NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 21, 2007

11:18 a.m.

REGULAR SESSION

LT. GOVERNOR DAVID A. PATERSON, President

STEVEN M. BOGGESS, Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will come to order at 1118 hours.

Would all assembled please rise and join me in reciting the Pledge of Allegiance.

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

THE PRESIDENT: For our invocation today we are very honored to have with us Father Edson Wood, OSA, United States Corps of Cadets Chaplain, Most Holy Trinity Chapel, West Point, New York.

CHAPLAIN WOOD: Thank you, sir. Will you join me in prayer.

Almighty God, we pray that You guide this great state and those who lead it. Preserve our unity, save us from violence and discord, from pride and arrogance. In the time of our prosperity, temper our self-confidence with thankfulness. And in the day of trouble, let our trust in You never fail.

Look too with your bounty on West Point, which is to be honored here today. Let her always remember that her mission of "duty,

honor, country" is not a way of looking only at certain things, it's a certain way of looking at everything.

Let this West Point Day be for all of us a happy reminder and a serious challenge, a reminder of past glory and a challenge to keep our motives pure, our goals high, and our vision clear.

Our prayer this day comes from hearts that are open to You, Eternal God, and we ask these things in Your name, which is mighty.

Amen.

THE PRESIDENT: We're honored, Father Wood. Thank you very much.

The reading of the Journal.

THE SECRETARY: In Senate, Tuesday, March 20, the Senate met pursuant to adjournment. The Journal of Monday, March 19, was read and approved. On motion, Senate adjourned.

THE PRESIDENT: Without objection, the Journal stands approved.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Bruno.

SENATOR BRUNO: Mr. President, I believe there is a privileged resolution at the desk by Senator Larkin. 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 Larkin, Legislative Resolution Number 1095, memorializing Governor Eliot Spitzer to proclaim March 21, 2007, as West Point Day in New York State.

"WHEREAS, This Legislative Body is justly proud to celebrate the establishment of the United States Military Academy at West Point and to call upon Governor Eliot Spitzer to proclaim March 21, 2007, as West Point Day in the State of New York; and

"WHEREAS, By an act of Congress, on March 16, 1802, the United States Military Academy was established within the borders of New York State, on the banks of the Hudson River; and

"WHEREAS, The Academy and its graduates are an integral part of the proud history of this state and nation; and

"WHEREAS, The leadership and sacrifices of the members of the Long Gray Line have helped this country withstand countless threats to our cherished democratic way of life; and

"WHEREAS, The alumni have excelled not only on the battlefield but in many fields of endeavor; and

"WHEREAS, The academy continues to provide our country with able and dedicated future leaders; and

"WHEREAS, Its scenic campus is a mecca each year for thousands of visitors from across our state, continent and other countries; and

"WHEREAS, The United States Military Academy is in the forefront of our

state's outstanding institutions of higher learning; and

"WHEREAS, Fifty-five years ago, the late James T. McNamara, then a member of the New York State Assembly, and a member of the academy's class of 1939, was the author of the State Legislature's first 'West Point Day' resolution; and

"WHEREAS, For decades, our nation has enjoyed the legacy of freedom and the United States Military Academy at West Point has played a vitally significant role in the maintenance of peace and freedom; and

"WHEREAS, The members of this Legislative Body are proud to commemorate this event, marking March 21, 2007, as West Point Day in New York State; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to celebrate the establishment of the United States Military Academy at West Point and to memorialize Governor Eliot Spitzer to proclaim March 21, 2007, as West Point Day in New York State; and be it further

"RESOLVED, That a copy of this

resolution, suitably engrossed, be transmitted to the Honorable Eliot Spitzer, Governor of the State of New York."

THE PRESIDENT: On the resolution, the chair recognizes Senator Bruno.

SENATOR BRUNO: Thank you, Mr. President.

Chaplain, Father Wood, thank you for your prayer and your good thoughts and your good wishes.

And we want to just add a welcome to Major General Taluto, who heads up our naval and military affairs for New York State, and who is a good friend of all of us, and Brigadier General Patrick Finnegan, who leads this very distinguished delegation with officers and noncommissioned officers and the really special people, the cadets from West Point.

We here join with Senator Larkin -- Colonel -- who has distinguished himself throughout his whole career, as a soldier, as an officer, a real hero. A hero in that sense, but a hero here with the Senate and

representing his constituency and all the people of New York State. So we thank Senator Larkin for helping bring us together.

You are representative of people -- and let me tell you, I speak for everyone here when we indicate how proud we are. We look forward to this day to have you here as representatives of the most revered, devoted institution dealing with military affairs in the world throughout history, since your founding.

Everyone knows West Point. Everyone knows the heroes that have come out of West Point, that have gone on.

And every single one of you, we want to say from our hearts, are heroes. You're special. You have been selected to be where you are, and you had to overcome obstacles that most of us couldn't overcome -- not physically, not mentally, not emotionally. So we want to thank you and tell you, truly, we are honored.

We're very conscious of the fact that people take freedom for granted. And we in this country and in this state take freedom

for granted. But we couldn't be here if it wasn't for the service of you and your predecessors and the people throughout the world who are in the military fighting so that we can be here deliberating and people like us all over the world, in a free society, expressing our thoughts without intimidation.

So we thank you for everything that you represent.

Thank you, Mr. President.

THE PRESIDENT: On the resolution, Senator Larkin.

SENATOR LARKIN: Thank you, Mr. President.

Thank you, Senator Bruno.

You know, this is a special day for us, as Senator Bruno has said. We're honored here to welcome the academic dean of the United States Military Academy, the dean having been appointed last year by the president. It's a challenge. The cadets say they wish that you would be a little more lenient.

But, you know, just look at the Corps of Cadets. The Corps of Cadets know

these statistics. We've had 50 members of the Long Gray Line killed in Iraq. We've had two United States presidents. We've had over 80 Medal of Honor winners, Heisman Trophy winners.

But the most important thing is we have men and women that have gone to the Long Gray Line and have served our country in peace, in war, converting into jobs in the civilian industry, in government, and have all shown the basic functions that they learned at West Point.

We're truly honored when we start to think about what they've done, where they've come from. Someone said to me: "Well wasn't there a West Pointer out in space?" Yes, more than one. The first modular had Ed White.

But think about all of the other things that they've done. The nation's first engineering school. When you start to look at what has transpired in the 240 years that West Point has been on the banks of the Hudson River, you start to realize that it takes talent to lead these gentlemen and ladies.

General Finnegan, a JAG officer, the first academic dean from the JAG corps. And those of us who have known of him are very proud and honored that the President picked him, because he has been a solid figure for the academy.

The class of 1971, the superintendent today is a Class of '71, and his predecessor, General Lennox, is also a member of the Class of '71.

But what do we have here? Look at the spread of young men here. First time we haven't had a couple of young cadet females -- because they had a commitment that the First Captain told me couldn't be changed. You won't get back to Nebraska for a while.

Today we have some cadets from all over. And what we'd like to do now is to introduce you, the cadets. And please, as your name is called, please stand that we can recognize you.

The Cadet First Captain is Jon Nielsen, of St. Paul, Nebraska.

(Applause.)

SENATOR LARKIN: Cadet Edward

"Chris" Beeler, from the great city of Albany.

(Applause.)

SENATOR LARKIN: Cadet Andrew Byers, from Clarence.

(Applause.)

SENATOR LARKIN: Cadet Jack Cooperman, from Hobart.

(Applause.)

SENATOR LARKIN: Cadet John Corretti, from White Plains.

(Applause.)

SENATOR LARKIN: Cadet David del Cuadro-Zimmerman, from Brooklyn.

(Applause.)

SENATOR LARKIN: Cadet Gerald Gangaram, from Queens.

(Applause.)

SENATOR LARKIN: Cadet Hobin Lee, from Rockaway Beach.

(Applause.)

SENATOR LARKIN: Cadet David Richards, from Baldwinsville.

(Applause.)

SENATOR LARKIN: Cadet Matthew Schiller, from Germantown.

(Applause.)

SENATOR LARKIN: Cadet Benjamin Sylvester, from Poughkeepsie.

(Applause.)

SENATOR LARKIN: And Cadet Joshua Taft, from White Plains.

(Extended applause.)

SENATOR LARKIN: You know, three words that these cadets here and everybody in the Hudson Valley associates with it. And I remember when the Majority Leader was down there with us. He was impressed, he told me, because he remembered from his military days the words "duty, honor, and country."

You never see Senator Bruno cry, but when he saw those young cadets going by, he turned to me and he said, "Bill, that's our future. Those are the guardians of our peace."

And these cadets will never forget you, Senator.

But today we're looking at -- we're looking at the future. Some of these young men in six months will be on foreign soil, in harm's way. The academic dean will tell you

that academically they're well qualified. The commandment of cadets will tell you that they are physically qualified. Father Wood will tell you they are morally qualified.

We're honored. You are the best and the brightest in the world. When people talk about an educational facility, you can't walk away from it. As my good friend the chairman of Higher Education said, "What an honor, what an honor to have the United States Military Academy here in our back yard."

