NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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3:33 p.m.

REGULAR SESSION

LT. GOVERNOR MARY O. DONOHUE, President

STEVEN M. BOGGESS, Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will please come to order.

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

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

THE PRESIDENT: With us this afternoon to give the invocation is the Reverend Peter G. Young, from Blessed Sacrament Church in Bolton Landing, New York.

Reverend Young.

REVEREND YOUNG: Thank you.

Let us pray.

Dear God, we watch our media record instances of pain and suffering and gather today to pray for our troops and for their safety.

These instances will be remembered and recorded in our brain as grief experiences. But we turn to You, O God, for Your mercy and Your love to get us through these difficult days.

With the hope of victory and peace, it is a time of national unity as we pray for

those that are serving our country. And we ask especially for those in Your name serving in the New York State National Guard units that have been called and activated to this call of duty. We ask a blessing upon them and a dedication of our Lord.

Amen.

THE PRESIDENT: Reading of the Journal.

THE SECRETARY: In Senate, Sunday, March 23, the Senate met pursuant to adjournment. The Journal of Saturday, March 22, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Fuschillo.

SENATOR FUSCHILLO: Thank you, Madam President.

On behalf of Senator LaValle, on page 17 I offer the following amendments to Calendar Number 151, Senate Print Number 924, and ask that said bill retain its place on Third Reading Calendar.

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

Senator Fuschillo, you have more?

SENATOR FUSCHILLO: Madam President, just one more.

On behalf of Senator Padavan, on page number 12 I offer the following amendments to Calendar Number 19, Senate Print Number 18, and ask that said bill retain its place on Third Reading Calendar.

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

Senator Farley.

SENATOR FARLEY: Thank you, Madam

President.

On behalf of Senator Maltese, Madam President, I move that the following bills be discharged from their respective committees and be recommitted with instructions to strike the enacting clause: Print Number 82, Print Number 670, and Print Number 1112.

THE PRESIDENT: So ordered, Senator.

Senator Skelos.

SENATOR SKELOS: Madam President, there will be an immediate meeting of the Veterans, Homeland Security and Military Affairs Committee in the Majority Conference Room.

THE PRESIDENT: There will be an immediate meeting of the Veterans, Homeland Security and Military Affairs Committee in the Majority Conference Room.

SENATOR SKELOS: And at this time if you could, under privileged resolutions, call up Senator Spano's resolution, 878, and have it read in its entirety.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Spano, Legislative Resolution Number 878, congratulating the Dobbs Ferry High School Football Team and Coach Frank Violante upon the occasion of capturing the Class D State Championship.

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

"WHEREAS, Athletic competition enhances the moral and physical development of the young people of this state, preparing them for the future by instilling in them the value of teamwork, encouraging a standard of healthy living, imparting a desire for success, and developing sense of fair play and competition; and

"WHEREAS, The Dobbs Ferry Football Team are the Class D State Champions; and

"WHEREAS, The Dobbs Ferry Football team made a 37-yard field goal with 10 seconds to play in regulation, which led to an emotional 38-35 victory over Dolgeville High

School in the Class D State Title game at the Carrier Dome in Syracuse, New York; and

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

"WHEREAS, The team's overall 12-0 record is outstanding, and the team members were loyally and enthusiastically supported by family, fans, friends, and the community at large; and

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

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

"WHEREAS, Coach Frank Violante has done a superb job in guiding, molding, and inspiring the team members toward their goals; and

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

"RESOLVED, That this Legislative Body pause in its deliberations to congratulate the Dobbs Ferry Football Team, its members -- Rich Burke, Brendan Centrillo, Zach Connett, Oliver Dobbs, Brian Farrington, Frank Farrington, Kevin Farrington, Ed Fucci, Dan Gardner, Vinny Garofalo, Anthony Goodwin, Nathaniel Greenstein, Mickey Johnson, Chris Jones, Danny Juvan, George Kalaba, Mark Kalaba, Joe Kay, George Keiling, Brian Kim, Andrew Lavaia, Anthony Lifrieri, Brian McMillan, Danny Patterson, Mike Paul, Pete Riley, Nolan Ritch, Paul Scattaretico, Eric Sitman, Nick Skulstad, Elliot Smith, Mike

Steinschneider, Bobby Stutz, and Anthony Tompkins -- Assistant Coaches Jamie Block and Jim Lindsay, and Coach Frank Violante on their outstanding season and overall team record; and be it further

"RESOLVED, That copies of this resolution, suitably engrossed, be transmitted to the members of the Dobbs Ferry Football Team, Assistant Coaches Jamie Block and Jim Lindsay, and Head Football Coach Frank Violante."

