

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 November 10, 2009

11 12:19 p.m.

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14 EXTRAORDINARY SESSION

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18 LIEUTENANT GOVERNOR RICHARD RAVITCH, President

19 ANGELO J. APONTE, Secretary

1 P R O C E E D I N G S

2 THE PRESIDENT: The Senate will
3 please come to order.

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

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

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

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

14 THE PRESIDENT: Thank you.
15 Senator Smith.

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

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

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

22 The Secretary will read it, please.

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

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

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

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

18 The Secretary will call the roll.

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

22 THE SECRETARY: Senator Adams.

23 SENATOR ADAMS: Yes.

24 THE SECRETARY: Senator Addabbo.

1 SENATOR ADDABBO: Here.
2 THE SECRETARY: Senator Alesi.
3 SENATOR ALESI: Here.
4 THE SECRETARY: Senator
5 Aubertine.
6 SENATOR AUBERTINE: Here.
7 THE SECRETARY: Senator Bonacic.
8 SENATOR BONACIC: Here.
9 THE SECRETARY: Senator Breslin.
10 SENATOR BRESLIN: Here.
11 THE SECRETARY: Senator
12 DeFrancisco.
13 SENATOR DeFRANCISCO: Here.
14 THE SECRETARY: Senator Diaz.
15 SENATOR DIAZ: Aqui.
16 THE SECRETARY: Senator Dilan.
17 SENATOR DILAN: Here.
18 THE SECRETARY: Senator Duane.
19 SENATOR DUANE: Here.
20 THE SECRETARY: Senator Espada.
21 (No response.)
22 THE SECRETARY: Senator Farley.
23 (No response.)
24 THE SECRETARY: Senator Flanagan.

1 SENATOR FLANAGAN: Here.
2 THE SECRETARY: Senator Foley.
3 SENATOR FOLEY: Present.
4 THE SECRETARY: Senator
5 Fuschillo.
6 SENATOR FUSCHILLO: Present.
7 THE SECRETARY: Senator Golden.
8 SENATOR GOLDEN: Here.
9 THE SECRETARY: Senator Griffo.
10 SENATOR GRIFFO: Here.
11 THE SECRETARY: Senator Hannon.
12 SENATOR HANNON: Here.
13 THE SECRETARY: Senator
14 Hassell-Thompson.
15 SENATOR HASSELL-THOMPSON: Here.
16 THE SECRETARY: Senator Huntley.
17 SENATOR HUNTLEY: Present.
18 THE SECRETARY: Senator C.
19 Johnson.
20 SENATOR CRAIG JOHNSON: Here.
21 THE SECRETARY: Senator O.
22 Johnson, excused.
23 Senator Klein.
24 SENATOR KLEIN: Here.

1 THE SECRETARY: Senator
2 L. Krueger.
3 SENATOR LIZ KRUEGER: Here.
4 THE SECRETARY: Senator C.
5 Kruger.
6 (No response.)
7 THE SECRETARY: Senator Larkin.
8 SENATOR LARKIN: Here.
9 THE SECRETARY: Senator Lanza.
10 SENATOR LANZA: Here.
11 THE SECRETARY: Senator LaValle.
12 SENATOR LaVALLE: Here.
13 THE SECRETARY: Senator Leibell.
14 SENATOR LEIBELL: Here.
15 THE SECRETARY: Senator Libous.
16 SENATOR LIBOUS: Present.
17 THE SECRETARY: Senator Little.
18 SENATOR LITTLE: Present.
19 THE SECRETARY: Senator
20 Marcellino.
21 SENATOR MARCELLINO: Present.
22 THE SECRETARY: Senator Maziarz.
23 SENATOR MAZIARZ: Here.
24 THE SECRETARY: Senator McDonald.

1 SENATOR McDONALD: Here.

2 THE SECRETARY: Senator
3 Monserrate.

4 SENATOR MONSERRATE: Here.

5 THE SECRETARY: Senator
6 Montgomery.

7 SENATOR MONTGOMERY: Here.

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

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

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

16 THE PRESIDENT: Senator Sampson.

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

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

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

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

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

13 Senator Ruben Diaz, United States
14 Army.

15 Senator Hugh Farley, United States
16 Army.

17 Senator O. Johnson, United States
18 Marine Corps.

19 Senator Bill Larkin, United States
20 Army.

21 Senator Vincent Leibell, United
22 States Navy.

23 Senator Roy McDonald, United States
24 Army.

1 Senator Hiram Monserrate, United
2 States Marine Corps.

3 Senator Mike Nozzolio, United
4 States Navy.

5 Senator George Onorato, United
6 States Army.

7 Senator Frank Padavan, United
8 States Army.

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

15 Oh, excuse me, I also forgot
16 Senator Morahan. I apologize, Senator
17 Morahan.

18 SENATOR DIAZ: Did you mention
19 me?

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

24 (Sustained applause for standing

1 members.)