The best and the brightest of America, chosen through a long process wherein you were competing with tens of thousands. Last year there were 23,000 applied for the 1400 seats. That goes to tell that that incoming class of 2010 has really put together a group of individuals -- not football stars, not baseball stars, not basketball stars or hockey stars, but stars of the future, individuals who have made a commitment.

Every one of you could have gone to any college in America because of your qualifications. But you stood up and said, I want to be a part of the greatest school in

America, I want to be a part of showing my fellow citizens that I'm up to the charge of leading and defending. And that's exactly what they're doing.

Their challenge is not easy. It's not simple. While some of us are still asleep in the morning, as you and I know, they're out running at 5:30. And they're studying late at night.

What an honor it is for me to stand here and welcome you. I'm very proud. I had served for 23 years, and during 23 years I never met a member of the Long Gray Line that I was ashamed of. I found some of the best and brightest. Some were my peers, some superiors, some subordinates. But they always had one thing in mind: Let's get the job done.

That's not only true for you here today, but across the world. One of your latest famous grads, General Petraeus. Great article yesterday in the New York Post; you should read it. For those of you who don't dare to question him, when he was in high school he was named "Peaches." Very bright

gentleman. He married the superintendent's daughter -- couldn't do better than that.

But I don't want to hold you up. You have a lot of things to do here today, and I'm sure there are other Senators who would like to say something.

But you know, I live just outside the gate at West Point. I'm there at least once or twice a week. Why? I enjoy it. It makes me feel comfortable. Makes me feel comfortable when I can see the cadets, even with the new garb that you wear, to know that you are there and your intent is to finish and go wherever you are called to go and that you will respond in a manner that will make every American proud.

You are the best, you are the brightest. Go, Long Gray Line.

THE PRESIDENT: Thank you, Senator Larkin.

On the resolution, Senator Smith.

SENATOR SMITH: Thank you very much, Mr. President.

And to Senator Larkin, let me thank you. Each year these young men and sometimes

young ladies come before us, and it's a significant day. Not only significant because it is always very special, but you have taken the time to allow us to pause for a moment from our normal legislative duties to recognize the significance and the importance of our armed services as well as the young men and young women who have dedicated themselves to that.

And I thank you for that, because from time to time we forget. We actually forget that beyond what we to here every day, there's a reason why we can do this and why we can do it feeling safe and not worrying. It's because of what you do. So I thank you for your constant reminder each and every year.

To Brigadier General Finnegan, to Command Sergeant Major Bergman and Lieutenant Colonel Cassella, let me also thank you as well. Because the time and effort that you take to make sure that these young men and women understand the importance of serving their country is critical to us. Because, one, it allows us to be to sleep at night, and, two, it allows us to know that there is a

future for the families that we are trying to raise and protect by what we do here as a legislative body.

To Chaplain Wood, prayer is important. And I understand that, and many of us understand that as well. But not as important as it is to what you say to us each and every day and the prayers that you place amongst our heads. And I would ask that you continue to do that and make them understand how important it is to carry prayer and God with them in all that they do.

To the young men, you are going to serve us beyond the borders of this country. But I also want to ask your help and challenge you to help us as well with the young men and women that live not only in this state but in this country.

There is also a war going on with our young men and women in this country. A lot of them don't recognize what their purpose is in life. They have not sought the time to assess where they are going in terms of their purpose in life.

You've had wonderful mentors. They

have helped you understand your purpose. And I would only ask that you would look to serve as mentors to some of the other young men and women throughout this state and country who have, for some reason or another, gone astray and don't seem to understand that they too have a purpose in life, and that purpose is to do what they can to make sure society is better, to make sure that they enjoy not only their lives but fulfill their cycle and to get in that cycle of life that they are supposed to be into.

So I would ask Hobin Lee, who is a sergeant, comes from Rockaway Beach, you have a special assignment.

I would ask Gerald Gangaram, who comes from Queens Village, you have a special assignment. Not because of what you have done in terms of West Point, but because as someone who lives in the district that I've been blessed to represent, I need your help with those other young men and women in my district who for some reason don't seem to understand that there is a higher calling for them in life.

You recognize that. It is obvious by you being here today. When I walked over to you, to Mr. Gangaram, Sergeant Gangaram, Lieutenant Gangaram, you stood up with professionalism, you stood up with respect.

When I talked to Sergeant Lee, he stood up with respect and he said, "Yes, sir." Now, some people will say that that's old-fashioned. I say that's tradition and respect. And that is what some of our young people are lacking today.

So I want to again, Senator Larkin, thank you. I want to thank all the officers of West Point. But also to the young men, I want to thank you for what you are doing but, more importantly, I want to thank you for what I believe you will do -- not only beyond these borders, but what you will do to save some other young men and women in this state and this country.

Thank you and be blessed.

THE PRESIDENT: Thank you, Senator Smith.

On the resolution, Senator DeFrancisco.

SENATOR DeFRANCISCO: Thank you, Mr. President.

I think it's a special time now at West Point, and that is because the individual who's the academic dean is a judge advocate. For you who don't know anything about the military, that means he's a lawyer. He's in charge of the academics at West Point. I think it's only fitting that that be mentioned at this important day.

Having been in the Air Force as a judge advocate, we share many experiences, I'm sure. But to have him as a leading academic person at West Point is really special, to me, anyway.

Secondly, it's special today because David Richards, from Baldwinsville, is one of the cadets who's visiting us. One of my best friends was one of his teachers.

And just to share those little thoughts with someone, it really hits home what we're doing here today. These are people from our own back yards that had a choice. They could turn their back on an opportunity that is an incredible opportunity, but they

had that choice at a time when the nation is at war.

How many of us -- think about it -- how many of us would have really shied away from this opportunity, for self-preservation or for personal reasons? But they took it on.

You know, that's really encouraging. Because there's so much negativism going on in our communities and in the world, actually. And to think there's people of this character and integrity that we have among us today.

So, Senator Larkin, again, thank you for keeping this tradition alive. The military has no stronger advocate. And we are benefitting from their presence today.

And all I can say to all of you, thank you for everything you have chosen, thank you for what you're going to do, and thank you for being the leaders in our country when my grandchildren will be citizens and relying on your leadership. Because that's what we truly need in this nation today.

So thank you very much.

THE PRESIDENT: On the

resolution, Senator Bonacic.

SENATOR BONACIC: Thank you, Mr. President.

I want to thank Senator Larkin for his eloquent remarks.

Senator Morahan and I, along with Senator Larkin, serve portions of Orange County. And we are proud of the institution of West Point, of all of the soldiers who have come out of West Point and those that are there.

On Monday, Private Kaiser, from Narrowsburg, Sullivan County, a 27-year-old young man, was killed in Baghdad, Iraq. That is the sixth soldier from my district. And I am sure that all of my colleagues have soldiers that have made the ultimate sacrifice.

So to the Kaiser family today, we offer our condolences. We thank their son for the ultimate sacrifice.

And I want to say, in conclusion, that every soldier was a hero the day they put the uniform on. Not when they went to war, not when they were injured or killed -- the

day they put the uniform on. And we thank you, all of you, for protecting America and our way of life.

Thank you, Mr. President.

THE PRESIDENT: On the resolution, Senator Wright.

SENATOR WRIGHT: Thank you, Mr. President.

I too rise to join with my colleagues in recognizing the young men and women from Fort -- excuse me, from West Point. I almost said Fort Drum, because I have the honor and distinction of representing Fort Drum.

And I had the privilege of spending some time with your superintendent when Buster Hagenbeck was assigned at Fort Drum. And I can assure you that, unlike the chief academic, who's a lawyer, your superintendent is a warrior. And he proved that in his tenure over in Afghanistan. He related that story to us, and there are some wonderful tales.

But more importantly, we're here to recognize the young men and young women from

West Point who are here with us, those cadets who will the future Buster Hagenbecks, the leaders of the United States Army.

And I too want to recognize my colleague to the right, Colonel Larkin, who could not be a more passionate, articulate advocate for the United States Army in this state or anywhere else in this nation. You can be proud that he served with many of your officers and leaders. We are.

There isn't a week that doesn't go by in my community, home to the Tenth, that we are constantly encountering young men and young women either returning from deployment or being prepared for deployment, dealing with hardships that that imposes upon their families.

At the same time, as you go through those experiences, you could not be more proud of the men and women wearing the uniforms of this nation, the pride that they take in serving this country, the pride in their mission, the pride in their duty, and the pride in serving to protect the citizens of this state, this country, and their families.

So my hat is off to you. I look forward to some of you someday being assigned or rotating through Fort Drum. You will find it's one of the finest duty assignments that you will have.

But more importantly, it's an opportunity, when you come here once a year, to recognize your commitment to all of us. On our behalf, thank you.

THE PRESIDENT: Thank you very much, Senator Wright.

On the resolution, the chair recognizes Senator Leibell.

SENATOR LEIBELL: Thank you very much, Mr. President.

First I want to respond to Colonel Larkin. He's making the assumption that I'm not up at 5:30 in the morning running.

(Laughter.)

SENATOR LEIBELL: I don't know where he gets his information from, General.

