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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

April 9, 2008

11:16 a.m.

REGULAR SESSION

SENATOR ELIZABETH O'C. LITTLE, Acting President

STEVEN M. BOGGESS, Secretary

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P R O C E E D I N G S

ACTING PRESIDENT LITTLE: The
Senate will come to order.

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

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

ACTING PRESIDENT LITTLE: The
invocation today will be given by Rabbi Carlos
C. Huerta, who's the chaplain of the United
States Corps of Cadets at West Point.

RABBI HUERTA: Let us pray.
Father, we have come to this sacred
institution to honor the United States
Military Academy at West Point. We have come
to celebrate the lives and contributions of
the men and women of the Academy, America's
sons and daughters who have stepped forward to
defend our nation's freedom.

But just as the struggle for
freedom is met with the force of arms on
foreign battlefields by men and women of
character who embody the words of "duty,
honor, country," so must the battle of freedom

1 also be met with the forces of wit and wisdom
2 in the halls of legislatures such as these, by
3 men and women of equal character who embody
4 the words "We, the people."

5 Forty years ago this day we came
6 together to mourn as a nation as we buried one
7 of our greatest warriors of freedom, a
8 dreamer, Dr. Martin Luther King, Jr.

9 As we stand here today to honor the
10 United States Military Academy, may we here --
11 soldiers statesmen, citizens -- resolve that
12 we as a state, that we as a nation will take
13 the baton of the fallen dreamer forward, that
14 we as the people will stand together to rid
15 our land from the pestilence of pettiness, the
16 plague of hate and discrimination, and the
17 destructive force of bigotry and apathy, that
18 as we heed the words of Jesus and take care of
19 the least of these, our brothers, the light of
20 our righteousness will shine forth and
21 illuminate the world.

22 May these two sacred institutions,
23 one that represents the American soldier and
24 one that represents our sacred system of law,
25 take on the dream of Dr. King so that we'll be

1 able to stand to speed up that day when all of
2 God's children -- black men, white men, Jew,
3 Christian, Muslim, people of all colors and
4 all faiths -- will be able to hold hands and
5 sing, in the words of the old spiritual, "Free
6 at last, free at last, thank God Almighty,
7 we're free at last."

8 ACTING PRESIDENT LITTLE: Thank
9 you, Rabbi Huerta.

10 The reading of the Journal.

11 THE SECRETARY: In Senate,
12 Tuesday, April 8, the Senate met pursuant to
13 adjournment. The Journal of Monday, April 7,
14 was read and approved. On motion, Senate
15 adjourned.

16 ACTING PRESIDENT LITTLE: Without
17 objection, the Journal stands approved as
18 read.

19 Presentation of petitions.

20 Messages from the Assembly.

21 Messages from the Governor.

22 Reports of standing committees.

23 Reports of select committees.

24 Communications and reports from
25 state officers.

1 Motions and resolutions.

2 Senator Bruno.

3 SENATOR BRUNO: Madam President,
4 I believe we have a resolution at the desk,
5 5153, by Senator Larkin. I would ask that it
6 be read in its entirety and move for its
7 immediate adoption.

8 ACTING PRESIDENT LITTLE: The
9 Secretary will read.

10 THE SECRETARY: By Senator
11 Larkin, Legislative Resolution Number 5153,
12 memorializing Governor David A. Paterson to
13 proclaim April 9, 2008, as West Point Day in
14 New York State.

15 "WHEREAS, This Legislative Body is
16 justly proud to celebrate the establishment of
17 the United States Military Academy at West
18 Point and to call upon Governor David A.
19 Paterson to proclaim April 9, 2008, as
20 West Point Day in the State of New York; and

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

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

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

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

12 "WHEREAS, The Academy continues to
13 provide our country with able and dedicated
14 future leaders; and

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

19 "WHEREAS, The United States
20 Military Academy is in the forefront of our
21 state's outstanding institutions of higher
22 learning; and

23 "WHEREAS, Fifty-six years ago, the
24 late James T. McNamara, then a member of the
25 New York State Assembly, and a member of the

1 Academy's Class of 1939, was the author of the
2 State Legislature's first 'West Point Day'
3 resolution; and

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

9 "WHEREAS, The members of this
10 Legislative Body are proud to commemorate this
11 event, marking April 9, 2008, as West Point
12 Day in New York State; now, therefore, be it

13 "RESOLVED, That this Legislative
14 Body pause in its deliberations to celebrate
15 the establishment of the United States
16 Military Academy at West Point and to
17 memorialize Governor David A. Paterson to
18 proclaim April 9, 2008, as West Point Day in
19 New York State; and be it further

20 "RESOLVED, That a copy of this
21 resolution, suitably engrossed, be transmitted
22 to The Honorable David A. Paterson, Governor
23 of the State of New York."

24 ACTING PRESIDENT LITTLE: All in
25 favor of the resolution please signify by

1 saying aye.

2 (Response of "Aye.")

3 ACTING PRESIDENT LITTLE: The
4 resolution is adopted.

5 Senator Bruno.

6 SENATOR BRUNO: Thank you, Madam
7 President, colleagues, cadets and Brigadier
8 General Patrick Finnegan.

9 We add our voice of welcome to all
10 of you here and also welcome our County
11 Executive, Michael Breslin, who was a West
12 Point graduate in '61, I believe, with his
13 distinguished brother serving in the Senate
14 here on my left, Senator Neil Breslin.

15 This is a very special day,
16 General -- and for your first captain, Jason
17 Crabtree, who I believe is from Kingston,
18 Washington -- where you lead the delegation
19 from West Point. West Point that represents,
20 for the entire world, a steeple, a beacon of
21 freedom, where young men and women for
22 centuries -- I believe it's the oldest
23 military institution in the nation -- attend.

24 The General, having graduated in
25 '71, having gone on through Harvard Business

1 and getting a master's in business
2 administration, in public administration, is
3 truly a credit, decorated in so many ways for
4 his valor and his leadership. Appointed by
5 the President, serves at the pleasure of the
6 President.

7 Every one of these individuals, the
8 cadets representing everyone in that great
9 institution, each one being selected because
10 they really are outstanding in so many
11 different ways. With your ability to
12 communicate, your athletic ability to do the
13 kinds of things that you do, the intellect
14 that helps you put together everything that
15 you have to put together to qualify and to
16 succeed.

17 The most important thing, in these
18 times of crisis in the whole world, where men
19 and women are serving and dying -- and Rabbi,
20 thank you for that beautiful prayer. You said
21 it right, we are free. And we are free
22 because young men and women step up in
23 leadership positions, put their lives on the
24 line without any thought of anything other
25 than doing the right thing for themselves,

1 serving in valor and distinction for their
2 families and for every person in the United
3 States and in the free world.

4 Your families, everyone that knows
5 you, they're proud of you, proud of what you
6 do and how you do it. And I know that you
7 would feel a tremendous sense of pride that
8 you are separated from your peers with the
9 distinction of being a cadet at West Point,
10 the United States Military Academy, the best
11 in the world.

12 Our Senator Little, her son serves
13 as a commander in the Navy, the Navy Air,
14 flying I don't know how many in and out of
15 Iraq, Afghanistan; now stationed in Japan.

16 When you go on with your lives,
17 you'll never know where the future will take
18 you, but you will know that you have started
19 in your life and where you are now, that you
20 are special, that you are doing special
21 things, that you are looked upon as
22 accomplished and special at your tender ages.

23 So it's an honor, representing the
24 conference. And we have a colonel here in
25 Senator Larkin who represents that area, with

1 others, in making sure that everything and
2 anything that can be done is done to respect
3 and honor what you do and how you do it.

4 Madam President, by way of
5 schedules, we are going to -- this is the most
6 important thing that we will be doing this
7 morning. We are going to recess after this
8 event and this ceremony, and then you're all
9 invited to a reception here to honor the
10 cadets and their officers and leadership.

11 We will reconvene in session at
12 1:00. And we have the last of the major
13 budget bills to pass this afternoon so the
14 19 million people of this state will have a
15 budget in place that they need in order to
16 enjoy a quality of life.

17 Thank you, Madam President.

18 ACTING PRESIDENT LITTLE: Thank
19 you, Senator Bruno.

20 Senator Larkin.

21 SENATOR LARKIN: Thank you, Madam
22 President. Thank you, Senator Bruno.

23 You all know, if you haven't met
24 him yet, Senator Bruno's shy brother is
25 sitting down there, Colonel Dan Bruno. Notre

1 Dame graduate, though, you know.

2 You know, what an honor it is to
3 stand before you and talk about West Point. I
4 live on the road to West Point, on 218. I've
5 seen things come and go. I've had a distinct
6 privilege, having served 23 years -- at one
7 time in the same unit with Senator Bruno. He
8 was a gallant first sergeant in the 35th
9 Infantry Regiment of Tropical Lightning,
10 better known as the 25th Infantry, while I was
11 honored to serve in the Wolfhounds, the 27th.
12 We showed them, Joe.

13 You know, General Finnegan, it's an
14 honor to be here with the cadets. You know,
15 when you get to be my age, you start to look
16 back at your past and what you think about at
17 West Point. We've had two presidents went to
18 West Point. We have had the first to walk in
19 space, West Point. We've had numerous Medal
20 of Honor winners. We've had scientists.
21 We've had everything that you could think
22 about came out of West Point. And the three
23 words, "duty, honor, and country" were
24 embellished on everything that was done by
25 these cadets.

1 You know, somebody said to me the
2 other day, I was in the Panama Canal. I said
3 no, I wasn't, but a member of West Point was
4 the architect for it.

5 We just had, two days ago, a Navy
6 Seal presented with the Medal of Honor. My
7 recollection is there are 80 Medal of Honor
8 recipients who graduated from West Point.
9 There are 82 Rhodes Scholars and three Heisman
10 Trophy winners. You know, someone doesn't
11 appreciate it, General, but I do. I know
12 schools that don't have any.

13 But let's look at what we're
14 talking about. We have a leader here with us
15 today, General Finnegan, who's the academic
16 dean. You know, those of you in your own
17 colleges, you know who the provost was and who
18 the dean was. But this academic dean doesn't
19 get appointed by friends and relatives, he
20 gets appointed by the President.

