NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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12:19 p.m.

EXTRAORDINARY SESSION

LIEUTENANT GOVERNOR RICHARD RAVITCH, President

ANGELO J. APONTE, Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will please come to order.

I ask that everyone present rise and recite with me the Pledge of Allegiance to our Flag.

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

THE PRESIDENT: In the absence of clergy, may all we bow our heads for a moment of silence.

(Whereupon, the assemblage respected a moment of silence.)

THE PRESIDENT: Thank you.

Senator Smith.

SENATOR SMITH: Thank you, Mr. President.

Mr. President, is there a proclamation from the Governor at the desk?

THE PRESIDENT: Yes, there is a proclamation here at the desk.

The Secretary will read it, please.

THE SECRETARY: "Pursuant to the power vested in me by Article 4, Section 3, of

the Constitution, I hereby convene the Senate and Assembly of the State of New York in Extraordinary Session at the Capitol, in the City of Albany, on Tuesday, the tenth day of November, two thousand nine, at twelve o'clock noon, for the purpose of considering legislation I will submit with respect to various subjects, and for the consideration of legislation with respect to such other subjects as I may recommend.

"Given under my hand and the Privy Seal of the State in the City of Albany this fifth day of November in the year two thousand nine by the Governor, David A. Paterson."

THE PRESIDENT: The proclamation having been read, the Senate is in extraordinary session.

The Secretary will call the roll.

SENATOR SMITH: Yeah, Mr. President, can we please have a quorum call.

THE SECRETARY: Senator Adams.

SENATOR ADAMS: Yes.

THE SECRETARY: Senator Addabbo.

SENATOR ADDABBO: Here.
THE SECRETARY: Senator Alesi.
SENATOR ALESI: Here.
THE SECRETARY: Senator Aubertine.
SENATOR AUBERTINE: Here.
THE SECRETARY: Senator Bonacic.
SENATOR BONACIC: Here.
THE SECRETARY: Senator Breslin.
SENATOR BRESLIN: Here.
THE SECRETARY: Senator DeFrancisco.
SENATOR DeFRANCISCO: Here.
THE SECRETARY: Senator Diaz.
SENATOR DIAZ: Aqui.
THE SECRETARY: Senator Dilan.
SENATOR DILAN: Here.
THE SECRETARY: Senator Duane.
SENATOR DUANE: Here.
THE SECRETARY: Senator Espada.
(No response.)
THE SECRETARY: Senator Farley.
(No response.)
THE SECRETARY: Senator Flanagan.

SENATOR FLANAGAN: Here.
THE SECRETARY: Senator Foley.
SENATOR FOLEY: Present.
THE SECRETARY: Senator Fuschillo.
SENATOR FUSCHILLO: Present.
THE SECRETARY: Senator Golden.
SENATOR GOLDEN: Here.
THE SECRETARY: Senator Griffo.
SENATOR GRIFFO: Here.
THE SECRETARY: Senator Hannon.
SENATOR HANNON: Here.
THE SECRETARY: Senator Hassell-Thompson.
SENATOR HASSELL-THOMPSON: Here.
THE SECRETARY: Senator Huntley.
SENATOR HUNTLEY: Present.
THE SECRETARY: Senator C. Johnson.
SENATOR CRAIG JOHNSON: Here.
THE SECRETARY: Senator O. Johnson, excused.
Senator Klein.
SENATOR KLEIN: Here.

THE SECRETARY: Senator L. Krueger.

SENATOR LIZ KRUEGER: Here.

THE SECRETARY: Senator C. Kruger.

(No response.)

THE SECRETARY: Senator Larkin.

SENATOR LARKIN: Here.

THE SECRETARY: Senator Lanza.

SENATOR LANZA: Here.

THE SECRETARY: Senator LaValle.

SENATOR LaVALLE: Here.

THE SECRETARY: Senator Leibell.

SENATOR LEIBELL: Here.

THE SECRETARY: Senator Libous.

SENATOR LIBOUS: Present.

THE SECRETARY: Senator Little.

SENATOR LITTLE: Present.

THE SECRETARY: Senator Marcellino.

SENATOR MARCELLINO: Present.

THE SECRETARY: Senator Maziarz.

SENATOR MAZIARZ: Here.

THE SECRETARY: Senator McDonald.

SENATOR McDONALD: Here.