I chair the Committee on Veterans, Homeland Security and Military Affairs. And I am immensely pleased, as my colleagues are, to have you once again in Albany. This has

become quite a tradition, as was noted, over the course of many years now.

As chairman of this committee I can tell you it's been my great honor to have worked with veterans and active-duty members of our armed forces from all of our branches. And we're particularly blessed in this nation and in our great state to have West Point.

Literally, you are and have been the tip of the spear. As our country has gone through challenging times and will continue to do so, it is a great comfort not only for our President and Commander-in-Chief but for all of our citizens to know that Long Gray Line continues.

You will be going into harm's way, without doubt. And we respect you for your commitment to our nation, to our nation and its allies. We thank you and honor you for your service, as we do for all those who have served in the past.

And I might say, as a former Naval officer: Go, Army.

THE PRESIDENT: On the resolution, Senator Adams.

SENATOR ADAMS: Thank you, Mr. President. I too rise in support of this resolution.

Clearly we sit in the shade of the tree of freedom because a military person planted that seed many years ago with their blood. And we have a belief that freedom is cheap. And I have great pleasure to be here as a State Senator and give acknowledgment to West Point.

And I join my colleague Senator Leibell: I'm excited and enthused at being the ranking member on Veterans Affairs, because you and I both share that desire of making sure that our young men and women who fight abroad can come home and not have to fight an additional war for some of the basic benefits and things they desire.

One of the most difficult things for me was when my two relatives left to go fight in Iraq. And upon returning, my young nephew, Steven Victor Cruz, told me how, being in the Marines, he had to soften the beach. He had the responsibility of making sure, as those military persons returned or fought,

they had an easier time to go into those difficult countries.

We have a responsibility here. And I want to say to our West Point young men and women, we are your Marines. No matter which side of the aisle we sit on, we are consistent in not being a detached spectator in this full-time battle of fighting for what's right for you. We're going to soften the beach for you here in America to make sure your VA benefits are protected, to make sure when you come back home you don't have to fight and rebuild those things that you fought for abroad.

I support this, and I believe wholeheartedly that we have a responsibility for our men and women that are fighting for our freedom here in America, that we fight for their treatment and rights here at home.

THE PRESIDENT: On the resolution, Senator Breslin.

SENATOR BRESLIN: Thank you, Mr. President.

Each year when West Point Day is planned so ably by Senator Larkin, it gives us

a time to reflect what we do. Because we worry about what we do, are we planning properly for the future. And when we look at the young men and women from West Point and see them and talk to them and know what their future is about, we know that our future is also safe.

And I also rise to single out Chris Beeler, who's from my district and who's doing so well at West Point.

And finally it gives me, every year -- there's one day of the year that I say something nice about one of my brothers. That's not on his birthday, it's on West Point Day.

And in the back, County Executive Mike Breslin, of Albany, who's Class of '61 and then went to jump school, Rangers school, jungle warfare school, air transportation school, and ended up as a major in the airborne infantry in Vietnam.

And he only knows it this day that I still look up to him for all of his accomplishments. But it was his accomplishments then and not now.

Thank you, Mr. President.

(Laughter.)

THE PRESIDENT: Thank you, Senator Breslin.

On the resolution, Senator Morahan.

SENATOR MORAHAN: Thank you, Mr. President.

I too thank our young cadets for their service and what they're about to do in the near future.

As a neighbor of West Point, I travel through that facility reasonably often. And for those of our Senators here who are spectators, who have never had the opportunity to visit West Point, it's an experience that will never leave you.

The awe that emanates from the cannon that looks over the Hudson, the cemetery that holds veterans and people who died in service of this country, back to the Revolutionary War, the Civil War, the Buffalo soldiers, all of those who have served through the years and lie in rest overlooking the beautiful Hudson River.

And for all of the young people who

have passed there and through that academy and gone on to glory -- the statues of General Patton, who had the Third Army, an army which I served in for a short period of time.

It is truly amazing the sense that you walk away of such a deep American tradition. It makes one so proud to be a citizen of this country and know, when you see the young men and women walking those grounds, that they are keeping this country the freest and the safest nation on the face of the earth in the history of civilization.

I envy you because now you belong to the Point. You will never be less than part of the Long Gray Line. So many have gone before you -- Pershing, MacArthur, all who sat as cadets in that great institution.

And I would just advise anyone who has not been there to get there to see what these young people go through. On a Saturday parade as they unfold the flags, as they march in great step across the great Plain, and you hear those beautiful drums and the great hymns, it makes one wonder why we, as young people, didn't recognize the opportunity that

is there for those young people and that they are so lucky and so blessed to be part of that tradition.

But you pay a price for that with your code of honor, all the rigors of getting through the four years, Beast Barracks, all of those experiences that make you what you are today.

And we thank you for volunteering. We thank you for what you're going to do. And we salute you and God bless you.

Thank you, Mr. President.

THE PRESIDENT: On the resolution, Senator Krueger.

SENATOR LIZ KRUEGER: Thank you.

I rise today to thank all of you young men, and your women colleagues as well back at West Point, for the work that you are doing.

And I am proud to say that my young cousin was a West Point graduate in 2002, Andrew Gordon. He's a captain in the 101st Airborne now.

And many of my colleagues have spoken so eloquently about the importance and

the history of West Point and all that you can be proud of. And I know that I am proud of Andy, who comes to visit in between his trips abroad.

And we've talked about the fact that unfortunately we may be sending you into harm's way. I hope we're not, but I suspect we are.

We are a young democracy; we are a fragile democracy. The history of West Point is extraordinary. And I tell you, as young people, that I look to you for your leadership to help direct our country in your futures to make the right decisions, even though so many of them are tough and the decisions that you will be taking on as graduates of West Point will be so difficult.

But I know, because of the unbelievable training that you receive and the great history of West Point, that you will be well-prepared to make the decisions that affect not only your lives and the men and women who may be reporting to you but the democracy of this country.

So I thank you, and I respect you.

And I'm so glad that we take time off here in the New York State Senate each year to welcome you here and to share our support for being so proud to have West Point be the great institution it is here in New York State.

Thank you very much.

THE PRESIDENT: Thank you, Senator Krueger.

On the resolution, all those in favor please indicate by saying aye.

(Response of "Aye.")

THE PRESIDENT: Louder.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

(Applause.)

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Mr. President, thank you. And colleagues, with your unanimous consent, I would ask Brigadier General Finnegan to share some thoughts with us at this time.

Thank you, General. Thank you,

Mr. President.

THE PRESIDENT: Without objection, we would ask that Brigadier General Finnegan join us and offer a few remarks to all the members and others assembled.

General.

GENERAL FINNEGAN: Lieutenant Governor Paterson, Senator Bruno, Senator Larkin, members of this distinguished Senate, thank you for having us up here again. All of us at West Point appreciate West Point Day in Albany.

I bring you greetings from the Superintendent, Lieutenant Governor Buster Hagenbeck, who wishes he could be here today. Unfortunately, he's recovering from both rotator cuff surgery and pneumonia, so he's not able to be here.

I have a connection with New York. I didn't grow up in New York, but I went to West Point. My dad -- I'm not sure I'm allowed to say this in this assembly -- grew up in New Jersey.

(Laughter.)

GENERAL FINNEGAN: But he was a

staunch New York Yankees fan, and so I am a lifelong Yankees fan as well.

(Applause.)

GENERAL FINNEGAN: My better connection to this state is that I had the good fortune to marry a New York girl.

(Applause.)

GENERAL FINNEGAN: My wife, Joan, was born in Brooklyn, raised in Long Island, and went to college in Syracuse.

I have to tell you that our relationship had somewhat of a rocky start when at Super Bowl III she insisted that the Jets, her team, would beat my team, the Colts.

(Laughter.)

GENERAL FINNEGAN: Somehow we endured, and we will celebrate our 36th anniversary this June.

The army has a strong presence in New York and greatly appreciates the tremendous support provided by the Legislature, by the towns and communities and families that support our mission in so many ways, to include military service.

This year the army must put 84,000

young men and women in boots to serve in the active component and 26,500 to serve in the reserves. And New York continues to help us meet those accession requirements. Since the start of this year, more than 2,000 New Yorkers have raised their right hand and agreed to help fight the global war on terror as active-duty soldiers. Another 700-plus have agreed to do so as members of the Army Reserve.

There are two major military installations in New York. We've talked about both of them a little this morning, Fort Drum and West Point. And General Hagenbeck, our superintendent, has had the privilege to command both of them.

Right now there are over 17,000 soldiers stationed at Fort Drum. This number doesn't represent the people who are always there, because many of them are currently deployed far from Fort Drum in harm's way. And with those soldiers there are almost 15,000 family members also at Fort Drum.

West Point is a slightly smaller installation. Military personnel and family

members are just under 4,000. That's without the 4,000 cadets we have. There are about 1,071 military members at West Point.

We thank you for the support you've provided throughout our time at West Point and the support you continue to provide.

We may be a smaller installation at the academy, but our mission is large. It's to educate, train and inspire the Corps of Cadets so that each graduate is a commissioned leader of character committed to the values of duty, honor and country and prepared for a career of professional excellence and service to the nation as an officer in the United States Army. We are a leader development institution.