21 It's a tenure. It's a tough job.
22 It's a tough job because your commitment --
23 General Swezey's looking at him. He's
24 remembering the days he was there, Pat -- what
25 happens? The guidance, the father of all

1 cadets. Because it's his job to ensure that
2 these cadets are not just academically
3 prepared but they are everything prepared for
4 the day they graduate and go on to something
5 new.

6 We look at what we have here today,
7 the cadets here today. They're from around
8 America. When I first heard Cadet Crabtree
9 was coming and it said Kingston, I thought,
10 man, that's great, just down the road here.
11 But then it has to say the State of
12 Washington. We may convert you yet.

13 You know, General Finnegan, you
14 know, we look at some people with awards and
15 decorations. I'm proud to wear them today
16 because the new Army regulation, if I'm
17 correct, General, said when you're having
18 events including the military, you do it.

19 I'm also proud to have someone from
20 my district here honored. She was one of the
21 starlets of what is called the Odyssey of the
22 Mind. And I thank you. And I attended more
23 than one of those meetings. Thank you very,
24 very much. Cornwall won them all, and she was
25 the leader, just like she is at West Point.

1 Thank you.

2 You know, I think it's most
3 important that we identify these cadets. And
4 I would ask that when we identify you, please
5 stand up. Because there are people here on
6 both sides of the aisle -- this is not a
7 divided aisle today, this is an aisle that
8 comes together in appreciation for what you
9 stand for.

10 And, first, Cadet Jason Crabtree,
11 from Kingston, the State of Washington, First
12 Captain. Thank you very much.

13 (Applause.)

14 SENATOR LARKIN: Cadet Tom Jebb,
15 from Ticonderoga.

16 (Applause.)

17 SENATOR LARKIN: Cadet William
18 Kennedy, from Hicksville.

19 (Applause.)

20 SENATOR LARKIN: Cadet Whitney
21 Marx, from Jamesville.

22 (Applause.)

23 SENATOR LARKIN: Cadet Daniel
24 McGrath, from Bethpage.

25 (Applause.)

1 SENATOR LARKIN: Now, I hope I
2 don't get this wrong; they did this
3 phonetically for me. It says Cadet Hemanth
4 Nalmothu, from Bayside.

5 (Applause.)

6 SENATOR LARKIN: Cadet Michelle
7 Shin, from Great Neck.

8 (Applause.)

9 SENATOR LARKIN: Cadet Benjamin
10 Sylvester, from Poughkeepsie.

11 (Applause.)

12 SENATOR LARKIN: Cadet Jacqueline
13 Uhorchak, from Highland Mills.

14 (Applause.)

15 SENATOR LARKIN: She also went to
16 school with my nephew -- I mean my grandson,
17 excuse me.

18 UNIDENTIFIED SENATOR: It's tough
19 at your age.

20 SENATOR LARKIN: Be nice now.
21 Cadet Brian Walsh, from Orangeburg.

22 (Applause.)

23 SENATOR LARKIN: Cadet Bovey Zhu,
24 from Stormville.

25 (Applause.)

1 SENATOR LARKIN: Now, you know,
2 we've given each one of them a round of
3 applause. They're the pride and joy of
4 America.

5 If you ever get the opportunity to
6 sit on an Academy Review Board, you should do
7 it, because you'll meet the finest and the
8 best coming to the boards. And you start to
9 realize that sometimes there's 15,000, 20,000
10 applicants across America, and you have to be
11 a partner in reducing that to the allocation.

12 There's 4,000 members of the Corps
13 today. Graduation will be in May. And when
14 you think about life, think about the
15 firsties. For those of you don't understand
16 it, that means seniors. That's the day when
17 they break the knot, toss the hat in the air,
18 and move on. And most of them will go to
19 places that they will be in harm's way.

20 They understand the mission. The
21 mission is terrorism and what we have to do
22 with it. They have a super mentor, Class of
23 1974, General Petraeus, who's from Cornwall,
24 New York. An honorable, dedicated, committed
25 American.

1 And when we start to look about
2 this, we start to think about how fortunate we
3 are as Americans to have people like Senator
4 Breslin's brother, highly decorated combat
5 veteran, Vietnam. Very decorated. And
6 everyone here.

7 But what we need to do is to start
8 to remember that these are people who work in
9 our communities. In a couple of months we
10 will have our Olympics, Special Olympics,
11 where you will see parents from the Hudson
12 Valley with their children. And you will see
13 the engagement by the cadets, from plebes to
14 firstties, and how they engage with these
15 people. The cadets also do a lot of work in
16 our communities.

17 And, you know, let's not forget
18 what the community otherwise benefits from it.
19 Four thousand cadets, that spends a lot of
20 dough in your community. The goods that are
21 brought there, the staff and faculty that live
22 there. West Point is a community of close to
23 10,000 people, and they're very positive in
24 what they do for the economy.

25 I just think that we're looking at

1 a bedrock of dedicated human beings. You
2 know, when I look in the eyes of the cadets
3 and think of what they're going to be, I think
4 of my 23 years. I never met a member of the
5 Long Gray Line that I was ashamed of. I never
6 met a man or woman from the Long Gray Line
7 that I wasn't proud to serve with, be it a
8 peer, subordinate, superior, because they
9 always had those three words: "Duty, honor
10 and country." And as long as we've got them,
11 this nation will go.

12 I'm proud that I represent West
13 Point. A little emotional. But when I hear
14 people downgrade our military, be
15 disrespectful, it hurts. Because you have
16 volunteered for this. You have said "I want
17 to make a difference in my country, and I want
18 to be here." Whether you're in the infantry,
19 engineers, signal, aviation, whatever -- every
20 piece of that pie comes together, and it comes
21 together because you have made a commitment.

22 You didn't go to West Point so you
23 could avoid the draft. You didn't go to West
24 Point because you thought it would be cheaper.
25 You didn't go to West Point because you knew

1 you couldn't go out in your plebe gear on
2 Friday nights. You went to West Point because
3 you wanted to be a part of that great
4 institution.

5 Ladies and gentlemen, the Corps of
6 Cadets.

7 (Standing ovation.)

8 ACTING PRESIDENT LITTLE: Thank
9 you, Senator Larkin.

10 Senator Bruno.

11 SENATOR BRUNO: Thank you,
12 Senator Larkin, very, very much.

13 And with the indulgence of the
14 conference, we're going to ask, Madam
15 President, for unanimous consent to ask
16 General Finnegan if he would approach the
17 rostrum and address the Senators and the
18 people assembled here.

19 Thank you, General.

20 ACTING PRESIDENT LITTLE: Thank
21 you, Senator Bruno.

22 General Finnegan.

23 GENERAL FINNEGAN: Senator Bruno,
24 Senator Larkin and members of this
25 distinguished Senate, thank you for having us

1 up here again. The Academy always appreciates
2 West Point Day in Albany.

3 I bring you greetings from our
4 superintendent, Lieutenant General "Buster"
5 Hagenbeck, who has a special connection to
6 New York.

7 I have a connection as well. I'm
8 not only a West Point graduate, so I spent
9 four years at West Point back in the 1960s and
10 early '70s, but I've been at West Point now,
11 back at West Point for about a decade, so I've
12 spent 10 more years in New York.

13 But my dad was from New Jersey -- I
14 have to admit that -- but a strong New York
15 Yankees fan. So my five brothers and me are
16 all lifelong Yankee fans, a heritage from my
17 father.

18 My youngest grandson, Connor,
19 age 2, was born in Peekskill, New York. And
20 he and his mom and dad and brother now live in
21 Highland Falls.

22 But my strongest connection to
23 New York is a girl named Joan, who was born in
24 Brooklyn, grew up in Westbury, Long Island,
25 went to nursing school in Syracuse, and whom I

1 met when I was a yearling, a sophomore at
2 West Point, in 1968.

3 I'd gone to high school in
4 Baltimore, so I was a Baltimore Colts fan.
5 She was a New York Jets fan, and she never let
6 me forget, in January 1969, the results of
7 Super Bowl III.

8 But she and I have been married for
9 almost 37 years now, and I'm happy to bring
10 her back to New York.

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

17 Last year the Army needed to put
18 107,000 people in uniform to meet its goals in
19 the active Army and Reserves, and New York
20 continues to answer the call to duty. More
21 than 3800 New Yorkers enlisted in the regular
22 Army, and over 1300 enlisted in the Reserves.

23 There are two major military
24 installations in New York, Fort Drum and West
25 Point. And our superintendent, General

1 Hagenbeck, has had the privilege to command
2 both. Right now there are nearly 17,000
3 soldiers stationed at Fort Drum, although many
4 of them are currently far from home, deployed
5 in harm's way. And along with those soldiers,
6 there are about 15,000 family members at Fort
7 Drum.

8 On behalf of all those who climb to
9 glory as part of the 10th Mountain Division
10 team and community, thank you for the support
11 you've provided and the support you'll
12 continue to provide.

13 West Point is a slightly smaller
14 military installation, about 4,000 military
15 personnel and family members. But our mission
16 is large. We produce leaders of character for
17 our Army and our great nation. And the
18 Academy could not accomplish this without the
19 continued support of the New York Legislature
20 and the surrounding communities outside our
21 gates.

22 We work hard to be good neighbors
23 and partners. And today Senator Bruno and I
24 signed the Army Community Covenant. It's
25 designed to develop and foster effective state

1 and community partnerships with the Army in
2 improving the quality of life for soldiers and
3 their families. It recognizes the strength of
4 soldiers and families and the support of the
5 community.

6 This is a great initiative
7 countrywide, but here in New York you have
8 been longtime supporters of West Point, and
9 the Army Community Covenant signing in Albany
10 is a great formal recognition of that support.
11 And we are, today -- this was the first
12 signing of the Army Community Covenant
13 nationwide, so you are the first.

14 We have these cadets from New York.
15 There are 414 cadets from New York, including
16 78 women. That represents more than
17 10 percent of the Corps of Cadets. And today,
18 along with Cadet Jason Crabtree, the First
19 Captain for the Corps of Cadets -- who, by the
20 way, is one of those 82 Rhodes Scholars that
21 Senator Larkin mentioned -- we've traveled to
22 Albany with those cadets from across the
23 Empire State.

