon to mind, just for a moment or two. There was Warren Anderson, a man of remarkable leadership skill who always ended up every session with a loud jacket to signal the end of the session.

I thought for a moment of getting out my loudest summer sport jacket to come in today to signal the end of my own session, but I thought maybe that might not be appropriate.

Then, of course, from there we had Ralph Marino. And today we are very much very fortunate, in my opinion, to have the leadership of my good friend Joe Bruno.

I remember the first time I ever saw Joe was around the same swimming pool which was referred to earlier, at the convention of the Republican party in Miami Beach. Onto the swimming pool area came a very dapper-looking gentleman who was so strikingly, frankly good-looking that everyone sort of stopped and stared and thought it might be a movie celebrity coming on. It was Joe, and bearing the custom of the presidency of the Young Republican Club, if I remember

correctly.

And I said to myself, that guy may have some potential.

(Laughter.)

SENATOR GOODMAN: One of the next times I saw him I was jogging one very early morning around the reservoir in Central Park, and who should come puffing up but -- but not puffing; I was puffing, he was gliding along -- was Joe Bruno, looking very athletic, as is his wont.

More recently, he climbs nine flights of stairs every day to get to his office, and that explains the fact that he is not in need of any support mechanism to keep his trim figure.

But more importantly, if I may say on a serious note, I think he has a stature and a charismatic capacity which exceeds any that I've ever experienced in this house.

And, Joe, I just want to say your leadership has been a true inspiration to me. You're an extraordinarily natural leader with a great capacity for grasping complex issues and presenting them with great lucidity, and I

salute you most warmly, my colleague.

May I also comment on some of the minority leaders briefly. There have been such names as Zaretzki, Ohrenstein, Connor all men of great, substantial intellectual and good capacities in many ways, all very worthy of salute at this moment.

And then of course on the Assembly side we had Walter Mahoney, Joe Carlino, Perry Duryea, Stanley Steingut, Stanley Fink, Saul Weprin, and Sheldon Silver.

One vivid memory with Saul Weprin was the time when the rent control law was about to expire. We did a hundred-yard dash from here to the Assembly chamber in order to put in a last-minute appeal to Saul Weprin, who relented on a particular point, and we were able to keep the emergency tenant control bill in effect for another six years.

That was assumed by the public to be as a result of my persuasiveness. Little did they know that Saul Weprin was a distant cousin of mine who had certain family ties and commitments which made it possible to be more than adequately persuasive at that moment.

(Laughter.)

SENATOR GOODMAN: Let it be said that there are also certain things that claim one's memory, such things as the wonderful people behind the desk up there. And I refer specifically to Joe Cornell, Bill Greere, and Tom Testo and his team, all of whom are wonderful.

And there are the lieutenant governors. And at the moment we have a lieutenant governor who has greater grace and I think charm and capacity than any I've known, including Malcolm Wilson, who was an absolute winner in every way.

Malcolm used to control legislation with a push of a button or two from that platform. He could make a bill disappear quicker than anyone you've ever known except Phil Bischetti [ph], the clerk in the Assembly.

(Laughter.)

SENATOR GOODMAN: And then, of course, there are the wonderful counsels that keep us in good shape. I think of Jack Haggerty, John Phalen, Ken Riddett, all very

skilled in their craft and wonderfully cooperative and helpful. They are friends.

And then of course I'd like to say each of us is privileged to have a personal staff of great merit. Forgive me if I just name a few of those who have been so wonderfully generous in their support of me: Bob Herz, Dave Lewis, Shelly Daly, John Turoski, Pat Donnelly, Sandy Calhoun, Peter Komarnicki, Joelle Zullo, Kristina Miller, Susan Cooper, Mimi Greenspan, Edna Taska, Amy Barone, Richard Spolzino, Justin Handman, and Bobbie Recco, all wonderfully devoted and loyal friends.

Finally, my dear friends, as we get to the end of my little trip with you down memory lane, I'd just like to say a word about the spirit and content of some of the things we've tried to do here.

This is in every sense a pressure-cooker. That was more than evident one day when a 7-foot giant managed to break through the sergeants-at-arms and banged on the Senate door during a bit of budget debate. Earl Brydges went to the door, opened it, and

said, "What can I do for you?" and he looked up at this chap. And the chap said, "We insist upon expressing our voices here."

