NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 3, 2005

3:03 p.m.

REGULAR SESSION

LT. GOVERNOR MARY O. DONOHUE, President

STEVEN M. BOGGESS, Secretary

P R O C E E D I N G S

ACTING PRESIDENT MORAHAN: 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.)

ACTING PRESIDENT MORAHAN: The Reverend Peter G. Young, from Blessed Sacrament Church in Bolton Landing, will give us our invocation.

REVEREND YOUNG: As we submit the resolution for Senator McGee today, it brings a very sorry kind of thought of how someone so dedicated and so young and energetic has been called to God.

We pray today that we'll be strengthened by that, by her dedication, and be able to carry on that example in this house.

We ask You this, and ask You to bless the energy and enthusiasm and commitment of these members. We ask You this in Your name, now and forever. Amen.

ACTING PRESIDENT MORAHAN:

Reading of the Journal.

THE SECRETARY: In Senate, Monday, May 2, the Senate met pursuant to adjournment. The Journal of Sunday, May 1, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT MORAHAN:

Without objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

The Secretary will read.

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

Senate Print 1872B, by Senator Maltese, an act to amend the Penal Law.

ACTING PRESIDENT MORAHAN:

Without objection, the bill is reported to third reading.

Reports of select committees.

Communications and reports from

state officers.

Motions and resolutions.

Senator Farley.

SENATOR FARLEY: Thank you, Mr. President.

On page 13 I offer the following amendments to Calendar 222, Senate Print Number 30, and this is on behalf of Senator LaValle.

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

Senator Skelos.

SENATOR SKELOS: Mr. President, I believe there are substitutions at the desk to be made at this time.

ACTING PRESIDENT MORAHAN: The Secretary will read.

THE SECRETARY: On page 4, Senator Golden moves to discharge, from the Committee on Housing, Construction and Community Development, Assembly Bill Number 6878 and substitute it for the identical Senate Bill Number 3977, First Report Calendar

677.

On page 12, Senator Golden moves to discharge, from the Committee on Cities, Assembly Bill Number 630 and substitute it for the identical Senate Bill Number 2429, Third Reading Calendar 199.

On page 13, Senator Golden moves to discharge, from the Committee on Cities, Assembly Bill Number 5627 and substitute it for the identical Senate Bill Number 2738, Third Reading Calendar 201.

On page 14, Senator Little moves to discharge, from the Committee on Local Government, Assembly Bill Number 393 and substitute it for the identical Senate Bill Number 726, Third Reading Calendar 256.

On page 22, Senator Nozzolio moves to discharge, from the Committee on Crime Victims, Crime and Correction, Assembly Bill Number 4982 and substitute it for the identical Senate Bill Number 512, Third Reading Calendar 413.

On page 35, Senator DeFrancisco moves to discharge, from the Committee on Judiciary, Assembly Bill Number 7254 and

substitute it for the identical Senate Bill Number 3441, Third Reading Calendar 596.

And on page 41, Senator Seward moves to discharge, from the Committee on Insurance, Assembly Bill Number 7708 and substitute it for the identical Senate Bill Number 5248, Third Reading Calendar 676.

THE PRESIDENT: Substitutions ordered.

Senator Skelos.

SENATOR SKELOS: Madam President, if we could adopt the Resolution Calendar, with the exception of Resolution 1643.

THE PRESIDENT: All in favor of so adopting the Resolution Calendar please signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The Resolution Calendar is so adopted.

Senator Skelos.

SENATOR SKELOS: Madam President, on behalf of Senator Golden, Resolution 1601, commemorating the election of Cardinal Joseph

Ratzinger as Pope Benedict XVI to the papacy, he'd like to open the resolution to sponsorship by the entire Senate.

If anybody wishes not to sponsor the resolution, they should notify the desk.

THE PRESIDENT: Any member who does not want to be a cosponsor of Resolution 1601, please notify the desk.

Senator Skelos.

SENATOR SKELOS: Madam President, at this time if we could take up Resolution 1643, by Senator Volker, have it read in its entirety and move for its immediate adoption.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Volker, Legislative Resolution Number 1643, honoring Eugene Hutchinson, the Consul General of Ireland, upon the occasion of his designation for special recognition.

"WHEREAS, It is the sense of this Assembled Body to publicly recognize those extraordinary individuals who have made contributions to the success and progress of society in the course of their life's work;

and

"WHEREAS, This Assembled Body is justly proud to honor Eugene Hutchinson, the Consul General of Ireland, upon the occasion of his designation for special recognition; and

"WHEREAS, Eugene Hutchinson was educated at the Rainy Endowed School, Magherafelt, County Derry, and at St. Patrick's College, Armagh. He earned a Bachelor's Degree in History and Political Science from Trinity College in Dublin, and he received a Diploma in Education from the Aberdeen College of Education; and

"WHEREAS, Eugene Hutchinson is ending his appointment at the Irish Consulate in New York City; and

"WHEREAS, Throughout Eugene Hutchinson's 31-year career, he has worked for the Department of Foreign Affairs of Ireland. Within that time span, he has served in various offices and positions such as the Economic Division, Dublin; as Vice Consul, Consulate General of Ireland, New York; the Permanent Mission of Ireland to the United

Nations, New York; the Embassy of Ireland, Lagos; the Permanent Representation of Ireland to the European Communities, Brussels; the Political Division, Dublin; Sarajevo (on secondment) -- implementation of the Dayton Accords; as Counsellor, Embassy of Ireland, London; and currently as Ambassador, Consul General of Ireland, New York; and

"WHEREAS, With him throughout have been his wife, Adele, and their children, Claire, Paul and Ben, all of whom feel privileged to be a part of his life and rejoice in his achievements; and

"WHEREAS, Eugene Hutchinson is an inspiration to many people, and his dedication and commitment to the foreign affairs of Ireland have proven him to be the epitome of true leadership; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to honor Eugene Hutchinson, the Consul General of Ireland, upon the occasion of his designation for special recognition; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted

to Eugene Hutchinson."

THE PRESIDENT: Senator Volker.

SENATOR VOLKER: Madam President, if I might, as the vice president of the American Irish Legislators, I would like to welcome Eugene Hutchinson here and congratulate him on his many years of efforts on behalf of the Irish government and for being the consul general in New York City.

We appreciate all he's done to foster American Irish consultation. And if you look and if you heard his resolution, he's been involved in a great many worldwide undertakings in trying to bring peace and prosperity to this world.

Being from Ireland, my family being from Ireland myself -- although I'm not from Ireland originally; my grandfather came from Ireland not too far from where the consul general was brought up -- I can certainly say that he is one of the most distinguished citizens of the entire world.

And I congratulate him and thank him for coming here and congratulate him on behalf of the Senate and the American Irish

Legislators Association for coming here and honoring us.

Thank you very much.

THE PRESIDENT: Senator Golden.

SENATOR GOLDEN: Thank you, Madam President.

I rise today to also congratulate the counselor for being here in our chambers.

It wasn't too long ago when I was in Ireland in 1993, and I brought my wife from -- at that point it was Dublin, and we went up to the north of Ireland. And there you had seen the train was stopped and the tracks in front of us were blown up, and you were taken off the train and brought by vehicle around to another train and then brought into the city in northern Ireland.

And when you were off the train, you were searched. Then when you went into the town, when you went into the stores, you were searched. There were men with -- government soldiers with machine guns throughout the north of Ireland.

It was an area that was very unsafe, an area that we've seen much loss of

life over the century and especially in the last 30 years.

We've seen a turnaround, a complete turnaround in the peace that we now see in Ireland. And we commend you, Mr. Hutchinson, Counselor Hutchinson, for your great contributions to Ireland and to this country, for the millions that live here in New York State and to the tens of millions that live across this great country.

Ireland has come a long way under its leadership and under your leadership, and we congratulate your country, your nation, and we congratulate you and your family for being here today.

My family, from Galway and from Cavan, are very, very proud of the contributions that you have made, as well as this body is here.

Thank you, sir. Thank you for being here.

THE PRESIDENT: Senator Farley.

SENATOR FARLEY: Thank you, Madam President.

As a former Irish Legislator of the

Year for this chamber, we'd like to welcome you here and to say what a fine job you've done for Ireland and also for our country.