The academy could not accomplish this mission without the continued support of the New York Legislature and the surrounding communities outside our gates. We work hard to be good neighbors and friends. There are 4,320 members of the Corps of Cadets, from all 50 states and 34 nations around the world. Three hundred twenty-four New Yorkers are in the corps, 271 men and 53 women. And today,

along with Cadet Jon Nielsen, the First Captain, a proud Nebraskan, we've traveled to Albany with 11 cadets from the Empire State, from cities and suburbs, small towns, farmlands and rural areas.

Several of them have been introduced, but I'd like to share a little bit more information on this group of three firsties -- that's seniors -- and eight cows -- those are juniors.

Nearly every one of them comes from a family that includes military veterans. Most have grandfathers who fought in World War II or Korea. Each of them has racked up a few semesters on the dean's list, with half of them being on the dean's list every semester while they've been at the academy. That's a strong testament to the New York school system.

You've heard -- and when you meet them you'll know -- that they're involved in a variety of activities, from intercollegiate athletic teams to club sports to community service in programs like Big Brothers and Big Sisters.

Here are a couple of other interesting points. Chris Beeler is here from Albany; he was introduced. And it's a good thing we brought him along, because the bus driver got lost.

(Laughter.)

GENERAL FINNEGAN: Chris was able to redirect the bus so that the cadets actually arrived here at the State Capitol.

David del Cuadro-Zimmerman spent last summer working with the NYPD.

Joshua Taft spent last semester in Chile, studying abroad pursuing language and cultural-immersion goals.

Hobin Lee's brother is a second lieutenant, and his father served as a captain in the Republic of Korea's army.

Ben Sylvester's brother just enlisted in the Army as a member of the Special Forces.

And there are some other facts as well. Dave Richards once played blackjack with NBA star Carmelo Anthony. And Dave Gangaram once owned a version of KITT, Knight Industries Three Thousand, a car from the

1980s show Knight Rider, complete with red scanning light, automatically opening doors, internal monitors, and even limited speech abilities. It's often those extra facts that make it even more interesting.

Our cadets, these cadets and all 4,320 of them, are what many call the next "Great Generation." Their desire to serve something larger than themselves -- in this case, our nation in a time of war -- echoes the actions of those who have served before them. They understand service, and they understand sacrifice.

New York has a rich history of military service. Many New Yorkers have served with valor and distinction, and some have given up their lives in this long war. We're proud of all of them and sorrowful for the families who have suffered the losses.

We believe that leaders are made, not born. That's what we do at West Point, with the wonderful young men and women who come there from your communities. We challenge them every day, physically and intellectually, to achieve excellence. We

instill in them the virtues of duty, honor and country, to produce leaders of character for our soldiers and nation. We bring in the best and brightest to do this, and I want to tell you about two of them.

One is a young man named Scott Cassidy. He's West Point Class of 2005. I happened to teach him when he was a cadet. When he was there, he was captain of the men's volleyball team. His older sister Mary is also a lieutenant in the Army; she's an ROTC graduate. His youngster sister Eileen is currently a firstie; she is going to graduate in two months. She was captain of the women's volleyball team.

After Scott graduated in 2005 and went through some initial training, he joined the 101st Airborne Division, which was deployed to Iraq. After Scott had been there with his platoon as a platoon leader for three months, he had earned three Purple Hearts.

He and I have stayed friends, and he spent me and a bunch of other people an email describing what he was doing as a platoon leader in Iraq. And I think you

should hear this.

He said: "Last month hit our company hard, and we're still feeling the effects of it. We lost two soldiers at the start of the month as the battalion increased our target list. I've now been wounded twice" -- this was before his third wound -- but that makes me part of the majority in my platoon, with nearly every soldier holding a Purple Heart.

"We're running missions constantly, hoping to drive the enemy out of our sector as we prepare to turn this over to the Tenth Mountain Division. My platoon took part in multiple air assault mounted and dismounted missions that led to the capture of several key terrorist leaders. It was a rewarding experience but exhausting at the same time.

"At one point we spent 23 days outside the wire trying to meet the demands of the fight. That's 23 days without a shower, in the same clothes, eating the exact same packaged meals. We sleep on sheets of plywood and the guys pull guard even when we rest. Every day they enter the most dangerous

neighborhoods that our world has to offer, and they do so without question and without fear. I must say that I am proud to and honored to call myself a leader in this platoon. I can't imagine a more rewarding experience.

"If you watch the news, you know that the greater Baghdad area is in turmoil. We are spread thin, but we are getting the job done. The television highlights every explosion and loss of life, but you miss what we do. You miss my soldiers giving water and food to local nationals. You miss my soldiers giving the little kids high-fives and soccer balls. You miss my soldiers placing sewer systems and rebuilding roads. You miss my medic treating the locals for injuries.

"The news shows death, murder and violence, but daily I see smiles, hard work and hope. Is the area in turmoil? Yes. Is it lost? No. And every day American soldiers bring hope to these people. You won't see it in the morning paper or evening news, but I'm telling you it's here. I know; I am seeing it and I am doing it.

"I miss everyone and look forward

to coming home. Know that your Army is making you proud to be an American."

There's another young man --

(Standing ovation.)

GENERAL FINNEGAN: I accept that applause on behalf of Scott Cassidy and all of the other young men and women who are doing wonderful things.

There's another young man I want to tell you about. His name is also Scott, Scotty Smiley. He's a captain in the Army. He's a West Point graduate from the Class of 2003.

And about two years ago, in April 2005, he was in Mosul, Iraq, when an IED exploded, gave him a severe head wound, and he lost his eyesight. Now, of course most times in the past that would mean that he would be medically retired from the Army, separated from the Army.

During his recovery at Walter Reed, Scotty was told by doctors that his Army career was over. But he pleaded to stay on active duty, wanting to fulfill the obligation that he taken on when he graduated in 2003.

And after a determined fight and some help from people in high-ranking places, the Army retained Scotty as part of the Wounded Warriors Program. He's been serving at Fort Monroe.

And last summer, at the invitation of Coach Mike Krzyzweski of Duke University, West Point Class of 1969, Scotty even provided some words of inspiration for the USA Basketball Team. You may have seen that in a short feature that ESPN did as Scotty talked with Dwyane Wade and Shane Battier and others on the Sports Center segment.

Scotty has learned to use his computer, he's skied in Colorado, he's skydived, and he's tried to take on a normal life, although for him life is always going to be extraordinary. He came up to West Point several months ago, and with his company commander, the man who was his company commander -- also a West Point graduate -- when this injury occurred, they taught a class on leadership and what it meant to lead soldiers in combat and what it meant to undergo that experience.

Scotty wants to stay in the Army, and one of his mentors asked him, "What do you want to do?" And he said, "What I'd really like to do, if I could do anything, is teach at West Point."

It's a little bit unusual; he hasn't gotten as much time in service as most of our instructors do. But we jumped at the chance, of course, to get him back.

So he is going to start graduate school in the fall, right about the time that his first child is born. He's going to go to Duke University, get a graduate degree there, and in the fall of 2009, Captain Scott Smiley will come back to West Point and call a class to attention, and he'll teach them leadership and he'll teach courage and determination and he'll teach them life.

He's going to educate and inspire, and without a doubt every cadet who steps into his classroom will get a new perspective on what it means to toss their white hat in the air and take an oath and serve their country.

What West Point has done, what we're privileged to do is to prepare the next

generation of Scott Cassidys and Scotty Smileys. And you see some of those young men who are here today.

I urge you to come see us, come visit us. Come visit your academy, talk to our cadets. They'll inspire you as they inspire me and all of us who are at West Point.

Thank you very much. And go Army.

(Standing ovation.)

THE PRESIDENT: Thank you, General.

Would you please extend our prayers and best wishes to Lieutenant General Hagenbeck for his speedy recovery.

And would you please extend to your wife, Joan, my memory of January 12, 1969, when the world champion New York Jets destroyed your Baltimore Colts.

(Laughter.)

THE PRESIDENT: Senator Bruno.

SENATOR BRUNO: Mr. President, can I suggest that we add everyone's name here in the chamber to this resolution unless they approach otherwise.

THE PRESIDENT: We will place the names of all Senators on the resolution. Just ceremonially, we have to say that if anyone didn't want to be -- and no one does -- that they would come up to the desk and indicate so. Everyone is on the resolution.

So to all of you members of the United States Military Academy, it is an honor and a pleasure to have you in the chamber.

I would want all of you to know that 42 years ago today, there was a very dangerous and foreboding event in American history when there was a civil rights march from Selma to Montgomery, Alabama. After that march, one of marchers was killed. But because of the intervention of the National Guard, the marchers actually were able to go through that period without injury.

There was a young colonel who led the National Guard march from Selma to Montgomery who is in this chamber with us today. You know him as Senator Bill Larkin.

(Applause.)

THE PRESIDENT: Thank you. Thank you for joining us. Thank you for your

service to this country.

Senator Bruno.