24 I'm proud of all these young men
25 and women as well as all those who have signed

1 up to serve while our country is at war. And
2 among these cadets who are here are NCAA
3 athletes, club sport athletes, national
4 champions, Dean's List students, cadet
5 leadership, first generation Americans
6 benefitting from opportunities provided by
7 this great nation, those with strong family
8 ties to the Academy and the military, with
9 relatives who are currently serving in support
10 of the Global War on Terror.

11 All are future leaders of this
12 country. I know that you're also proud of
13 them, and we couldn't do it without you.

14 You know, leaders are made and
15 developed, not born. And that's what we do at
16 West Point. We challenge them every day,
17 physically and intellectually, to achieve
18 excellence. We instill those virtues of duty,
19 honor, and country to produce leaders of
20 character for our soldiers, for our Army and
21 for our nation. We bring in the best and
22 brightest from New York and those other states
23 and develop leaders. And let me tell you just
24 about a couple of them.

25 Lieutenant Bryan Jackson, West

1 Point Class of 2005, last May was awarded the
2 Distinguished Service Cross for his actions in
3 Iraq. He earned that award as a second
4 lieutenant. It's the second-highest award,
5 second only to the Medal of Honor. And he's
6 only the second individual ever awarded that
7 in the Global War on Terror.

8 Bryan Jackson is a field artillery
9 officer assigned to an infantry unit. When an
10 infantry platoon came under heavy attack, he
11 responded with his company commander and first
12 sergeant and a relief element to go help them.

13 When they arrived at the site, they
14 were taken under an ambush, heavy machine gun
15 fire, and all of them were wounded, including
16 Bryan, who was shot and wounded in the hip,
17 lost consciousness briefly, regained
18 consciousness and returned fire, protecting
19 his wounded comrades.

20 He was wounded again, shot in the
21 hand, again briefly lost consciousness but
22 continued to fire, continued to protect his
23 fellow soldiers. He refused medical
24 evacuation until the others were evacuated.
25 And in fact, he personally carried the first

1 sergeant to safety.

2 Bryan was one of my students when
3 he was a cadet at West Point, and so I was
4 honored to attend the ceremony in the Pentagon
5 when Secretary Geren awarded him the
6 Distinguished Service Cross. But what was
7 even more meaningful was that the company
8 commander and first sergeant were there at the
9 ceremony because of Bryan's actions.

10 Let me tell you about another
11 reason -- the reason I'm proud to be at West
12 Point is because of cadets, to be associated
13 with them. I'll tell you a story.

14 On Good Friday last year, we got a
15 call from the Pentagon. They said, "Admiral
16 Wu wants to come visit you tomorrow." Admiral
17 Wu is the top-ranking admiral in the Chinese
18 Navy. You ought to kind of like his title,
19 though. He's the Chief of Naval Operations
20 for the People's Liberation Army (Navy).

21 He wanted to come visit us. We
22 said, "Why doesn't he go to Annapolis?" They
23 said, "He's already been to Annapolis. He
24 wants to come to West Point."

25 So Admiral Wu and six other Chinese

1 admirals were coming to visit us the next day,
2 on short notice. We weren't sure what exactly
3 we were going to do with them, but we had four
4 cadets who had spent a semester abroad in
5 China. We asked them to be our interpreters
6 and translators. We had lunch with them, and
7 then the plan was to take Admiral Wu and his
8 entourage on a historical tour of West Point.
9 We thought this is a great historical place,
10 we'll do this.

11 We finished the lunch, we trooped
12 out, we got on the bus, we sat there on the
13 bus. We had a professor from our history
14 department ready to give them a tour. And
15 Admiral Wu turned to me, through his
16 interpreter, and said: "We just want you to
17 know we don't care a thing about history."

18 (Laughter.)

19 GENERAL FINNEGAN: "All we want
20 to do is see cadets."

21 So I said to our history professor,
22 "Your work here is done, you can sit down."

23 We took him over to see some
24 cadets. And then we had a little bit of time
25 left, we had no particular idea of where we

1 were going to go because our plan had gone out
2 the window. We said, "Why don't we take you
3 over to our gym, Arvin Gymnasium, and we can
4 show you what the cadets do there. There's
5 swimming courses, there are indoor obstacle
6 course tests." And he said sure.

7 So we had our four cadets speaking
8 to them in Chinese, trying to explain to them
9 this indoor obstacle course test that every
10 cadet does. We went into the gym, and there
11 are climbing ropes that hang from the ceiling
12 of the gym.

13 And Admiral Wu turned to one of our
14 cadets, who was dressed like they are today,
15 in their dress gray, and said: "Can you climb
16 the rope?" And he did, to the top of the rope
17 and down. And Admiral Wu said: "Oh, yeah,
18 but you used your hands and your feet."

19 Well, there were three other cadets
20 who happened to be in the gym that day. They
21 had no idea we were coming, because we had no
22 idea we were coming there. And I went over to
23 the three of them, out of earshot of Admiral
24 Wu, and said: "We're trying to explain to
25 Admiral Wu, People's Chinese Liberation Army

1 (Navy) about the indoor obstacle course test.
2 We're not sure he gets it. Would one of you
3 be willing to run through it for him?"

4 And one young man, without
5 hesitating, said, "Sir, I'll do it." Turns
6 out he was a plebe, a freshman, and he's from
7 New York.

8 He came over and met Admiral Wu.
9 And the first thing Admiral Wu said to him is:
10 "Can you climb the rope using just your
11 hands?"

12 And he did. He climbed to the top
13 of the rope using just his hands, he came
14 down, and then he ran through the indoor
15 obstacle test -- which, as any these cadets
16 can tell you, is a pretty good test of
17 endurance and strength -- in about three
18 minutes.

19 He came over to Admiral Wu a little
20 bit out of breath, but he did it just fine.
21 Admiral Wu shook his hand and gave him a coin
22 and said: "Why did you come to West Point?"

23 I had no idea what he was going to
24 say. I'd never met him, never seen him. But
25 without hesitating, this young plebe said:

1 "Sir, I want to be an officer, I want to lead
2 soldiers, I want to serve my country."

3 I don't know what else you would
4 want. That's what these cadets are about.

5 Let me tell you about one other
6 graduate. First Lieutenant Jonathan Edds,
7 West Point Class of 2005, died leading his
8 platoon in a firefight in Iraq last August.
9 His older brother Joel, West Point Class of
10 2004, is a captain in the Army stationed at
11 Fort Drum, recently returned from his own tour
12 in Iraq. Their younger brother Josh is a
13 senior at West Point, a firstie, Class of
14 2008.

15 These three boys come from a
16 Midwestern family with no military background,
17 but all heard the call to serve their country.
18 Jon Edds was a plebe at West Point for just
19 over two months when planes were flown into
20 the World Trade Center.

21 When his parents were notified of
22 Jon's death, they contacted his brother Joel
23 at Fort Drum, and Joel drove from there to
24 West Point to tell Josh about their loss.

25 About a week later, Jon's funeral

1 was held at West Point. His older brother
2 eulogized him, talked about their time at West
3 Point together, what a transforming experience
4 it had been, and how they felt a brotherhood,
5 not just of family but with all soldiers.

6 I was privileged to represent the
7 Chief of Staff of the Army at the funeral that
8 day, a duty I had requested in part because I
9 had known and taught Jon as a cadet. When the
10 funeral service was completed, Mr. Edds, the
11 father of these three young men, approached me
12 and said, "What Joel said was right. West
13 Point took our boys and not only turned them
14 into men, it transformed them into something
15 more -- leaders who understood service. I
16 just want you to know that if we had three
17 more, we would send them here."

18 These are difficult times for our
19 Army and occasionally, like that one, very
20 difficult days at West Point. We face
21 challenges in resourcing and recruiting. We
22 appreciate the help many of you have already
23 given, and ask all of our friends to continue
24 to help us out.

25 West Point is your school as well.

1 It's your Academy. And in a sense, we win a
2 national championship every year when new
3 lieutenants like Bryan Jackson and Jonathan
4 Edds and these cadets graduate and uphold the
5 finest traditions of the Long Gray Line,
6 living the motto "Duty, honor, country."

7 Thank you once again for having us
8 and affirming the importance of the critical
9 relationship between West Point and New York.
10 Come see us. Come see your Academy. What
11 we're privileged to do, what we've always
12 done, is help develop and prepare the next
13 generation of Bryan Jacksons and Jonathan Edds
14 and these cadets from New York. Come talk to
15 these cadets. They'll inspire you as they
16 inspire me and all of us at West Point.

17 Thank you, and Go, Army!

18 (Standing ovation.)

19 ACTING PRESIDENT LITTLE: The
20 resolution is open for cosponsorship. All
21 Senators will be placed on the resolution.
22 Any Senator not wishing to be on the
23 resolution please notify the desk.

24 Senator Bruno.

25 SENATOR BRUNO: Madam President,

1 General Finnegan, thank you. Thank you for
2 the appropriate observations and comments, for
3 those moving reminders of just how important
4 all the things that you represent, with First
5 Captain Jason Crabtree being representative of
6 all of the cadets. But to the officers, to
7 all of you, and to Senator Larkin for his
8 leadership here and your representation, we
9 just say, again, thank you.

10 Every member in this chamber, I can
11 share you with you, would like to be up making
12 observations and comments from their heart to
13 you. Senator Maltese, Vinnie Leibell, Senator
14 Bonacic and many others have requested an
15 opportunity to speak.

16 You are and we are in time
17 constraints, and I know how important that is
18 in your life, to be precise, and in our life,
19 so that we can move on this afternoon, after
20 this important business, to do the rest of the
21 people's work and enact a state budget.

22 So I am going to ask the indulgence
23 of my colleagues here. And again, we say
24 thank you, from the bottom of our hearts, for
25 your valor, courage, for everything that you

1 represent for all of the people who want to be
2 free, not just in the United States but
3 throughout the world. You truly are very,
4 very special people. Thank you.

5 And, Madam President, I would move
6 that we stand in recess till 1 o'clock and
7 invite those that are here to join with the
8 General and the cadets in the Majority
9 Conference Room, where there will be a
10 reception.

11 Thank you.

12 ACTING PRESIDENT LITTLE: Thank
13 you, Senator Bruno.

14 The Senate will stand in recess
15 until 1 o'clock. Thank you.

16 (Whereupon, the Senate stood at
17 recess at 11:56 a.m.)

18 (Whereupon, the Senate reconvened
19 at 1:03 p.m.)