And of course our distinguished Lieutenant Governor and Madam President is an Irish-American, as many members of this chamber trace their heritage back to Ireland. I happened to bring out the flag that I had in my drawer.

And I just want to wish you and your family well, Sir Consul.

THE PRESIDENT: 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.

(Applause.)

THE PRESIDENT: And I do think it's appropriate, as Mary O'Connor Donohue, to invite you up here officially and to welcome you.

CONSUL GENERAL HUTCHINSON: Thank

you so much. Thank you again.

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Madam President, I believe 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 1680, paying grateful tribute to the remarkable life and career of Patricia K. McGee, New York State Senator of the 57th District.

"WHEREAS, It is the sense of this Legislative Body that the quality and character of life in the great State of New York is enriched by the faithful and caring efforts of those exceptional individuals whose lifework and civic endeavors have served to enhance our basic humanity; and

"WHEREAS, The members of the New York State Legislature are greatly moved this day to pay reverent tribute to Patricia K. McGee, New York State Senator of the 57th District and cherished friend and colleague;

and

"WHEREAS, Long-time Republican State Senator Patricia K. McGee, of Franklinville, New York, died on Saturday, April 2, 2005, at the age of 70; and

"WHEREAS, Representing the 57th Senate District, consisting of Allegany, Cattaraugus, and Chautauqua Counties, as well as parts of Livingston County, Patricia McGee will be remembered for her leadership on women's issues, her strong support of higher education and transportation, and her tireless advocacy on behalf of New York's farmers and rural communities; and

"WHEREAS, Born Patricia Gould in Delevan, New York, she is a graduate of Alfred State College. In 1960, she married Maurice 'Mike' McGee; and

"WHEREAS, Affectionately known as Patty by her constituents, Senator Patricia McGee was recognized for her energy, her follow-through work ethic, and her determination and willingness to help the people of the communities she so proudly represented; and

"WHEREAS, Patricia McGee was a lifelong resident of Cattaraugus County who served as a county legislator for 10 years, eventually becoming the first female majority leader; and

"WHEREAS, On June 16, 1987, she was elected to the New York State Assembly. As an Assemblywoman, she served as chairwoman of the Agriculture Committee and also headed the State Commission on Rural Resources. For six years, she was ranking minority member on the Assembly Committee on Transportation, and served on the Rules, Higher Education, and Environmental Conservation committees; and

"WHEREAS, Patricia McGee was then elected to the New York State Senate in 1998. As a Senator, she was chairwoman of the Committee on Alcoholism and Drug Abuse, and served on the committees on Aging, Corporations, Authorities and Commissions, Environmental Conservation, Higher Education, Transportation, and Social Services; and

"WHEREAS, Furthermore, Senator McGee was vice chairwoman for a time in the State Legislative Women's Bipartisan Caucus,

and served on several task forces, including panels on economic development and the future of the State University of New York; and

"WHEREAS, Her legislative accomplishments include sponsoring the legislation which made the New York State Constitution gender-neutral; passing Penny's Law, which removed the sentencing inequities between juveniles and adults convicted of murder in the second degree; expanding the Operation Recognition Program to include Korean War veterans; and preventing Shaken Baby Syndrome by requiring all maternity patients to receive instruction and information on the dangers of shaken infants and young children; and

"WHEREAS, Throughout her tenure as an elected official, Senator Patricia McGee remained an active member of her community. She belonged to numerous community organizations, some of which include 219 Liaison Committee, Farm Bureau, Cattaraugus County Tourist Bureau, and the Chautauqua County Women's Political Caucus. In addition, she was a member of the Veterans of Foreign

Wars Auxiliary in Franklinville, the American Legion Auxiliary, and the Jamestown Disabled American Veterans Auxiliary; and

"WHEREAS, Senator Patricia K. McGee is survived by her husband, Mike; their three foster daughters, Ann, Carol, and Norma; her brother, Dana Gould; and her niece, Vicki, and her husband, Roger Balcom; and

"WHEREAS, The legacy of Patricia K. McGee will long serve as a model of integrity and devotion to public service, and it is now the intent of this Legislative Body to inscribe upon its record this somber and grateful tribute to her memory, hopeful that future generations may understand and appreciate the benevolence of this distinguished public servant, the merit of her causes, and the caliber of her service to the citizens of New York; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to pay grateful tribute to the remarkable life and career of Patricia K. McGee, New York State Senator of the 57th District, and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the family of Senator Patricia K. McGee."

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Thank you, Madam President and colleagues.

We've just heard a resolution describing, in a few minutes, 27 years of public service here in the Capitol, many of the years here in the Senate. There's an empty chair here where Senator McGee no longer sits. But Patty's spirit is here in this chamber, and her spirit will stay in this chamber through her colleagues, through the people that she interfaced with, because she was just a remarkable lady.

Her husband, Mike, is here. And, Mike, welcome here to this Senate chamber that Patty loved so much. And her niece, Vicki Balcom, and her husband, Roger. And Sharon Hill-McLarney, who was with Patty as chief of staff for a lot of years, joined with her husband, Joe.

And they know better than any of us the commitment that Patty had to her

constituency. But more than just to her constituency, to all of the people here in this state.

So, yes, we miss Patty. But the works that she did with alcoholism, substance abuse -- I see Father Peter Young here, a great advocate. Patty, whatever she did, she just did it with a fervor.

But, you know, unlike a lot of us here in the chamber, she didn't have an ego. Which is something all of us ought to try and relate to. Her actions, she always felt, spoke the loudest, and her actions were always righteous and loud. But her presence was one of just being a humble person.

She was just a person that you wanted to be with and relate to and talk to, because you knew there was a sincerity about her. No pretenses. Nothing other than speaking from her heart, speaking emotionally, with a fervor, just feeling strongly about what she did.

And, yes, she loved her district and Cattaraugus, where she was born and spent most of her life, and used to come in here

bragging about all the products, like your maple syrup and the mustard that you manufacture out there, apparently. And she took great -- not you, Mike, but out there generally. She just took great pride in everything that related to her district.

And we here are proud of all the good work that she did, proud that we call Patty a friend. And we just know that her spirit is here in our lives, in all of our lives, and will stay here.

And Patty made a great choice in Mike. Mike is a very down-to-earth, regular kind of guy, and I've gotten to know him. A war hero, wounded in Europe.

And Mike, I really have to tell you that I admire his honesty. He said he was wounded in Italy and as a result they assigned him to the softest duty any soldier could have for months. Now, there aren't many people that would admit to that, but Mike enjoyed it. And he didn't enjoy being wounded, but he enjoyed that duty.

So, Mike, we're glad that you're here and just want you to be aware -- and

you'll hear from her colleagues, as you heard in this resolution, just how much Patty meant to all of us in our lives as well as to all of the people here in this state whose lives she affected in so many ways.

Thank you.

THE PRESIDENT: Senator Paterson.

SENATOR PATERSON: Thank you, Madam President.

I first met Senator McGee when she was a member of the Assembly. But I think that my first real memory of her here in the Senate is that she was here but a month when Senator Bruno asked her to serve as the acting president, as she did so often here. And at the time, as the floor leader for the Minority, I worked with her extensively.

But she was sitting where you are sitting right now, Madam President, in her first month here. And I think that the reason -- I've never asked the leader why he put her there so quickly. I think that's where she belonged. She was a leader.

She was someone who spoke with authority and yet one of the most

down-to-earth, just genuine people that I have ever met. And serving for 11 years in the Assembly and for six years in the Senate, I think all of her colleagues were unanimous -- and it's very hard to get us to be unanimous about anything, but I think we all felt that way about her.

Her distinction, particularly with her expertise on rural issues and farming, and particularly transportation -- and her expertise about the way transportation operates in New York City was astounding. But I think that her great credentials and credits have already been read into the record, and I think that everyone here recognized her professionalism.

But I think that what we will miss the most about Senator McGee was just her, just the way she was and the way she treated everyone. I think the leader put it best when he said that so many of us need to control our egos, but she didn't have one. I don't know why he was looking at me when he said that.

(Laughter.)

SENATOR PATERSON: But we really

had a lot of fun one day a few years ago when Senator McGee and I decided to have a little fun in this chamber. She asked Senator Nancy Larraine Hoffmann to sit in Senator Bruno's seat and to run the floor. And when she accomplished that, then I asked Senator Velmanette Montgomery to sit in my seat. And then after they passed a few bills, I announced that we finally had three women in a room, and the place seemed to be run a whole lot better than it had ever been run before. And that is how I'll remember her.