THE SECRETARY: Senator Monserrate.

SENATOR MONSERRATE: Here.

THE SECRETARY: Senator Montgomery.

SENATOR MONTGOMERY: Here.

THE PRESIDENT: Senator Smith, a quorum is present to proceed with the order of business.

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

At this time would you please recognize Conference Leader John Sampson, please.

THE PRESIDENT: Senator Sampson.

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

At this point in time, my colleagues, tomorrow is Veterans Day and a time to appreciate those who are currently serving to keep America safe, and also a time to show those who served in the past how much we appreciate their service and sacrifice in

defense of all the qualities that make this country the greatest in the world.

I am proud to say that in this body serves a number of individuals, a number of veterans of the United States Armed Forces on both sides of the aisle. And I would ask them to rise as I call their names to honor them for the work that they have done in the past, the present, and continue to do in the future.

At this point in time I would like to honor my colleague Senator John DeFrancisco, United States Armed Forces.

Senator Ruben Diaz, United States Army.

Senator Hugh Farley, United States Army.

Senator O. Johnson, United States Marine Corps.

Senator Bill Larkin, United States Army.

Senator Vincent Leibell, United States Navy.

Senator Roy McDonald, United States Army.

Senator Hiram Monserrate, United States Marine Corps.

Senator Mike Nozzolio, United States Navy.

Senator George Onorato, United States Army.

Senator Frank Padavan, United States Army.

Gentlemen, I believe I speak for the entire Senate when I say that I'm honored to serve in this body with you. And I want to thank you, as all Americans thank you, for the military service that you have given to our country.

Oh, excuse me, I also forgot Senator Morahan. I apologize, Senator Morahan.

SENATOR DIAZ: Did you mention me?

SENATOR SAMPSON: I did mention you, Senator Diaz, but you weren't here, Senator Diaz. You can stand up now, Senator Diaz.

(Sustained applause for standing

members.)

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

THE PRESIDENT: Senator Sampson, thank you for that recognition.

Senator Smith.

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

I believe there is a privileged resolution at the desk. I ask that the resolution be read in its entirety and move for its immediate adoption.

THE PRESIDENT: The Secretary will so read.

THE SECRETARY: By Senator Sampson, Senate Extraordinary Session Resolution Number 1, providing for the introduction of bills in the Senate during the Extraordinary Session.

"RESOLVED, That notwithstanding any provision of the rules to the contrary, all bills introduced when the Senate is in Extraordinary Session shall by the Committee

on Rules or on message from the Assembly, and shall be referred to the Committee on Rules of the Senate, with the exception of any bills making an appropriation, which shall be referred to the Committee on Finance of the Senate pursuant to Legislative Law Section 23.

THE PRESIDENT: Are there any other Senators that wish to be heard on this resolution?

Senator Diaz.

SENATOR DIAZ: Thank you, Mr. President.

Today is a very important day, and we are celebrating and honoring some veterans. And I also served in the United States Armed Forces. But we just came from Puerto Rico, Mr. President. We just came from Puerto Rico, where, as the chairman of the Puerto Rican and Latino Caucus in the Senate, we conducted he some public hearings on veterans.

And you know the most ironic thing, Mr. President, that we all served -- Senator DeFrancisco, Senator Farley, Senator Owen Johnson, Senator Bill Larkin, Senator Vincent

Leibell, Senator Roy McDonald, Senator Hiram Monserrate, Senator Mike Nozzolio, Senator George Onorato, Senator Frank Padavan, and Senator Morahan -- we all served in the United States Armed Forces, and we are veterans. But you know what, Mr. President? The ironic thing is that any one of these Senators that we are honoring today, if they moved to Puerto Rico, if they moved to Puerto Rico, any one of these people here today, if they moved to Puerto Rico, the medical services that they receive as veterans would be cut 40 percent.

It's ridiculous that any veteran that served in the United States Army, the United States Armed Forces, let it be that they live in Puerto Rico, if they're Puerto Rican or not, if they move to Puerto Rico after they serve, their services will be cut 40 percent.

So now we are honoring veterans. But we should remember the veterans that live in Puerto Rico too. They served our country. And please don't think that they are Puerto Rican. Any veteran, any one of these persons

that we are honoring here today, if we move to Puerto Rico -- I'm going to repeat myself again, Mr. President -- if we move to Puerto Rico, our services as veterans will be cut 40 percent.

