

1 NEW YORK STATE SENATE

2
3
4 THE STENOGRAPHIC RECORD

5
6
7
8 ALBANY, NEW YORK

9
10 January 18, 2011

11 3:08 p.m.

12
13
14 REGULAR SESSION

15
16
17
18 LIEUTENANT GOVERNOR ROBERT J. DUFFY, President

19 FRANCIS W. PATIENCE, Secretary

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

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

4 I ask everyone present to please
5 rise and repeat with me the Pledge of
6 Allegiance.

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

9 THE PRESIDENT: For today's
10 invocation, please welcome Father Peter G.
11 Young, from the Mother Teresa Community of
12 Albany.

13 Father Young.

14 REVEREND YOUNG: Thank you.

15 Let us pray.

16 When we meet in session, sometimes
17 we stop listening to our own communication
18 skills to advocate for only our own
19 constituents and their agenda.

20 God, You want us to communicate
21 with respect and care for each other in this
22 Senate chamber so that we might show our
23 New York State citizens and constituents our
24 example of togetherness for the common good of
25 New York State.

1 Help us to have an open ear and
2 hospitality in our minds as we listen, share,
3 and build community instead of disunity for
4 our New York State citizens.

5 Amen.

6 THE PRESIDENT: Next, the reading
7 of the Journal.

8 THE SECRETARY: In Senate,
9 Monday, January 17, the Senate met pursuant to
10 adjournment. The Journal of Saturday,
11 January 15, was read and approved. On motion,
12 Senate adjourned.

13 THE PRESIDENT: Without
14 objection, the Journal stands approved as
15 read.

16 Next, presentation of petitions.

17 Any messages from the Assembly?

18 Messages from the Governor.

19 Reports of standing committees.

20 Reports of select committees.

21 Communications and reports from
22 state officers.

23 Motions and resolutions.

24 Senator Libous.

25 SENATOR LIBOUS: Thank you,

1 Mr. President.

2 Mr. President, there's a previously
3 adopted resolution at the desk by Senator
4 Sampson; I believe it's Number 88. May we
5 please have the title read, and would you
6 please recognize Senator Sampson to speak on
7 it. Thank you.

8 THE PRESIDENT: The Secretary
9 will read the title of Resolution Number 88 by
10 Senator Sampson.

11 THE SECRETARY: By Senator
12 Sampson, Legislative Resolution Number 88,
13 memorializing the 82nd birthday of the
14 Reverend Dr. Martin Luther King, Jr., and his
15 tremendous contributions to civil rights and
16 American society, and the 25th anniversary of
17 the national holiday that honors his birth and
18 achievements.

19 THE PRESIDENT: Would Senator
20 Sampson or his designee like to speak on the
21 resolution?

22 The resolution was previously
23 adopted on January 11th.

24 Senator Smith.

25 SENATOR SMITH: Yes, thank you

1 very much, Mr. President.

2 Many of us know the presiding of
3 Martin Luther King over that march many years
4 ago. To this day, many of us believe that we
5 have come a long way. Martin Luther King, who
6 has been the forefather of justice and
7 fairness throughout this state, clearly has
8 represented much to all of us.

9 Yesterday we celebrated a moment in
10 history that many of us will never forget.
11 Unfortunately, during this time we also
12 recognize that there has been a scourge of gun
13 violence throughout our city, throughout our
14 state. And we believe that had Martin Luther
15 King been here, his words to us about being
16 free at last would be one that we remember but
17 also one that we have to pivot to what I
18 consider to be a very significant change in
19 how we look at our lives.

20 In the finance world there is
21 something now called the P3, public/private
22 partnership. I believe if Martin was here
23 today, as he talked about being free at last,
24 he would pivot that to mean that there is a P3
25 that we must look at ourselves, but those

1 three things are different.

2 One, we would need to pray, to pray
3 more often about the things that are affecting
4 our lives and people every day.

5 Two, we would have to be much more
6 persistent about what it is that we are
7 involved with, especially our young people
8 today.

9 While one might consider things
10 that they do in life to be things they
11 remember, persistence can only be demonstrated
12 by what we saw this weekend with the New York
13 Jets. Here is a team that many people had
14 counted out, but yet because of their
15 persistence, they ended up rising to a place
16 where they may be the Super Bowl winners this
17 year.