And Earl said: "Of course, there are ways for you to do this rather than to disrupt the Senate chamber," and he repelled this particular attempt to undermine the orderliness of the house.

Shortly thereafter, we installed bulletproof glass around the visitors' galleries, as you may remember. Not a joke, because there were many threats of bombings and other violent matters. And someone commented when these were up that we looked like psychiatrists' mice in a glass-enclosed case which would permit people to observe us more accurately.

But I think that's not quite a reflection of what we are. We are a house of goodwill, basically, of people who are deeply committed to the public, the public weal, to the useful service of elected officials. And I think there isn't a person within the sound of my voice who does not take seriously this commitment.

I salute you most warmly, my colleagues, because I know each and every one of you I think reasonably well after we've been together under many pressured occasions. I thank you for the decorum and courtesy you've always extended to me. And I can only say that working across the aisle has been one of the pleasures of this work that I've done as a senator.

That indubitably it seems to me that those who sling mud lose ground, and those who are willing to speak carefully and well and listen most especially to the comments of various and sundry members of this chamber who represent different constituencies and different points of view are the ones who probably over time have the greatest success and who inspire the greatest public confidence.

On this note, I'd like to wrap up by recalling that when General Douglas MacArthur was in the chamber before the House of Representatives and the Senate in joint session in Washington, I think his comment was: "Old soldiers fade away. They never

die, they just fade away."

And I'd like to say old senators never die, they just landslide away.

(Laughter.)

SENATOR GOODMAN: Thank you very much.

(Standing ovation.)

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Madam President, can we at this time return to reports of standing committees.

I ask that the Tourism report be read.

THE PRESIDENT: Reports of standing committees.

The Secretary will read.

THE SECRETARY: Senator DeFrancisco, from the Committee on Tourism, Recreation and Sports Development, reports:

Senate Print 75, by Senator Skelos, an act to amend the Navigation Law;

439, by Senator DeFrancisco, an act to amend Chapter 912 of the Laws of 1920;

And Senate Print 4919, by Senator DeFrancisco, an act to amend the Economic

Development Law.

All bills ordered direct to third reading.

THE PRESIDENT: Without objection, all bills directed to third reading.

Senator Fuschillo.

SENATOR FUSCHILLO: Thank you, Madam President.

On behalf of Senator Seward, on page number 5 I offer the following amendments to Calendar Number 18, Senate Print Number 5584, and ask that said bill retain its place on Third Reading Calendar.

THE PRESIDENT: Amendments received, Senator Fuschillo.

SENATOR FUSCHILLO: Thank you.

THE PRESIDENT: Senator Skelos.

SENATOR SKELOS: Madam President, if the Senate could now stand at ease until 2:15.

THE PRESIDENT: The Senate stands at ease until 2:15.

Senator Paterson.

SENATOR PATERSON: Madam

President, there will be an immediate meeting of the minority in the Minority Conference Room.

And since it's the beginning of the year, I might point out, for those that forgot, that it's in Room 314 in the Capitol.

THE PRESIDENT: There will be an immediate meeting of the minority in the Minority Conference Room, Room 314 of the Capitol.

The Senate stands at ease until 2:00 p.m.

(Whereupon, the Senate stood at ease at 12:15 p.m.)

(Whereupon, the Senate reconvened at 3:27 p.m.)

ACTING PRESIDENT MEIER: Senator Velella.

SENATOR VELELLA: Would you recognize Senator Hassell-Thompson, to continue on the speeches concerning Senator Goodman.

And I'd urge all the members who want to speak to quickly return to the chamber, as we are about to begin.

Senator Thompson.

ACTING PRESIDENT MEIER: Senator Hassell-Thompson.

SENATOR HASSELL-THOMPSON: Thank you, Mr. President.

When I came up to the chambers, I certainly did not have the benefit of some of the advice and whatever that many of the senators had coming here. But I did have a couple of people, including Senator Paterson, who tried to put me on the straight and narrow, and a couple of people who reminded me that state government was going to be very different than local government, that it was much more partisan up here than I thought it was going to be.

But one of the real tips that they gave me about Senator Goodman was -- I made a couple of mistakes on some bills that I sponsored, in my enthusiasm to be a part of the team. And in talking to some of the staff to the Minority Leader, they said to me: "If you ever want to know whether a bill is a good bill or not for you to support, be sure you check to see if Senator Goodman's name is on

it." And I've never forgotten that.