So any veteran that lives in Puerto Rico and moves to the mainland, their services will be increased by 40 percent.

So we are working to save -- to work on the budget in this state. At the same time I'm asking all of the Senators here to intervene so Congress should allow the veterans in Puerto Rico to get the same benefits that veterans get here.

Because guess what, Mr. President? If those veterans in Puerto Rico decide to move to New York, they're going to be another burden to New York's deficit. So we better keep those veterans in Puerto Rico receiving the medical services that veterans receive in the mainland. Because if they decide, thousands and thousands of veterans decide, oh, the services here, medical services for veterans here are poor, let's go to New York,

and they come here, then our deficit will be worst.

So we were in Puerto Rico. And I thank Senator John Sampson, Senator Malcolm Smith that they joined me in this event in Puerto Rico, working to protect the veterans. I'll say it again, the veterans, to protect the veterans, and at the same time to working to keep veterans in Puerto Rico so by that we protect New York and we work for New York State.

So to all of you veterans, I'm joining in this resolution. I'm honored to be here. I'm also a veteran. And I'm asking all of you to speak to your Senators in Congress to be sure that the veterans in Puerto Rico get the same benefit that veterans get in the mainland.

Thank you, Mr. President.

THE PRESIDENT: Thank you, Senator Diaz.

Senator Adams.

SENATOR ADAMS: Thank you, Mr. President.

I too want too rise and acknowledge the great dedication and commitment that our veterans have made over the years. And I'm proud to chair the committee that oversees many of their concerns, with my good friend Senator Leibell.

And I want to take my hat off to those men and women who have continued to serve in the State Senate.

I think that we should be proud as Americans that our veterans have fought and are continuing to fight to make sure we have equality in this great city, this great state, and this great country. That equality should not only extend to men, but it should extend to women, and it should also extend to the right of people to marry.

And as we are dealing with the very important issue of marriage equality, no greater honor we can give to our veterans than to ensure that every American, regardless of their gender, should have a right to marry. And I support that bill just as hard as I support the men and women that have fought to

ensure we have those equal rights.

THE PRESIDENT: Thank you, Senator Adams.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

I too want to join my colleagues and Conference Leader Sampson in not only recognizing our colleagues who have served our country on what will be Veterans Day tomorrow, but certainly for the 1.2 million veterans in New York State who fought in World War II and in Korea and who are now deployed in over 130 nations and Iraq and Afghanistan and are defending our honor and our freedom.

Ninety years ago, on the 11th day of the 11th month of 1919, Armistice Day was first recognized by then President Wilson. And as a great nation we need to -- as a great nation we need to continue to stop and pause -- and unfortunately, we do it only once a year; we should probably do it every day -- and recognizing the men and women who protect our freedom, the men and women who have given

their life in the ultimate sacrifice so that we can come to this great body, this great house, this great chamber, and debate those issues that come before us on a regular basis.

Without the men and women who have fought for our freedoms, without the men and women who have lost their lives to give us these freedoms, we would not have the honor of being in this chamber. So we pause and reflect on what they've done for us on this very special day.

Thank you, Mr. President.

THE PRESIDENT: Thank you, Senator Libous.

Are there any other Senators who wish to be heard?

Senator Smith.

SENATOR SMITH: Thank you, Mr. President.

I too want to join my colleagues in honoring our veterans. Obviously, as in 9/11, we should never forget what they have done for us, what they have done for our ability to have freedom and stand on this floor.

In that regard, Mr. President, I think it's only fitting that we hear from one of our veterans -- an individual who has served this country well, who is known to this body as one of our colleagues but at the same time he served this country, served us well, and then chose to be in public office. I'm speaking of none other than our Senator Larkin.

I would ask that you would please recognize Senator Larkin for some comments.

THE PRESIDENT: Senator Larkin.

SENATOR LARKIN: Thank you, Senator Smith. Thank you, Mr. President.

Tomorrow we will celebrate Veterans Day. This year Veterans Day comes at a very trying time. One week ago we saw a massacre at Fort Hood, Texas. Fort Hood, Texas, is the home of the 1st Cav -- the Ivy, the 4th Infantry, and two armored divisions in the 3rd Corps. I know one other member in this chamber who served with this 1st Cav, my good friend Roy McDonald.