In January, I realized that we had both contracted pneumonia, and I called her. And she was very strong. And I really expected that she would be right back here among us. And, sadly, it didn't turn out that way.

And so to her husband, Mike, to her niece, Vicki, and her husband, Roger, and all the members of her family and the members of her staff, who must have felt like family, we on behalf of the Senate want to thank you for so much time that you missed being with her but that she utilized serving all the

residents of this state so admirably.

Thank you.

THE PRESIDENT: Senator Volker.

SENATOR VOLKER: Madam President, it is not easy for me to speak about Pat McGee, who I guess I've known for about twenty years or more. I actually knew her before she was in the Assembly, when she was part of the local legislature and, I believe, the first woman chairman of the legislature.

The reason I got to be friendly with her was that in those days Warren Anderson and I had talked about Western New York legislators. And very honestly, we were looking for women legislators to possibly be in the Senate.

And Pat McGee was probably the most interesting person that I had ever met from the Southern Tier. As I've said before, she was one of the people who could yell at me and still be a good friend. And I think one of the things that we should all realize is that that's not a bad thing for all of us to do.

And you were speaking of ego. Every once in a while, she would call me up

and start yelling over some issue. And I said, "What are you talking about?" And she'd say, "Well, you're supposed to be a leader, you're supposed to" -- then she'd go and then she'd say, "Oh, why am I yelling at you? Because I couldn't reach Bruno," or something or other.

(Laughter.)

SENATOR VOLKER: And I said okay.

But seriously, she was -- I have to admit that she was like a sister to me in many ways. We talked a lot about issues, about our families.

When she was in the Assembly, I had always told her, I said, "Well, when Jess finally retires, I expect you'll be running for the Senate." I said, "If you ever get in trouble, give me a call." And I said, "We might be able to help you."

Well, there was one time she did that. And she said, "Well, I'm not in any real trouble, but," she says, "I got somebody to run against me who's kind of nasty." And she said, "You know how nasty I get." I said, "Oh, Pat, you're not going to get nasty."

But we kind of watched over her, and of course she did come to the Senate eventually. And she, in my opinion, was one of the strongest people in this body. In fact, I have to admit to you that I was telling people right to the end that I was sure she was going to come back.

And the day, in fact, that she died, Mary Lou -- Senator Rath and I were about to go to the hospital to see her with a huge card that Chuck Fuschillo had picked up for her, and the entire Majority delegation signed it.

And we were convinced -- and I guess I should have seen the last couple of conversations I had with her, she was gasping a little bit. But we were convinced, and I guess maybe because I've always thought of her as just so strong and ready to move on.

The final thing I'm going to tell you is that Joe Bruno and I have talked about this at the funeral, and I thank all those members who were there and those that I know would have liked to have been there. As soon as the mass started, one of the ministers did

a banjo or I guess it was a guitar or whatever you call it, and we both realized -- Bruno looked over to me with this quick look, Senator Bruno, and we both knew that Patty had to have planned this whole thing. Because she would not have liked, you know, a staid kind of funeral. And it was clear to us that the service was something that she had planned.

And at the end, I must tell you, when we sang, at the end of the service, "God Bless America," I thought, Patty's right here with us, there's no question about it. Because that's what she would have wanted. That's what she wanted. The family, I know, did exactly what she wanted, which was a good thing to do when you were dealing with Pat McGee.

But we will all miss her here. And I can tell you this, that she'll never be away from us. And I think the one thing we all have to realize is the members of the Senate who really are institutional never really leave us. They're always part of us. And I think that's one of the great things about this house, is that people like Pat McGee make

this house what it is.

And I say to Mike and to the family, thank you for giving her to us. Thank you for what opportunity you gave us. And we'll never forget her.

Thank you.

THE PRESIDENT: Senator DeFrancisco.

SENATOR DeFRANCISCO: Thank you, Madam President.

You know, a lot will be said. I'm sure all of her colleagues will want to speak today. But I just want to bring up one other quality that I think is probably the most important quality that Pat had, and that was her humor.

In most settings in the Senate, there's more men at the events than women, you might imagine, if you look around here. She could go with the best of them, there's no question about it. She had a quick wit. She was a funny woman. And she really brought a great element of humor to this body, among the many serious things that she worked on.

And I really think one of the

sentiments that most of us have is when Pat came back for a couple of days after she got ill, I really thought she'd be back. And no one even -- I know I didn't even think, I had no clue that the situation was as serious as it was. And I think the only regret I have today with respect to Pat McGee is that I couldn't say goodbye to her.

She was a wonderful woman, a great colleague, and she will be missed deeply by all of us.

THE PRESIDENT: Senator Bonacic.

SENATOR BONACIC: Thank you, Madam President.

I think to know Senator McGee was to love her. I served six years in the Assembly seated next to her. We came into the Senate together in 1999, and I was seated next to her for four years. So for many days of 10 years of my life, I got to speak at length with Pat McGee. And our offices were next to each other on the eighth floor.

And many people will talk about the attributes of Pat. And I don't mean to be repetitious, but the thing that struck me the

most about this wonderful woman was that if she was walking down the hall and saw someone sweeping the floor, whether she saw someone at staff, whether it was her own staff or a staffer in anyone else's office, or whether it was the elevator operator or whether it was a colleague or it was the Governor of this great state, she treated everyone with the same smile, the same respect, and the same dignity.

She made every one of us a better person, and for that we will always be grateful. And she is in a better place. And this chamber has been enriched by her being an elected official -- probably the kindest elected official I've ever met.

There's one thing that I could never get over. I would see her with a pile of letters all the time at that desk, and I'd see her with this pencil, like six pencils, and she's writing a mile a minute. And I said, "Pat, what are you doing?" She says, "I'm answering the constituent." I said, "You mean you write every letter back that you receive?" And she says, "Yes, I do."

And I said, "You're amazing. How

come you don't have a staffer do that for you, because you have so much to do?" She says, "No, I want to read the letters and I want to answer them."

That is the kind of person and dedicated servant she was. She took care of the smallest detail, no matter how long it took.

So a wonderful woman. We will all miss her. And we thank you for sharing her with us.

Thank you.

THE PRESIDENT: Senator Maziarz.

SENATOR MAZIARZ: Thank you very much, Madam President.

I had the occasion to travel to Albany, to fly to Albany with Pat, we were on the same schedule many times. And she was a great friend.

I know when I was first elected to the Senate back in 1995, and she was a member of the Assembly, she was, I think, one of the first members of the Assembly from Western New York to come over and to offer her congratulations and her advice.

And she offered that advice throughout the time here. Sometimes it was unsolicited advice, I might add. But it was always there, and it was always positive.

And I know that as part of our Western New York delegation, with Senator Volker and Senator Rath and Senator Stachowski and Senator Brown, Pat McGee, even though she represented the Southern Tier of Western New York -- and what we in the northern area of Western New York, the Buffalo-Niagara section, consider to be somewhat of the rural area -- there was never an issue, whether it involved the City of Buffalo, Niagara, or any part of Western New York, that Pat didn't assist us in any way that she could.

I know that I for one am truly going to miss her. Just a few short months ago, I was married, and she wrote me the nicest letter giving me, again, unsolicited advice on the topic of marriage, which I hope to live by.

Thank you, Madam President.

THE PRESIDENT: Senator LaValle.

SENATOR LaVALLE: Thank you,

Madam President.

I think Senator McGee was certainly a perky, very direct, plain-spoken individual who got to her point and conclusion very, very quickly. You knew exactly where she was going and what was on her mind.

The people certainly of the 57th District were really very well served by her being here and I think, as Senator Bonacic pointed out, very in-tuned with what was going on.

But she and I really got to know one another as a member of the Senate Committee on Higher Education. She I believe attended just about every meeting, participated fully in its deliberations, and really studied all the bills. And being a Majority member, I mean, Pat would vote no without recommendation, but you knew very clearly that she was going to participate in the process.

The committee was very, very focused about a year ago on wanting to deal with the nursing shortage problem. And we looked at what was under our purview in

committee, and I made an executive decision to put together a group of people, a little subcommittee, and I named Pat the chairperson of that committee. She in a very short time came back to me and said she was going to hold five or six roundtable discussions around the state, bringing in all the stakeholders to participate.