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

4 THE PRESIDENT: Senator Sampson,
5 thank you for that recognition.
6 Senator Smith.

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

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

14 THE PRESIDENT: The Secretary
15 will so read.

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

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

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

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

10 Senator Diaz.

11 SENATOR DIAZ: Thank you,
12 Mr. President.

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

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

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

13 It's ridiculous that any veteran
14 that served in the United States Army, the
15 United States Armed Forces, let it be that
16 they live in Puerto Rico, if they're Puerto
17 Rican or not, if they move to Puerto Rico
18 after they serve, their services will be cut
19 40 percent.

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

1 that we are honoring here today, if we move to
2 Puerto Rico -- I'm going to repeat myself
3 again, Mr. President -- if we move to Puerto
4 Rico, our services as veterans will be cut
5 40 percent.

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

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

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

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

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

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

19 Thank you, Mr. President.

20 THE PRESIDENT: Thank you,
21 Senator Diaz.

22 Senator Adams.

23 SENATOR ADAMS: Thank you,
24 Mr. President.

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

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

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

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

1 ensure we have those equal rights.

2 THE PRESIDENT: Thank you,
3 Senator Adams.

4 Senator Libous.

5 SENATOR LIBOUS: Thank you,
6 Mr. President.

7 I too want to join my colleagues
8 and Conference Leader Sampson in not only
9 recognizing our colleagues who have served our
10 country on what will be Veterans Day tomorrow,
11 but certainly for the 1.2 million veterans in
12 New York State who fought in World War II and
13 in Korea and who are now deployed in over
14 130 nations and Iraq and Afghanistan and are
15 defending our honor and our freedom.

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

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

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

12 Thank you, Mr. President.

13 THE PRESIDENT: Thank you,
14 Senator Libous.

15 Are there any other Senators who
16 wish to be heard?

17 Senator Smith.

18 SENATOR SMITH: Thank you,
19 Mr. President.

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

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

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

12 THE PRESIDENT: Senator Larkin.

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

15 Tomorrow we will celebrate Veterans
16 Day. This year Veterans Day comes at a very
17 trying time. One week ago we saw a massacre
18 at Fort Hood, Texas. Fort Hood, Texas, is the
19 home of the 1st Cav -- the Ivy, the
20 4th Infantry, and two armored divisions in the
21 3rd Corps. I know one other member in this
22 chamber who served with this 1st Cav, my good
23 friend Roy McDonald.

24 The heartbreak there, with 13 -- 12

1 military and one civilian -- killed and
2 31 wounded, 16 of them still in critical
3 condition, it makes one step back for a moment
4 who served and says, We go to foreign areas to
5 participate in battle; what a disgrace it is
6 when we allow it to happen on our home base.

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

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

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

1 we doing? I don't think we're doing enough
2 for our veterans. I think that this body
3 should know, Mr. President, that there are
4 1.9 million Americans who have either died or
5 were wounded in combat since World War II.
6 The home of that hall of honor is in my Senate
7 district, in New Windsor, New York.

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

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

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

24 Nobody is standing up and defending

1 this great country that 1.9 million people
2 were wounded or killed in combat. And then we
3 go to our home of the 3rd Corps, two infantry
4 divisions, two armored divisions, and people
5 processing to go out to continue the defense
6 and keep the battle from America, keep it in
7 foreign countries. And then we wind up having
8 31 of them shot: 13 killed, 16, as of this
9 morning, still in critical condition.

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

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

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

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

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

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

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

4 Thank you.

5 THE PRESIDENT: Thank you,
6 Senator Larkin.

7 Senator Leibell.

8 SENATOR LEIBELL: Thank you,
9 Mr. President.

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

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

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

5 But when you look at those
6 pictures, certainly from my end of the
7 calendar, they look like baby faces to me:
8 19, 18, 20, 21 years of age. Occasionally
9 you'll see somebody in their fifties.
10 Usually -- that's almost always a National
11 Guard or Reservist killed in action.

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

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

24 Thank you, Mr. President.

1 THE PRESIDENT: Thank you,
2 Senator Leibell.

3 Senator Farley.

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

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

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

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

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

15 Thank you, Mr. President.

16 THE PRESIDENT: Thank you,
17 Senator Farley.

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

20 Senator McDonald.

21 SENATOR McDONALD: Thank you,
22 sir.

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

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

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

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

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

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

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

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

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

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

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

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

9 God bless you. Thank you.

10 THE PRESIDENT: Thank you,
11 Senator McDonald.

12 Senator Morahan.

13 SENATOR MORAHAN: Thank you,
14 Mr. President.

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

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

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

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

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

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

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

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

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

6 Thank you, Mr. President.

7 THE PRESIDENT: Thank you,
8 Senator Morahan.

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

11 (No response.)