The heartbreak there, with 13 -- 12

military and one civilian -- killed and 31 wounded, 16 of them still in critical condition, it makes one step back for a moment who served and says, We go to foreign areas to participate in battle; what a disgrace it is when we allow it to happen on our home base.

The men in the armed forces today are all volunteers. They are not drafted. Nobody sent a policeman to their home, no one sent them a card: You must show up. They raised their right hand and said "I solemnly swear." And their oath of allegiance is to this country. And if you don't like this country, then get the hell out.

I think what we're seeing today, when Sunday, on NFL Football, all the great football players and coaches were there with our armed forces in Afghanistan. And troop morale was asked, and the troop morale was tops. Why? Because these are dedicated Americans, just like those that we had in World War I, World War II, Korea, 'Nam.

What we're seeing today is a country that's asking the question, What are

we doing? I don't think we're doing enough for our veterans. I think that this body should know, Mr. President, that there are 1.9 million Americans who have either died or were wounded in combat since World War II. The home of that hall of honor is in my Senate district, in New Windsor, New York.

But we're talking about an armed forces, men and women. One of the women that was killed in this shot was a lieutenant colonel, Hispanic. Another was a woman who just come back from Iraq, was two months pregnant. National Guard, killed.

What in the world is going on? Our veterans deserve protection, they deserve credibility, they deserve to be able to see what is being done, what they fought for.

I've talked to veterans in the last month and a half leading up to this, and they said: "What did we fight for? What are you doing to us? We fought to retain this country, to make it something we're all proud of, and now we see you giving it away."

Nobody is standing up and defending

this great country that 1.9 million people were wounded or killed in combat. And then we go to our home of the 3rd Corps, two infantry divisions, two armored divisions, and people processing to go out to continue the defense and keep the battle from America, keep it in foreign countries. And then we wind up having 31 of them shot: 13 killed, 16, as of this morning, still in critical condition.

You know, I'd like to ask all of my colleagues, you know, someone said: "Thank you for your service." And I appreciate that. But how many of us extend ourself? How many of us have been in a veterans hall and seen what they need? How many have been to a veterans hospital to see what the needs of the hospital is, what the need of the personnel there is?

There are many that you will find that are going from day to day, as one told me at Castle Point two weeks ago: "I can't wait till God takes me, because I don't think people care." But when he was jumping in Bastogne as a 16-year-old, he said people

wrote when they found out what he did, he was a hero, he was great. When he come home, he was great. But as he grew older, nobody had any room for him.

You know they had no room at the inn, the manger for some young man that we all knew was born.

But I ask you, don't enjoy the day off. Make sure you participate. But make sure you remember. Because the military is not going to forget what happened last Thursday. And if this nation does, shame on them. There should be a thorough investigation to find out who didn't do what they should have done so that these people wouldn't have been killed and wounded and how bad they are.

Mr. President, I'm very proud to have served my country for 23 years. Along with a lot of others in here, we served in combat. The hardest part of 23 years of active duty for me was on August 4th of 1950, with my first killed in action in Korea, and I had to write a letter to a mother and tell her

her 19-year-old son was killed. I hope and pray to God that Bobby Maples' death was not in vain.

Thank you.

THE PRESIDENT: Thank you, Senator Larkin.

Senator Leibell.

SENATOR LEIBELL: Thank you, Mr. President.

Every week I get delivered a newspaper that's called the Navy Times. I know Senator Larkin gets the Army Times. And these are publications that are put out to the military, to retired people. And every week in this newspaper there are pictures of the dead from the previous week. If you were to look at this week's, it spans almost two pages.

And when you look at those pictures the thing that has to take your breath away is, in the vast majority of cases, the very young age. Underneath the picture, they give a rank, they give a name, they give a hometown, they give a unit name and usually a

very brief description of the cause of death. In Iraq and Afghanistan, these two wars, in most cases they list IEDs as the cause of death.

But when you look at those pictures, certainly from my end of the calendar, they look like baby faces to me: 19, 18, 20, 21 years of age. Occasionally you'll see somebody in their fifties. Usually -- that's almost always a National Guard or Reservist killed in action.

But as we go and speak, as we all will, this week to our veterans groups and to our community groups, to think of those pictures, especially of those young faces that really never had a chance to savor life, their sacrifice is awesome beyond words and something for which we should all be so grateful.