SENATOR BRUNO: Mr. President, I believe we are privileged to have the parents of Cadet Chris Beeler here, Ed and Sarah.

And just recognize the sacrifice that parents make when their sons and daughters are removed from the family, voluntarily, willingly, after they've raised their children and offer them to the rest of the world for all that they stand for.

So we're indebted to them. And would they stand and be recognized? Thank you.

(Applause.)

SENATOR BRUNO: And, Mr. President, can we at this time take a few moments and be at ease while the general and the cadets and the officers go to their next appointment.

THE PRESIDENT: The Senate will stand at ease.

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

(Whereupon, the Senate reconvened

at 12:17 p.m.)

THE PRESIDENT: The Senate will come to order.

The chair recognizes Senator Bruno.

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

I believe there's a report at the desk of the Finance Committee. I ask that it be read at this time.

THE PRESIDENT: The Secretary will read the report of the Finance Committee.

THE SECRETARY: Senator O. Johnson, from the Committee on Finance, reports the following nominations.

As Commissioner of the Department of Health, Richard F. Daines, M.D., of New York City.

THE PRESIDENT: Senator Johnson.

SENATOR OWEN JOHNSON: Move the nomination.

THE PRESIDENT: Senator Hannon.

SENATOR HANNON: Thank you, Mr. President.

I was getting quizzed about the

progress of the state's health budget by a reporter.

I am very honored to be able to put forward for confirmation by the Senate the nomination of Dr. Richard F. Daines to be Health Commissioner of the state.

Dr. Daines is a product of the best that the state has for educating doctors. A graduate of Cornell Weill Medical College, he served as medical director and then as chief of the institutions both at St. Barnabas and St. Luke's, major facilities in the City of New York.

I think in terms of the confirmation, he came before both the Health Committee and the Finance Committee, has been recommended.

And he made a very telling statement about his background. He said when he first walked into the Health Department in the beginning of February of this year, as a commissioner-designate, that he was walking into an institution that wasn't a hospital for the first time in a long time in his adult life.

So he is a product of delivering healthcare in this state. He comes at a time when it's an exciting new look at what we're going to do for healthcare in this state.

And he comes as the product, by the way, of a family dedicated to medicine. His father and mother have come here from Utah. His father is a physician, had also been involved in local government. He is accompanied, I believe, by his brother and by his sister. His brother is the saving grace in the family: I think the only nonphysician. He's a lawyer. So we welcome that. And he has a son who is in medical school right now in New York.

And just -- we had a meeting this morning in Finance, and the family and Dr. Daines have been waiting. And I'm glad you have seen what you've just seen about West Point, because that's also part of the diversity and richness of this state. And with probably one of the finest set of speeches I have ever seen at West Point Day in the history of this chamber.

I put forward Dr. Daines's

nomination before this body with a full recommendation. There is a challenging period ahead. This is a gentleman who is well-equipped to meet that challenge. He has already experienced, through the rich questioning by the members, both sides of the aisle in both committees, their concerns, their hopes. And I think he comes in now with a sense of the policymaking and the seriousness of deliberation of this body as we approach healthcare in all its different aspects.

Thank you, Mr. President.

THE PRESIDENT: On the nomination, Senator Saland.

SENATOR SALAND: Thank you, Mr. President.

Mr. President, I rise to second Dr. Daines's nomination.

In all candor, it's only recently that I've had the good fortune of meeting Dr. Daines. He was kind enough to stop by and visit with me a matter of several days ago, extending me the courtesy inasmuch as he has a residence in my district.

But I also had the good fortune of having the opportunity to hear him testify in the Finance Committee earlier this morning.

A resume certainly is a measure of an individual, but it's not by any stretch of the imagination a true measure of any individual. And while it would be certainly an understatement to say that Dr. Daines' resume is extraordinarily impressive, the rich history he has of commitment to the healthcare system, particularly his extensive work with one or another hospital and its administration over the course of the past couple of decades, in and of itself stands as testimony to his qualifications.

However, I found even more impressive his responses and his general comments during the course of the questions that he was taking. I learned, for example, that for a number of years he had given physicals to Boy Scouts as part, I guess, of some summer position that he might have had assisting some camp or Boy Scout activity.

I got the impression that this was a man who certainly understood the needs not

merely of hospitals but of primary care and is very much concerned about the entire spectrum of the delivery of healthcare.

I would say that perhaps, if I understood his comments correctly, there was some comment having to do with litigation. This may be a sibling rivalry thing. But you made it clear that litigation is nothing that you are particularly interested in. I'll let you work that out with your brother.

I do wish you well, because your success will in very large part be a measure of our success. We thank you for accepting this rather extraordinary responsibility.

I've always pointed to the education and health portions of the budgets as being the gorillas of our state budgets. And perhaps it's my own parochial selfishness; chairing the Senate Education Committee, I've referred to education as the 800-pound gorilla, followed closely by the 799.5-pound gorilla, the healthcare system.

So please do well so we can all revel in your success and perhaps, in turn, make us look well by your accomplishments. I

wish you all the best.

THE PRESIDENT: On the nomination, Senator L. Krueger.

SENATOR LIZ KRUEGER: Thank you, Mr. President.

I rise also to second the nomination of Dr. Daines, who I'm proud is a constituent of my district. I guess we'll be sharing him, Senator Saland and I, now.

Today is West Point Day, so we all just got up and talked about the importance of our pride in the West Point cadets and their defense of our nation. And in fact, I would just stand here and say that I want to thank Dr. Daines for being the defender of our public health and the fact that it is a critical issue for all 19 million New Yorkers.

As he knew before he accepted Governor Spitzer's request to become the commissioner and clearly learned more about in the last two days of questioning, it is a challenging assignment. It is a demanding responsibility. We have so many issues we must confront, to assure that our elderly are assured the best public health that can be

provided to them, our children, all of us in between.

We have problems almost at every level in our hospital system, in our access to healthcare, in our health insurance issues, in our improving on our delivery of healthcare to all New Yorkers, on ensuring that we focus our dollars most effectively to the most tested and true practices of medicine, that we ensure that no matter what part of the state you live in, what ethnicity you have, what economic stature you or your family are in, that everyone has the access to the best healthcare we can provide.

And the fact that Dr. Daines has committed his life, clearly from his resume and from his discussions with so many of us, to improving on the public's health is equivalent, to me, of the people that commit their lives to our country's defense.

So I know that you are here with your family; I had an opportunity to chat with them briefly. And I'm just so delighted to be able to support your confirmation to be the next Commissioner of Health.

I know that we need your skills and your talents and that you will be there for us. So on behalf of all 19 million of us, thank you very much.

THE PRESIDENT: On the nomination, Senator Gonzalez.

SENATOR GONZALEZ: Thank you, Mr. President.

I'm proud to rise to second the nomination of Dr. Daines. I have known Dr. Daines for practically over 20, over 20 years -- he was my personal doctor -- and as a professional, as a caring person, extremely, extremely well. And I learned yesterday, when I met his dad for the first time -- because his dad is a doctor that made house calls. And so did Dr. Daines.

And I think that as he moves on -- and I commend the Governor for this nomination -- that he will be making house calls throughout the state and trying to deal with the healthcare of the 19 million residents of this great state.

And so I thank him for taking on this, I congratulate him and his family for

continuing to be that old tradition of taking care of people's health with love.

Thank you, Mr. President.

THE PRESIDENT: On the nomination, Senator Schneiderman.

SENATOR SCHNEIDERMAN: Thank you, Mr. President.

I have to rise. I know we have -- we want to move things along, but I do have to rise to say I think this is an extraordinary nominee and really reflective of the new direction that the Governor and the whole new administration is taking us.

I was with Dr. Daines up in Washington Heights in my district last week, and I have to say, you know, standing there on 180th Street in Amsterdam, he seemed completely at home.

He has spent his career working in poor communities, and he has the awareness of what it requires to bring healthcare to where we really need it and ensure that all New Yorkers get the quality of healthcare they need.

I'm tremendously impressed in the

short time I've had to deal with him, but I think we can look forward to expanding healthcare coverage for all New Yorkers, to improving healthcare coverage towards making our system more efficient under his watch.

And I really just have to say a great nomination by the Governor, and we should all be proud to vote in favor of this nominee.

Thank you, Mr. President.

THE PRESIDENT: Thank you, Senator Schneiderman.

On the nomination, Senator Sampson.

SENATOR SAMPSON: Thank you very much, Mr. President.

I rise in support of this nomination. But most of all, we are giving all the -- most of the kudos to Dr. Daines, but I want to give it to his parents. His father, who was a community doctor, and his mother, who is right there by his side, they laid the foundation for Dr. Daines to be the individual he is today.

And Dr. Daines, as Senator Gonzalez said, you made house calls. And I want you to

make a house call to my district, the 19th Senatorial District, in dealing with these issues, especially with respect to these healthcare cuts.

And not only are you going to be the defender of our public health system, but most of all, you are truly a visionary. The way you answered questions in the Health Committee, you have a vision for where healthcare is supposed to be in the future.