And I am just -- it is unfortunate for me and some of the others of us who are just coming to the chambers that you would be leaving at this very critical time in our learning curve. But I want to thank you for the leadership that you have provided and the dignity that you bring and have brought to the chamber.

And I hope that if I can be infinitesimally as good as you in any way, I will be very gratified for the people that I serve.

Thank you, Mr. President.

ACTING PRESIDENT MEIER: Senator McGee.

SENATOR McGEE: Thank you.

I hesitated in speaking, Senator Goodman, because I haven't had the opportunity to know you that well.

But I do need to say, and I want to say this very sincerely, that I remember coming into the chambers when I was serving in the New York State Assembly, and I was listening to Senator Goodman and his ability

to debate on the floor. And I thought what a wonderful, wonderful, wonderful control of the English language and the ability to use the English language, and the intellect that you showed and the statesmanship that you showed.

And I thought -- on the many occasions, I thought, Gee, he uses so many big words, I really don't understand what he's saying on many occasions.

And now I've been to the Senate, I'm in the Senate, and I listen to you speak, and I think, Gosh, what a wonderful person. And I still don't understand some of the things you're saying. But they're just wonderful.

And what I do remember and what I will always remember is your ability to bring order to any issue, your ability to bring statesmanship to any issue, and your ability to be the fine, wonderful person that you are. And this chamber certainly will miss you in times to come.

Thank you.

ACTING PRESIDENT MEIER: Senator Saland.

SENATOR SALAND: Roy, you've had a certainly lengthy list of your colleagues who have had the opportunity to stand up and extol your virtues. I sincerely believe that it is not only deserved but represents a sincere reflection of the esteem in which you are held with virtual unanimity in this chamber.

Certainly, of all the people I have served with -- and I've served in this chamber for some 12 years and some 10 years in the Assembly chamber -- I know of no member in the either house who is possessed either of when I say "possessed," not that you're possessed -- but certainly evidenced your keen wit, your intellect, the extraordinary zeal that you felt for those issues that were of critical importance to you at times -- not necessarily as important to many of the members of our conference as they were to you, or at times perhaps contrary to some of the positions that those in our conference were taking. And yet you never hesitated for a moment to advance those issues.

On several of those issues

ultimately, notwithstanding the arduous path that you had to travel to get there, you prevailed. You prevailed not only on behalf of the people who you represented, but on behalf of the people of the state of New York.

When it comes to mastery of the language, there is nobody who I've seen, in legislative life or private life, who does it better. It's a pleasure to watch you, has been a pleasure to watch you on the floor.

I have enjoyed much the debates and dialogues that have occurred between and among us at different times, and the fellowship that you've offered on more than one occasion, as we've had the opportunity to spend some time together here in Albany, are all things which I will long remember, always value and always cherish.

I certainly know that all that you've brought to your position here in the Senate will similarly be brought with you when you go to work back in the city on behalf of the U.N. and the city and state of New York. And I'm sure that you will do at least as capable of a job as you have performed in that

new venue for you. And we all wish you nothing but the best.

And, most of all, good health and continued fine work on behalf of your entire constituency. And God bless you.

ACTING PRESIDENT MEIER: Senator Velella.

SENATOR VELELLA: Mr. President, if we can recess for about two minutes, there is an appropriately decorated cake out in the vestibule here.

And we would invite all of the members to come out to the vestibule and join with us while Senator Goodman cuts the cake. And when you see the cake, you'll know why it's appropriately decorated.

And then we will resume, come back in. There are bills that will be acted on. So please, the members within the sound of my voice, please get to the chamber, because we will be voting on two bills when we return.

ACTING PRESIDENT MEIER: The Senate will stand at ease so we can all loosen up in the lounge.

(Whereupon, the Senate stood at

ease at 3:34 p.m.)

(Whereupon, the Senate reconvened at 3:46 p.m.)

ACTING PRESIDENT LACK: The Senate will come to order.

Senator Velella.

SENATOR VELELLA: Mr. President, can we move now to a reading of the noncontroversial calendar.

ACTING PRESIDENT LACK: The Secretary will read the noncontroversial calendar.

THE SECRETARY: Calendar Number 19, by Senator Seward, Senate Print 6058, an act to amend the Insurance Law, in relation to extending.

ACTING PRESIDENT LACK: Last section.

THE SECRETARY: Section 9. This act shall take effect immediately.