18 And finally, what becomes something
19 that I think most of us have in this chamber,
20 is patience. It is important that we are
21 patient as we deliberate this year on this
22 budget, that we deliberate on new rules for
23 this chamber, and as we deliberate around how
24 do we get through a \$10 billion deficit which
25 we know will impact many people's lives.

1 Martin Luther King is someone that
2 I believe will be revered forever. And I
3 guess what becomes most important to us is
4 that his statue will be in Washington, it will
5 be on that rotunda, a statue of an
6 African-American, for the first time in the
7 history of this country.

8 So I applaud Senator Sampson for
9 bringing forth this resolution. His continued
10 leadership around individuals and around
11 causes is one to be admired. And I am so
12 happy to be able to speak on behalf of his
13 resolution.

14 Senator Sampson, thank you.

15 THE PRESIDENT: Senator Smith,
16 thank you.

17 I recognize Senator Sampson on the
18 resolution.

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

21 Yesterday we commemorated the life
22 and legacy of Dr. Martin Luther King, Jr., one
23 of the greatest visionaries this world has
24 ever known. Dr. King transformed our society
25 with his dreams of a free, fair, just society

1 blind to racial and ethnic differences. He
2 was an extraordinary man during extraordinary
3 period of time, rising to the call of his
4 people and working to make our country a
5 better place for all people.

6 As our nation heals from the
7 tragedy of what happened in Arizona and the
8 unsettling consequences of heated -- at times,
9 very heated -- political rhetoric driven by
10 hatred, anger, bigotry, we must once again
11 look to Dr. King for our guidance.

12 Dr. Martin Luther King, Jr.,
13 appealed to the best in all of us. He taught
14 us that violence never brings permanent peace,
15 hate never brings everlasting change, and only
16 with compassion, civility, and togetherness
17 will we rebuild our communities.

18 He told us that we must learn to
19 live together as brothers or we shall perish
20 together as fools. And he called on all of
21 us, all of our people, to rise above the
22 hatred, the bigotry, and understand our
23 commitment and our purpose to provide
24 opportunity to all.

25 Never before has this message been

1 so important, especially during the times and
2 the tribulations that we're all going through,
3 not only here in New York but throughout this
4 country. Dr. King's belief in peaceful social
5 change to create a better life for the poor,
6 the working class, and for the disenfranchised
7 of all races continues to inspire millions
8 around this world.

9 We cannot let this moment pass, and
10 we must understand how important his role
11 played not only here in these United States
12 but throughout the entire world. This is
13 someone who has understood how important it
14 was for all people to be measured by the
15 content of their character.

16 So as we go through our daily
17 trials and tribulations in this political
18 environment, we must always remember that
19 irrespective of the political rhetoric,
20 irrespective of who's in control, it's always
21 all about the people. And the people will
22 always judge us not on what is politically
23 correct but what is morally correct.

24 So, Mr. President, thank you very
25 much for giving me this opportunity to speak

1 on this resolution. Thank you.

2 THE PRESIDENT: Thank you,
3 Senator Sampson.

4 I recognize Senator Larkin next.

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

7 You know, this is a day we'll be
8 celebrating not just for these past 25 years
9 but for a lot of days to come.

10 I had the opportunity to meet Dr.
11 King. Very short, Mr. President, probably
12 10 minutes. It was a result of the march on
13 March 21st to the 25th of 1965. I was a young
14 army major praying that I'd get promoted next
15 month. And lo and behold, I was ordered to
16 Montgomery.

17 My mission was to correct the issue
18 of the week before, where Bull Connor put the
19 hoses on all the people that were marching.
20 Dr. King didn't march in the previous week.
21 Some people say he did; he didn't.

22 But my mission was to tell the
23 governor: "Governor Wallace, the President of
24 the United States would like you to activate
25 the Alabama National Guard in order to ensure

1 a smooth march from Selma to Montgomery."

2 We've often heard about the
3 Governor of Alabama's excellent quotations,
4 and he told me what I could do with the paper.
5 I don't have it, and I don't know where it is,
6 but it isn't available anymore.

7 Two hours later, I was -- we didn't
8 have cellphones in '65. I was back at
9 Montgomery, the air base, and told my boss,
10 General Cotton, what the governor had said,
11 and he said: "Good, go take a snooze and go
12 back at midnight and tell him he's activated.
13 By the way, I hope you've got your green
14 uniform on." I said, "I do."