So I hope as we return to our districts that we will keep this in mind and be able to convey this to our fellow New Yorkers.

Thank you, Mr. President.

THE PRESIDENT: Thank you, Senator Leibell.

Senator Farley.

SENATOR FARLEY: Yes, I rise to bring to your attention a ceremony that I had a couple of years ago honoring what they call our Greatest Generation, the World War II veterans.

And it was very, very moving to me to see these men -- mostly men, at that time -- as they're leaving us, thousands a day. I think everybody in this room knew a WW II veteran, probably a member of your family. But they are leaving us at a rate that is absolutely sad.

You know, as a Korean veteran -- actually, that's the forgotten veteran these days, the war that so many that we were unprepared for. So many of them froze to death and lost limbs and feet because of lack of equipment. And also in Korea and in Vietnam, a war that when I was at the university teaching, that the veterans that came home were spat upon and unaccepted.

Today we're facing a real threat. And so many of our volunteers that Senator Larkin spoke about -- they're all volunteers that are defending everything that we stand for. I think it becomes every one of us today when we see a veteran, no matter what war they fought in or defended, to thank them for their service.

I rise to thank them for their service. And Veterans Day is a very, very moving day for everybody in this house and for every citizen of the United States to thank those people that lay their lives on the line for us.

Thank you, Mr. President.

THE PRESIDENT: Thank you, Senator Farley.

Are there any other Senators who wish to be heard on this resolution?

Senator McDonald.

SENATOR McDONALD: Thank you, sir.

I too, as a Vietnam veteran of the Army, would like to thank the veterans. But I

would especially like to thank the New York State Senate, the New York State Assembly, the Governor, current and past.

There are some things in this country we do right and some things we do wrong. But in the most recent years what we've been doing right is putting aside differences for the men and women who serve in our military today.

During World War II the benefit package for these people was outstanding. After World War II, it went down. It went very down. Recently, it's coming up, the educational programs and the benefits.

I've seen in my lifetime an evolution of thought and affection for the American military, and I'm grateful for it. Too often everybody is bitter, too often everybody is negative.

The one thing I enjoy when I look at my television at night -- and it's tough to watch men and women of our country in another country fighting for their life. But it gives my great gratification to look at the American

military and to see these men and women, different colors, different ethnic groups, different religions, different parts of the country. It doesn't matter. They're all there for one reason, and that reason is us.

They actually care about what we stand for. They're not fighting for some macro reason over in Afghanistan and Iraq, they're fighting because they believe they're protecting our democracy and our freedom and trying to keep the world safe from terrorism. These are good men. These are good women. They're ours.

I had the privilege of serving in Vietnam with a commanding officer that immediately took me under his wing and cared about me. He was an African-American from Michigan. The number-two officer was a captain from Puerto Rico. We were a family. We were a fighting unit, but more than anything else we were friends and a family.

I will always remember those people, and I see them every night on television. And I know what's going through

their minds. They don't care about the petty nuances that we get into arguments about. They just care about us as a people.

So I want to thank everybody who is grateful, and I especially want to thank the American public for recognizing, whether it's a good war or a bad war, they're good soldiers. They're our soldiers.

God bless you. Thank you.

THE PRESIDENT: Thank you, Senator McDonald.

Senator Morahan.

SENATOR MORAHAN: Thank you, Mr. President.

Each year in the spring of the year we reflect upon our honored dead that served this country and paid the supreme price for their service to their country in protecting their fellow Americans. Each and every day ought to be a day where we recall our honored dead who fell in swamps, who fell in the jungles, who fell in deserts, face in the sand, maybe the last word out of their mouth was "mother" or "mama."

But today and this week we honor those who returned home, the veteran, who left their homes, many volunteered, hung up their aprons from the hardware store, answered the call of their nation, put themselves in great peril, fought, survived, and came home in various shapes and forms. Some severely maimed, some paralyzed for life, some with other, less traumatic wounds.

We're learning today how many came back from World War II and from Vietnam and some from Korea with posttraumatic stress disorder. We recognize that in this Senate, and we passed a bill this spring to add that disease to Timothy's Law. It goes beyond our veterans; it's for our general public.

But we also have to recall the sacrifice of the families who waited in fearful tremors, not knowing where their loved one was on the planet, what they were facing, if they were dead or alive at the moment they were thinking of them.