THE PRESIDENT: Senator Spano.

SENATOR SPANO: Thank you, Madam President and fellow members.

It's my pleasure to welcome the Dobbs Ferry High School Football Team to the chamber today. They've been on a hectic schedule visiting the Capitol, visiting with the Assembly, and having -- will have an opportunity to visit with the Governor in a few moments.

And I know they're on a tight schedule, but I'm glad that we were able to hear the reading of that full resolution and to acknowledge -- and I will make sure that

I -- when I see Jim Seward, Senator Seward, to make sure that he gets a little jealous with the fact that it was the Dolgeville Football Team from Little Falls, Herkimer County, that the Dobbs Ferry High School team did defeat to become the state champs.

We're proud of you, we're proud of all of the young people who are here today. We thank the parents who are here with them, and all of your parents who do a tremendous job, the coaches for the support that you continue to give to this team. You make us proud in Westchester County.

So, Madam President, please welcome this team. And I'm very happy to be the author of this resolution today.

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

On behalf of the Senate, I wish you

congratulations and continued success in all your endeavors. Have a good celebration.

(Applause.)

THE PRESIDENT: Senator Skelos.

SENATOR SKELOS: Madam President, there's a privileged resolution at the desk, 879, by Senator Leibell. Could we have the title read and move for its immediate adoption.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Leibell, Legislative Resolution Number 879, commending Mike McDonough upon the occasion of his designation for special recognition after 30 years of dedicated service to the Knights of Columbus, Our Lady of the Lakes Council, Number 6318.

THE PRESIDENT: All in favor please signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

Senator Skelos.

SENATOR SKELOS: Madam President, if we could go to the noncontroversial reading of the calendar.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 132, by Senator Seward, Senate Print 2356, an act to amend the Insurance Law, in relation to authorizing insurers.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 182, by Senator Morahan, Senate Print --

SENATOR PATERSON: Lay it aside.

THE PRESIDENT: The bill is laid aside.

THE SECRETARY: Calendar Number

183, by Senator LaValle, Senate Print 282, an act to amend the Domestic Relations Law and the Family Court Act, in relation to the visitation rights of great-grandparents.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 1. Senator Montgomery recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 184, by Senator Skelos, Senate Print 1022, an act to amend the Social Services Law, in relation to the charging of a fee.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of November.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 187, by Senator Farley, Senate Print 1532, an act to amend the Education Law, in relation to authorizing the State University trustees.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of April.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 1. Senator Duane recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 210, by Senator LaValle, Senate Print 298, an act to amend the Education Law, in relation to the unlawful sale of dissertations.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 216, by Senator Seward, Senate Print 2870A, an act to amend Chapter 65 of the Laws of 1998 amending the Insurance Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 4. This act shall take effect immediately.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

THE PRESIDENT: The bill is passed.

Senator Skelos, that completes the reading of the noncontroversial calendar.

SENATOR SKELOS: Madam President, if we could go to Senator Morahan's bill, which is the only bill on the controversial calendar.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 182, by Senator Morahan, Senate Print 207, an act to amend the Family Court Act, in relation to authorizing restitution.

SENATOR PATERSON: Explanation.

THE PRESIDENT: Senator Morahan, an explanation has been requested.

SENATOR MORAHAN: Yes, Madam President.

This bill would allow a court to assess damages to a child over 10 years of age for personal damage or physical damage to a victim of their misconduct.

Currently the court allows the judge to assess up to $1,500 for property damage, but there's no consideration of any physical damage to the victim.

This would allow the judge, at his discretion or her discretion, to assess up to $1,500 for the teeth, glasses, or something of that nature. The thinking being that you can pay for the picket fence, but you can't pay for the teeth.

So I think this is just a matter of fairness.

THE PRESIDENT: Does any other member wish to be heard on this bill?

Then the debate is closed.

Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of November.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Those recorded in the negative on Calendar Number 182 are Senators Duane, Montgomery, Parker, and Paterson. Ayes, 56. Nays, 4.

THE PRESIDENT: The bill is passed.

Senator Skelos.

SENATOR SKELOS: Madam President, if we could go to reports of standing committees, I believe there's a report of the Veterans, Homeland Security and Military Affairs Committee at the desk. I ask that it be read.