15 Went back at 12 o'clock, and there
16 was a full colonel there giving the orders.
17 And he said, "Major, you can give the message
18 to the governor. I won't."

19 And he just said, "Fine. Tell him
20 that he'll have to activate them." Because
21 politics played a great role in it. Governor
22 Wallace was smart enough to know that if he
23 activated the troops in Alabama, the State of
24 Alabama, their taxpayers, would have had to
25 pay for all of the activation, the gas, the

1 mileage, whatever needed to be done. But when
2 the President activated them, the cost was
3 across the 50 states.

4 Now, we had troops come in from
5 Fort Hood, Texas, 101st Airborne out of
6 Kentucky, the First Signal Group out of
7 Fort Washington, the Big Red One come in. We
8 had all the support we'd want. Great
9 organizational structure on the field. And on
10 that Sunday morning when we were getting to
11 the march, everybody kept humming up, humming
12 up, humming up. The issue was let's get out
13 on the road and march.

14 So I was taken to meet Dr. King,
15 and his comments to me were, "Well, I hope you
16 enjoy the walk. I give you my blessing. Now
17 let's get the march going."

18 There were approximately 2500
19 people the first day we marched. And during
20 the next few days, every day it increased,
21 increased. And we had people riding the
22 railroad to check to see if there was any
23 dynamite, because we'd had talks of they were
24 going to blow up some of the rail so the
25 supplies couldn't go. There was also a time

1 where we had to change the location of where
2 the encampment was overnight, and we did it
3 successfully.

4 It was a successful march until the
5 end. And as we got on that aircraft to come
6 back to Washington, we were airborne about
7 30 minutes and we were told that one person
8 was killed, a lady by the name of Viola Liuzzo
9 from Detroit, Michigan, very active in the
10 UAW. Taking people back to Selma and didn't
11 follow our instructions to stay out of certain
12 areas. Because there were rednecks.

13 But we made a very successful
14 march. 25,000 people were estimated at the
15 very end of it. And I believe that that march
16 was the guiding light for the Voting Rights
17 Act of 1965.

18 I learned a lot. I learned a lot
19 of things. But one thing that I keep
20 wondering today, when are we all going to
21 start remembering that we're all human beings?
22 The color of your skin doesn't mean anything.
23 I commanded white troops and I commanded black
24 troops. Some liked me, John, some didn't. On
25 both sides.

1 But the point is, we had shootings
2 in my district over the weekend, and Sunday I
3 was speaking at a Martin Luther King, Jr.
4 event. And my question really is to us, as I
5 said to all of those high school kids, you
6 stand up here and you clap for Martin Luther
7 King and you say how great he is. When are
8 you really going to honor him and cut out this
9 nonsense of violence?

10 And I think we as legislators have
11 a responsibility to go back to our districts
12 and say to them, You are not enhancing and
13 honoring Dr. Martin Luther King, Jr., when you
14 don't participate in having people start to
15 work together instead of the continuation of
16 drugs, guns, and all of that.

17 If he's looking down at us today,
18 he's saying, "I left you a message, I left you
19 a vision. You didn't pay a heck of a lot of
20 attention." And he didn't mean white, black,
21 pink or green, he meant his fellow Americans
22 that are still here.

23 So I say to each and every one of
24 you, as I say each year when we do this, let
25 us get back into our districts and let's get

1 our clergy, other municipal officials, and see
2 what we can do to honor him by making our
3 young people realize the opportunities they
4 have that he envisioned for them, and let us
5 all grow up and say, We will follow your words
6 and guidance.

7 Thank you, Mr. President.

8 THE PRESIDENT: Thank you,
9 Senator.

10 As a courtesy, any other Senators
11 who would like to speak before we move on?

12 Senator Montgomery.

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

15 I rise to thank my leader for
16 introducing this resolution, just to make sure
17 that it is on the record each and every year.

18 And recently there was a poll,
19 national poll, of people around the country to
20 try to identify 25, I believe, of the most
21 important and significant African-Americans in
22 America. And Martin Luther King, Jr., was
23 number one. Barack Obama was number two.

24 And I think that one of the
25 significant aspects of what Martin Luther King

1 means -- certainly to me, and I think to
2 America -- is that we have had two very dark
3 periods in our nation for black people in this
4 country, African-Americans. One of them was
5 the centuries of slavery. And we honor
6 Abraham Lincoln for how we view him as the
7 Emancipator.