ACTING PRESIDENT LACK: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT LACK: The bill

is passed.

THE SECRETARY: Calendar Number 20, by Senator Seward, Senate Print 6027, an act to amend Chapter 569 of the Laws of 1981.

ACTING PRESIDENT LACK: Last section.

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

ACTING PRESIDENT LACK: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT LACK: The bill is passed.

THE SECRETARY: Calendar Number 31, by Senator Volker, Senate Print 6040, an act to amend the Tax Law, in relation

SENATOR VELELLA: Lay that bill aside for the day, please.

ACTING PRESIDENT LACK: The bill is laid aside.

Senator Farley, one moment.

We will return to the order of motions and resolutions.

Senator Farley.

SENATOR FARLEY: Thank you, Mr. President.

On behalf of Senator Maltese, Mr. President, I move that the following bill be discharged from its respective committee and be recommitted with instructions to strike the enacting clause: Senate Number 450.

ACTING PRESIDENT LACK: So ordered, and the enacting clause is struck.

Senator Farley.

SENATOR FARLEY: On behalf of Senator Libous, Mr. President, I move that the following bills be discharged from their respective committees and be recommitted with instructions to strike the enacting clause: 2532 and 2900.

ACTING PRESIDENT LACK: Both bills and acting clauses are struck.

Senator Farley.

SENATOR FARLEY: On behalf of Senator Balboni, Mr. President, on page 4 I offer the following amendments to Calendar Number 6, Senate Print 852, and I ask that that bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT LACK: The amendments are received, and the bill will retain its place on the Third Reading Calendar.

Senator Velella.

SENATOR VELELLA: Can we stand at ease for a few moments.

We're trying to get a time schedule for tonight so we can advise the members what time we'll be coming back to pass the bills that will be coming from the printer. We're just trying to get some time schedule now. So can we stand at ease for a few moments.

ACTING PRESIDENT LACK: The Senate will stand at ease, awaiting instructions from the Acting Majority Leader.

(Whereupon, the Senate stood at ease at 3:50 p.m.)

(Whereupon, the Senate reconvened at 4:04 p.m.)

ACTING PRESIDENT McGEE: Senator Velella.

SENATOR VELELLA: Madam President, can we have the Senate stand in recess.

And there will be a Republican conference at 7:30 in the Senate Conference Room, the Republican Senate Conference Room.

ACTING PRESIDENT McGEE: The Senate will stand in recess.

There will be a Majority conference in the Republican Conference Room at 7:30.

Senator Paterson.

SENATOR PATERSON: Madam President, corresponding and accompanying that Republican conference at 7:30 will be an alternative conference in the Democratic Conference Room, which is located in Room 314. That's 314.

ACTING PRESIDENT McGEE: There will be an alternative conference located in Room 314 at 7:30 this evening.

The Senate stands in recess until 7:30.

SENATOR PATERSON: Thank you, Madam President.

(Whereupon, the Senate stood at ease at 4:05 p.m.)

SENATOR SKELOS: Mr. President.

ACTING PRESIDENT MEIER: Senator

Skelos.

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

ACTING PRESIDENT MEIER: Immediate meeting of the Rules Committee in the Majority Conference Room.

(Whereupon, the Senate reconvened at 11:40 p.m.)

ACTING PRESIDENT MEIER: Senator Bruno.

SENATOR BRUNO: Mr. President, can we return to reports of standing committees.

I believe there is a report of the Rules Committee at the desk. I'd ask that it be read at this time.

ACTING PRESIDENT MEIER: Reports of standing committees.

The Secretary will read.

THE SECRETARY: Senator Bruno, from the Committee on Rules, reports the following bill direct to third reading:

Senate Print 6084, by the Senate Committee on Rules, an act to amend the Public

Health Law, the Social Services Law, and the Tax Law, in relation to the Health Care Reform Act of 2000.

SENATOR BRUNO: Move to accept the report of the Rules Committee.

ACTING PRESIDENT MEIER: All those in favor of accepting the report of Rules Committee signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MEIER: Those opposed, nay.

(No response.)

ACTING PRESIDENT MEIER: The report of the Rules Committee is accepted.

SENATOR BRUNO: Can we take up Calendar 49 at this time, Mr. President.

ACTING PRESIDENT MEIER: The Secretary will read.

THE SECRETARY: Calendar Number 49, by the Senate Committee on Rules, Senate Print 6084, an act to amend the Public Health Law, the Social Services Law, and the Tax Law, in relation to the Health Care Reform Act of 2000.