THE PRESIDENT: The Secretary

will read.

THE SECRETARY: Senator Balboni, from the Committee on Veterans, Homeland Security and Military Affairs, reports the following bills:

Senate Print 3283, by Senator Balboni, an act to amend the Economic Development Law;

3284, by Senator Little, an act to amend the Public Service Law;

3285, by Senator Golden, an act to amend the Military Law;

3286, by Senator Robach, an act to amend the Military Law;

3287, by Senator Flanagan, an act to amend the Military Law;

3288, by Senator Leibell, an act to amend the Military Law;

And Senate Print 3289, by Senator Larkin, an act to amend the Military Law.

All bills ordered direct to third reading.

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

Senator Bruno.

SENATOR BRUNO: Madam President, can we at this time return to motions and resolutions. And I believe that I have a privileged resolution at the desk. I would ask that it be read in its entirety and move for its immediate adoption.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Bruno, Legislative Resolution Number 902, expressing support, on behalf of the people of the State of New York, of the courageous members of the United States Armed Services serving in Operation Iraqi Freedom.

"WHEREAS, Throughout the proud history of our republic, the Armed Forces of the United States of America have stood as a bulwark against threat, foreign or domestic, to the democratic principles upon which our great nation was founded, and have never hesitated to heed their country's call; and

"WHEREAS, Today, that call is being answered once again by the men and women of the United States Army, Navy, Air Force, and

Marine Corps, both active duty and reserve, and the National Guard, many New Yorkers among them, who are serving in Operation Iraqi Freedom; and

"WHEREAS, As our nation begins a hopefully brief period of armed conflict, bringing American military force to bear to preserve world order and our national interests, this Legislative Body, representing the people of the State of New York, is deeply moved to express its support of the courageous members of the United States Armed Services serving in Operation Iraqi Freedom; and

"WHEREAS, Though in this state and nation, where belief in the treasured principles of freedom of speech and freedom of the thought is fundamental, people may differ in opinion and purpose, now is a time to come together and stand up in support of the hundreds of thousands of American men and women who have traveled to the far corners of the globe to protect and preserve freedom and democracy against tyranny and oppression, under the most inhospitable conditions; and

"WHEREAS, The freedoms and security

we cherish as Americans come at a very high price for those serving in the military in times of conflict, it is fitting and proper that we who are the beneficiaries of those who risk their lives, leaving their families behind, express our appreciation and eternal gratitude for their sacrifices and courageous acts; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to salute and pay tribute to the brave men and women of the United States Armed Services who are serving in Operation Iraqi Freedom, recognizing and applauding their courage and steadfast dedication; and be it further

"RESOLVED, That this Legislative Body pause further in its deliberations to express its profound and heartfelt prayers for their safe return to their loved ones and a grateful nation."

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Thank you, Madam President and colleagues.

The United States is facing difficult challenges abroad and here in the

United States. And as is outlined in this resolution, we here are really paying tribute to those men and women who put their lives on the line so that we can be free as we are here, and as people are throughout New York State, throughout the United States and in the free world.

Every day we're watching the news. Pretty tragic, pretty horrific. But they have left their families and they have volunteered, many of them, to go, to do what they think is right. We in this house will be passing bills this week to support them, to support their families.

And all of us can just gather and collect ourselves in thought and in prayer on their behalf and on behalf of their families. Because every day, every minute, every hour that they are somewhere out there, they put themselves in harm's way.

And you think about the families who know their loved ones are there, when they watch the news, not being able to recognize what is going on. All we can do is be thoughtful and mindful of the pain that

they're feeling.

Here in the chamber, Senator Little's son, David -- Lieutenant Commander David Little, is there. And Betty may speak to the resolution, but I have a picture of her son taking off from a carrier. And when he had talked to his mom, he had 15 hours the last several days in the air. And this plane is armed.

And we can only empathize when you think in terms of what goes on in these young people's minds that are there when they repeatedly do what it is that they're trained to do and they're willing to do.

And for what purpose? To free people so that we here be can be free and express ourselves as we do across this great country of ours, in whatever way you see fit, for what's going on, against what's going on. It's free will, free spirit, the American way.

So we're indebted. There's also, on Betty's staff, on active reserve, Lieutenant Commander Paul Meroon, who's on staff with you and has been called up.