8 But then, as quickly as slavery
9 ended, we came up with another sort of means
10 of keeping African-American people out of the
11 mainstream of opportunity, and that was a
12 system of apartheid for us. We call it Jim
13 Crow.

14 It was a horrible existence for
15 those of us of color in this country. And
16 fortunately most of the young people around
17 the room don't know anything about it, so I
18 forgive them. But certainly it was a time and
19 a period when there was nothing worse that
20 could happen to a human being than the kind of
21 humiliation and degradation and loss of
22 opportunity and elimination from opportunity
23 in every single level in America for black
24 people here.

25 And I think that the importance for

1 Martin Luther King to us is that he had the
2 courage to fight from the inside, to help
3 black people as well as white people in this
4 country feel that they, all of us, should be
5 standing up to this horrible system of
6 Jim Crow in America. That is what he means,
7 certainly, to me. That's what he has meant.

8 We all received courage from him.
9 And we did not even understand the
10 significance of what he gave us. But he saw
11 us today even back then, over 40 years ago.
12 He understood how difficult it would be. He
13 told us, "I won't get there with you." He
14 understood that his life would be threatened,
15 and it was threatened. He lived in constant
16 fear of death on a daily basis for himself and
17 his family. But he still understood that it
18 was so important for us to be here and to be
19 able to stand here today and remember him but
20 also to reap the benefits of his life and
21 death.

22 I hope we never forget that. I
23 hope young people understand that we didn't --
24 Martin Luther King was not just a great man,
25 he was a great role model for those of us who

1 want to see and make a difference for
2 ourselves, for our families, for young people
3 in this state. He was our role model. He
4 said: "Stand up. When everything else fails
5 when you can do nothing else, at least stand
6 up."

7 So I appreciate that. I hope that
8 we never, ever lose what he has meant to
9 America today and into the future.

10 Thank you, Mr. President.

11 THE PRESIDENT: Senator Savino.

12 SENATOR SAVINO: Thank you,
13 Mr. President.

14 And I want to thank Senator Sampson
15 for bringing this resolution in recognition of
16 Dr. King.

17 Every year I enjoy listening to
18 Senator Larkin talk about the period of time
19 when he got to meet Dr. King, and Dr. King's
20 influence on all of us in their own way.
21 Senator Velmanette Montgomery speaks about it,
22 and Senator Smith speaks about it, and all of
23 us. We've all been touched by Dr. King in
24 many ways.

25 And while it's certainly important

1 that we always recognize his commitment to the
2 civil rights movement, we also should remember
3 his commitment to the labor movement. In
4 fact, Dr. King spent his last few hours in
5 Memphis leading a strike of sanitation
6 workers, black sanitation workers who had been
7 dehumanized by the City of Memphis in many
8 ways, not just in their paychecks.

9 And he left us a valuable message.
10 It was at that rally that he delivered his "I
11 have been to the mountaintop" speech. And he
12 talked about the humanity of all of us. And
13 he talked about the importance of the labor
14 movement as a vehicle for positive change for
15 average Americans.

16 And so this year as we go forward,
17 and we will be making some very difficult
18 decisions with respect to working people --
19 not just those in unions, but those that don't
20 belong to unions -- we should be reminded of
21 Dr. King's message that all work is ennobling
22 and it should be compensated decently and that
23 all workers should be treated with dignity and
24 respect.

25 Thank you, Mr. President.

1 THE PRESIDENT: Thank you,
2 Senator.

3 Senator Perkins.

4 SENATOR PERKINS: Thank you very
5 much.

6 First I want to thank my leader for
7 the eloquence of his remarks and the
8 opportunity that he gives us to commemorate
9 Dr. King at this very, very important time in
10 our state and in our country.

11 Yes, he died he right after he was
12 organizing the sanitation workers. And he
13 died by a gunshot. And which reminds us once
14 again how weapons and guns, illegal weapons
15 and guns continue to proliferate and to bring
16 harm not just to our leaders but to folks in
17 our neighborhoods. I'm thinking of the SNUG
18 program that this Legislature funded that
19 began to address some of those kinds of
20 issues.