20 SENATOR SKELOS: Mr. President.

21 ACTING PRESIDENT DeFRANCISCO:

22 The Senate will come to order.

23 Senator Skelos.

24 SENATOR SKELOS: Mr. President, I
25 believe we're still on the order of motions

1 and resolutions.

2 ACTING PRESIDENT DeFRANCISCO:

3 That is correct.

4 SENATOR SKELOS: And Senator
5 Griffo has two motions at this time.

6 ACTING PRESIDENT DeFRANCISCO:

7 Senator Griffo.

8 SENATOR GRIFFO: Mr. President,
9 on behalf of Senator Golden, on page 25 I
10 offer the following amendments to Calendar
11 Number 411, Senate Print Number 6966, and ask
12 that said bill retain its place on Third
13 Reading Calendar.

14 ACTING PRESIDENT DeFRANCISCO:

15 The amendments are received and adopted, and
16 the bill will retain its place on the Third
17 Reading Calendar.

18 Excellent job, Senator. Do you
19 have another one?

20 SENATOR GRIFFO: Yes.

21 ACTING PRESIDENT DeFRANCISCO:

22 Well, let's get to it, then.

23 SENATOR GRIFFO: Jack, are you
24 whispering to him?

25 (Laughter.)

1 SENATOR GRIFFO: Mr. President, I
2 move that the following bills from Senator
3 Marcellino be discharged from their respective
4 committees and be recommitted with
5 instructions to strike the enacting clause:
6 Senate Number 7506, from Senator Marcellino.

7 ACTING PRESIDENT DeFRANCISCO: So
8 ordered.

9 Senator Skelos.

10 SENATOR SKELOS: Mr. President,
11 there will be an immediate meeting of the
12 Finance Committee in Room 124 of the Capitol.

13 ACTING PRESIDENT DeFRANCISCO:
14 There will be an immediate meeting of the
15 Finance Committee in Room 124 of the Capitol.

16 SENATOR SKELOS: And we'll stand
17 at ease.

18 ACTING PRESIDENT DeFRANCISCO:
19 The Senate stands at ease.

20 (Whereupon, the Senate stood at
21 ease at 1:05 p.m.)

22 (Whereupon, the Senate reconvened
23 at 1:29 p.m.)

24 SENATOR SKELOS: Mr. President.

25 ACTING PRESIDENT MORAHAN:

1 Senator Skelos.

2 SENATOR SKELOS: Mr. President,
3 if we could go to the noncontroversial reading
4 of the calendar.

5 ACTING PRESIDENT MORAHAN: The
6 Secretary will read.

7 THE SECRETARY: Calendar Number
8 508, by Senator Marcellino, Senate Print 619,
9 an act to amend the Vehicle and Traffic Law,
10 in relation to enforcement.

11 ACTING PRESIDENT MORAHAN: Read
12 the last section.

13 THE SECRETARY: Section 3. This
14 act shall take effect on the first of
15 November.

16 ACTING PRESIDENT MORAHAN: Call
17 the roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MORAHAN:
20 Announce the results.

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

23 ACTING PRESIDENT MORAHAN: The
24 bill is passed.

25 THE SECRETARY: Calendar Number

1 603, by Senator Golden, Senate Print 6821A, an
2 act to amend the Public Authorities Law, in
3 relation to providing financing.

4 ACTING PRESIDENT MORAHAN: Read
5 the last section.

6 THE SECRETARY: Section 3. This
7 act shall take effect on the 50th day.

8 ACTING PRESIDENT MORAHAN: Call
9 the roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MORAHAN:
12 Announce the results.

13 THE SECRETARY: Ayes, 60.

14 ACTING PRESIDENT MORAHAN: The
15 bill is passed.

16 THE SECRETARY: Calendar Number
17 609, by Senator Robach, Senate Print 7222, an
18 act to amend Chapter 206 of the Laws of 1974
19 amending the Labor Law.

20 ACTING PRESIDENT MORAHAN: Read
21 the last section.

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

24 ACTING PRESIDENT MORAHAN: Call
25 the roll.

1 (The Secretary called the roll.)
2 ACTING PRESIDENT MORAHAN:
3 Announce the results.
4 THE SECRETARY: Ayes, 60.
5 ACTING PRESIDENT MORAHAN: The
6 bill is passed.
7 THE SECRETARY: Calendar Number
8 682, by Senator DeFrancisco, Senate Print --
9 SENATOR SKELOS: Lay it aside for
10 the day, please.
11 ACTING PRESIDENT MORAHAN: The
12 bill is laid aside for the day.
13 The Secretary will read.
14 THE SECRETARY: Calendar Number
15 693, by Senator Skelos, Senate Print 962A, an
16 act to amend the Public Officers Law and the
17 Civil Practice Law and Rules, in relation to
18 provision on public agency records.
19 ACTING PRESIDENT MORAHAN: Read
20 the last section.
21 THE SECRETARY: Section 8. This
22 act shall take effect on the 30th day.
23 ACTING PRESIDENT MORAHAN: Call
24 the roll.
25 (The Secretary called the roll.)

1 ACTING PRESIDENT MORAHAN:

2 Announce the results.

3 THE SECRETARY: Ayes, 60.

4 ACTING PRESIDENT MORAHAN: The
5 bill is passed.

6 THE SECRETARY: Calendar Number
7 699, by Senator Trunzo, Senate Print 885, an
8 act to amend the Vehicle and Traffic Law, in
9 relation to dealers and dealer registration.

10 ACTING PRESIDENT MORAHAN: Read
11 the last section.

12 THE SECRETARY: Section 5. This
13 act shall take effect on the 90th day.

14 ACTING PRESIDENT MORAHAN: Call
15 the roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MORAHAN:
18 Announce the results.

19 THE SECRETARY: Ayes, 60.

20 ACTING PRESIDENT MORAHAN: The
21 bill is passed.

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

24 SENATOR SKELOS: Mr. President,
25 thank you.

1 If we could return to reports of
2 standing committees for the report of the
3 Finance Committee.

4 ACTING PRESIDENT MORAHAN:
5 Reports of standing committees.

6 The Secretary will read.

7 THE SECRETARY: Senator O.
8 Johnson, from the Committee on Finance,
9 reports the following bills:

10 Senate Print 6801B, Senate Budget
11 Bill, an act making appropriations for the
12 support of government;

13 6803D, Senate Budget Bill, an act
14 making appropriations for the support of
15 government;

16 And Senate Print 6807C, Senate
17 Budget Bill, an act to amend the Education
18 Law.

19 All bills ordered direct to third
20 reading.

21 ACTING PRESIDENT MORAHAN:
22 Without objection, all bills are reported
23 directly to the Third Reading Calendar.

24 Senator Skelos.

25 SENATOR SKELOS: If we could go

1 to Number 767, please.

2 ACTING PRESIDENT MORAHAN: The
3 Secretary will read.

4 THE SECRETARY: Calendar Number
5 767, Senate Budget Bill, Senate Print 6801B,
6 an act making appropriations for the support
7 of government: Legislature and Judiciary
8 Budget.

9 ACTING PRESIDENT MORAHAN:
10 Senator Skelos.

11 SENATOR SKELOS: Mr. President,
12 is there a message of necessity at the desk?

13 ACTING PRESIDENT MORAHAN: Yes,
14 there is, Senator.

15 SENATOR SKELOS: Move to accept.

16 ACTING PRESIDENT MORAHAN: All
17 those in favor of accepting the message of
18 necessity say aye.

19 (Response of "Aye.")

20 ACTING PRESIDENT MORAHAN:
21 Opposed, nay.

22 (No response.)

23 ACTING PRESIDENT MORAHAN: The
24 message is accepted.

25 The Secretary will read the last

1 section.

2 THE SECRETARY: Section 5. This
3 act shall take effect immediately.

4 ACTING PRESIDENT MORAHAN: Call
5 the roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MORAHAN:
8 Announce the results.

9 THE SECRETARY: Ayes, 61.

10 ACTING PRESIDENT MORAHAN: The
11 bill is passed.

12 THE SECRETARY: Calendar Number
13 768, Senate Budget Bill, Senate Print 6803D,
14 an act making appropriations for the support
15 of government: Education, Labor and Family
16 Assistance Budget.

17 ACTING PRESIDENT MORAHAN:
18 Senator Skelos.

19 SENATOR SKELOS: Mr. President,
20 is there a message of necessity at the desk?

21 ACTING PRESIDENT MORAHAN: Yes,
22 there is, Senator.

23 SENATOR SKELOS: Move to accept.

24 ACTING PRESIDENT MORAHAN: All in
25 favor of accepting the message of necessity

1 signify by saying aye.

2 (Response of "Aye.")

3 ACTING PRESIDENT MORAHAN:

4 Opposed, nay.

5 (No response.)

6 ACTING PRESIDENT MORAHAN: The
7 message is accepted.

8 The Secretary will read the last
9 section.

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

12 ACTING PRESIDENT MORAHAN: Call
13 the roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT MORAHAN:
16 Senator Bonacic, to explain his vote.

17 SENATOR BONACIC: Thank you,
18 Mr. President.

19 I just am pleased that there's a
20 small component in this budget bill of
21 \$15 million to help those families who live
22 near the rivers that have been damaged by
23 floods. This is the first time we have done
24 this.

25 I want to thank Senator Bruno, who

1 fought hard to have this item stay in the
2 budget, because I know the Governor and the
3 Assembly did not want to do this piece.

4 So now that we have it, it will not
5 only help our flood areas but many other
6 Senators who have families who live in primary
7 residences who can't sell their homes because
8 of being in a flood area and having actually
9 had damage to their homes in the past.

10 So they will be better protected,
11 and hopefully this will be a base for
12 continued support for these families as we go
13 forth into the future.

14 Thank you, Mr. President.

15 ACTING PRESIDENT MORAHAN: Thank
16 you, Senator.

17 Senator Stavisky, to explain her
18 vote.

19 SENATOR STAVISKY: Yes, thank
20 you, Mr. President.

21 I vote aye, but I want to make it
22 very clear that traditionally the split
23 between SUNY and CUNY has been 60/40. And
24 that this budget, because of cuts by the
25 Executive, the traditional percentage may not

1 be as clear-cut as it's been in the past.