And as we moved forward, it became very, very evident that one of the needs was, in higher education, that there were not enough faculty members. And by having only the same number of faculty members that we have, we could only generate the same number of students in terms of output and then into the hospitals. So by increasing the number of faculty members, we could thereby increase the number of people out into our community hospitals in the health care system.

Pat participated and was meticulous in how each of the sessions were conducted, the kind of input that we got, and how the report to the committee came out. And as a result of her leadership on that subcommittee and on the Higher Education Committee, in this

year's budget, for the first time, we put money in for nursing scholarships and money for loan forgiveness for individuals who will move forward into the faculty and academic setting.

So for all those individuals who will have opportunities to fulfill a nursing career, they should thank Senator Patricia McGee for her work. And those in higher education that will be the teachers for those students, they should be thanking Senator Patricia McGee on that good work that she did.

Just in closing, as chair of the Majority Conference, each of the members have certain signals that they give in wanting to be recognized. And Pat always made the gesture of "just a little bit," I want to speak just a little bit. And she did. As I said in my introductory remarks, she knew exactly what the conclusion was. She started, laid out the facts in a very direct way, and I think everyone got her point.

And she served her constituency so very well. We will certainly miss her.

THE PRESIDENT: Senator Rath.

SENATOR RATH: Thank you, Madam President.

Mike, Vicki, Roger, thank you for being here with us today. As I said to you, Mike, you would hear things today about Pat that you certainly would never have heard from her, because she would have been too modest or she wouldn't have thought that maybe you would be interested. But I'm sure you would have been.

What an extraordinary person Pat was. The Buffalo News identified her as a tireless advocate for the Southern Tier.

I met Pat about twenty years ago. We were meeting every month or so somewhere in Western New York, the eight counties, at a grouping of county legislators that met -- now, here's going to be a surprise for you, we were working on a bipartisan welfare and Medicaid reform coalition. Sound familiar? Even then, Pat and I were knee-deep in working towards what we thought was important legislation.

And of course we'd fire things off to the New York State Senate and the Assembly.

And don't know if you all ever got the message, or you probably would have done it immediately.

But Pat and I were tireless in our efforts all those years ago, and what fun we had getting to know each other.

And how she loved her staff in the Rural Resources Commission, and some of you are here today. And I called the staff and asked if they had some recollections. And so let me give you a few words from some of them and what they thought.

"She made a concerted effort to get to know each of us on a personal basis. And when I got engaged last year, she was one of the first persons I wanted to tell. I knew she was sincerely happy for me."

"When Pat was in the intensive care unit at Kenmore Mercy Hospital, she had been working on a personal letter to honor a special occasion for one of her constituents. She was concerned because she had not been able to finish the letter, so she called the staff and said: 'You guys make sure you get the letter finished.' And I know you did."

"She was always encouraging and upbeat, even if she was not feeling well herself. And every day she thanked us for coming to work and doing such a good job.

"Pat McGee set the tone for the office. We were a real team and a staff that worked well together because we respected and admired our boss."

"The things I remember about Senator McGee, I remember her ability to empower people around her to do things beyond what they thought they were capable of doing. She treated everyone with compassion and respect, always adding a little humor to keep everyone relaxed."

The district office. "Pat was a gold standard for politicians and for women. She rarely turned down the opportunity to meet any group. Even when she was in her district office, if people came in, she would come out the door and meet with them and talk with them, particularly the young people. Everyone knew they had a friend after they'd talked with Pat."

Another said, "I always called her

'Senator.' And she said, 'You don't have to call me Senator; we're friends.' And I responded, 'I don't have to call you Senator, but I love doing it, because you're so deserving of the title.'"

And, Sharon, your comment: In 15 years that you worked for her, you never had a day that you didn't look forward to going to work.

And my all-time favorite was one that you all shared with me. And maybe if you had an office next door to her, John, maybe you would hear it. Because when she would come back in after a long day of legislature work, she would say "Mother's home," and would go in and talk to everyone about what had transpired during the day.

What a wonderful, wonderful woman. And, Senator Paterson, you caught the essence, I think, of Pat in the chair. But let me give you my recollection of Pat in the chair.

When things would come a little bit unglued around here, as they do sometimes, she would bang the gavel, and then she would stand there with the gavel in her hand, sort of like

this, and she would say: "Senator So-and-so, did you wish to ask a question of Senator Thus-and-so?" And of course the Senator would say, "Yes, I did." "I would be more than happy to translate your request through the chair."

And then of course order would be restored, and we would proceed. And wasn't she wonderful the way she did that. It kept us on an even keel, with civility and with poise.

So what can be said in closing except thank you, Pat, for your energy, your enthusiasm, your insight, your leadership, but most of all for your friendship. May you rest in peace.

THE PRESIDENT: Senator Marcellino.

SENATOR MARCELLINO: As you've heard, Pat was well-liked by everybody in this chamber. And I know it goes well beyond that.

The phrase "Mother's home" reverberated into our office, because we'd been sharing a conference room for a number of years, and we heard that phrase all the time.

So we always knew Pat was back.

And it was interesting, because it was done not as a joke, it was done with meaning and feeling. She actually meant what she said. And she looked upon her friends and her staff I think as her children, and treated them with respect and kindness. And that's a marvelous thing.

In the years we shared a conference room, never a minute of any kind of conflict. Never a disagreement. We came close once. As many of you know, I was the president for two years of the Italian American Legislators organization, and as such the meetings were held in our conference room. And of course the posters of scenes of Italy were put all around the walls.

Pat walked in one day quietly and just kind of looked around. The next day, there were shamrocks in between all the posters.

(Laughter.)

SENATOR MARCELLINO: So I went into the office and I said, "Was there a leprechaun in the room?" She said, "I just

felt a little balance was necessary." So it was that kind of relationship.

And she did me a favor, a great favor. She introduced me to salt-rising bread, a vile stuff. I could not develop a taste for this. She loved it. I don't know how, I don't understand why. But she loved it and always was willing to share. And it was a gift that sometimes we didn't want to have, but it was there. And you always took it.

And I must say, I will miss her. And one of the saddest days I've ever had up here was when I walked into this chamber and I saw those roses on this desk. It's too bad. It's a loss, as has been said, to this chamber of a very fine person and a very fine legislator. And I know "Mother's home" in a much better place.

God bless.

THE PRESIDENT: Senator Nozzolio.

SENATOR NOZZOLIO: Thank you, Madam President.

I thank my colleagues for sharing with us such fond and wonderful remembrances about such a wonderful lady.

Those of us who shared those remembrances here in the Senate, I know we'll treasure them. Those of us who had the fortune of serving with Pat, both in this body and in the Assembly, have been given a wonderful gift through those years.

I just want to share with my colleagues briefly a little story of Pat that took place before she came to Albany. And Mike and I were reminiscing about it a little earlier, that early spring of 1987, when she was called upon to run for the State Assembly the first time. And Bill Paxon, who was in Mike's kitchen, trying very hard to convince Pat, at not the 11th hour but the 12th hour, to sign up and run for the State Assembly.

I know she had a lot of doubts. Maybe it was because Bill was dispatched in the first place to talk her into it. But she, after giving it as much thought as she could on such short notice, decided to run. And I went down a few days later to meet with her and to help in that first campaign.

And in spite of that, she still decided to keep running. And in spite of

that, she still ran what at that time was literally one of the best and strongest races in the history of the Assembly. It was such a wonderful, happy, joyous day that she was victorious that spring day, that May day in 1987. Bill Paxon still talks about it.

And I know that person who was brought in to service at the state level, we are so grateful to her family for the sacrifices to allow her to serve in the Legislature, to her community, who supported her, the community that she loved.

What struck me way back then, in my first meetings with her during that campaign, was what I remember most about her today. Strong-willed, independent-minded, dedicated to family and community, cared so much about what she was doing. That service to her state, to her nation, was terrific. But what she gave us here were memories of a person who was so kind and so supportive.

Madam Chairlady, I know we all are sad by this occasion, but all happy by the fact that we had the honor of knowing her.

THE PRESIDENT: Senator

Hassell-Thompson.

SENATOR HASSELL-THOMPSON: Thank you, Madam President.

When you're this far down the chain, there's very little left that's unique and new to say. So if I repeat, it will be reinforcement, not duplicity.