SENATOR DOLLINGER: Explanation.

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

ACTING PRESIDENT MEIER: There is a message at the desk.

SENATOR BRUNO: I would move to accept the message.

ACTING PRESIDENT MEIER: All those in favor of accepting the message of necessity signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MEIER: Those opposed, nay.

(Response of "Nay.")

ACTING PRESIDENT MEIER: The message is accepted.

The bill is before the house.

Senator Bruno.

SENATOR BRUNO: Mr. President, someone asked for an explanation.

ACTING PRESIDENT MEIER: Yes, Senator Dollinger did.

SENATOR BRUNO: Senator Dollinger and my colleagues, we have a bill before us that is a multi-billion-dollar, three-year plan to address the critical shortages in the

health-care work force, strengthen hospitals, nursing homes, other health-care providers and facilities.

It will expand important public health programs and ensure that New Yorkers have access to the best health care in the nation. It will provide assistance to some of the lowest-paid health-care workers in this state.

The plan allows hospitals, nursing homes, and home care agencies to attract, train, retain workers. As you all know, there's a critical shortage in those areas. These are the same people who provide health care for our loved ones, our neighbors, friends, anyone who needs special attention.

The workforce assistance -- and I'm going to read as quickly as I can go down through this -- the workforce assistance is broken down as follows. Hospitals, 696 million over three years. Nursing homes, 475 million over three years. Personal care, 597 million over four years. And freestanding health clinics, 39 million over three years.

The bill also provides 8 million in

additional Medicaid coverage for low-income women diagnosed with breast or cervical cancer, 30 million in new financial assistance to nursing homes, 136 million for excess medical malpractice insurance. And it enables low-income persons with disabilities to join or rejoin the work force while maintaining their Medicaid coverage. It will ensure that seniors continue to have affordable access to prescription drugs through the EPIC program.

Revenue for the bill, how this all gets paid for, will come from the following sources. Proceeds from the conversion to for-profit status of Empire Blue Cross, $1 billion. An increase in the federal Medicaid match to 53 percent, 1.8 billion. A 39-cent-per-pack increase in the state cigarette tax, 789.3 million. And further maximization of federal Medicaid revenue, 319 million.

That's what we have before us. It's a rather comprehensive bill, has a lot of language in it. Those are the main highlights. I'm sure that there are questions that relate. There are positives, there are

negatives. And we're going to accentuate the positives because, as I've just indicated, there are literally millions of people throughout New York State who will benefit from the quality of health care that will be afforded, and the people who deliver the health-care system will be benefitted in ways that are totally appropriate.

Thank you, Mr. President.

ACTING PRESIDENT MEIER: Senator Dollinger.

SENATOR DOLLINGER: Mr. President, I'm going to vote against this bill, and let me tell you why.

It's that time of year that we all go to the movies. And one of the most popular movies in town involves a little boy named Harry Potter. Well, it looks like Harry Potter is now the governor of the state of New York, because he's conjuring up revenues that are going to be a shortfall in the long-term future. He's looked into his crystal ball and decided that he's going to spend money that he may not have in the future.

If you look at the financing of this package, and if you discount the one-shots -- those gimmicks that a week ago, 15 minutes from now a week ago he promised us there would be no gimmicks -- well, he's going to use a billion-dollar, one-shot gimmick as the keystone of this entire approach when he turns Empire Blue Cross from a not-for-profit corporation into a for-profit corporation. A one-time, one-shot gimmick.

I can remember sitting in this chamber when he sat right over there, George Pataki did, and said, "That Mario Cuomo, he doesn't deserve the support of the people in this state because he's one-shot cowboy." I think that's exactly what he said.

Lo and behold, eight years later, the transformation is now complete. The one-shot cowboy is still on the second floor.

In addition to the $1 billion one-shot, there's the $1.8 billion that he expects from the federal government. You remember that federal government, the one that built up the trillion-dollar surplus under President Bill Clinton, a Democrat, and has

watched it all disappear in a year under a president named George Bush.

We're going to look to that government, which has seen the surplus completely disintegrate, to come up with a billion-eight for the state of New York in the next three years. We have no promise of that money. We have no guarantee of that money. But we're going to start to spend it this year. Lord knows when it will come.