2 And hopefully we will be able to
3 come together at an earlier date and perhaps
4 resolve some of these issues, because I am
5 very concerned about the future of the State
6 University of New York as well as the City
7 University of New York, because it seems to me
8 that every person who is able to benefit from
9 a public college deserves that opportunity.

10 Thank you, Mr. President.

11 ACTING PRESIDENT MORAHAN: Thank
12 you, Senator Stavisky. You will be recorded
13 in the affirmative, as will Senator Bonacic.

14 Senator Saland, to explain his
15 vote.

16 SENATOR SALAND: Thank you,
17 Mr. President.

18 Mr. President, unfortunately I was
19 not in the chamber when the bill was called,
20 so I will try and be as brief as I can. I
21 realize my time is limited.

22 I rise to express my concerns about
23 an issue which rather plagued me as the
24 chairman of the Senate Education Committee, an
25 issue dealing with Contracts for Excellence, a

1 proposal which was brought to us by the very
2 same people and the very same mindset under
3 former Governor Spitzer that gave us driver's
4 licenses for illegal aliens.

5 The fact of the matter is is this
6 was not put together in a fashion that
7 reflects any educational policy. It basically
8 represents a policy driven by numbers. It
9 represents a policy that ostensibly is about
10 accountability. It represents a policy that
11 treats jaywalkers like violent felons.

12 It's a policy that says if you have
13 a school that's in need of improvement -- and
14 I will cite an example in my district of a
15 school district with some 10,000 students that
16 has one school out of 13 in which that school
17 has one subgroup that fails to comply with
18 AYP. And for that glorious infraction, they
19 are now treated pretty much like any other
20 school district that could have as many as a
21 dozen, 15 failing schools.

22 By way of comparison -- and that's
23 not to demonize or denigrate -- I find that
24 this particular school district, the Arlington
25 School District, is treated in the exact same

1 fashion as the Syracuse School District, a
2 district with some 33 schools and certainly
3 far more numbers of educational problems
4 within their schools than does Arlington have.

5 And thanks to this, what happens is
6 effectively there is a complete loss of
7 discretion, although there's some window
8 dressing that would say that there is some
9 greater degree of autonomy. And yes, I should
10 acknowledge there is some greater degree than
11 there was last year. But these districts are
12 effectively hamstrung, if you're a C4E
13 district, with regard to the additional money
14 that you receive.

15 Be mindful of the fact that, once
16 again, there are districts that are on here
17 because their cardinal sin was that they
18 didn't have enough kids to take the required
19 NCLB tests. Be mindful of the fact that, once
20 again, 30 percent of the districts are
21 successful school districts. Be mindful of
22 the fact that if you are fortunate enough not
23 to have a school under C4E, you're being
24 spared a terrible nightmare.

25 But for the 40 districts that are

1 currently in, it is a horrible nightmare.
2 There's no proportionality. It's a
3 one-size-fits-all. There is little or no
4 recognition that there are gradations of the
5 failure to pass or meet the required state and
6 federal requirements.

7 So, Mr. President, at one and the
8 same time that we acquiesce in, once again,
9 this C4E, I would share with you what I think
10 is moderately good news. In conversations
11 with the Governor, the Governor seems to
12 understand the need for proportionality. We
13 may well have the opportunity to revisit this,
14 although I doubt it will be this year.

15 But I would also suggest that all
16 that glitters with this is not gold. This is
17 more like alchemy. This is more like fool's
18 gold. There are 1.1 million students, I
19 believe the Commissioner has said, who are
20 impacted by this Contract for Excellence, and
21 probably 95 to 98 percent of them are
22 currently in the Big Five. We've done little
23 or nothing to resolve the issue; we've put it
24 off yet for another day.

25 Notwithstanding that,

1 Mr. President, as much as I'm significantly
2 torn, I intend to vote for this budget based
3 upon a number of other factors which I will
4 not abuse my time with by reciting.

5 Thank you, sir.

6 ACTING PRESIDENT MORAHAN: Thank
7 you, Senator. You will be recorded in the
8 affirmative.

9 Senator Krueger, to explain her
10 vote.

11 SENATOR LIZ KRUEGER: Thank you,
12 Mr. President.

13 Well, it's a big set of bills.

14 ACTING PRESIDENT MORAHAN: Sure
15 is.

16 SENATOR LIZ KRUEGER: And I don't
17 think the public really had a chance to look
18 at them and read them. Thanks to computers,
19 at least I got to review them at some level.

20 We're late, and there's pressure on
21 us to move a budget. But again, I am
22 frustrated that we are in violation of the
23 budget reform bill requirements we passed last
24 year.

25 There are no memos on our desks.

1 There's no simple language explanation for the
2 public. There were not three days; these are
3 message of necessity bills.

4 There are things that I like very
5 much in these bills. I'm glad to see that
6 we're holding the line on education funding
7 needing to stay within the formulas, with
8 accountability required. I am very happy to
9 say that there's almost \$200 million in new
10 money for affordable housing in these budgets.
11 My colleague Senator Bonacic referenced a
12 flooding program.

13 But there's also several hundred
14 million dollars that I would argue, in bad
15 economic times, where we know that affordable
16 housing is desperately needed and where
17 there's documentary evidence that investing in
18 affordable housing creates an economic domino
19 effect in local economies which will bring
20 private-sector money to the table for building
21 housing and create jobs in the areas we most
22 desperately need them in bad economic times,
23 that we have made some headway this year for
24 the first time in a long time.

25 So I do want to thank the Governor

1 and my colleagues for recognizing, finally,
2 the importance of moving forward on housing.

3 But I also need to say I'm very
4 concerned about the funding distribution in
5 CUNY and SUNY that my colleague Senator Toby
6 Stavisky already started to talk about.

7 And I'm very concerned that we do
8 have large lump-sum allocations in the
9 economic development package in this bill
10 where, to be honest, most people don't know
11 where that money will go. Nor are we sure
12 where we're getting it, but that's perhaps a
13 discussion for sometime down the road.

14 But I just want to remind my
15 colleagues that while we didn't meet our
16 obligations on the Budget Reform Act for what
17 we did pre passing the budget, we do have
18 obligations to move line-item resolutions
19 through these two houses before we spend
20 lump-sum appropriations in this budget, which
21 I believe total at least \$700 million in two
22 \$350 million pots. So we will have to revisit
23 that.

24 And I remind my colleagues that
25 this year, unlike last year, we must meet our

1 obligation for the 30-day reporting after
2 passing this bill that we also passed into law
3 last year, where we said that within 30 days
4 of passing a budget the Legislature must
5 estimate the impact of the budget on the
6 General Fund, local governments, and the state
7 workforce.

8 So on the items we have added, we
9 have work to do. And this year we're not
10 going to violate that legal obligation like
11 last year.

12 And the Executive, also from that
13 same budget bill we passed last year, the
14 Executive is required to enact a budget
15 financial plan and capital financing plan
16 within 30 days of passing the budget.

17 So we do have much work to do
18 within the next 30 days. And I think that
19 what will be included is a better
20 understanding for all of us in explaining to
21 our constituents and to the people of the
22 State of New York what we actually did here
23 this week and last week as far as what we
24 really put our money into.

25 Again, it's a bill that I will vote

1 for because I feel that given the parameters
2 we've been offered, it is a bill I would
3 prefer to say yes to than no to. But I also
4 think if someone were to ask us to grade
5 ourselves on how we handled the budget process
6 this year, particularly in light of laws we
7 ourselves passed a year ago, we would not be
8 able to give ourselves very good grades for
9 the process or the outcome this year.

10 But saying all of that, I will be
11 voting aye. Thank you, Mr. President.

12 ACTING PRESIDENT MORAHAN: Thank
13 you, Senator. Senator Krueger will be
14 recorded in the affirmative.

15 Senator Farley.

16 SENATOR FARLEY: Thank you,
17 Mr. President.

18 I just rise to briefly say, coming
19 from a district that is very interested in an
20 on-time budget, we did the best we could in
21 coming close, as they say in government work,
22 to get it done within nine days. This is the
23 last pieces. We have done most of the budget
24 prior to today.

25 But let me just say there's no such

1 thing as a perfect budget. But this is about
2 the best we can do in a very, very difficult
3 year. But I think that everybody in this
4 chamber owes a debt of gratitude to the staff
5 who worked on this thing, negotiated in both
6 houses on both sides of the aisle, going
7 without sleep day and night, day and night,
8 for the past week or more. And we certainly
9 owe them a lot of thanks for putting this
10 together.

11 And again, this is the best -- it's
12 not the perfect budget, but there's a lot of
13 good things in here and I think it's one that
14 we can be proud of. And I look forward to
15 voting aye.

16 Thank you very much, Mr. President.

17 ACTING PRESIDENT MORAHAN: Thank
18 you, Senator Farley. Senator Farley will be
19 recorded in the affirmative.

20 Senator LaValle, to explain his
21 vote.

22 SENATOR LaVALLE: Thank you very
23 much, Mr. President. Just very briefly on
24 higher education.

25 We had very, very deep cuts,

1 5.35 percent, and a \$90 million restoration to
2 try and make cuts of \$155 million make some
3 sense with \$90 million.

4 And I would say the members of the
5 committee worked very diligently to restore
6 the cut to community colleges that was \$10 per
7 FTE. The committee felt that was a very
8 important priority given the fact that our
9 community colleges are the gateway to higher
10 education.

11 We were able to restore money to
12 the Opportunity programs and the \$15.2 million
13 cut to the Tuition Assistance Program, here
14 again to ensure that our students have access
15 to a higher education. We also divided the
16 remainder, a \$44 million amount, between SUNY
17 and CUNY.

18 I must differ, as I did during the
19 deliberations, with the ranking member on the
20 Higher Education Committee, because the split
21 for operating aid had never been determined
22 60/40. It actually is determined by what the
23 Executive has put into the budget.

24 In most years, if you do a 10-year
25 spread, you would see that the spread is

1 70 percent SUNY, 30 percent CUNY. This year,
2 Governor Spitzer put in a split approximately
3 68/32. And the negotiations with the
4 Legislature just changed things one-tenth of a
5 percent over the Executive Budget. And if you
6 look at prior years, tenths of a percent is
7 all that was really changed from the Executive
8 Budget to the final budget.