I know there are other members that

have family and that have staff that are there or on their way there. So we thought it was appropriate and proper that we just pause here as we deliberate what goes on in our lives, somewhat routinely, just to recognize that these are not normal times, they're not routine times.

These times are different. And they're different for everyone here in this state, in this country, and really in the world.

So we keep them in our thoughts and we keep them in our prayers.

Thank you, Madam President.

THE PRESIDENT: Senator Paterson.

SENATOR PATERSON: Madam President, when the president's deadline came and passed without any adherence on the part of the Iraqi government, and we first watched the first couple of days of the war, it almost looked surreal -- cameras planted on the sites where bombs were considered to be dropped, and media members seemingly everywhere, even in the conflict.

But then this weekend, through the

same television sets that we saw that, we found out that it really was a war: the bloodied bodies of the injured, the deaths. We already have families that have lost troops in Operation Iraqi Freedom. And we have prisoners of war being treated who knows how inhumanly right now, prisoners in Iraq.

We've seen the Iraqi government's bold disregard for its own citizens by disguising some of their troops as civilians and then attacking the allied forces. We've seen the attempt to camouflage, raising the American flag as if there was peace and then attacking our soldiers again.

And we know how terrible and tragic war really is. War really is hell.

And in spite of the disagreements as to whether or not we should be there and even continuing disagreements as to whether or not we should stay there, we are there. And our children and our family members are fighting for what is our government policy.

And it is tremendous that we would have this resolution today. I support the Majority Leader and admire that the Majority

Leader, on almost every occasion of any type of national awareness, that this chamber has paused and recognized it.

Because outside of the legislative duties that we perform that are important to the State of New York, there's a greater national importance of the fact that we are in this conflict.

When these troops return, whenever they return -- and hopefully soon -- to our shores, they're going to need many types of assistance. We don't want to see happen what happened to those who served our country in Vietnam, who came back and couldn't get the right healthcare services, couldn't get mental health counseling, leading to one of the highest suicide rates in that population -- so formidable that it's not even known nationally how bad it actually was. Substance abuse and other addictions to pain medication that they suffered. No real opportunity for employment for those who were injured or disabled.

We can't let that happen. Our support has got to be for our troops -- not only when they're fighting, but to them and

their families when they come back to the United States at the end of this conflict.

So speaking on behalf of those here on the other side of the aisle, this is not a Republican nor a Democratic concern, it's a human concern. And all of us in this chamber, and staff and those who work here in the Capitol, share it.

THE PRESIDENT: Senator Little.

SENATOR LITTLE: Thank you. Thank you, Senator Bruno and Senator Paterson and all of my colleagues for this resolution of support.

These are difficult times. And in many ways, for me, it is very surreal to turn on the television and know that one of my six children is very involved in this whole process on a daily basis.

But let me tell you a bit about my son, if I may. Because I think he typifies all of the men and women who are over serving our country.

He e-mailed us in early August when he first got to Iraq, in the Persian Gulf -- he's on the carrier The Abraham Lincoln -- and

he spoke about how he missed his two little boys and his wife, but that he really understood the need for his contributions and that how he was there helping to preserve the freedom which made this country the greatest country in the world and the envy of every other country.

And also let me tell you about the 12 pilots in his squadron. On their arm, they are each wearing a patch, because they have dedicated their mission to Engine Company 54 of New York City, the fire department that lost 15 in the World Trade Center.

They have not forgotten why they are there. They have not forgotten the reason for what they are doing and why there is a need to do it.

It's a time for all of us to raise our voices and our prayers in support of them and for all that they are doing and to pray that this whole conflict ends quickly and that they all come home safely, as well as to give sympathy to all of those who have already lost their lives. It's someone's son, someone's daughter, someone's parent, sibling, and

friend. And for that we are all in sympathy.

Thank you.

THE PRESIDENT: Senator Hoffmann.

SENATOR HOFFMANN: Thank you, Madam President.

It's difficult to follow the eloquence of Senator Little or our distinguished Korean War veteran leader, Majority Leader Bruno. But every one of us, in our own personal way, has experienced that sense of panic and fright in suddenly learning that someone we know has been activated.

In the Syracuse area, virtually every branch of the service has had guard and reservists called to active duty. Plus we're very close to Fort Drum, up the street, in Senator Wright's district, and we know many of those soldiers who have been called out in repeated waves to go overseas.

And we know the families who are left behind. We understand that many of them are struggling financially; many of them are dealing with their own personal anguish and uncertainty about what the future holds.