21 But I'm also recognizing that when
22 Dr. King died, beyond his work with the labor
23 movement was his commitment to fight poverty.
24 He was on his way to Washington, D.C., a place
25 that he called Resurrection City, in a Poor

1 People's Campaign in which he was going beyond
2 just civil rights but to another level of
3 change that was important to recognize and
4 important to work with, and that was to change
5 the fact that there was growing poverty that
6 was embarrassing to what this country
7 supposedly stood for that needed to be
8 addressed.

9 And he was organizing folks from
10 Appalachia to Harlem, including myself, to
11 make sure that there was a place on the
12 agenda, not only of the nation but hopefully
13 even of this State Legislature, to recognize
14 our responsibility to deal with poverty, to
15 deal with the fact that poverty, by the way,
16 has even grown since then in many of our
17 communities.

18 And so as we deliberate on what is
19 clearly a very challenging budget, even
20 flirting with the notion of cutting back
21 services to the poor, I hope that we recognize
22 that in the eyes of Dr. King it would be
23 unacceptable.

24 So if we are going to be sincere in
25 our resolution to commemorate and to embrace

1 Dr. King, remember that is best articulated as
2 we move through this legislative process, as
3 we move through this budgetary process.

4 What would King say if we were to
5 cut the budget in such a way that it would
6 increase poverty, that it would not address
7 the way poverty should be truly and can be
8 addressed in our state at this point in time?
9 We have to figure that out for sure, because
10 otherwise we will be sort of bordering on
11 hypocrisy.

12 And I know we are not going to do
13 that. I'm confident that we're going to do
14 the right thing by our poor people, by our
15 communities all over the state, not just in
16 the northern part of the state but in the
17 southern part of the state, in the cities and
18 the inner cities, all over.

19 This is a problem that's not just
20 unique to one part of the state, and all of us
21 have a responsibility in the name of Dr. King
22 to make sure that at the end of this
23 legislative process we can say we made a
24 difference for poor people.

25 Thank you.

1 THE PRESIDENT: Thank you,
2 Senator.

3 Senator Adams.

4 SENATOR ADAMS: Thank you.

5 And I thank Senator Perkins, my
6 colleague, on his comments. And I agree that
7 we can't honor a dream if we're going to live
8 a nightmare.

9 And I just want to talk about two
10 quick aspects of Dr. King and what he meant to
11 me. One is the path of a bullet. You know,
12 often people think that the path of a bullet
13 ceases when it hits the target. But in
14 addition to ripping apart the human flesh, it
15 also destroys the anatomy of our society and
16 anatomy of our community.

17 And it travels. It continues to
18 travel for so many years. The bullet of
19 Dr. King traveled year after year after year,
20 just as the bullet that took place in Arizona
21 the last few weeks.

22 We must be concerned about stopping
23 the path of that bullet, both the actual
24 bullet and the symbolic bullet, how it
25 destroys the communities that we call home.

1 And I think that we are encouraged to do so.
2 I think there's new legislation that we're
3 going to look at that makes sure a person
4 who's emotionally disturbed in any capacity
5 will not continue to have access to a firearm.
6 I think New York State can lead the way that
7 the rest of the country can follow.

8 The second is something that is
9 often overlooked, and that's the person that
10 was named Daddy King. He was Dr. King's dad.
11 He had a third-grade education, decided as an
12 adult to go back to school and to further his
13 education and found himself to be enrolled in
14 Morehouse College. Just an average person, a
15 person of modest means. He wasn't born into
16 some great society or lifestyle, he was just
17 an everyday human being.

18 And that is a numerical majority of
19 the people that we represent, just everyday
20 people. Their ethnicity is not important,
21 where they go to church is not important, how
22 they decide to live their lives is not
23 important. They're people who just believe in
24 America. They're people who are contributors
25 to the greatest race alive, and that's the

1 human race.

2 And it can be from Buffalo to
3 New York Avenue, it doesn't matter. And I
4 think that is the true measure of what
5 Dr. King meant. And if he was here, he would
6 probably say, Stop focusing on me. I may have
7 been a star, but there are countless number of
8 costars, people who allowed Dr. King's
9 followers to sit inside their homes and just
10 have a meal, that decided to protect them when
11 they were being violently beaten.

12 This wasn't a black issue. This
13 wasn't an issue of one ethnicity. If you
14 really reflect on the life of Dr. King, you'll
15 see throughout his life there were a large
16 number of Jewish rabbis that went to the South
17 and marched with Dr. King. There were
18 Catholic priests that decided to stand up and
19 say it was wrong to continue down this
20 spiralling path of degradation in America.