9 So I think given what we had, and
10 the cuts, that we did a good job, we
11 established our priorities, we stuck by our
12 priorities. And I think we've done a good job
13 for higher education.

14 ACTING PRESIDENT MORAHAN: Thank
15 you, Senator LaValle. You will be recorded in
16 the affirmative.

17 Senator Schneiderman, to explain
18 his vote.

19 SENATOR SCHNEIDERMAN: Thank you,
20 Mr. President.

21 I also will be voting for this
22 bill. I share many of the concerns expressed
23 by my colleagues. The process this year was
24 dreadful. Part of that was due to the
25 changing circumstances of the Executive

1 branch, which put the new Governor in a very
2 difficult situation. We have managed to pull
3 ourselves together.

4 But there is still cause for
5 concern for me when we have a budget that
6 passes that keeps open OCFS facilities that we
7 don't have enough children to fill up.

8 And that I do believe this budget
9 addresses many of the needs of New York City
10 schools, for which I am tremendously grateful
11 and I appreciate all the hard work that went
12 into that.

13 To address the final point that
14 Senator LaValle and Senator Stavisky have
15 addressed, my understanding and my
16 recollection is very clear that we've never
17 authorized or approved or stood for a
18 70/30 percent between SUNY and CUNY.

19 And I hope that we will not be
20 moving forward, as we go forward this year to
21 address other budget issues -- because I have
22 a feeling we'll be back to review these
23 matters -- I hope we're not going to go
24 forward trying to pit one part of the state
25 against the other. We should not be trying to

1 take money away from CUNY in order to help
2 SUNY. That's a false choice.

3 This is a glorious era in the time
4 of the City University of New York. They are
5 accomplishing things undreamed of. They need
6 our support. Our intellectual capital, our
7 human capital for the City and State of
8 New York are our children. We have to give
9 them an excellent, affordable higher
10 education. And I will resist any effort to
11 change the traditional numbers and to move
12 money away from CUNY.

13 Having said that, under all the
14 circumstances, I think this is about the best
15 we can do, and I will be voting in the
16 affirmative.

17 Thank you, Mr. President.

18 ACTING PRESIDENT MORAHAN: Thank
19 you, Senator Schneiderman. You will be
20 recorded in the affirmative.

21 Does any other Senator wish to
22 speak?

23 Senator Adams.

24 SENATOR ADAMS: Yeah, I just want
25 to join.

1 I too will be voting in the
2 affirmative to this budget, but I want to join
3 my colleague Senator Schneiderman that we
4 should not get into a position where our
5 children in any part of the state are
6 unimportant.

7 When you look at the men and women
8 who fill our correctional facilities, there's
9 only one common denominator. It's not
10 ethnicity, it's education. And the failure to
11 get a proper education will deny them access
12 to participate in this great state. And so I
13 think it's important, instead of getting into
14 a dialogue on 60/40 or 70/30, to get in a
15 dialogue ensuring that all of our institutions
16 are properly funded.

17 There's a major cut in the CUNY
18 system. I'm extremely disappointed that the
19 budget is showing that they are not going to
20 receive millions of dollars. After moving
21 ahead and bringing that college to the level,
22 that institution to the level of education
23 that it deserves, we cannot take a step
24 backwards. And that step backwards should not
25 take place in SUNY, and it should not take

1 place in CUNY.

2 In addition, I was hoping and I
3 hope we will look to, next year, to look at a
4 loan forgiveness program for our social
5 workers, who are dedicated, committed
6 professionals. And just as we have loan
7 forgiveness programs for others, hopefully
8 next year we can look to do the same for them.

9 But I will be voting aye on this
10 budget.

11 ACTING PRESIDENT MORAHAN: Thank
12 you, Senator Adams. You will be recorded in
13 the affirmative.

14 Senator Diaz, to explain his vote.

15 SENATOR DIAZ: Thank you,
16 Mr. President.

17 I'm also voting yes. But before I
18 vote yes, I have to -- I join my colleagues in
19 their worry and their knowledge of the lack of
20 money, the lack of consideration for
21 education.

22 However, we all got elected. And
23 as State Senators, we're supposed to come here
24 and protect the whole state. The fact of the
25 matter is that all of us are concerned with

1 our district. Each one of us represents
2 certain districts. And the people in those
3 districts, they come to our offices, they come
4 to us and they press us for things that they
5 think are supposed to be done in their
6 respective district.

7 For example, I represent the 32nd
8 Senatorial District. And throughout the year,
9 after Governor Spitzer introduced his
10 Executive Budget, I have been getting people
11 who come to my office to talk to me with
12 different concerns. And one of those concerns
13 of the people in my district was they had
14 concerns with the juvenile center that was
15 supposed to be closed, Pyramid.

16 And today, thanks to my conference
17 and thanks to the direct intervention of
18 Senator Bruno and Senator Skelos and Senator
19 Malcolm Smith, I could say to the people in my
20 district that that center is going to be kept
21 open.

22 People in my district, even though
23 the hospital is not in my district, it is in a
24 district -- I'm talking about Westchester
25 Square Hospital, which is in the district of

1 Senator Jeff Klein. But people in Castle
2 Hill, part of my district, people in
3 Parkchester, part of my district, they use the
4 services of that hospital. So they came to my
5 office.

6 And today, you know, we're going to
7 vote, we're voting, we voted before and we
8 going to vote today and maybe today we end
9 with the whole thing. But under the
10 leadership of Senator Jeff Klein, our Deputy
11 Minority Leader, I could tell the people in my
12 district that after this process is done,
13 Westchester Square Hospital will be open. I
14 could tell everybody in my district that the
15 five nursing homes in my district that was
16 suffering, I could tell them that the
17 \$85 million from last year, it's been put back
18 in the budget and all the money has been put
19 so they could hire more people.

20 So I could tell people in my
21 district that even though this is not a
22 perfect budget, we are doing and we have done
23 at least the best we could do.

24 In education, education, the people
25 in my district have come also to me talking

1 about education for our children. Money is
2 being sent, 500 some million, money is being
3 sent to the City of New York, and every year
4 we do that. Now, the problem is how Mayor
5 Bloomberg and Chancellor Klein will use that
6 money.

7 But we in this body and in the
8 State Legislature, we send them money to the
9 City of New York for education. The City
10 Council of the City of New York and Mayor
11 Bloomberg and Chancellor Klein, once the money
12 gets there, they're the ones who decide how
13 the money is going to be used.

14 But we have done the best we can.
15 So hopefully today we end with this. And I
16 have to thank especially Senator Bruno,
17 Senator Skelos, Senator Malcolm Smith for all
18 the negotiations to help people in my district
19 at least solve some of the problems. So thank
20 you, ladies and gentlemen, and Senator Skelos,
21 Senator Bruno, Senator Malcolm Smith, thank
22 you for helping the people in my district.

23 We are not fully satisfied with the
24 whole thing as the best thing, but I could
25 proudly look at the people in my district, in

1 the 32nd Senatorial District in the Bronx, and
2 tell them, Hey, we did the best we can for
3 you, thanks to my colleagues.

4 So thank you to all of you. And
5 thank you, Mr. President. And I am voting
6 yes.

7 ACTING PRESIDENT MORAHAN: Thank
8 you, Senator. You will be recorded in the
9 affirmative.

10 Senator Hassell-Thompson, to
11 explain her vote.

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

14 I would like to yield my time --
15 and just say that I will be voting yes on the
16 budget -- to Senator Montgomery.

17 ACTING PRESIDENT MORAHAN: Thank
18 you, Senator. You will be recorded in the
19 affirmative.

20 Senator Montgomery, to explain her
21 vote.

22 SENATOR MONTGOMERY: Yes,
23 Mr. President, on this budget.

24 I am very pleased that we have
25 begun to make some strides, especially in the

1 direction of reforming, changing, improving
2 our juvenile justice system in the State of
3 New York. As you know, we have maintained a
4 system where young people were sent very, very
5 far away from their home communities for
6 placement in way away places, upstate
7 New York, totally unfamiliar to them and
8 inaccessible to their families.

9 We've begun to turn that around.
10 Unfortunately, we still maintain in the budget
11 several of those faraway facilities, opening
12 them when in fact there are no young people in
13 them.

14 Why are there no young people in
15 them, or why have there been this tremendous
16 reduction in the placements in those
17 facilities? It's because the localities have
18 made a determination, based on their
19 experiences, that it is much more
20 cost-effective, less than \$20,000 per young
21 person per year, for having them placed in
22 their community and provided intensive
23 therapeutic services.

24 While, when they go away to these
25 faraway places far away from where they live,

1 where their communities are, and having to be
2 transported back and forth across the state to
3 go to court and so forth and so on, it costs
4 upward of \$150,000 to \$200,000 per child per
5 year.

6 So this really is moving to not
7 only save for the state in terms of our fiscal
8 position, but it is also a move which will, in
9 the long run, improve the outcomes of those
10 young people that we seek to change because
11 they have started out going in the wrong
12 direction. We now are poised to create a
13 system that helps them change their behavior
14 and therefore change their, improve their life
15 chances. So I'm happy to state that.

16 As I have said in the past and I
17 will state again, it is really shameful that
18 we have a need to hold on to these facilities
19 that really don't have children anymore. We
20 have made sure that no employee shall lose
21 their job because we close a facility. But we
22 still hang on to these facilities for dear
23 life.

24 So I am pleased that, with our
25 colleagues on the Republican side and our side

1 and in the Assembly, we have put into this
2 budget a \$100,000 funding for a study to look
3 at what some people are concerned about, and
4 that is the recidivism rate. What makes
5 sense. We know what makes sense based on our
6 past experiences, but some people need more
7 proof, so we have put that in.

8 I look forward to the results of
9 that study. I know that a lot of what the
10 study is going to be looking at are young
11 people in my district, because that's where
12 these young people come from -- and other
13 places, but especially in Brooklyn, the Bronx
14 and Queens and the city in general.

15 So although I'm not pleased with
16 the fact that we're leaving some facilities
17 open -- it's going to cost us some \$40 million
18 that we should not have to spend -- but I am
19 pleased, on the other hand, that we should be
20 looking for very, very positive, different
21 outcomes based on what is in the budget as it
22 relates to investing more in community-based
23 placement for young people.