And one thing I've always noticed from a saying in church, if you don't prepare for the future, you will revert back to the ways of the past. But in you we have a visionary who's concerned about making sure that our healthcare system is accessible to all New Yorkers. For that, I am proud that you are the new Commissioner of Health.

But most of all, I want to give credit to your parents, the ones who laid the foundation for you.

Congratulations, Dr. Daines.

THE PRESIDENT: Thank you, Senator Sampson.

On the nomination of Dr. Richard F.

Daines as the Commissioner of the New York State Department of Health, all those in favor please signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: Dr. Richard F. Daines, of New York City, is confirmed as the Commissioner of the Department of Health.

(Applause.)

THE PRESIDENT: Dr. Daines is joined by his wife, Linda. He is joined by his father, Dr. Newel Daines; by his mother, Jane. He is joined by his brother, George, his sister, Pam Johnson, and by his son, William. William, thank you.

And all the Daines family, thank you for joining us. This is an awesome responsibility. All of us here wish you well.

Congratulations.

(Applause.)

THE PRESIDENT: The Secretary will read.

THE SECRETARY: As Commissioner of the Division of Criminal Justice Services,

Denise O'Donnell, of Buffalo.

THE PRESIDENT: The chair recognizes, on the nomination, Senator Johnson.

SENATOR OWEN JOHNSON: Move the nomination.

THE PRESIDENT: Senator Nozzolio.

SENATOR NOZZOLIO: Thank you, Mr. President.

Mr. President, I rise as chairman of the New York State Senate Committee on Crime Victims, Crime and Corrections to report to the full house that the committee reviewed Denise O'Donnell's qualifications, spent over an hour in discussions on important criminal justice issues confronting our state, and unanimously supported the confirmation of this important nomination.

The committee was very impressed with Ms. O'Donnell's grasp of all criminal justice issues as well as her proven track record in working as the U.S. Attorney for the western district of this great state, with local prosecutors and local police departments to maximize their efforts to fight crime and

particularly violent crime.

Ms. O'Donnell committed, time and again, to focusing on the problem that the upstate cities are having with the exportation of violent crime into the cities of Albany, Schenectady, Syracuse, Rochester and Buffalo. That these cities are facing enormous challenges. And this nominee, Ms. O'Donnell, as experienced as she is, is looking to use that experience, expertise, team-building talents and partnership with those law enforcement departments to fight this very important issue.

The committee was extremely impressed and unanimously supported her confirmation, and I rise to make that report and to advise that we will be supporting her wholeheartedly. Governor Spitzer has provided us with an excellent nominee.

Thank you, Mr. President.

THE PRESIDENT: On the nomination, Senator Volker.

SENATOR VOLKER: Mr. President, I must confess that Denise has been a friend, a personal friend of mine for many years. And I

see next to her that one of the more distinguished judges in the O'Donnell family is with her.

I have to say that -- and I have been here for the confirmation of every DCJS commissioner since the change has been, and there is no one, I think, more capable of running the Department of Criminal Justice Services than Denise O'Donnell. When her name first came up, I said, "Well, there's no question she'll be fine."

And I told her a story about the other night I was at some dinner or something, and a fellow who I didn't really know said to me, "Who's going to be the new head of DCJS?" And I said "Denise O'Donnell." And he said, "She would have made a great Attorney General." I said, "Yes, I know that." But I said she didn't quite make it to that one.

But she's very bright, was extremely competent as a U.S. Attorney in Buffalo. And I related a story that during the time when I was about to go to the Republican convention -- I was a delegate -- I was warned by some people from Washington, be

careful, because they said that, well, the previous administration was looking at people who were directly involved with the convention.

I said, "I have nothing to do to worry about." "Why not?" "Well, my U.S. Attorney is Denise O'Donnell."

And they didn't quite understand what I was saying, but I made it very clear that we had no concern about that because of her integrity and devotion to duty.

So I commend the Governor -- and I told him personally, by the way -- for your nomination. And I'm sure we'll be able to work together. I've tried to work together with all the previous commissioners, and I'm sure we'll be able to.

So good luck.

THE PRESIDENT: Thank you, Senator Volker.

On the nomination, Senator Stachowski.

SENATOR STACHOWSKI: Thank you, Mr. President.

I too rise to second the nomination

of Denise O'Donnell. I have the good fortune of being Denise O'Donnell's Senator, so it's with great pride I stand.

I think the Governor has made a truly outstanding appointment here. I think that her experience as a U.S. Attorney and in all her other positions, including that as a social worker, will lend great experience and will make it a lot easier to do all the multitasking that you have to do as the Commissioner of DCJS.

And I know that she will do an outstanding job and make all of us proud, and I think we'll all be happy that this day took place, that we all had the chance to get up and support Denise O'Donnell, because she will truly be a great commissioner.

Thank you.

THE PRESIDENT: On the nomination, Senator Maziarz.

SENATOR MAZIARZ: Thank you very much, Mr. President.

I too rise, along with my colleagues, in support of this nomination by Governor Spitzer. It's a great nomination.

As Senator Stachowski and the others have pointed out, Ms. O'Donnell's background, both in the U.S. Attorney's office and extensive legal background, makes her eminently qualified to be the Commissioner of the Division of Criminal Justice Services.

And I just want to congratulate her. I see that she's here today with her great family.

And on an entirely different topic, off the record, I want to welcome Judge O'Donnell here and just to let him know that I was here today to let his colleagues back in Western New York know that I've been working on Senator DeFrancisco on the most important issue facing the judiciary in the State of New York and particularly Western New York. Thank you, Judge.

Thank you Mr. President.

THE PRESIDENT: Senator Thompson.

SENATOR THOMPSON: Mr. President, I rise in support of Denise O'Donnell, someone I've had the pleasure of knowing for about 10 years now. She and her family are held in very high esteem. Judge O'Donnell, Jack

O'Donnell, is a very hardworking young man as well.

And one of the good things I'd like to say about Denise O'Donnell is that when she was over at the U.S. Attorney's office in Western New York, she did an awesome job of working with block clubs and neighborhood associations, which I believe are the foundation for the social fabric in many of our neighborhoods.

She took a very strong liking to many of the neighborhood associations, helping to work to establish the Weed and Seed program in Western New York and helping to have roundtables and advisory committees with a number of stakeholders.

And I believe, as my colleague across the aisle talked about the upstate crime problem, I believe if she takes that similar strategy in working with law enforcement, also with the judiciary in addition to the neighborhood associations, we can finally have safer communities in upstate.

Because, for example, in Buffalo over the last year there's been a rise in

violent crime. One of the things that I'm working on right now is to work with Mayor Byron Brown to get more police officers on the street, because to me it's unacceptable for Western New York to have some of the highest crime rates while New York City enjoys one of the safest crime rates in America.

I believe we can change that. And hopefully, with her nomination, in addition to working with the Governor and local mayors upstate, that we can make Western New York safer again. Thank you.

And I strongly support her nomination.

THE PRESIDENT: On the nomination, Senator Schneiderman.

SENATOR SCHNEIDERMAN: Thank you, Mr. President.

Once again, I rise with great pride in our new Governor for his nomination of Denise O'Donnell.

And I think that the support from farthest fringes of the political spectrum, as represented by Senator Maziarz's comments, reflects the fact that we have someone who has

the overview, the experience, the competence and the vision to bring together all of the forces you need to bring together to actually reform the criminal justice system in a positive way.

We have had tremendous success in some areas in New York State in crime reduction in recent years, but we've had some areas where we have serious problems. A new report that just came out shows that the increase in gun-related crimes outside of New York City has jumped 22 percent in recent years. There's a very serious problem that has to be addressed.

We have to have a commonsense approach to gun violence, we have to have a commonsense approach to sentencing reform, and we have to deal with the issues of police practices to make sure that all of our citizens have confidence in law enforcement, in the fact that they believe they can be treated equally and fairly and will come forward to cooperate with the police.

Denise O'Donnell understands that law enforcement and crime prevention is not

just a matter for the professionals, but it's something that we all have to share in, in all communities in New York State.

I cannot think of a more qualified, better suited person to take over this agency, this set of agencies at this point in our history. And again, the Governor is putting together an incredible team to take New York to the next level. It's with great pride that I rise to support the nomination of Denise O'Donnell.

THE PRESIDENT: On the nomination, Senator Rath.

SENATOR RATH: Yes, I rise to add my support and a second for Denise O'Donnell's new position and to say how proud Western New York is of you, Denise.

We have known you for many years. You and I have personally crossed paths so many times out on the speaking circuit and out in the community. And we've held you in the highest esteem from the very beginning.

And now, to see the Governor holding you in his high esteem and appointing you to this wonderful position, makes all of

Western New York proud.

Thank you for your willingness to serve.

THE PRESIDENT: On the nomination, Senator Adams.

SENATOR ADAMS: Thank you, Mr. President.

I too rise in support of Commissioner O'Donnell. I thank my counterpart across the aisle, Senator Nozzolio. He held hearings yesterday that allowed us an opportunity to speak and question the commissioner.

I believe when you look at technology and ensuring that the upstate region can deal with the issue of technology in some of these smaller police forces, as we deal with crime and violence and youth violence in the upstate region -- I believe Commissioner O'Donnell not only brings the know-how but the spirit to ensure that it is carried out fairly and appropriately.