I hope that in the Congressional elections this year, we're depending on who controls the Congress a year from now, they'll find a billion-eight for New York, because that's all what they call in Rochester, New York, "if-come money." If it comes, we'll have it. But there's no guarantee it will be there.

When you take that and add to it the $121 million from the upper payment limit, which will involve a maximization of payments generated from the increase in the payments we're going to make to hospitals, you in essence have a billion-one in one-shots and you've got a billion-eight in if-comes, and

we're spending 4.5 billion. Two-thirds of this money is either a one-shot or a nonrecurring revenue.

Those are gimmicks, ladies and gentlemen, don't make any mistake about it. Those are the gimmicks we were promised a week ago, subtracting 12 minutes ago, that we weren't going to do this year. We haven't even gotten to the budget yet, and we're already doing it.

I would suggest any reasonable fiscal conservative -- anyone -- would say this is not the way to do this all-important thing that we're trying to do. If we really believe this is the right thing to do, let's have the courage to create recurring revenues that will pay for it so we don't end up in the position of my favorite cartoon character. You know, that guy J. Wellington Wimpy who always promised that he'd gladly pay you Tuesday for a hamburger today.

Well, today the people of the state of New York, we're offering them hamburger, but we're not going to pay for it until Tuesday, and that Tuesday may never come.

I would suggest, ladies and gentlemen and my colleagues, there are many, many good things in this bill. And I regret having to vote against it, because I think I've sat here for the last nine years and argued that we should pay our health-care workers more for the important work that they do. But if we're going to pay them more, let's promise we're going to pay them with real dollars. Let's promise we're going to pay them with recurring revenues that we can put in place today and know that three years from now the bill will not come due and we won't have the money to pay for it and we'll be in a bigger deficit and we'll eat away our tobacco funds and we'll eat away the funds that stored in other places.

Because as everybody should know, this bill contains new transfer power for the governor to shift money around in all the pots, to borrow from Peter to pay the bill for Paul. And someday we may find that not only is there no money left in Peter, but the money we anticipated coming in the first place never arrived.

I would suggest, ladies and gentlemen, this is a good bill which has lots of good things in it, Senator Bruno. I agree that it does. Lots of things that we're overdue and doing that we should have done a long time ago when we had a surplus, when we decided that it wasn't high enough up the priority list to do.

This year, because of what clearly is an election year, it suddenly jumps to the top of the priority list. And instead of being honest with New Yorkers and paying for this with recurring revenues that we know will be there in the future, we're instead using the very fiscal gimmicks that George Pataki sat in here eight years ago and criticized. We're using the exact same approach.

Mr. President, I regret the fact that I will not vote in favor of this bill

ACTING PRESIDENT MEIER: Senator Bruno.

SENATOR DOLLINGER: -- but I would suggest to everyone in the house that without a revenue basis we

ACTING PRESIDENT MEIER: Just a

second, Senator Dollinger. Senator Bruno

SENATOR BRUNO: I'm sorry, I thought you were finished.

SENATOR DOLLINGER: I will be done.

SENATOR BRUNO: Thank you.

ACTING PRESIDENT MEIER: Senator Dollinger.

SENATOR DOLLINGER: Without a recurring revenue base, Mr. President, this is really a look into the world of Harry Potter and is conjuring up revenues that we may never see.

I'll vote no.

ACTING PRESIDENT MEIER: Senator Bruno.

SENATOR BRUNO: Thank you, Mr. President.

While Senator Dollinger has been going to the movies and reading the comic strips, Governor Pataki, Speaker Silver, and I and a lot of other people in this chamber and that chamber have been diligently addressing the health-care needs of the people of this state, and that's what you're seeing before

us.

And it's awfully nice to say that I have been trying to increase the wages, the benefits to health-care workers. Nice to say. Nowhere in this bill, Senator, does it say that if any of the revenue streams aren't there that any single benefit will be denied anyone that receives a benefit. Now, you show me where it will deny one single benefit to any individual that receives the health-care benefits in this bill.

So we can grandstand, we can pretend that we want to be helpful, we can make news. Or we can take decisive action to do something about a serious problem in this state, and that is to provide and improve the health-care delivery system in this state. That's what this is all about.

So we should be here applauding the Governor for his leadership, applauding your colleague, the Speaker, for his leadership, and applauding everyone in this chamber that is going to rise to the occasion, not make excuses, face the tough decisions that they have to face and act positively in improving

the quality of health care for the people of this state and, yes, improving the very people that risk their own lives to help provide that health-care system.