Pat McGee was an extraordinary lady. Coming from the Democratic side didn't matter to her. She was a person who was a good friend. We met at a women's caucus once, and we started a conversation. And until the last day I saw her, there was no break in that friendship and in that conversation.

She had a demeanor that if all of us would emulate, we'd be a lot better for it. Micah says to love mercy, do justice, walk humbly with your God. That was Pat McGee.

THE PRESIDENT: Senator Oppenheimer.

SENATOR OPPENHEIMER: Well, I will have to concur with Senator Hassell-Thompson; we may have known her in a little different venue.

We've heard from most of the people

here -- in fact, everyone here -- that she was so well-liked by all of us on both sides of the aisle. And that she was very direct-talking. You knew that what she said, she meant. And you welcomed the very directness that she had. But she also had a wonderful, fun, lovely manner, and that was another piece of her that we loved.

But I knew her in a slightly different venue, as did the prior speaker, and that is from the Legislative Women's Caucus. I've been on the executive board for 18 years, and she was on it for a number of years.

And in that capacity, I must say she was a little bit more progressive than some of her confreres on the other side of the aisle. She was a strong supporter for pro-choice, for a woman's right to choose her reproductive timing. She was there for all kinds of health issues that were exceedingly important to women's health. She was there for education, equal opportunities for women. It was just a great variety of issues that were substantial and important to women.

And for that, I felt very thankful

that she was on the other side of the aisle and that we had support coming on some of these issues which I feel are very, very meaningful to women, to myself personally.

And it was wonderful to me to have her there, and I'm going to miss her a lot.

THE PRESIDENT: Senator Little.

SENATOR LITTLE: Thank you, Madam President.

All of us have many memories of our years of friendship with Pat McGee. She preceded me in the Assembly and welcomed me there with her friendship and her mentorship and the name "Miss Betty." I think she was the only person in my lifetime that ever called me "Miss Betty," but it was with such warmth and friendship that I loved it.

And then when I came to the Senate, it was the same welcoming Senator McGee, with some advice and counsel and friendship and mentoring as we go along.

I recently heard a statement that said for a community leader, life is a bowl of charities. And I think that speaks of Pat McGee. For in her district, she advocated and

she gave her presence and her support, her financial support and her personal support, to so many of the not-for-profit groups in her district who were doing so much good for the people that she loved so much.

And today, we remember and we recognize her not for all the honors that she received, although they were many, and not for the successful elections she had, although they were many and very successful too; she was a great candidate and a great campaigner.

I think we recognize and remember Senator McGee today for all that she has given, all that she has given to this Senate body and to the state, but, most of all, all that she has given to her constituents. She gave her constituents a voice in Albany. She gave them a true advocate for their causes. And she gave them a very caring friendship.

I know her family will miss her greatly. But to say that we will miss her greatly is truly an understatement. And I know we all will miss her smiling face and her personal friendship as well.

Thank you.

THE PRESIDENT: Senator Morahan.

SENATOR MORAHAN: Thank you, Madam President.

I rise today in sorrowful tribute to our colleague Patricia McGee and to offer my condolences to her family.

I also had the privilege of sitting next to Senator McGee. Every time I moved my seat, it seemed that we were together. And we also sat together in the conference.

And I admired her dogged, dogged support and work on behalf of her constituents. So I want to offer also to her constituency our sympathies on the loss of such a great advocate and leader.

Wherever she is now, I know Pat would be terribly embarrassed hearing all these great words. She wasn't that kind of a person. She did her work, she looked for no glory, she worked very hard and she was very well respected -- indeed, loved -- by this community of senators.

So I want to share with you our grief. We want to share with you your pain. We want to let you know that she will be

terribly missed.

Less than a year ago, Patricia sat where the Lieutenant Governor is now, up at the podium, and presided over a similar occurrence, an occasion for my daughter who had passed away. And she conducted that ceremonial act of the Senate in the most graceful way. And I have that on tape that I can review. And I'll never forget Pat for that day, or for the many other days that we served together.

So I offer you my condolences. And to Pat, where I think I know where she is, she's probably looking down on us now, red-faced and embarrassed, saying: Sit down, Tom Morahan, and shut up. So that's exactly what this senator is going to do.

Thank you.

THE PRESIDENT: Senator Stachowski.

SENATOR STACHOWSKI: Pat McGee was a very interesting individual, I thought, because as easygoing as she was, and as friendly as she was, if you were on Rural Resources, which I had the opportunity to

serve on with her, you always knew who was in charge.

As a matter of fact, I'm not sure that the Assembly chairman ever knew that he really wasn't in charge, that it was really Pat McGee's show, because she just took it over. At least that was my impression. And at those meetings, I don't really talk a lot, I kind of observe. And I thought Pat ran it and someday the Assembly guys will figure it out, that it was really her commission and she just let them along for the ride.

But she had a wonderful sense of humor. And I used to travel with her an awful lot. And last year, when USAir was in one of their wonderful periods of no flights to Albany, we used to go through Philadelphia on Sundays. And Pat would always fly, and we'd get off in Philadelphia and we'd sit. And I'd go waltz around the airport, because they have a mall there, and I'd come back and Pat would be sitting on the other side, not usually on the side that the gate would go, and I'd have to run over and say, "Pat, this one's ours, we're leaving."

She'd have a plastic bag with cut-up fruit, and she'd always offer me some. And I felt like I was her son, half the time, because she'd be saying, you know, "You should have this, it's better for you," et cetera.

And she just was wonderful to travel with. And unfortunately, now we're going through Philadelphia again, some of us, and it's kind of an empty feeling going through Philadelphia without Pat along. So it's another place where you'd miss her being.

And actually, it really is funny because I said that to Mike at the lunch after the funeral, that I've gone through Philadelphia twice, and without Pat being there it's really kind of a cold trip.

Nobody ever supported the Southern Tier harder. And the interesting thing is whenever there was an important delegation meeting, as George alluded to earlier, no matter what the weather, it seemed like Pat was there. And sometimes the trip for her, coming from Franklinville to Buffalo, isn't the easiest in the winter. And she was there.

If it was something important to

the region, Pat McGee was there, because she wasn't going to miss out on it and she was going to make sure that her opinion on that issue would be heard. Or she would get the information from whoever we were dealing with so she could make her own judgment, and probably help us make ours.

So we're all going to miss Pat McGee. And it was interesting, you didn't always agree with her. But no matter if you argued with her or not, you never disliked her. And she's one of those people that you often hear about that you've never heard anybody say anything bad about.

And as Senator Bruno said, she didn't have an ego, and more of us could use that. She also had a sincerity about her. No matter what she said, you knew that's what she meant. And there was never a question it was going to come back something different. Once she told you that's what she was going to do, you knew that that was what she was going to do.

I also had an edge on her because, unknowingly to her, I had friends who knew her

and her husband for years. So I had done all this background check on her. The Carpenter family knows the McGees for years, and her brother Danny used to ref with Mr. Carpenter. So I knew all about Pat, but I never let on to that. I just kept that information and wanted to see if she was actually as good as they kept saying she was. And she was. So it was a great thing to have known about so that I knew I could trust her ahead of time.

And the fact is that we're going to miss Pat. And especially in Rural Resources, where that commission, more so than anything else -- and I've been on other commissions while I've been here. Pat McGee always made sure that everybody was included. When there was a bill coming out of Rural Resources, everybody was on it. Assembly majority, Assembly minority, Senate majority and Senate minority, we were all on the bills, because Pat McGee made sure we were all on the bills.

And that may not sound like much to the people that are visiting, but to those of us who work here, that was a really big deal. And so that's just another area where Pat was

ahead of her time.

And Pat was just such a wonderful person, and we're going to miss her. But we'll always be thankful that we had the opportunity to have the family share her friendship with us by letting her be here.

THE PRESIDENT: Senator Fuschillo.

SENATOR FUSCHILLO: Thank you very much, Madam President.

The resolution started off today "the remarkable life and career of Patricia K. McGee." How appropriate for such a great lady who decided to join this business of self-promotion and tremendous egos, and she had neither.

I remember she used to sit over here, and I guess I'm not going to take an insult that every year she moved one seat away from me. But she started off, and we didn't always agree, but we drew together. Whenever I had a bill on the calendar, she used to say: "Chucky, Chucky, Chucky." And then it went to, last year: "Oh, my God, another Fuschillo bill."