21 So the beauty of Dr. King is not
22 the individual, but it's the spirit in which
23 he lived by, that we as a country had a
24 responsibility and an obligation to show the
25 entire globe how in America we meant what we

1 said when all men are created equal.

2 So our goal in this time, in the
3 year 2011, is to stop the path of destruction
4 that a bullet may have as it rips apart the
5 human flesh of the countless number of
6 innocent victims, but also as it rips apart
7 the anatomy of our society. We must find a
8 way to end this senseless trade wind of gun
9 violence that has swept us apart. We must
10 take our country back.

11 I no longer want to start my day by
12 hearing the wails of a mother because she has
13 prematurely lost her child to gun violence.
14 We must take our country back and stop this
15 endless, senseless spiralling effect of gun
16 violence that is suffocating the life of our
17 country. And I think New York State can lead
18 the way in doing so.

19 Thank you very much.

20 THE PRESIDENT: Thank you,
21 Senator.

22 Senator Diaz.

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

25 I am a black Puerto Rican with

1 kinky hair and broken English. And I sit here
2 in this chamber to listen to all the great
3 people honoring Dr. Martin Luther King.
4 Senator Perkins spoke about a budget that
5 would hurt the poor, that would hurt senior
6 citizens, that would hurt our children's
7 education. But yet we take pride and people
8 stand up to speak how great, how shall we
9 honor Dr. Martin Luther King.

10 It is good to say that when you
11 have nothing to lose. It is good to invoke
12 the memory of Dr. Martin Luther King when
13 you -- from your mouth, only from your mouth
14 and not from your heart. Because if we really
15 are going to honor the memory of Dr. Martin
16 Luther King, then we should take the advice of
17 Senator Perkins. What we're going to do with
18 the poor?

19 Yesterday, yesterday during the day
20 that we were honoring Martin Luther King, just
21 the Governor of the State of New York issued
22 an ultimatum: If the Legislature will not
23 support my budget, my \$10 billion cuts that
24 will hurt the people that Martin Luther King
25 was supporting and protecting -- but

1 yesterday, during the day of Martin Luther
2 King honoring, the whole nation honoring
3 Martin Luther King, just the Governor of the
4 State of New York, the Honorable Andrew Cuomo
5 issued an ultimatum. If the Legislature don't
6 approve my \$10 billion in budget cuts, we will
7 shut the government.

8 That was a threat. Not only was it
9 taken like a threat, I guess it was a
10 challenge. During the Martin Luther King Day.
11 So are we going to honor Dr. Martin Luther
12 King by telling all of us if you don't cut
13 support for the poor, for the needy, for the
14 senior citizens, for the children, for
15 education, we're going to shut the government?

16 So yes, Senator Larkin said that he
17 was a major during the demonstration in
18 Alabama. During those times, before those
19 times, I was a soldier in Alabama, in
20 Fort Jackson, South Carolina. And I was a
21 volunteer from Puerto Rico, proud of wearing
22 my Army uniform. But that doesn't prevent
23 people from calling me a dirty Puerto Rican
24 spic. That didn't stop anybody, people from
25 chasing me and beating me, beating me up.

1 That didn't stop people from doing to me all
2 kinds of things that when I left the Army, I
3 left a mess when I came back to Puerto Rico.

4 So yes, let's honor the memory of
5 Dr. Martin Luther King. We Puerto Ricans, we
6 black Puerto Ricans have more ways to be
7 grateful for Dr. Martin Luther King than many
8 of you, because we black Hispanics -- not
9 Puerto Ricans, black Hispanics -- we are up in
10 the limbo. We're in the limbo stage. We
11 don't fit with the black, and we don't fit
12 with the white Hispanic.

13 So when you talk about racism and
14 talk about hurting people and talk about
15 feeling, it's easy to speak about those things
16 when you don't even know what it is. It's
17 easy to say, Oh, oh, oh, I'm going to stand up
18 in this chamber and say so many things, when
19 you don't even know what it is to be rejected
20 by every group and to be in a position that
21 you are the outcast.

22 So yeah, let's honor Martin Luther
23 King, but let's do it in the chamber by
24 protecting the poor, the needy, the senior
25 citizens, our children's education. Then we

1 can say we are honoring the memory of
2 Dr. Martin Luther King.