I think it's a mark of a nation that we recall the service of our veterans who

are now aged, as I am, but now are infirmed and need the benefits that our federal government provides and must always provide. And I echo Senator McDonald's comments regarding the contributions of this Senate, Assembly, Governor and State of New York in what we have done for the National Guard and for those who may not be in the federal military but we have provided benefits for them regarding education and health benefits as well.

So I stand to salute my fellow veterans with all the dedication and honesty in my body, because I know what they went through. They did it for me. I was just a kid in World War II, but they were there. I lost a first cousin on the beaches of Normandy. And I see his son, now a grown man with his family, but his son never remembered his father. He was only three months old when his father was killed.

So I congratulate this Senate and my colleagues for taking time to honor our veterans, to say "Well done, veterans, thank

you for your service." And hopefully we will stay true to our commitment to make sure that we bind up your wounds and that we stay true and dedicated to those sacrifices you made on behalf of all Americans.

Thank you, Mr. President.

THE PRESIDENT: Thank you, Senator Morahan.

Are there any other Senators who wish to be heard on this resolution?

(No response.)

THE PRESIDENT: Let me say it's a particular privilege to preside at this moment, because I served in the United States Army twice. And I deeply appreciate the recognition that you have given to the veterans of our armed services.

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

(Response of "Aye.")

THE PRESIDENT: All opposed?

(No response.)

THE PRESIDENT: Hearing none, the

resolution is adopted.

Senator Smith.

SENATOR SMITH: Thank you very much, Mr. President. And thank all my colleagues for honoring our vets.

At this time, while we are waiting for bills to be printed by the Governor, we'd like to stand at ease. And when we return from standing at ease, we will then move to the Rules Committee meeting.

THE PRESIDENT: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 12:53 p.m.)

ACTING PRESIDENT KRUEGER: Senator Foley, why do you rise?

SENATOR FOLEY: Thank you, Madam President.

I rise on behalf of Senator Hassell-Thompson to announce that at 2:30 there will be a Majority conference in the Majority Conference Room at that particular hour. I just want to make that known to the President.

And the Senate will continue at ease.

ACTING PRESIDENT KRUEGER: Thank you, Senator Foley.

The Senate will continue to be at ease.

The Senate Majority Conference shall be conferencing at 2:30 this afternoon in Room 332.

Thank you.

SENATOR FOLEY: Thank you for your assistance, Madam President.

ACTING PRESIDENT KRUEGER: Thank you, Senator Foley.

(Whereupon, the Senate reconvened at 5:10 p.m.)

ACTING PRESIDENT VALESKY: The Senate will return to order.

Senator Smith.

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

At this time there will be an immediate meeting of the Rules Committee in the Majority Conference Room, Room 332.

Pending the return of the Rules Committee, could we please stand at ease.

ACTING PRESIDENT VALESKY: There will be an immediate meeting of the Senate Committee on Rules in Room 332.

The Senate will stand at ease pending the report of the Rules Committee.

(Whereupon, the Senate stood at ease at 5:11 p.m.)

(Whereupon, the Senate reconvened at 5:43 p.m.)

ACTING PRESIDENT VALESKY: The Senate will return to order.

Senator Klein.

SENATOR KLEIN: Mr. President, can you please recognize Senator Flanagan. He wants to recognize someone in the gallery.

ACTING PRESIDENT VALESKY: Senator Flanagan.

SENATOR FLANAGAN: Thank you, Mr. President.

I just -- I'm the lucky one. Any one of us could get up and do this.

Today, after 37 years of

distinguished service, having served the people of the State of New York for as long as Senator Volker -- but I reminded Senator Volker that she looks a lot better than he does -- we are joined in the gallery by someone that we all know and love and commonly refer to as Sandy, Sandy Raus, who after 37 years is finally calling it quits.

So all of you like me who have relied on her for all the valuable information in the Capitol, you're going to have to find new sources.

Sandy, congratulations. Best of luck to you.

ACTING PRESIDENT VALESKY: Congratulations, Sandy.

(Extended standing ovation.)

ACTING PRESIDENT VALESKY: Senator Klein.

SENATOR KLEIN: Mr. President, I believe there is a report of the Rules Committee at the desk.

ACTING PRESIDENT VALESKY: There is a report of the Rules Committee here at the

desk, Senator Klein.

And the Secretary will read.