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

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

21 (Response of "Aye.")

22 THE PRESIDENT: All opposed?

23 (No response.)

24 THE PRESIDENT: Hearing none, the

1 resolution is adopted.

2 Senator Smith.

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

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

11 THE PRESIDENT: The Senate will
12 stand at ease.

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

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

17 SENATOR FOLEY: Thank you, Madam
18 President.

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

1 And the Senate will continue at
2 ease.

3 ACTING PRESIDENT KRUEGER: Thank
4 you, Senator Foley.

5 The Senate will continue to be at
6 ease.

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

10 Thank you.

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

13 ACTING PRESIDENT KRUEGER: Thank
14 you, Senator Foley.

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

17 ACTING PRESIDENT VALESKY: The
18 Senate will return to order.

19 Senator Smith.

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

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

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

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

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

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

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

12 ACTING PRESIDENT VALESKY: The
13 Senate will return to order.

14 Senator Klein.

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

18 ACTING PRESIDENT VALESKY:
19 Senator Flanagan.

20 SENATOR FLANAGAN: Thank you,
21 Mr. President.

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

24 Today, after 37 years of

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

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

13 Sandy, congratulations. Best of
14 luck to you.

15 ACTING PRESIDENT VALESKY:
16 Congratulations, Sandy.

17 (Extended standing ovation.)

18 ACTING PRESIDENT VALESKY:
19 Senator Klein.

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

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

1 desk, Senator Klein.

2 And the Secretary will read.

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

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

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

12 Both bills ordered direct to third
13 reading.

14 ACTING PRESIDENT VALESKY:
15 Senator Klein.

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

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

22 (Response of "Aye.")

23 ACTING PRESIDENT VALESKY:
24 Opposed, nay.

1 (No response.)

2 ACTING PRESIDENT VALESKY: The
3 report of the Rules Committee is adopted.
4 Senator Klein.

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

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

11 THE SECRETARY: Calendar Number
12 1, by Senator Stewart-Cousins, Extraordinary
13 Session Senate Print Number 2, an act to amend
14 the Insurance Law.

15 ACTING PRESIDENT VALESKY:
16 Senator Klein.

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

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

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

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

5 (Response of "Aye.")

6 ACTING PRESIDENT VALESKY:
7 Opposed, nay.

8 (No response.)

9 ACTING PRESIDENT VALESKY: The
10 message of necessity is accepted.

11 The Secretary will read the last
12 section.

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

15 ACTING PRESIDENT VALESKY: Call
16 the roll.

17 (The Secretary called the roll.)

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

21 ACTING PRESIDENT VALESKY: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 2, by Senator Valesky, Extraordinary Session

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

3 ACTING PRESIDENT VALESKY:
4 Senator Klein.

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

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

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

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

16 (Response of "Aye.")

17 ACTING PRESIDENT VALESKY:
18 Opposed, nay.

19 (No response.)

20 ACTING PRESIDENT VALESKY: The
21 message of necessity is accepted.

22 The Secretary will read the last
23 section.

24 THE SECRETARY: Section 6. This

1 act shall take effect immediately.

2 ACTING PRESIDENT VALESKY: Call
3 the roll.

4 (The Secretary called the roll.)

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

7 ACTING PRESIDENT VALESKY: The
8 bill is passed.

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

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

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

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

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

21 ACTING PRESIDENT VALESKY:
22 Senator Klein.

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

1 announcement.

2 ACTING PRESIDENT VALESKY:

3 Senator Libous.

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

6 ACTING PRESIDENT VALESKY: I
7 certainly do.

8 SENATOR LIBOUS: Thank you.

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

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

16 Senator Klein.

17 SENATOR KLEIN: Can we continue
18 to stand at ease.

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

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

23 SENATOR LIBOUS: Mr. President.

24 ACTING PRESIDENT VALESKY:

1 Senator Libous.

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

5 ACTING PRESIDENT VALESKY:
6 Immediate Senate Republican conference.

7 SENATOR LIBOUS: Thank you.
8 (Whereupon, the Senate reconvened
9 at 7:04 p.m.)

10 ACTING PRESIDENT VALESKY: The
11 Senate will return to order.

12 Senator Klein.

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

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

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

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

1 being legislative days.

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

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