And I didn't get insulted, Carl, when she moved next to you, at all.

But she always put it into perspective for me, and I always say this to people now too: It's just a job with a great title, but it's just a job.

And as John Bonacic said, she used to sit here and we used to joke how she used to probably drive her staff crazy with the pencil erasers. And all you used to do is come down from the office and bring her more pencils.

But she took so much care and love to her work. And what I admired most about her was the respect that she had for people, especially her staff. I mean, you were never her staff, her administrative aide, her secretary, her counsel; you worked together on everything. And she taught us a lot about how to treat people.

The Wednesday before she passed away, Mike Balboni and I were in the mall and we bought this card that Dale had spoken about, and we thought it would be a nice thing to bring back to conference. And I remember

everybody wrote such nice things. I think Betty Little wrote: "Help, come back, we need another woman in this conference!" But, you know, the tone was we miss you, we love you, we need you back.

And I remember getting the call Sunday morning at my house that Patty McGee passed away, and it was just terrible, tragic. It was so sad. And then I became angry. As John DeFrancisco said, angry because I never had the opportunity to say goodbye. And angry because I really, really loved this lady. And angry because if she was here today, I would say to her, Thanks, Patty. Thanks for being my friend and thanks for enriching my life.

Thank you, Madam President.

THE PRESIDENT: Senator Libous.

SENATOR LIBOUS: Thank you, Madam President.

Who could not fall in love with Pat McGee. Mike, you had to share her with all of us and her staff and her constituents.

And as members are speaking today, I'm looking around the room and I'm seeing all these smiles because Patty is with us. And we

all have different memories. We all have those special moments that we had with her and her many attributes that were talked about.

And I'd like to share one with you, and it comes to mind quite frequently in the last several weeks since her passing, because I, like John and Chuck and I think a lot of others, didn't realize how sick she really was. And there's an emptiness because we couldn't say goodbye, and it's difficult not to have closure with a friend.

And when Patty first came to the Senate, Senator Bruno appointed her the chairman of the Alcoholism and Drug Abuse Committee, and I was the chairman of the Mental Health Committee. And I had shared Alcoholism and Abuse prior to that. And we have these budget subcommittees that we form. And so the first subcommittee meeting took place, and Patty shows up at the subcommittee meeting, and there's staff there and other members.

And as we're going through, the staff is doing their analysis of what's in the budget and what the Senate should protect and

whatever. And then they would begin reading off $100,000 for a program in Long Island, $150,000 for a program in Binghamton, programs in Orange County and whatever.

And as the meeting's going on, Patty stopped and she said, "Mr. Chairman" -- because she was always very respectful -- and I said "Yes, Senator?" And she said, "Could I see you in your office for a moment?" So we went into the office, we closed the door, and the staffs are still sitting out there.

She looks me right in the eye and she says: "Listen, dearie." She says, "Before you adjourn that meeting, there's going to be $150,000 in that budget for an alcoholism program for women in the Southern Tier."

And I looked at her and I said, "Yes, ma'am."

(Laughter.)

THE PRESIDENT: Senator Alesi.

SENATOR ALESI: Thank you, Madam President.

I'm just wondering if there's anybody here who didn't sit next to Pat McGee.

It seems as though we all did. I know I did. And I enjoyed that experience very much.

I can honestly say that I developed a great affection for Pat McGee when I first went to the Assembly. And we had a rather large freshman class. And we were pretty much all full of ourselves, and probably myself more than anybody. But somehow or other, I zoned in on Pat McGee, or Patty zoned in on me. But whatever it was, we got to be good friends very quickly.

And I remember, like when you go away to college the first year, you know, when you come into the Assembly and you're out to dinner a lot and you start beefing up and you start putting on weight. One day I was sitting in conference, and I was fooling around with my button-down shirt. And afterwards she came over to me and she said, "Are you having a problem with your collars?" And I said, "Yes." And she said, "You know, they're all crumpled up." And I said: "I know. I don't know what to do about that. You think maybe a little more starch would help?" And she said, "No, sonny boy, a little

less starch."

(Laughter.)

SENATOR ALESI: And from that day forward, there was a little bit of a thing between Patty and me.

And I escaped the Assembly minority long before a lot of my colleagues who were senior to me. John, you sat next to her, and Balboni and Flanagan and Robach and so many others. But when Patty came here to the Senate, with no disrespect to all of my other friends, I was just overjoyed, because it gave me that opportunity -- because she did sit right here, and eventually next to me again, and it gave me that opportunity to banter with her.

And in fact, when I was going to move this year, I just wanted to move for the sake of moving, and it turns out that Patty was supposed to sit next to me again. But I didn't like being back there, because I have difficulty hearing and I wanted to come back here. And I convinced Morahan he should go back over there. But the one thing that was very difficult for me in making that decision

was that Patty was going to be sitting next to me.

And so I landed back here. And for whatever reason, I don't know, right now there's an empty seat there and an empty seat where she would have been.

And it just makes me think of a few times when I'd offer up sometimes some one-liners. In fact, I was always trying to get under her skin. And I would be cynical about something, and she would just simply look at me and she'd say, "You don't say." As if whatever it was I was trying to say didn't really mean anything, get a grip on myself. Don't take yourself that seriously. Because that was Patty.

If I was being irreverent, she'd just simply look at me and say, "Why, Senator," and I'd get the message.

And sometimes when I was really pushing the envelope, she would just look at me and say nothing. And sometimes that's the greatest display of intelligence and a great of sense of humor, is just to smile back at somebody and say nothing. And she was very,

very good at that.

I mentioned all my colleagues that came over here with me from the Assembly. And I take great joy in reminding all of them, who were so senior to me at the time in the Assembly, that they all came in and I am now senior to all of them. And I used to do that to Patty all the time.

And every now and then something would come up, and she'd give me a one-liner back, and the only response I could give her was, "Well, that may be true, but just remember you're junior to me." And one day she looked me right in the eye and she said, "And, Senator, I very much enjoy being your junior," as if I were a hundred years older than she was.

And that was her folksy charm that everybody came to know. That was Patty McGee. That was just a regular person, but devoted to the job, passionate about her job. She showed a strength and a sense of purpose that you don't often see in our business, because you knew that she was doing this for a reason other than self-promotion.

And you could tell, if she was talking to somebody, it wouldn't matter if she was talking to a Democrat or a Republican. When Patty McGee was talking to somebody, she was talking to a person.

And when I went down to the funeral, I had that same sense when I looked around and saw all of the people that came to pay tribute to her. What a collection of people, different people. And every single one of them had, I'm sure, that same thing that I said I developed so long ago, was a sense of affection for Patty McGee, and in their own way, as we do in our own way here.

I only wish -- by way of paying a compliment, I only wish I could hear once again the words that her chief of staff said at that funeral. It was marvelous. It was such a wonderful way to capture the spirit of Patty McGee. And to see her in her hometown, where we don't get to see ourselves or each other very often, because we're different people up here. Patty was not different when she came to Albany. She was not different when she was in the Senate.

And so as Senator Bruno mentioned in his comments, we do have an empty seat. But I know Patty McGee's presence will always be felt here.

THE PRESIDENT: Senator Stavisky.

SENATOR STAVISKY: Thank you, Madam Chairman. Madam President, rather. Sorry.

I served on that subcommittee on the nursing shortage with Senator McGee. And when she first started the subcommittee, I made my position very clear. We disagreed on one very important issue, the 8:00 a.m. meetings.

And one day at one of the 8:00 a.m. committee meetings, she had handed me some of the bread and said, "Taste it. Isn't it delicious?" And I must tell you, I lied. And I said, "Yes, it's delicious." Because I was afraid not to say -- to tell the truth.

But this is the way you dealt with Pat McGee. Hearings were held all over the state, which she chaired. And I went out to Fredonia and to other places in Western New York, and I found it fascinating. And I

was so glad that she had chosen SUNY Fredonia as a spot for a hearing. And I went to the other hearings throughout the state.

And at these hearings, I must say, Pat was amazing. Because these were not hearings, these were roundtable discussions with people who were invited to speak. But each one spoke. And there was an interaction that I've never seen at hearings before. There was an interaction between the person who was the invitee and Senator McGee.