24 Thank you, Mr. President. I'll be
25 voting yes.

1 ACTING PRESIDENT MORAHAN: Thank
2 you, Senator. You will be recorded in the
3 affirmative.

4 The Secretary will announce the
5 results.

6 THE SECRETARY: Ayes, 61. Nays,
7 0.

8 ACTING PRESIDENT MORAHAN: The
9 bill is passed.

10 THE SECRETARY: Calendar Number
11 769, Senate Budget Bill, Senate Print 6807C,
12 an act to amend the Education Law.

13 ACTING PRESIDENT MORAHAN:
14 Senator Skelos.

15 SENATOR SKELOS: Mr. President,
16 is there a message of necessity at the desk?

17 ACTING PRESIDENT MORAHAN: Yes,
18 there is.

19 SENATOR SKELOS: Move to accept.

20 ACTING PRESIDENT MORAHAN: On the
21 motion, all in favor of accepting the message
22 say aye.

23 (Response of "Aye.")

24 ACTING PRESIDENT MORAHAN:
25 Opposed, nay.

1 (No response.)

2 ACTING PRESIDENT MORAHAN: The
3 message is accepted.

4 Read the last section.

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

7 ACTING PRESIDENT MORAHAN: Call
8 the roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 61.

11 ACTING PRESIDENT MORAHAN: The
12 bill is passed.

13 SENATOR SKELOS: Mr. President.

14 ACTING PRESIDENT MORAHAN:
15 Senator Skelos.

16 SENATOR SKELOS: I believe
17 Senator Bruno will be coming in shortly to
18 make some comments. But in order to save some
19 time -- well, two reminders.

20 Number one, the cadets are in the
21 reception room at this time.

22 But also, if we could, I believe
23 the Minority has two motions to petition. If
24 we could do that at this time.

25 ACTING PRESIDENT MORAHAN:

1 Senator Serrano.

2 SENATOR SERRANO: Thank you,
3 Mr. President. I have a motion at the desk.
4 I would like to have it called up at this
5 time.

6 ACTING PRESIDENT MORAHAN: The
7 Secretary will read.

8 THE SECRETARY: Senate Print
9 3131, by Senator Serrano, an act to amend the
10 Education Law.

11 ACTING PRESIDENT MORAHAN:
12 Senator Serrano.

13 SENATOR SERRANO: Thank you very
14 much. I want to thank my colleagues in this
15 chamber for allowing me to conduct this
16 discussion on a very important bill.

17 I am pleased to have the
18 opportunity to speak about the Education
19 Equity Act, which will help to ensure that
20 every student in the State of New York has
21 access to a quality public education. The
22 children of this great state deserve no less.

23 A strong public education system is
24 the foundation of a healthy economy.
25 Investing in the education of the youth of

1 this state is in the best interests of every
2 State Senator. Every dollar spent will pay a
3 handsome dividend in the form of economic
4 prosperity at home and a competitive New York
5 in an increasingly shrinking world.

6 However, the responsibility of
7 providing a quality education to our youth
8 cannot be shouldered by government alone. The
9 involvement of parents and guardians is
10 fundamental to the proper functioning of our
11 school system. A variety of well-documented
12 studies show that increased parental
13 involvement results in numerous benefits,
14 including higher grades and test scores,
15 increased likelihood of graduation, better
16 attendance rates, higher self-esteem and
17 motivation, lower rates of suspension,
18 decreased use of drugs and alcohol, and fewer
19 instances of violent behavior.

20 The Education Equity Act is, at its
21 heart, a bill that empowers parents to
22 increase their involvement in their children's
23 schools. In a state that is home to over 200
24 languages, linguistic barriers prevent many
25 parents from taking an active part in their

1 child's education. New Yorkers throughout the
2 state will benefit from my bill, and that is
3 why it is imperative that we join together to
4 pass this legislation.

5 In New York City, where my own
6 Senate district is located, more than
7 43 percent of students' families speak a
8 language other than English at home. Yet
9 access to translation and interpretation
10 services remains limited. And when it is
11 available, it's usually confined to legal
12 documents and notices.

13 This legislation would require
14 school districts to create an annual language
15 assistance plan to assess their needs.
16 Districts will be required to provide
17 interpretation services for two languages
18 spoken by more than 2 percent of the
19 population in the district.

20 In New York City, where the needs
21 are different, the bill stipulates that the
22 district will provide services for up to eight
23 languages.

24 Furthermore, translated versions of
25 a variety of documents, including report cards

1 and permission slips, will be transmitted to
2 parents and guardians.

3 If those of us in government want
4 to talk about the importance of personal
5 initiative, then we must provide our
6 constituents the tools they need to capitalize
7 on that initiative. Parents want to get
8 involved with their kids. Some are just not
9 able to because of a language barrier. Let us
10 help them overcome that barrier and take part
11 in the greatest joy a parent can have, seeing
12 their child succeed.

13 The history of immigration in this
14 state is all about people moving up the
15 socioeconomic ladder no matter where they came
16 from. By ensuring that our public education
17 system is equitable and strong, we can
18 continue to maintain that long and noble
19 tradition. I urge my colleagues in a
20 bipartisan fashion to come together and
21 support this important piece of legislation.
22 Please help to bring it to the floor for a
23 full vote in this house.

24 Thank you.

25 ACTING PRESIDENT MORAHAN: Thank

1 you, Senator.

2 All those Senators in favor of the
3 petition out of committee please signify by
4 raising their hands.

5 THE SECRETARY: Those recorded in
6 agreement are Senators Adams, Breslin, Connor,
7 Diaz, Dilan, Duane, Gonzalez,
8 Hassell-Thompson, Huntley, L. Krueger, C.
9 Kruger, Montgomery, Onorato, Parker, Perkins,
10 Sabini, Sampson, Savino, Schneiderman,
11 Serrano, Smith, Stachowski, Stavisky,
12 Stewart-Cousins and Thompson.

13 ACTING PRESIDENT MORAHAN: The
14 petition is not agreed to.

15 Senator Huntley.

16 SENATOR HUNTLEY: Thank you,
17 Mr. President.

18 I have a motion at the desk I would
19 like to have called up at this time.

20 ACTING PRESIDENT MORAHAN: Excuse
21 me. Could you repeat that, Senator?

22 SENATOR HUNTLEY: I have a motion
23 at the desk I would like to have called up at
24 this time.

25 ACTING PRESIDENT MORAHAN: The

1 Secretary will read.

2 THE SECRETARY: Senate Print
3 4463, by Senator Huntley, an act to amend the
4 General Business Law.

5 SENATOR HUNTLEY: Thank you.

6 I would like to tell you about the
7 experience, basically in my district, with
8 contractors -- not only in my district, but
9 throughout the state. In fact, several of the
10 incidents have happened -- Senator Maltese and
11 I share an area. He's on one side of Howard
12 Beach; I'm on the other. And it's one of my
13 constituents, who could wave to one of his
14 across the street, who had an issue with
15 contractors. It was fire restoration.

16 And what happened is contractors
17 will come, mainly to elderly people, they will
18 take advantage of them, they will tell them
19 that they can do wonders for them without
20 taxes: "If you have cash money, we can be of
21 assistance to you and we can save you money."
22 And naturally there are a number of seniors
23 who are looking to save money. And not only
24 seniors, but other people too.

25 And on several occasions they would

1 take the down payments and then they would
2 disappear. Or they would take the down
3 payment, come back, do shabby work and come
4 back for more money, and then they would
5 disappear.

6 The courts could not be helpful
7 because none of these contractors had licenses
8 and were listed. So therefore, this is what
9 this bill comes out of.

10 I would like very much for the
11 courts to impose a civil penalty not to exceed
12 \$500 -- I want it more than that, but they
13 were telling me \$500 should be the start --
14 and the contractor would not be able to do
15 work for a year.

16 I think perhaps this would maybe
17 just give it a start of contractors saying I
18 can't, you know, take money from seniors,
19 mainly, and not do the work. It happens not
20 only with fire restoration, it happens when
21 seniors need a new roof, when they need
22 repairs for their bathroom. There's a number
23 of people who have contacted me, and that's
24 what this bill was based on.

25 So I would say to my colleagues

1 across the aisle, this is not a Democrat or a
2 Republican bill, this is a people's bill, the
3 people of the State of New York. Because it's
4 happening throughout the state with
5 contractors who basically are handymen, have
6 no license, they're not licensed in the
7 municipality where they do work. And I think
8 this is a very important bill for everyone,
9 not only my district but for your district
10 too.

11 And again, it has nothing to do
12 with Democrat or Republican, it has to do with
13 people, mainly elderly people. And I think we
14 always talk about how elderly people we have
15 to protect and make sure that their interests
16 are heard. So I stand here on their behalf,
17 and I ask, I urge you to please support this
18 bill.

19 Thank you.

20 ACTING PRESIDENT MORAHAN: Thank
21 you, Senator.

22 All those Senators in favor of the
23 petition out of committee please signify by
24 raising their hands.

25 THE SECRETARY: Those recorded in

1 agreement are Senators Adams, Breslin, Connor,
2 Diaz, Dilan, Duane, Gonzalez,
3 Hassell-Thompson, Huntley, L. Krueger,
4 C. Kruger, Montgomery, Onorato, Parker,
5 Perkins, Sabini, Sampson, Savino,
6 Schneiderman, Serrano, Smith, Stachowski,
7 Stavisky, Stewart-Cousins, and Thompson.

8 ACTING PRESIDENT MORAHAN: The
9 petition is not agreed to.

10 SENATOR SKELOS: Mr. President.

11 ACTING PRESIDENT MORAHAN:
12 Senator Skelos.

13 SENATOR SKELOS: Please stand at
14 ease for a few moments.

15 ACTING PRESIDENT MORAHAN: The
16 Senate will stand at ease for a few moments.

17 (Whereupon, the Senate stood at
18 ease at 2:05 p.m.)

19 (Whereupon, the Senate reconvened
20 at 2:08 p.m.)

21 ACTING PRESIDENT MORAHAN: The
22 Senate will come to order, please.

23 Senator Bruno.

24 SENATOR BRUNO: Mr. President,
25 would you do us the honor of recognizing

1 Senator Smith for his observations and
2 comments.

3 ACTING PRESIDENT MORAHAN:
4 Senator Smith, for his observations and his
5 comments.

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

8 Senate colleagues, staff members
9 and friends, let me first congratulate our
10 Governor, David Paterson, on moving us to a
11 point where, while the public perception may
12 be that this budget is a few days late, it is
13 clearly, in my mind, on time. As most of you
14 recognize, money and resources are never late.
15 Whenever they arrive, we can appreciate them
16 and we can surely use them.