There are things that we can do as

individuals and there are things we can do as elected officials. And I'm proud that in this chamber today we are doing both.

Everyone here I'm sure understands that we have a larger responsibility, because we are elected officials and we help to symbolize the greatness of this freedom, this freedom that so often is taken for granted by other people but, as we well know, is the envy of every other country. And it is this great freedom that has been so resented in one country that would deny freedom to all other people that they sought to even destroy our freedom.

This freedom must be protected at all costs. It has to be protected and respected here at home as well.

So we will each have an opportunity to do things and to reassure our constituents, those left waiting for those who serve as well as those who are serving, that we thank them and we respect them while they protect our freedom.

THE PRESIDENT: Senator Diaz.

SENATOR DIAZ: Thank you, Madam

President.

Let me tell a story of my childhood. When I was few years old, my brother, my older brother was serving in the Korean conflict. I was about 3 or 4 years old when he came back to Puerto Rico. And I remember, I remember how the people in my hometown, and in Puerto Rico, they lined up throughout the streets to receive those men that fought in the Korean conflict. They receive a hero's welcome.

So that, that impact me so much that I -- into my mind I say I will be like my brother, and one day I will serve my country. And I will be a hero like him.

Then, when I became 18 years old, I joined, voluntarily, the Army during the Vietnam conflict. And I proudly put on my uniform, and I left Puerto Rico to be like my brother.

Later I know, later I knew that people in America treat us like criminals. And they make us feel shameful. Many of us took -- many of those -- some of them, they took their lives. And some of us became

messed up, using drugs and doing all kind of things.

Because people in America, people in this country, like Jane Fonda and others, they made us feel bad and shameful and treated us like criminals.

I'm proud that Senator Bruno is introducing this resolution, because we have to be sure that the situation in which we, during the Vietnam era, went through, these troops, these heroes, men and women that are now defending this country and defending the right for us to protest in favor or against, that they -- when they come back, they are received like heroes, like my brother was received during the Korean conflict.

Senator Bruno, thank you. Thank you. Because I don't want for these men and women to go through what I went through. I had to hide. When I came back to Puerto Rico, I was hiding. I was hiding with my uniform, because there were people here in this country treating us like criminals.

And there are some that are still treating the men and women in uniform like

criminals today. I want to -- I would love to stop an end to this, the Jane Fondas of today and those men and women.

And to you, Senator, I honor you. And I wish and I pray that your son comes back home safe.

Thank you, Senator Bruno. I'm proud to support this resolution. And I hope that everyone here does the same thing. And we get ready, when they come back home, we receive them like heroes, like they deserve to be received.

Thank you.

THE PRESIDENT: Senator Balboni.

SENATOR BALBONI: Just very quickly, isn't it amazing when the challenge comes we realize that what divides us is so much smaller than what we first thought?

All of us are in this because of who we know, what is at stake and what roles we can play. I just think, Senator Bruno, it's amazing that you present this resolution today. It's perfect. Because it's not when we've won, it's not when the going is easy, it is when it is hardest.

And that is our challenge. It's so easy to watch television when things are going well. But a time comes when it gets tough. And that's where we are right now. In some segments of this world we are very unpopular. But it's our resolve now to continue to support the troops in the harder times when it's going to be so incredibly important.

I'm very honored to support the resolution. Thank you.

THE PRESIDENT: Senator Larkin.

SENATOR LARKIN: Thank you, Madam President.

I thank our leader for putting this resolution on the floor. You know, it's easy to stand back and take a potshot or be not commendable when we talk about war. But let's be realistic about it. These are our men, these are the Americans, these are men who volunteered.

UNIDENTIFIED SENATOR: And women.

SENATOR LARKIN: You didn't let me finish.

These are the men and women -- yesterday, one was a woman who was down and

said dead.

But let's remember that, you know -- some of you can and some of you can't remember Korea and Vietnam, where we came home and we were ignored. We were told not to travel except in civilian clothes because people didn't want us.

Our leader served in the 35th Infantry, the Cacti. Some of the times he was there was some of the toughest fighting we did.

But this has got to be from the heart, not just from the floor of the State Legislature. And not just for here in Albany, but it's for back home. Because the parents and loved ones of our servicemen and women are going to look at us, at our actions, not just our words.

The tent that was devastated yesterday, the commanding general of the 101st Airborne, his parents are my neighbors. He's a graduate of the United States Military Academy, Cornwall High School.