And it was a roundtable, but she made sure that she got in the middle of the table so that she could interact with each of the participants. And it was just the thing that when I was going to college and I took some education courses, this is the way you were supposed to interact in a classroom.

And she was doing this -- we had one in my district, in Queens, and she was absolutely amazing. She brought a warmth and a vitality, a sense of energy and exuberance to what she was doing. And everybody came away from this hearing with such a wonderful feeling that perhaps something would be done

to help the nursing shortage.

And this concern for others just overflowed into everything that she did. I enjoyed the time that we spent at these hearings, and we're going to miss her.

Thank you, Madam President.

THE PRESIDENT: Senator Montgomery.

SENATOR MONTGOMERY: Yes, Madam President, thank you.

I join my colleagues in expressing the fact that we miss our colleague very, very much.

And I just want to tell a story. It was many years ago when, in the old days, we passed legislation on this side. Fairly frequently, I shall remind you. And I had a bill that was related to the way the members of the Seneca Nation, and I suppose other tribes in our state, handled their foster care decisions.

And I was invited to come and visit with members of the nation that took me into her district. At that time she was in the Assembly. And even though, you know, I

traveled very, very far, my staff and I -- and it was very, very exciting but really different to be in Olean and on the reservation and to deal with the Native Americans.

And she apparently dealt with them all of the time. So she very graciously came to a big event that we had, that they had for us. And I don't believe we invited former Senator Present, but we did invite her. She was, you know, a woman at that time in the Assembly. And the two of us had a great time celebrating, with the Seneca Nation, legislation that was so meaningful to them.

And so I thought -- I never forgot that. I thought that that was just so gracious of her. And it was really a different -- different to be able to have a sisterhood as a legislator with another woman in another part of the state, even though she was Republican. So I appreciated that. And that's my memory, that sort of set for me, of a most gracious lady and a wonderful legislator.

So I wish you continued memories of

those good times when we all were able to enjoy her presence here with us.

Thank you.

THE PRESIDENT: Senator Flanagan.

SENATOR FLANAGAN: Thank you, Madam President.

It's interesting to listen to all the people talk about sitting next to Senator McGee. Given the fact that I sit next to Senator Robach, I really wish I could have sat next to Senator McGee.

(Laughter.)

SENATOR FLANAGAN: Got to bust chops around here and say good things about our colleagues.

Everybody brings something different to the equation, in listening to the comments that were made. Here's how I would describe Patty McGee. I was elected in the fall of 1986, she was elected in the early part of 1987, so I served with her and had some relationship with her over a long period of time. And yet I won't stand before this body and suggest that I knew her as well as some other people did.

But my remembrances of her are very clear and basic and very important. She was a lady. She was always a lady. She could be irreverent, and she had a wonderful sense of humor, but she was always a lady.

She was extraordinarily well-respected. And I, like many of us, hope that we can always enjoy the respect of our colleagues. So that no matter what your profession is, if you can do that at the beginning of your career and, more importantly, at the end of your career, that's a hallmark of someone who is a real professional.

Her staff, all wonderful people and all reflective of her as a person. I think you learn a lot about what a Senator or an Assembly member is like by the people that they have in their office and how those people act. So that's a real compliment to her. And the other way around; they had a profound impact on her.

She served in the Assembly, and a number of us served with her in the Assembly, I perhaps a little longer than most. She had

a wonderful demeanor, but she could drive the Democrats in the majority absolutely crazy. She was genteel, she was affable, but she was persistent. If she wanted to ask questions on a bill, she could have cared less how long we were going on, she was going to ask her questions on a bill and be persistent.

Always diplomatic, always professional, but when she wanted to make her point, people were going to listen to what that point was. And she did that many, many, many times. But always in a nice way. She may attack your bill, but she would never attack anyone personally.

So part of her tenure in the Assembly was to play the role of the loyal opposition, and she did it extraordinarily well.

And two other things about Patty McGee. The most important I'll save for last, in my own humble opinion.

I don't know if this is folklore or if it's true, and I would have to perhaps ask Mr. McGee if this is true. There was a time in the Assembly I had heard that Patty had a

tattoo. So again, I don't know if this is folklore, but I had the temerity, slash, stupidity to actually say to her: "Patty, do you actually have a tattoo?" Now, she tells me yes. Again, I don't know if it's true. And I said, "Where the heck is it?" She says: "None of your damn business."

(Laughter.)

SENATOR FLANAGAN: And you know, because you know her, I'm telling you the truth.

Last but not least, I don't think anybody's said this, she is a perfect indication that nice guys don't finish last. She was at the top of her game, she was loved immensely by people here and in her district. She is what we should all hope that we can turn out to be.

Thank you, Madam President.

THE PRESIDENT: Senator Marchi.

SENATOR MARCHI: Madam President, it must be bewildering to you, staying up there and yet catching so much of the magic that seems to flow in an unending web.

Malcolm Wilson used to sit up

there. Had never been a member of the Senate. I don't think we participated with him in the constitutional convention. And in each and every body, we had an opportunity to know each other.

So I don't know whether it's the fortuitous mix of the shape of this chamber, of the distance that embraces us, of all of the elements that contribute to what we recall.

Let me tell you this. The happiest years that I have spent in my life as a member of the Legislature were these recent years, because it -- because I enjoyed the same -- had the same feeling at the very start. And as time went on, everybody that I had met, and Senator McGee was an example of it, demonstrated such a wonderful humanity.

It's not how much we know or how much we put together or what legislation we were able to pass, it's what we feel. And this is what every single member in this chamber, all of us. And you yourself, Madam President, just sitting there, I'm sure, because I remember discussing this very thing

in great length with Malcolm Wilson. He sat up there, but at the same time he caught all of the feelings that flowed from this group.

So all of you, whatever you do, if you're doing it out of conviction and out of heart, you're donating a patrimony of tremendous value. There's no money in the world that can give you as much happiness in enjoying this patrimony, this patrimony of love and affection that we have for each other.

And this does not mean that we have to march according to a ritual jump. We can elect to make decisions. And the product, I think, compares well with any legislative body in the world. But it's the feeling that if imparts to each and every one of us.

And Senator McGee was really a very, very enlightened example of it. I remember very personally things that I exchanged with her -- as all of you do, I suppose, that you've had an opportunity to talk with her -- how prescient and how just full of life and understanding of humanity that she represented to us.

So, Madam President, I thank the good Lord for his blessing, and I'm glad that I'm hear to witness. This is a wealth that we all enjoy, to enjoy each other. And she provided it in such rich measure. She was always a joy to speak with.

And I believe that we someday will be in that unknown country, which we will know much better, but she can see us. And she must be gathering a lot of joy and happiness out of the fact that a spark of that eternal eventuality that awaits us all is being shared. And she must be smiling right now.

THE PRESIDENT: Senator Golden.

SENATOR GOLDEN: Thank you, Madam President.

I'm one of the newer senators to the conference here. And I'm here -- this is my second term, my third year. And I had the privilege of sitting two seats away from Pat McGee.

And if Jim thought that she wanted to be next to him, it really had nothing to do with Jim. You see, the chair was always like this. Do you know why the chair was always

like that? We thought she didn't like us, that she didn't want to talk to me.

But she was a very engaging woman. She would always want to know about Brooklyn, about the people in Brooklyn, how could you represent Brooklyn. And I used to tell her, I used to get from one part of my district to the other part of the district, I used to do it in 30 minutes. She said: "In 30 minutes you go through your whole district?" She couldn't understand, she couldn't fathom that.

And she loved certain pieces of legislation. I tried to take a keg-beer piece of legislation. I thought she was going to kill me one day. She said, "You can't take that. That's my legislation." I said, "Okay, it's yours."

And she talked about my -- she always liked to get into my kids and my heritage. And that's the type of person, she wanted to get to understand you and to know you.

But the reason she kept the chair this way and she always wore the sweater is because the air conditioner hits her right

here on this spot.

So what I used to do, I used to turn the chair around on her, and she used to come in and she'd be flipping. "Who turned my chair?" And I used to do it to her all the time.

She was a great lady, she had a great sense of humor, and she served her family and her community very, very well and distinguished well.

May God bless her. She served well. And I think it's Lincoln's quote, by the people, for the people. By the people -- it's by the people, for the people. She definitely was that person. She worked for the people, and she did a great job. God bless her.

THE PRESIDENT: Senator Balboni, to close.