Thank you, Mr. President, for being so attentive in listening to me.

ACTING PRESIDENT MEIER: Any other member wish to be heard on the bill?

Read the last section.

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

ACTING PRESIDENT MEIER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MEIER: Senator Breslin, to explain his vote.

SENATOR BRESLIN: Thank you, Mr. President.

I applaud the leaders for trying to come together to make changes in our health-care system. But to have a 120-page bill be placed on our desks less than half an hour before we're to vote on it, and to look down at $1 billion coming from a not-for-profit, which hopefully might have

been used for the uninsured, and an additional 1.8 billion which we believe will be given to us by the federal government -- that same federal government that hasn't come through with the monies we had expected from the World Trade Center -- and there are many good things in this bill.

But it should be done the proper way, through a budget process, and not through a political process. A process that will make sure that we pay our health-care workers, our nursing home workers, but it will also make sure that we take care of our home health workers. It will also make sure we reduce the 3 million uninsured.

And for those reasons and some others, I will be voting no on this bill.

ACTING PRESIDENT MEIER: Senator Breslin will be recorded in the negative.

Senator Dollinger, to explain his vote.

SENATOR DOLLINGER: Thank you, Mr. President.

I just want to respond to one thing quickly in this time allotted to explain my

vote.

Senator Bruno, I couldn't agree with you more about your commitment to this. I don't dispute that for a second. And I hope my remarks weren't interpreted in that way.

What I'm suggesting, Senator Bruno, is that when you say all these things and you say you're acting decisively, but you don't have the revenue in the long run to pay for it, the danger is that it becomes evasive of the responsibility for the consequences of those actions.

Instead of being decisive, which is to say we're embarking on a $4.7 billion program that we know we can pay for because we've got the revenue to pay for it and we're setting aside the revenue to pay for it. That's being decisive.

When you say we're going to spend $4.7 billion and right now we don't have the revenue, and it may be in question, and it's composed of one-shot, it becomes evasive rather than decisive.

Senator Breslin is absolutely correct. I was once told that we wouldn't do

business and enact $4.7 billion programs in the dead of the night. I thought that meant June. It now means January, and I'm dismayed.

I vote no.

ACTING PRESIDENT MEIER: Senator Dollinger will be recorded in the negative.

Senator Seward, to explain his vote.

SENATOR SEWARD: Yes. Thank you, Mr. President.

I have for the last couple of years sponsored the Empire conversion legislation in this house. And I did so for the purposes of helping to, through a conversion, to strengthen this company, which has 4.8 million policyholders, through a conversion to a stock company that will help to financially strengthen this company for the benefit of those 4.8 million policyholders and help get the company in a position to service these policyholders in this new world of health care that we find ourselves in today.

I am absolutely delighted that we have come to this point this evening, because of the fact that we through this conversion

will be pumping $1 billion into the health-care delivery system of our state to deal with the workforce issues that are so critical in our health-care delivery system, also to deal with some access issues, making health care available to more people in our statute.

There's a whole multitude of positives in this legislation through the use of not only the conversion funds but the other sources of revenue.

I'm also pleased we're doing it prior to getting into the budget season. I don't think we need to apologize for that, because by doing it at this point in the session we are making sure that these funds are dedicated to health care and not diverted to any other purposes.

So, Mr. President, I rise in support of the bill. I commend the Governor, I commend the leader of this house, the leader in the other house, the staffs, all those who have worked so hard to bring this bill to the floor tonight.

Mr. President, I vote aye.

ACTING PRESIDENT MEIER: Senator Seward will be recorded in the affirmative.

Senator Duane, to explain his vote.

SENATOR DUANE: Thank you, Mr. President.

I don't usually stand up to speak when there's any bit of criticism when I'm going to vote for something. But I am going to say something now in light of some of the previous comments.

I think that this is a very worthy bill. I think what we're doing is very important. However, I also agree with some of the criticisms voiced by my colleagues on this side of the aisle.

I consider myself to be a pretty hard worker, but I guess I must have missed that meeting earlier today when this was all discussed. Or maybe I didn't get that invitation.

I consider Senator Dollinger to be a hard worker also, and I don't in any way think it's appropriate to impugn his motives in commenting on this legislation or the way he voted on the legislation.