17 The Governor has moved us through a
18 process that was difficult. These were very
19 extraordinary times. They will probably be
20 recorded in the history books in such a way
21 that they will never be forgotten, given all
22 that occurred. And, colleagues and staff, we
23 know what we are referring to.

24 I also want to thank our ranker on
25 Finance, Senator Stachowski, who put in a

1 great deal of effort and time. And many of
2 you were here as well, over the last couple of
3 weekends, where we actually got to know Albany
4 very well. Some of us got to know Saratoga a
5 little better. But we did spend the time to
6 get the work done.

7 I also want to thank Laura Anglin
8 of the Governor's staff as well. She put an
9 extraordinary amount of time and effort in,
10 negotiating with Jeff Lovell, along with Dean
11 Fuleihan in the Assembly, along with Ahmed
12 Diomande and the other members of the staff.
13 They did an extraordinary job of getting us to
14 the point where we actually have a budget that
15 is not \$124 billion but \$122 billion. And I
16 think that also tells the story about where we
17 are today.

18 Notwithstanding the pain that some
19 of this budget has, we have shown a very
20 strong commitment to the fact that this is one
21 New York. And there is, for one of the
22 regional parts of the state, \$380 million,
23 close to half million dollars going to the
24 upstate program as a commitment from the
25 Governor and from all of us.

1 We recognize that if we don't move
2 upstate New York, if that part of the state is
3 not functioning well, then the rest of the
4 state doesn't function well.

5 And we've also made an effort to
6 show how important education is throughout the
7 State of New York.

8 We still, colleagues, have a budget
9 that needs to be trimmed moving into the
10 future. There is no question about it, given
11 the economic times that we're in, where we're
12 headed. If all forecasts are consistent with
13 what the forecast models are illustrating, it
14 will be even a tougher year going forward.

15 So I would hope that we understand
16 the importance of tightening our belts. And
17 while I know it's important for everyone, the
18 programs for their districts, we also have to
19 be fiscally and financially smart in that we
20 have an obligation to the people of this state
21 that, if we are ever going to get them to the
22 point where they see their property taxes
23 going down, if they're ever going to get to
24 the point where they see their disposable
25 income actually going up by virtue of the fact

1 that their taxes are going down, we have to
2 begin to take some measures now so that, going
3 into the future, the people of this state will
4 know that their dollar will go a little bit
5 longer.

6 In addition, we also have to ensure
7 that our children have the ability to live
8 here in the state. Joe, as you know, I told
9 you my son is not here in the state because
10 the property taxes, the cost of living is just
11 so high. He's outside of the State of
12 New York.

13 My daughter, who's 14, I promised
14 her her father would help restructure the
15 budget of the State of New York so that she
16 can live in the state when she gets older.
17 She's 14 now; she soon will be going to
18 college. And I want to make sure that when
19 she graduates that she has the right to live
20 in this state, can afford to live in this
21 state and pay property taxes that will be fair
22 enough that she can raise her family and I can
23 see my grandchildren one day, if she so
24 chooses that I'll be blessed with that.

25 So I want to thank all of my

1 colleagues, who have done an extraordinary
2 job. Craig Johnson. Darrel Aubertine, who
3 came on board as a breath of fresh air.
4 Andrea Stewart-Cousins. All of our
5 colleagues. Senator Neil Breslin, who's done
6 great work. Members have done great work.
7 Senator Schneiderman, who helped us with our
8 restraining of the floor the other day.

9 Everybody has done great work. I
10 include members on the other side of the aisle
11 as well, especially Joe Bruno. You've done a
12 good job and have been responsive.

13 I will tell you, as I've had the
14 opportunity to sit in the negotiating room
15 with you, and having the opportunity to listen
16 to you and having you listen to me, I will
17 tell my colleagues that you listen well. And
18 you also express yourself well on behalf of
19 your colleagues.

20 You should be very proud of your
21 leader, who does a great job when it comes to
22 negotiating.

23 So, colleagues, as we say, this is
24 the time in which we say our goal is to finish
25 this budget while the sun is up. And the sun

1 is up, and I'm hoping that you all go home to
2 your districts, express all the work we've
3 done here. But you should know you've done
4 yourself very proud. This is a historic
5 budget for the state, because nothing like
6 this has ever happened before. And we hope
7 that it never happens again.

8 But the fact of the matter is that
9 you stayed focused, you made sacrifices, and
10 we deliberated in such a way that we now have
11 a budget we can be proud of.

12 Mr. President, thank you very much.
13 Again, I thank my colleagues, I thank the
14 staff, I thank the Governor. And thank you,
15 Senator Bruno.

16 ACTING PRESIDENT MORAHAN: Thank
17 you, Senator Smith, for your comments and
18 observations.

19 Senator Bruno.

20 SENATOR BRUNO: Thank you,
21 Mr. President and colleagues.

22 Senator Smith, thank you very much
23 for your comments. And thank you even more
24 for being gracious in your observations.

25 And we have gone forward this year

1 in a way that most people in the other side of
2 the world, if they are objective about it,
3 have to marvel that the chaos that existed in
4 this state a few months ago, with events that
5 none of us planned on, people have stepped up.
6 The Governor stepped up, and both sides of the
7 aisle stepped up. The Assembly stepped up.

8 Not only did we have kind of a
9 chaotic change here in leadership, we had a
10 budget approaching a \$5 billion deficit,
11 \$4.6 billion and counting. Now, we've
12 approached what was submitted as a
13 \$124 billion spending plan by the previous
14 Governor, and I believe that number --
15 Senator, you're right -- is now well under
16 \$122 billion.

17 Now, that's a major accomplishment.
18 Why? Because we restored not just healthcare,
19 to the tune of about \$245 million, you've got
20 to be aware of this, where it hurt the most --
21 nursing homes, home care, hospitals -- we set
22 another record in increase in education funds,
23 \$1.8 billion for our greatest asset in this
24 state -- yes, your children, our children, all
25 of our grandchildren. \$21.3 billion in

1 education aid. Now, you think about that in
2 times like these.

3 Now, we have had to finance
4 healthcare, education, infrastructure, higher
5 ed, restore TAP. We made things better.
6 There comes a pain with that. And the pain
7 relates to the revenue sources. And yes, we
8 had to join in creating revenue from business
9 taxes. But we didn't join in doing what the
10 original Governor, the previous Governor
11 submitted -- gasoline tax, car tax, crack tax.
12 We did away with those that are most punitive
13 to the working families here in upstate
14 New York and in the city.

15 So we did the best that we could.
16 And you know what? Some of the worst taxes
17 that we have to lay on to fund education,
18 healthcare, the infrastructure, higher ed, we
19 sunset. They sunset in three years. You've
20 got to be aware of that. Because
21 businesspeople who might look elsewhere see
22 relief in the distance.

23 And this Governor stepped up, we
24 incurred the sunset of all of the taxes, and
25 we got some of the most important done.

1 That's to everybody's credit.

2 So we will leave here, and I want
3 to be optimistic. I don't want to be one of
4 the pessimists who say the sky is falling,
5 we're going over a cliff, it is doomsday right
6 around the corner. I don't buy that. And I
7 hope you don't buy that.

8 This is the Empire State. This is
9 one of the greatest states in the whole world.
10 I think we have the 10th or 11th largest
11 economy, here in New York, in the whole world.

12 So if we partner together -- what
13 is the largest industry here in this state?
14 Tourism? Agriculture. So when we have fresh
15 faces and new voices, okay, joining with the
16 colleagues that are here -- with our chair,
17 Cathy Young, who steps up to make sure that
18 people who are hardworking get the best that
19 we can provide for them in government.

20 So we have partnered here. We have
21 done some great things. We're going to go
22 forward from here. We're going to have
23 contentious times. We're going to have
24 challenges. But if we stand up, as
25 partners -- this house, the other house, with

1 the Governor -- we are going to overcome
2 whatever is in front of us. And our children,
3 our neighbors, our grandchildren, they will
4 stay here, they will grow here.

5 And this economic development
6 package, over a billion that we're overlate in
7 getting -- yes, and the Wicks Law came right
8 along with it, just as we promised it would --
9 you know what that economic development
10 package is? When anyone tells you it's
11 spending over a billion, you tell them: No,
12 go back to your civics classes. That is
13 investing in jobs, in growth, in the economy.

14 And you will be making
15 announcements all over this state, and we're
16 making some announcements. And I can tell you
17 now we're going to be announcing, very
18 shortly, the movement of one of the
19 international headquarters from elsewhere to
20 right here, within walking distance, almost,
21 of where we stand.

22 We have funded the AMD, finally,
23 the largest construction project in the whole
24 state ever, 20 minutes from where we are.
25 That is an accomplishment. That doesn't

1 happen by itself. That happens by partnering,
2 that happens by working together, that happens
3 by being industrious.

4 So I want to thank my colleagues,
5 all of them, every one of them who have been
6 here, many times day and night, and the people
7 who support us right here. These people
8 support us. They make us look good. Some of
9 them didn't sleep three hours a night, and I
10 know that.

11 So I want to thank my colleagues
12 and thank you for your support. Thank you for
13 allowing us to provide the service that we
14 provide for you and for all the people that we
15 represent together. So I want to thank you
16 all. Be safe as we go forward from here, and
17 God bless you all.

18 Thank you, Mr. President.

19 ACTING PRESIDENT MORAHAN: Thank
20 you, Senator.

21 (Appause.)

22 ACTING PRESIDENT MORAHAN:
23 Senator Bruno.

24 SENATOR BRUNO: Mr. President,
25 there being no further business to come before

1 the Senate, I would recommend that we adjourn
2 to Monday, April 14th, at 3:00 p.m.,
3 intervening days to be legislative days.

4 Travel safely. Thank you.

5 ACTING PRESIDENT MORAHAN: On
6 motion, the Senate stands adjourned until
7 Monday, April 14th, 3:00 p.m., intervening
8 days being legislative days.

9 (Whereupon, at 2:20 p.m., the
10 Senate adjourned.)

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