3 Thank you, Mr. President.

4 THE PRESIDENT: Thank you,
5 Senator.

6 This resolution was previously
7 adopted on January 11th.

8 Senator Libous.

9 SENATOR LIBOUS: Thank you,
10 Mr. President.

11 Mr. President, I hand up a
12 privileged resolution by Senator Skelos and
13 ask that it be read in its entirety. And I
14 ask for its immediate adoption, please.

15 THE PRESIDENT: The Secretary
16 will read the privileged resolution in its
17 entirety.

18 THE SECRETARY: By Senator
19 Skelos, Senate resolution providing for the
20 adoption of the rules of the Senate for a
21 certain period of time.

22 "RESOLVED, That the rules of the
23 Senate, as adopted pursuant to Senate
24 Resolution Number 7 on January 5, 2011, are
25 hereby adopted for the period of January 5,

1 2011, through February 1, 2011."

2 THE PRESIDENT: The question is
3 on the resolution. All in favor signify by
4 saying aye.

5 (Response of "Aye.")

6 THE PRESIDENT: Opposed, nay.

7 (No response.)

8 THE PRESIDENT: The resolution is
9 adopted.

10 Senator Libous.

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

13 Mr. President, there will be an
14 immediate meeting of the Finance Committee in
15 Room 332, which will be followed by a Rules
16 Committee meeting right after the Finance
17 Committee.

18 We'll have the Senate stand at
19 ease, but I would announce to the members that
20 no legislation will be taken up today. When
21 we come back in, we'll just have the reports
22 of the committees.

23 THE PRESIDENT: Thank you,
24 Senator.

25 There is an immediate meeting of

1 the Finance Committee in Room 332, followed
2 immediately by a Rules Committee meeting.

3 And the Senate will now stand at
4 ease.

5 (Whereupon, the Senate stood at
6 ease at 3:45 p.m.)

7 (Whereupon, the Senate reconvened
8 at 4:26 p.m.)

9 THE PRESIDENT: The Senate will
10 come to order.

11 Senator Libous.

12 SENATOR LIBOUS: Thank you,
13 Mr. President.

14 Can we return to reports of
15 standing committees. I believe there's a
16 report of the Rules Committee at the desk.
17 And may we please have it read.

18 THE PRESIDENT: Reports of
19 standing committees.

20 The Secretary will read.

21 THE SECRETARY: Senator Skelos,
22 from the Committee on Rules, reports the
23 following bills:

24 Senate Print 1198, by Senator
25 Golden, an act to amend the Civil Practice Law

1 and Rules;

2 1891, by Senator Alesi, an act to
3 amend the Tax Law;

4 1892, by Senator Ranzenhofer,
5 concurrent resolution of the Senate and
6 Assembly proposing an amendment to Article 7
7 of the Constitution;

8 And Senate Print 1919, by Senator
9 Zeldin, concurrent resolution of the Senate
10 and Assembly proposing an amendment to
11 Section 14 of Article 3 of the Constitution.

12 All bills ordered direct to third
13 reading.

14 THE PRESIDENT: Senator Libous.

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

17 I now move that the report of the
18 Rules Committee be accepted.

19 THE PRESIDENT: All in favor of
20 accepting the report of the Rules Committee
21 signify by saying aye.

22 (Response of "Aye.")

23 THE PRESIDENT: Opposed, nay.

24 (No response.)

25 THE PRESIDENT: The report is

1 accepted.

2 Senator Libous.

3 SENATOR LIBOUS: Thank you,
4 Mr. President.

5 I believe that, in consultation
6 with Senator Sampson, he would like to hand up
7 the following leadership and committee
8 assignments.

9 THE PRESIDENT: So ordered.

10 Senator Libous.

11 SENATOR LIBOUS: Mr. President,
12 is there any further business at the desk?

13 THE PRESIDENT: There is none.

14 SENATOR LIBOUS: If there is no
15 further business at the desk, Mr. President, I
16 move that we adjourn until Wednesday,
17 January 19th, at 11:00 a.m.

18 THE PRESIDENT: On motion, the
19 Senate stands adjourned until Wednesday,
20 January 19th, at 11:00 a.m.

21 (Whereupon, at 4:28 p.m., the
22 Senate adjourned.)

23

24

25