THE SECRETARY: Senator Smith, from the Committee on Rules, reports the following bills:

Extraordinary Session Senate Print Number 2, by Senator Stewart-Cousins, an act to amend the Insurance Law;

And Extraordinary Session Senate Print Number 5, by Senator Valesky, an act to amend the Penal Law and the Executive Law.

Both bills ordered direct to third reading.

ACTING PRESIDENT VALESKY: Senator Klein.

SENATOR KLEIN: Mr. President, I move to accept the report of the Rules Committee at this time.

ACTING PRESIDENT VALESKY: All in favor of adopting the report of the Rules Committee signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The report of the Rules Committee is adopted.

Senator Klein.

SENATOR KLEIN: Mr. President, at this time can we please move to a reading of the calendar.

ACTING PRESIDENT VALESKY: The Secretary will proceed with the reading of Extraordinary Session Calendar Number 1.

THE SECRETARY: Calendar Number 1, by Senator Stewart-Cousins, Extraordinary Session Senate Print Number 2, an act to amend the Insurance Law.

ACTING PRESIDENT VALESKY: Senator Klein.

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

ACTING PRESIDENT VALESKY: Senator Klein, a message of necessity has been received from the Governor and it is here at the desk.

SENATOR KLEIN: I move to accept the message of necessity.

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

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The message of necessity is accepted.

The Secretary will read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59. Nays, 2. Senators Hannon and Skelos recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 2, by Senator Valesky, Extraordinary Session

Senate Print Number 5, an act to amend the Penal Law and the Executive Law.

ACTING PRESIDENT VALESKY: Senator Klein.

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

ACTING PRESIDENT VALESKY: Yes, a message of necessity has been received from the Governor. It is here at the desk.

SENATOR KLEIN: I move we accept the message of necessity.

ACTING PRESIDENT VALESKY: All in favor of adopting the message of necessity from the Governor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT VALESKY: Opposed, nay.

(No response.)

ACTING PRESIDENT VALESKY: The message of necessity is accepted.

The Secretary will read the last section.

THE SECRETARY: Section 6. This

act shall take effect immediately.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61. Nays, 0.

ACTING PRESIDENT VALESKY: The bill is passed.

Senator Klein, that completes the noncontroversial reading of Extraordinary Session Calendar Number 1.

SENATOR KLEIN: Mr. President, at this time can we please stand at ease very briefly.

ACTING PRESIDENT VALESKY: The Senate will stand at ease briefly.

(Whereupon, the Senate stood at ease at 5:48 p.m.)

(Whereupon, the Senate reconvened at 5:50 p.m.)

ACTING PRESIDENT VALESKY: Senator Klein.

SENATOR KLEIN: Mr. President, can you please recognize Senator Libous for an

announcement.

ACTING PRESIDENT VALESKY: Senator Libous.

SENATOR LIBOUS: Mr. President, do you recognize me?

ACTING PRESIDENT VALESKY: I certainly do.

SENATOR LIBOUS: Thank you.

Right after session there will be a brief but immediate conference of the Republican conference in our conference room. Thank you.

ACTING PRESIDENT VALESKY: Brief Republican conference immediately following session thank you.

Senator Klein.

SENATOR KLEIN: Can we continue to stand at ease.

ACTING PRESIDENT VALESKY: The Senate will continue to stand at ease.

(Whereupon, the Senate stood at ease at 5:51 p.m.)

SENATOR LIBOUS: Mr. President.

ACTING PRESIDENT VALESKY:

Senator Libous.

SENATOR LIBOUS: Since the leadership has gone off to have a meeting, the Republicans will have their conference now.

ACTING PRESIDENT VALESKY: Immediate Senate Republican conference.

SENATOR LIBOUS: Thank you.

(Whereupon, the Senate reconvened at 7:04 p.m.)

ACTING PRESIDENT VALESKY: The Senate will return to order.

Senator Klein.

SENATOR KLEIN: Mr. President, is there any further business at the desk?

ACTING PRESIDENT VALESKY: There is no further business at the desk.

SENATOR KLEIN: There being none, I move that we adjourn this Extraordinary Session, subject to the call of the Temporary President.

ACTING PRESIDENT VALESKY: On motion by Senator Klein, the Extraordinary Session is adjourned, subject to the call of the Temporary President, intervening days

being legislative days.

(Whereupon, at 7:05 p.m., the Senate adjourned.)