And we look forward to assisting her, particularly on the Crime Victims Committee, to allow her to do her job and to

partner with her and to be a partner in dealing with the issue of crime throughout the entire state.

Thank you, Mr. President.

THE PRESIDENT: On the nomination, Senator Montgomery.

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

I rise to also second the nomination, and I join my colleagues in commending the Governor on this appointment.

This candidate, Ms. O'Donnell, has experiences that are so appropriate, I think. And she is well-prepared because she's had -- she has an MSW, which I think is extremely important for this particular area, as well as the fact that she has her law and criminal justice background and experience.

So I look forward to working with you, Commissioner. And I think that this really is such a great time in our history to have you there, because you understand both the front end as well as the back end. And we deal with both of those in trying to change the environment as it relates to criminal

activity in our state.

So I'm very, very happy to second this nomination and also to say that I'm fully prepared and looking forward to being able to work together with the commissioner to help her shape and reshape our thinking and our approach and our outcomes as it relates to the environment around criminal justice issues.

Thank you, Mr. President.

THE PRESIDENT: On the nomination, Senator Perkins.

SENATOR PERKINS: Thank you very much.

I want to briefly second the nomination and to commend her candidacy. She's, I believe, a visionary choice, and I know that she will be very responsive, especially on issues of reentry. And I look forward to working with her in her new capacity.

And I want to thank her publicly for already reaching out to my office in response to some of the concerns that I raised with her earlier.

So thank you very much, and

congratulations.

THE PRESIDENT: On the nomination of Denise O'Donnell as Commissioner for the Division of Criminal Justice Services, all in favor please signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The nomination is confirmed.

Denise O'Donnell is joined today in the chamber by her aforementioned husband, the Honorable John F. O'Donnell, who is a judge in the integrated Family Court system of Western New York.

She's also joined by her son, Jack, and her daughter, Maura.

She has been an outstanding public servant, a crime fighter in crime prevention, victims' rights, public policy with respect to law enforcement, and today is now confirmed as the Commissioner for the Division of Criminal Justice Services.

Denise, congratulations. You have taken on an awesome task, and we wish you our

best.

(Applause.)

THE PRESIDENT: And we thank Senator Johnson, Senator Nozzolio and Senators Volker, Stachowski, Maziarz, Thompson, Rath, Adams, Schneiderman, Montgomery and Perkins for their nominations.

The Secretary will read.

THE SECRETARY: As a member of the New York State Housing Finance Agency and director of the State of New York Mortgage Agency, Judd S. Levy, of New York City.

SENATOR SKELOS: Move the nomination, please.

THE PRESIDENT: All in favor on the nomination.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: Judd S. Levy is hereby confirmed to his membership on the Housing Finance Agency and director of the State of New York Mortgage Agency.

Senator Skelos.

SENATOR SKELOS: Mr. President,

if we could return to motions and resolutions, there's Resolution 1054 at the desk, by Senator Hassell-Thompson.

Could we have the title read, open it for cosponsorship, and move for its immediate adoption.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: By Senator Hassell-Thompson, Legislative Resolution Number 1054, mourning the death of the Honorable Jane Bolin, the first African-American woman judge in the United States of America.

THE PRESIDENT: On the resolution, Senator Hassell-Thompson.

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

I rise to ask my colleagues to mourn with me the death of an extraordinary woman, one who I think warrants our consideration and our time in this chamber.

You have heard that the Honorable Jane Bolin was the first African-American woman judge in the United States of America,

and she is my hero. She died January 8, 2007, at the age of 98. And in honor of Black History Month, I believe her life should be celebrated.

Jane Bolin graduated from high school in Poughkeepsie, New York. And in this chamber, those of us who live in certain areas are very possessive of the people that come from the districts woe serve. So, Poughkeepsie, be proud of Jane Bolin today.

Jane Bolin came from a history of education. Her father was an attorney and was the first African-American graduate of Williams College. Jane Bolin entered Wellesley in 1924, one of the only two African-American freshmen women, and she graduated in 1928 as a Wellesley scholar.

Jane Bolin matriculated, after much dissent from her dad from going into the legal profession, from Yale University in 1931, becoming the first African-American woman to graduate from Yale Law School.

Jane Bolin was appointed in 1939 by Mayor Fiorello LaGuardia to be a judge of the Domestic Relations Court, later to be named

the Family Court, where she served with distinction for forty years. And in her work as the first African-American woman judge, she viewed the many different kinds of legal trouble a family could experience.

And during her years on the bench, Judge Bolin brought revolutionary changes to New York's legal bureaucracy. Among them were the assignment of probation officers to individuals without regard to race or religion, and the assurance that private childcare agencies receive public funding and that they must accept children regardless of their race, ethnicity, or religious background.

Judge Bolin, I believe, is worthy not because she was the first African-American to graduate from Yale, certainly not because she was the first African-American to be a judge in the United States of America. But I think that, in Women's History Month, Jane Bolin is an example of womanhood that should be proclaimed by all.

And so therefore I submit this resolution for your consideration and ask you

to mourn with me her death but to celebrate the life of Jane Bolin in this chamber today.

Thank you.

ACTING PRESIDENT YOUNG: Thank you, Senator.

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

(Response of "Aye.")

ACTING PRESIDENT YOUNG: Opposed, nay.

(No response.)

ACTING PRESIDENT YOUNG: The resolution is adopted.

The resolution is open for cosponsorship. If you do not want to be a cosponsor, please notify the desk.

Senator Skelos.

SENATOR SKELOS: Madam President, if you would recognize Senator Farley. Thank you.

SENATOR FARLEY: Thank you very much, Senator Skelos.

And thank you, Madam President.

ACTING PRESIDENT YOUNG: Thank you, Senator.

SENATOR FARLEY: On behalf of Senator Golden, Madam President, I move to commit Senate Print 459, Calendar Number 270, to the Committee on Finance.

ACTING PRESIDENT YOUNG: So ordered.

SENATOR FARLEY: Madam President, on behalf of Senator Seward, I move to recommit Senate Print Number 1656, Calendar Number 119, to the Committee on Local Government, with instructions to strike out the enacting clause.

ACTING PRESIDENT YOUNG: So ordered.

SENATOR FARLEY: Thank you.

ACTING PRESIDENT YOUNG: Senator Skelos.

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

ACTING PRESIDENT YOUNG: The Secretary will read.

THE SECRETARY: Calendar Number 166, by Senator Skelos, Senate Print 2375, an act to amend the Executive Law, in relation to

including.

SENATOR DUANE: Lay it aside, please.

ACTING PRESIDENT YOUNG: The bill is laid aside.

THE SECRETARY: Calendar Number 210, by Senator Larkin, Senate Print 1236, an act to amend the Vehicle and Traffic Law, in relation to age of driver's license.

ACTING PRESIDENT YOUNG: Read the last section.

THE SECRETARY: Section 2. This act shall take effect one year after it shall have become law.

ACTING PRESIDENT YOUNG: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 1. Senator DeFrancisco recorded in the negative.

ACTING PRESIDENT YOUNG: The bill is passed.

THE SECRETARY: Calendar Number 265, by Senator Farley, Senate Print 2510, an act to amend the Education Law, in relation to

authorizing.

ACTING PRESIDENT YOUNG: Read the last section.

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

ACTING PRESIDENT YOUNG: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT YOUNG: Senator Farley, to explain his vote.

SENATOR FARLEY: Just quickly to explain my vote.

This is a very unique piece of legislation, one that goes back with Senator Skelos and myself so many years. It's been vetoed twice by prior governors. It's got 61 sponsors. I don't think you'll see another piece of legislation in years.

It permits senior citizens to take courses on a space-available basis. I expect that we have a Governor that will sign it.

And I urge my colleagues on the other side of the aisle who are sponsors of this legislation to get it out of the Assembly. They were always worried that it

would get vetoed again; that's why it didn't get out.

But it's a good piece of legislation. I think this is the year it's going to become law.

Thank you, Madam President.

ACTING PRESIDENT YOUNG: Thank you, Senator Farley. You will be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 59. Nays, 1. Senator Duane recorded in the negative.

ACTING PRESIDENT YOUNG: The bill is passed.

THE SECRETARY: Calendar Number 280, by Senator Morahan, Senate Print 1897, an act to authorize the Commissioner of General Services.

ACTING PRESIDENT YOUNG: Read the last section.

THE SECRETARY: Section 7. This act shall take effect immediately.

ACTING PRESIDENT YOUNG: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT YOUNG: The bill is passed.

THE SECRETARY: Calendar Number 284, by Senator Robach, Senate Print 3052, an act to amend the Executive Law, in relation to prohibiting employers.

ACTING PRESIDENT YOUNG: Read the last section.

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

ACTING PRESIDENT YOUNG: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT YOUNG: The bill is passed.

THE SECRETARY: Calendar Number 315, by Senator Leibell, Senate Print 3548, an act to amend the Retirement and Social Security Law, in relation to the employment of retired persons.

ACTING PRESIDENT YOUNG: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT YOUNG: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT YOUNG: The bill is passed.