I think it's very important that we pay people a decent wage for the hard work they do and make sure that they get benefits. In fact, I've staked my career on trying to make that happen. And I also have staked my career on making sure that people that don't have health insurance -- that is, the uninsured in our state -- get health care.

And though I only gave this legislation some cursory reading, I don't really see anywhere in here where uninsured New Yorkers are going to get any more than 5 percent of what we're talking about in the revenue that we're deploying in today's -- in the legislation before us. Not today, actually; tonight or, any second, tomorrow.

Also, you know, I don't understand why it is that we have to set aside $950 million over three years to be divvied up by a five-person board. We have a Legislature that has an awful lot of people -- 61 people here, 150 in the other chamber. I think that all of our voices are worthy to be heard. I think it's very bad government to create these boards that oversee allocations of tremendous

amounts of money.

I also think that the 5 percent of the $50 million balance of the Blue Cross conversion funds, which are going to be used for the development health-care programs for the uninsured, it's really a drop in the bucket. And again, it's being overseen by a five-member board. I don't see how that

ACTING PRESIDENT MEIER: Senator Duane, you've consumed the two minutes allotted to explain your vote.

How do you vote, Senator?

SENATOR DUANE: I'm going to vote yes on it unless -- I'm going to vote yes on it.

ACTING PRESIDENT MEIER: Senator Duane will be recorded in the affirmative.

Any other senator wish to explain his vote?

Senator Hannon.

SENATOR HANNON: Yes, thank you, Mr. President.

This is the third HCRA that I've had the chance to work with Joe Bruno on, ever since we deregulated the health-care system.

We've also been able to do such major things as bring new, innovative insurance programs to this state.

Each time we've done those HCRAs, there have been revenue sources that have been unique or new. The covered lives of the very first HCRA was a unique way of our capturing money from out-of-state insurance companies running health care. Everybody said, "Well, that's going to be very questionable." It was upheld.

What we've been able to do is improve the health-care system without raising the taxes in this state. And I think the sources we have here have at least as much reliability and assurance of going forward in the future as the ones we've done in the past.

And in fact, people talk about the Empire conversion as one-shots. It's not. It's going to become a for-profit corporation. It's going to be paying corporation taxes in ways not done before. It's going to be increasing its endeavors in the state, increasing the base of taxation.

So I think there is -- we have to

look at the aims, overdue needs. From Buffalo to Southampton, we were told last year "We don't have enough money for workforce retention, recruitment. We have to do better for hospitals, nursing homes, home health care workers." We have met those challenges.

And I don't think it's worthy of using soundbites and press releases to denigrate, because there are major things we have done for all the citizens of this state. And I think this is a worthy bill that ought to be supported.

ACTING PRESIDENT MEIER: Senator Hannon will be recorded in the affirmative.

Senator Brown.

SENATOR BROWN: To explain my vote, Mr. President.

I'm really agonizing over this because there are a lot of good things in this bill. And we truly do need to reform the health-care system in this state. But this process is simply not a good process.

We got an opportunity to conference on this bill at 10:15 p.m. I didn't actually see the bill until 11:40 p.m. As a member of

this body, I feel I should have the opportunity to thoroughly read important pieces of legislation like this that I'm going to vote on.

This is a $4.7 billion piece of legislation, and we are really only getting the opportunity to see this hundred-and-some-odd-page document thirty minutes ago. This is a poor process. This is the Empire State, but this is not a process befitting the Empire State.

I grudgingly am going to have to vote in the negative. Thank you.

ACTING PRESIDENT MEIER: Senator Brown will be recorded in the negative.

The Secretary will announce the results.

THE SECRETARY: Those recorded in the negative on Calendar Number 49 are Senators Breslin, Brown, Dollinger, and Stachowski. Ayes, 53. Nays, 4.

ACTING PRESIDENT MEIER: The bill is passed.

Senator Bruno.

SENATOR BRUNO: Mr. President, is

there any housekeeping at the desk?

ACTING PRESIDENT MEIER: No, there is not.

SENATOR BRUNO: Then there being no further business to come before the Senate, I would move that we stand adjourned until Tuesday, January 22nd, at 3:00 p.m., intervening days to be legislative days.

Thank you all.

ACTING PRESIDENT MEIER: On motion, the Senate stands adjourned until Tuesday, January 22nd, at 3:00 p.m. Intervening days will be legislative days.

(Whereupon, at 12:10 a.m., the Senate adjourned.)