SENATOR BALBONI: Madam President, this is a fine tradition. This is a very unique opportunity for us, as we write history, to put a point on the pencil, to give color to the personalities that shape our history of this state. It is a fine

tradition.

And for the 20-some-odd years that I have been in this town -- yes, it's been that long -- you come to take these moments as opportunities not to judge but, rather, evaluate the characters that have come through our lives. And there are moments that give you a real insight into people, and they don't change.

Patty McGee had qualities that I think single her out as a model for all of us. In 1993, I started working out really hard, because I had to do something with this body. And I would show up at the gym at 6 o'clock in the morning. Six o'clock in the morning. I thought I was the early riser. And so I would walk -- and one morning I got there, I didn't have my key. So I went wandering through the halls of the LOB looking for someone with a key. And sure enough, there was one office open. Only one. Pat McGee.

And through the years I realized she always gave her time like that towards this job.

I always judge a legislator by how

they treat their staff. Her staff adored her. Always presenting them with the best opportunities.

I also judge a person who represents a district not by how flashy they are, but by what type of enthusiasm they have for the district. And lastly, I always judge a legislator by showing up and not whining.

Pat McGee just showed up ready to do work without any complaint. I remember showing up one time, there was a bad rainstorm and I was in the Assembly and I said, "Oh, boy, it was so tough getting up here from Long Island." She said, "Yeah, I had four feet of snow." Okay, thanks for the perspective.

(Laughter.)

SENATOR BALBONI: You know, in this body we get a chance to put everything aside. We've been here for more than an hour now, and we are doing now something that's much, much more precious than money. We're giving our time. And that's so appropriate, because that's what Patty did. She gave her time.

And after all, at the end of the

day, that's how we're going to be remembered. Not by what we wore, not necessarily by what we said, but the job we did. And this is a wonderful opportunity, as colleagues, to sit back and put everything aside and say: Well done.

Thank you, Madam President.

THE PRESIDENT: Thank you, Senator Balboni, for closing for the members.

I would be remiss before the vote if I didn't express, briefly, my deep respect and great mourning for the loss of my friend Pat McGee. Her Irish twinkle.

As I got to know her, there was no question in my mind that she was a person to be reckoned with. Her simple way of getting her point across never was lost. Neither was the fact that she always understood the issues before her. But in her quiet way, she moved to accomplish what she wanted to do.

I will miss her very poignantly because she's been the lone voice, how many times, when I say "All in favor please say aye." I miss her terribly. Because with her Irish sense of humor, it would always be

"Aye," and she'd smile at me and make me laugh.

When I received the call that she died, I cried. And my husband said to me, "What happened?" I said, "Pat McGee has died." He said: "Pat McGee? I've never heard you mention her." And I said to him, "Now that she's gone, I appreciate how much we have lost."

And so many of you have said that. In her quiet way, she never commanded our attention unless it was to get something done. But I'm so impressed today and learned so much about each of you because of your deep respect and appreciation for a woman whom I will always hold now, in memory, in the greatest of esteem.

I think the greatest honor we can give to her memory now is to let her be an example to all of us of professional public service.

All in favor of this resolution 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 suggest that we open the sponsorship of this resolution to all the members in the chamber. And if anyone would prefer not to be added, would you just quietly approach the desk.

And I would also suggest that we will adjourn today's session in memory of our colleague departed, Senator Pat McGee.

And thank you, colleagues and Madam President.

THE PRESIDENT: Any member who does not want to cosponsor this resolution in memory of Senator Patricia K. McGee, please notify the desk.

Senator Bruno.

SENATOR BRUNO: Madam President, can we stand at ease for just literally a couple of minutes, and then we'll resume the Senate procedures.

THE PRESIDENT: The Senate stands at ease.

(Whereupon, the Senate stood at ease at 4:42 p.m.)

(Whereupon, the Senate reconvened at 4:48 p.m.)

THE PRESIDENT: The Senate will come to order, please.

Senator Skelos.

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

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 251, by Senator LaValle, Senate Print 910, an act to amend the Social Services Law, in relation to the return of a child.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 30th day.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 311, by Senator Larkin, Senate Print 2346, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law and the Tax Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 120th day.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 450, by Senator Larkin, Senate Print 1398, an act to amend the Penal Law, in relation to making the operation of an ATV upon the real property of a farm operation a crime.

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, 58. Nays, 1. Senator Duane recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 458, by Senator Skelos, Senate Print 2392, an act to amend the Penal Law, in relation to assaults at a sports contest.

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, 58. Nays, 1. Senator Montgomery recorded in the negative.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 459, by Senator Libous, Senate Print 2500, an act to amend the Penal Law, in relation to the provision of large quantities.

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 470, by Senator Farley, Senate Print 2858, an act to amend the Environmental Conservation Law, in relation to making technical corrections.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 5. 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 472, by Senator Marcellino, Senate Print 3248,

an act to amend Chapter 203 of the Laws of 1999 amending the Environmental Conservation Law.

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 500, by Senator Wright, Senate Print 2534, an act to amend the Tax Law, in relation to the imposition of sales and compensating use taxes.

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 550, by Senator Maziarz, Senate Print 3337, an act to amend the Civil Service Law, in relation to appeals.

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 557, by Senator Volker, Senate Print 3983, an act in relation to granting certain retirement benefits.

THE PRESIDENT: There is a home-rule message at the desk.

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, 59.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 564, by Senator LaValle, Senate Print 3216, an act to amend the General Obligations Law, the Public Health Law and the Education Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 7. 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 567, by Senator Volker, Senate Print 278, an act to amend the Local Finance Law, in relation to the sale of bonds and notes.

THE PRESIDENT: There is a home-rule message at the desk.

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 601, by Senator Marcellino, Senate Print 952A, an act to amend the Military Law, in relation to payment of life insurance premiums.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 90th day.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 676, substituted earlier today by Member of the Assembly Grannis, Assembly Print Number 7708, an act to amend the Insurance Law.

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 PRESIDENT: Senator Schneiderman, to explain your vote.

SENATOR SCHNEIDERMAN: Thank you, Madam President.

I rise to support this legislation. Our workers' compensation system, a critical safety net for injured workers, has to be kept solvent.

But I hope that before -- now that we have some time after the budget, that we will take up the critical issue of reforming New York's workers' compensation system. We have some of the worst benefits and highest costs in the country.

And it sort of reminds me a little bit of the discussion we had yesterday about our health care system. It is something we have to do. It's been 13 years since benefits were increased, and yet our businesses bear a disproportionately high cost.

So keeping the system solvent, as we're doing with this bill, is a step. But

let's not let the session expire without dealing with a fundamental issue that affects the lives of hundreds of thousands of New Yorkers, workers and their families.

Thank you, Madam President. I vote in the affirmative.

THE PRESIDENT: You will be so recorded as voting in the affirmative.

The Secretary will announce the results.

THE SECRETARY: Ayes, 59.

THE PRESIDENT: The bill is passed.

Senator Skelos, that completes the reading of the calendar.

SENATOR SKELOS: Thank you, Madam President.

Is there any housekeeping at the desk?

THE PRESIDENT: Yes, there is, Senator.

Senator Marcellino.

SENATOR MARCELLINO: Thank you, Madam President.

On behalf of Senator Winner, on

page number 11 I offer the following amendments to Calendar Number 157, Senate Print Number 1844, and I ask that said bill 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 MARCELLINO: Madam President, on behalf of Senator Balboni, on page number 11 I offer the following amendments to Calendar Number 167, Senate Print Number 182, and ask that said bill 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 MARCELLINO: Madam President, on behalf of Senator DeFrancisco, on page number 34 I offer the following amendments to Calendar Number 592, Senate Print Number 48, and ask that said bill retain its place on the Third Reading Calendar.

THE PRESIDENT: The amendments

are also received, and the bill will retain its place on the Third Reading Calendar.

Senator Skelos.

SENATOR SKELOS: Madam President, there being no further business to come before the Senate, I move we stand adjourned in memory, respect and honor of our good friend Senator Pat McGee. We stand adjourned until Wednesday, May 4th, at 11:00 a.m.

THE PRESIDENT: On motion, the Senate now stands adjourned, in memory of our dear departed friend and colleague Senator Patricia K. McGee, until Wednesday, May 4th, at 11:00 a.m.

(Whereupon, at 4:55 p.m., the Senate adjourned.)