THE SECRETARY: Calendar Number 318, by Senator Stachowski, Senate Print 944, an act to amend the Penal Law, in relation to criminal impersonation.

ACTING PRESIDENT YOUNG: Read the last section.

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

ACTING PRESIDENT YOUNG: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT YOUNG: The bill is passed.

THE SECRETARY: Calendar Number 319, by Senator DeFrancisco, Senate Print 1825, an act to amend the Penal Law, in

relation to payment of reparation.

ACTING PRESIDENT YOUNG: Read the last section.

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

ACTING PRESIDENT YOUNG: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT YOUNG: The bill is passed.

THE SECRETARY: Calendar Number 327, by Senator LaValle, Senate Print 2949, an act to amend the Penal Law, in relation to enhancing the penalties.

ACTING PRESIDENT YOUNG: Read the last section.

THE SECRETARY: Section 33. This act shall take effect on the first of November.

ACTING PRESIDENT YOUNG: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58. Nays, 2. Senators Montgomery and Perkins recorded

in the negative.

ACTING PRESIDENT YOUNG: The bill is passed.

THE SECRETARY: Calendar Number 329, by Senator Fuschillo, Senate Print 3079, an act to amend the Penal Law, in relation to criminal impersonation in the first degree.

ACTING PRESIDENT YOUNG: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 90th day.

ACTING PRESIDENT YOUNG: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT YOUNG: The bill is passed.

THE SECRETARY: Calendar Number 332, by Senator Young, Senate Print 3245, an act to amend the Penal Law, in relation to establishing the offense of promoting and possessing.

ACTING PRESIDENT YOUNG: Read the last section.

THE SECRETARY: Section 4. This

act shall take effect on the first of November.

ACTING PRESIDENT YOUNG: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT YOUNG: The bill is passed.

THE SECRETARY: Calendar Number 351, by Senator Bruno, Senate Print 3544, an act to amend the Election Law, in relation to the date for the spring primary.

ACTING PRESIDENT YOUNG: Read the last section.

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

ACTING PRESIDENT YOUNG: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT YOUNG: Senator, do you want to explain your vote?

SENATOR THOMPSON: Yes.

ACTING PRESIDENT YOUNG: Senator Thompson, to explain his vote.

SENATOR THOMPSON: Yes, I rise to

explain my vote, Madam Chairwoman.

I think this is a very important law, for a couple of quick reasons. One, over the last three presidential cycles, I've had the opportunity to be involved with a number of presidential campaigns. And the last one was really disturbing because New York State was really almost out of the process.

And I think the effort to move the presidential primary up is very good. This is one of the largest states in the union. I think it gives us the opportunity to do some amazing things.

We have a number of people that are interested in leading this country from both sides of the aisle. And I think if we were to allow it to stay later, that we would have been an afterthought in this process. And I believe it gives us an opportunity to do that.

Thank you. And I rise in support of this. I think it's a great opportunity.

The only thing I was going to say, too, is that the whole issue -- and I know we probably won't be able to deal with it this cycle. One of the things that I don't like

about the New York process as relates to this bigger prize is the fact that so many people have to go out in November and December to help candidates get on the ballot. And I know that one of the candidates who ran before, McCain, had frustration with that. And I think that that's something that should be looked at down the road as well.

Thank you.

ACTING PRESIDENT YOUNG: Thank you, Senator Thompson. You will be recorded as a yes.

Announce the results.

Oh, I'm sorry. Senator Hassell-Thompson, would you like to explain your vote?

SENATOR HASSELL-THOMPSON: Yes. I'm the Thompson with the Hassell. Yes, I would, Madam President, just briefly.

I understand that if New York State doesn't do something that in the process of -- in this election process, by the time they get to New York, they may decide that there's no need to even bother with the state of New York. And I understand all of that.

But I also, as one someone who has spent a lot of years just encouraging people to get out and vote and to just bring people out, I understand that the winter months are just more difficult. And that may not be relevant for some people in this chamber, but it's very relevant for me.

And so therefore, I just think that this change is just not something that I can support. I mean, I understand that it will pass. I just need to go on the record as saying that I don't think this is appropriate in terms of some neighborhoods and communities that I work in and have responsibility to get people out to the polls.

ACTING PRESIDENT YOUNG: Thank you, Senator Hassell-Thompson. You will be recorded as a no.

Announce the results.

THE SECRETARY: Ayes, 59. Nays, 1. Senator Hassell-Thompson recorded in the negative.

ACTING PRESIDENT YOUNG: The bill is passed.

Senator Skelos, that concludes the

noncontroversial reading. The bills are ready.

SENATOR SKELOS: Thank you, Madam President. If we could go to the controversial reading of the calendar.

ACTING PRESIDENT YOUNG: The Secretary will read.

THE SECRETARY: Calendar Number 166, by Senator Skelos, Senate Print 2375, an act to amend the Executive Law, in relation to including.

ACTING PRESIDENT YOUNG: Senator Sabini.

SENATOR SABINI: Madam President, if the sponsor would yield for a question.

ACTING PRESIDENT YOUNG: Senator Skelos, will you yield for a question?

SENATOR SKELOS: Yes, Madam President.

SENATOR SABINI: Thank you. Through you, Madam President, I just had a question regarding the implementation of this.

Is it the sponsor's intention that the DNA sample would be taken upon the arrest under these convictions?

SENATOR SKELOS: No, upon conviction.

SENATOR SABINI: Madam President, on the bill.

My concern was that the DNA being kept in a database, rather than a hard copy like a fingerprint, would not be returned to the person who was charged if a conviction was not upheld. And I'm concerned about the privacy rights of someone who was found not guilty.

But based on the answer to the question, I feel I can vote for this bill. Thank you.

ACTING PRESIDENT YOUNG: Thank you, Senator Sabini.

Does any other member wish to be heard on this bill? Then the debate is closed.

The Secretary will ring the bell.

The Secretary will read the last section.

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

ACTING PRESIDENT YOUNG: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT YOUNG: Senator Duane, to explain his vote.

SENATOR DUANE: Thank you, Madam President.

I have concerns about this legislation. And as many of you know, I am one of the very few in the Legislature who voted against the DNA expansion legislation.

Now, I feel that DNA, when used correctly, is in fact a wonderful tool --

ACTING PRESIDENT YOUNG: Excuse me.

It's noisy in the chamber. Could people please keep the noise to a minimum?

Senator Duane.

SENATOR DUANE: Thank you, Madam President.

So DNA, when used correctly, can be a wonderful tool. However, when used incorrectly, it can be a nightmare.

I also think that expanding the DNA database too quickly is bad public policy. We still haven't settled on where we're going to

store it and where we're going to get people trained to handle the samples. And that was based on the old legislation.

So I can't see why we should expand it further when there's so many unanswered questions about the original DNA expansion. Not to mention it's very expensive, and we have limited resources to do this work correctly.

I'd like to see some discussions and hearings on how the old legislation has been implemented before we put any more into our DNA work in this state.

And based on those reasons, I feel compelled to vote no, Madam President.

Thank you.

ACTING PRESIDENT YOUNG: Thank you, Senator Duane. You will be recorded as a negative.

Announce the results.

Senator Rath, to explain her vote.

SENATOR RATH: No, I have a point I want to make, not --

ACTING PRESIDENT YOUNG: Okay. Thank you, Senator.

May we have some order in the chamber, please.

Senator Skelos.

SENATOR SKELOS: If we could announce the results, please.

ACTING PRESIDENT YOUNG: Announce the results.

THE SECRETARY: Those recorded in the negative on Calendar Number 166 are Senators Adams, Connor, Montgomery, Parker, Perkins and Serrano.

Absent from voting: Senator C. Kruger.

Ayes, 54. Nays, 6.

ACTING PRESIDENT YOUNG: The bill is passed.

Senator Skelos.

SENATOR SKELOS: Madam President, is there any further business at the desk?

ACTING PRESIDENT YOUNG: Senator Rath.

SENATOR RATH: Yes, Madam President. I'd like the record to reflect that had I been in the chamber yesterday, I would have voted no on Calendar Number 254,

Senate Bill 2391.

Thank you.

ACTING PRESIDENT YOUNG: Thank you, Senator. The record will so reflect.

Senator Montgomery, why do you rise?

SENATOR MONTGOMERY: Yes, Madam President. I was in the Crime and Corrections Committee meeting yesterday, and had I been in the chamber, I would have voted no on Calendar Numbers 245, 246, and 218.

ACTING PRESIDENT YOUNG: Thank you, Senator. The record will so reflect.

SENATOR MONTGOMERY: Thank you.

ACTING PRESIDENT YOUNG: Senator Skelos.

SENATOR SKELOS: Madam President, there being no further business to come before the Senate, I move we stand adjourned until Monday, March 26th, at 3:00 p.m., intervening days being legislative days.

ACTING PRESIDENT YOUNG: Thank you, Senator.

On motion, the Senate stands adjourned until Monday, March 26th, at

3:00 p.m., intervening days being legislative days.

(Whereupon, at 1:13 p.m., the Senate adjourned.)