The officer that was killed was his aide. Because he was concerned that his aide

wasn't getting enough rest, he said: "Stay here, I will go to the meeting. I don't need anybody." Maybe if he'd taken that aide with him, he'd be alive today.

But we heard from our colleague Betty Little talking about it, closer to this than anybody else.

And, yes, some of the papers around the state dissed me for my comments. I'll never take the uniform off. I did it for 23 years because I loved it. And I love today when I hear from some of the men that I served with, and women, their children who are in the armed forces.

This force that we have and we're honoring are all volunteers. There was no draft. They made their own decisions. Because, number one, they love this country more than anything else in the world. And they want to be there to be saying to everybody that "I was part of the force that preserved freedom."

I saw a sign yesterday on a lawn in my district, and it said: "Mr. President and members of the Armed Forces, I thank you for

your efforts to preserve my freedoms and my rights as an American citizen."

A week from Wednesday, members of the United States Military Academy will visit us. Those of you who remember two years ago, some of those -- most of those cadets are in harm's way. One was killed last week.

Ladies and gentlemen, the resolution is a piece of paper. But if you can't stand tall and adhere to what we're saying, it's tough. It's tough on the families. It's tough on the families because they look at us and say: You are the duly elected officials of our state. We expect you and the Congress to stand tall and support us to ensure the safe return of our men and women.

May God bless our country and our servicemen.

THE PRESIDENT: Senator Golden.

SENATOR GOLDEN: Thank you, Madam President.

Senator Bruno, Senator Paterson, Senator Little, you're right: there is no Democratic or Republican way, there's only the

American way to support our troops that are in harm's way.

And this state has thousands, thousands today in harm's way. We've seen police officers, firemen, nurses, and construction workers and families pulled apart for these troops, men and women, to go into harm's way.

And I congratulate Senator Balboni, the chairman of the Veterans Committee, for coming up with these round of bills that will assist those vets, those families that are in need.

It is important that we come together and support these bills and get these bills passed when they come to the floor so that we can give support to these families.

We had, yesterday, 1500 people in Staten Island and a thousand people in Times Square. And on April 6th, in my community, we hope to have thousands more outside Fort Hamilton Army Base supporting our troops and our families.

I see in the audience upstairs the Knights of Columbus who have supplied, for me,

the honor guards and the pipers to play at these different events. The Supreme Director, Robert Fallon, and the rest of the Knights of Columbus from around the state, I thank you for being part of this.

I thank all of this body for being part of this. It is time for all of us to rally in our communities, to find out those vets who are in trouble, to find out who needs help from those families so that we can supply that help into those families and that we can do, yes, do the American thing.

And, yes, support Senator Little and support her family and to let her know that her boy is doing the right thing for this country and that we will be there to support her and others that will need our support.

Thank you, Senator Bruno, for putting this resolution in today. Thank you for stepping up and doing the right thing.

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

Senator Bruno.

SENATOR BRUNO: Madam President, I'm proud of my colleagues in the Senate, and I am proud to ask that all of their names be added to this resolution. And if anyone would prefer not, would you please just let the desk know at your leisure.

Thank you very much.

THE PRESIDENT: Thank you, Senator Bruno.

Any member who does not wish to sponsor this resolution, please notify the desk.

Senator Morahan, do you wish to be heard?

SENATOR MORAHAN: I believe it's a moment too late. I wanted to speak on the resolution.

I also wanted to congratulate --

THE PRESIDENT: You may proceed on the resolution, Senator.

SENATOR MORAHAN: I also wanted

to congratulate Senator Bruno, fellow Korean War veteran, on the resolution today.

World War II, the folks who were there then and those who were home we call the "Greatest Generation." We did that because we were a united country against a common enemy.

The Korean War, we were considered the forgotten war. Because we went, we served, came home, went back to work, got married, raised the kids, paid the mortgage, the rent, whatever it may be.

The Vietnam War, as was just pointed out, was a different type of war. They weren't forgotten, they were remembered, but they were remembered in a most unsavory way. They were young people who went off, 58,000 who were killed, 2,800 who are still missing.

And those who came back were abused, abused because people in this country didn't agree with the policy of many administrations, several administrations, of why those young people were put in harm's way.

We have to make that distinction. I want this to be the greatest generation,

both here at home and on the front. Those who would defend our young people, and our young people out there, men and women who are defending us -- and we say all of us know someone. We know them all.

They were the young lady or young man who grew up down the block or across the hall. They're the youngsters who went to school with our children. They're the young man or the young woman, married, with a family, who volunteered in the National Guard or some reserve position, ready to go if called. And they were called.

These are our people. They're in harm's way fighting a regime of evil, one that this world will be better off without.

And I stand in support of the resolution and in support of all of my colleagues who I know, notwithstanding politics, will support this resolution which supports our defenders and the defenders of freedom.

Thank you very much, Madam President.

THE PRESIDENT: Thank you,

Senator Morahan.

Senator Bruno.

SENATOR BRUNO: Is there any housekeeping at the desk, Madam President?

THE PRESIDENT: Yes, there is.

SENATOR BRUNO: Can we take that up at this time.

THE PRESIDENT: Senator Balboni first.

SENATOR BALBONI: Yes, Madam President.

I'd like to offer the following amendments to my bill, Calendar Number 291, Senate Print Number 3283, and ask that the retain its place on the Third Reading Calendar.

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

SENATOR BALBONI: Thank you.

THE PRESIDENT: Senator Skelos.

SENATOR SKELOS: Would you please recognize Senator Schneiderman.

THE PRESIDENT: Senator Schneiderman.

SENATOR SCHNEIDERMAN: Thank you, Madam President.

I believe there's a motion at the desk. I would request that you waive the reading and that I be heard on the motion.

THE PRESIDENT: You may proceed, Senator. The reading is waived, hearing no objection.

SENATOR SCHNEIDERMAN: Thank you.

This is a motion to bring a bill to the floor to raise the minimum wage in New York State from $5.15 an hour to $6.75 an hour.

And I really think that it's appropriate that it follows the resolution we just passed, because tens of thousands of our troops who are serving now in the current conflict will return to the state of New York and be employed in minimum-wage jobs.

And I would urge everyone that a full-time employee working at the current wage of $5.15 an hour would make $10,700 a year. And it is not a family-supporting wage.

And that we should not expect anyone, but particularly the men and women who

are putting themselves in harm's way to defend their country, to come home and work a full-time job, stay out of trouble, and be expected to support a family on $10,700 a year.

For three years, the Assembly has passed bills to raise the minimum wage in the state of New York. And we often are critical of the other house. But on this issue, our house is the obstacle to progress.

We can raise the minimum wage and immediately benefit 800,000 New Yorkers and their families if we pass this bill. We've had bills introduced here, they have died in the Senate each of the last three years.

And I think this is very much a piece of legislation that sends a message to the world about what kind of a society we in the New York State Senate believe we should have.

The state of New York currently has the widest gap between rich and poor in the country. We're out in the rest of the world trying to defend freedom, trying to send people a message that everyone is created

equal, and yet we have a 24 percent poverty rate in the city of New York and a 17 percent poverty rate in the state of New York. Many of those people are working poor.

We cannot tell people to get out of trouble, stay out of jail, work full-time, raise a family, and then expect them to do it on $10,700 a year.

I think this is a critical piece of legislation. I realize that there's a remote possibility that our motion to bring the bill to the floor today will not prevail. But I would urge all of my colleagues on the other side of the aisle as well, where I know this legislation has significant sympathy, let's do something for the working men and women of this state this year.

Let's raise the minimum wage. Let's follow many states around New York -- Vermont, Connecticut, Massachusetts, all of whom have taken action on this.

Let's make this a better place to live. Let's put money in the pockets of those who need it most. And let's make sure that no veteran of the current conflict comes home and

is expected to support a family on $10,700 a year.

I urge that the motion be brought to the floor, that everyone here vote in favor of it, and that we move this piece of legislation without further delay.

Thank you, Madam President.

THE PRESIDENT: Those Senators in agreement with the motion to petition out of committee please signify by raising your hand.

THE SECRETARY: Those Senators in agreement are Andrews, Breslin, Brown, Diaz, Dilán, Duane, L. Krueger, Lachman, Montgomery, Onorato, Parker, Paterson, Sabini, Schneiderman, A. Smith, Stachowski, and Stavisky.

THE PRESIDENT: The petition is lost.

Senator Skelos.

SENATOR SKELOS: Madam President, there being no further business, I move that the Senate stand adjourned until Tuesday, March 25th, at 3:00 p.m.

THE PRESIDENT: On motion, the Senate stands adjourned until Tuesday,

March 25th, 3:00 p.m.

(Whereupon, at 4:35 p.m., the Senate adjourned.)