

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10

May 6, 2015

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11:26 a.m.

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REGULAR SESSION

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18 SENATOR JACK MARTINS, Acting President

19

FRANCIS W. PATIENCE, Secretary

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

2 ACTING PRESIDENT MARTINS: The
3 Senate will 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 ACTING PRESIDENT MARTINS: The
10 invocation today will be given by Colonel
11 Barbara Sherer, chaplain of the United States
12 Military Academy at West Point.

13 CHAPLAIN SHERER: I invite you to
14 join me in prayer.

15 Holy Lord, I thank You this day for
16 the men and women gathered in this chamber who
17 seek ways that we may live in harmony with each
18 other and with Your world.

19 As they face the challenges of
20 governing this state, grant them courage to
21 choose the harder right instead of the easier
22 wrong. And whether faced with stressed budgets,
23 internal or external turmoil, criminal justice
24 reform, help them remember the needs of the
25 people -- the schoolteacher struggling to make

1 ends meet, the homeless veteran, or the
2 small-business owner.

3 Walk with those who put their lives
4 on the line to protect the innocent -- police or
5 firefighters -- or in military service. And when
6 they pay the ultimate sacrifice, like
7 Officer Brian Moore, fold them in Your eternal
8 embrace and bring peace to their loved ones who
9 grieve their loss.

10 Bless our leaders, this state and
11 our country, not only for this day but into the
12 future. I pray this in Your great name, amen.

13 ACTING PRESIDENT MARTINS: The
14 reading of the Journal.

15 THE SECRETARY: In Senate, Tuesday,
16 May 5th, the Senate met pursuant to adjournment.
17 The Journal of Monday, May 4th, was read and
18 approved. On motion, Senate adjourned.

19 ACTING PRESIDENT MARTINS: Without
20 objection, the Journal stands approved as read.

21 Presentation of petitions.

22 Messages from the Assembly.

23 The Secretary will read.

24 THE SECRETARY: Senator Latimer
25 moves to discharge, from the Committee on

1 Investigations and Government Operations,
2 Assembly Bill Number 222 and substitute it for
3 the identical Senate Bill Number 723, Third
4 Reading Calendar 459.

5 Senator Latimer moves to discharge,
6 from the Committee on Investigations and
7 Government Operations, Assembly Bill Number 5138
8 and substitute it for the identical Senate Bill
9 Number 3303, Third Reading Calendar 460.

10 ACTING PRESIDENT MARTINS: The
11 substitutions are ordered.

12 Messages from the Governor.

13 Reports of standing committees.

14 Reports of select committees.

15 Communications and reports from
16 state officers.

17 Senator LaValle.

18 SENATOR LaVALLE: Mr. President,
19 there at the desk is a privileged resolution by
20 Senator Larkin, Number 1850. Would you read it
21 in its entirety. The Senator would like the
22 resolution open for cosponsorship. And after
23 it's read, would you recognize Senator Larkin.

24 ACTING PRESIDENT MARTINS: Thank
25 you, Senator LaValle.

1 The Secretary will read.

2 THE SECRETARY: Legislative
3 Resolution Number 1850, by Senator Larkin,
4 memorializing Governor Andrew M. Cuomo to
5 proclaim May 6, 2015, as West Point Day in
6 New York State.

7 "WHEREAS, This Legislative Body is
8 justly proud to celebrate the establishment of
9 the United States Military Academy at West Point
10 and to call upon Governor Andrew M. Cuomo to
11 proclaim May 6, 2015, as West Point Day in the
12 State of New York; and

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

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

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

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

4 "WHEREAS, The Academy continues to
5 provide our country with able and dedicated
6 future leaders; and

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

11 "WHEREAS, The United States Military
12 Academy is in the forefront of our state's
13 outstanding institutions of higher learning; and

14 "WHEREAS, Sixty-three years ago, the
15 late James T. McNamara, then a member of the
16 New York State Assembly, and a member of the
17 Academy's Class of 1939, was the author of the
18 State Legislature's first 'West Point Day'
19 resolution; and

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

25 "WHEREAS, The members of this

1 Legislative Body are proud to commemorate this
2 event, marking May 6, 2015, as West Point Day in
3 New York State, and to welcome the following
4 senior personnel from the United States Military
5 Academy in attendance: Lieutenant General Robert
6 Caslen, Superintendent; Command Sergeant Major
7 David M. Clark; Colonel Barbara Sherer, Chaplain;
8 Lieutenant Colonel Webster Wright, Public Affairs
9 Officer; Major Andrew Marsh, Aide-de-Camp;
10 Captain Patrick Howlett, Tactical Officer Company
11 B-3; Sergeant Major U.S. Army (retired) David
12 Brzywczy, Public Affairs; and Cadets in
13 attendance: First Captain Austin Welch, Cadet
14 Jett Dipalma, Cadet Elizabeth Judd, Cadet Joseph
15 Laible, Cadet Gregory Larsen, Cadet Brandon
16 Lloyd, Cadet Renee Mihail, Cadet Samantha Picco,
17 Cadet Juan Carlos Rivera, Cadet Christopher
18 Roberto, Cadet Kevin Schurr, Cadet Nicholas
19 Tyler, and Cadet Christopher Whipple; now,
20 therefore, be it

21 "RESOLVED, That this Legislative
22 Body pause in its deliberations to celebrate the
23 establishment of the United States Military
24 Academy at West Point and to memorialize
25 Governor Andrew M. Cuomo to proclaim May 6, 2015,

1 as West Point Day in New York State; and be it
2 further

3 "RESOLVED, That a copy of this
4 resolution, suitably engrossed, be transmitted to
5 the Honorable Andrew M. Cuomo, Governor of the
6 State of New York."

7 ACTING PRESIDENT MARTINS: Senator
8 Larkin.

9 SENATOR GIANARIS: Mr. President,
10 I'm sorry, just a point of clarification. What
11 order of business are we up to? Because I missed
12 the --

13 ACTING PRESIDENT MARTINS: We're in
14 the midst of a privileged resolution, Senator
15 Gianaris --

16 SENATOR GIANARIS: Thank you, sir.

17 ACTING PRESIDENT MARTINS: -- as
18 was called by Senator LaValle. The privileged
19 resolution has been read.

20 Senator Larkin.

21 SENATOR LARKIN: Thank you very
22 much, Mr. President.

23 You know, it's a distinct honor for
24 the 36th year to welcome some of the nation's
25 topnotch leaders of today and leaders of the

1 world tomorrow. I ask my colleagues in the
2 Senate to stand up and give a warm welcome to
3 West Point.

4 (Extended standing ovation.)

5 SENATOR LARKIN: Thank you,
6 colleagues.

7 You know, I served 23 years, and I
8 was very proud to serve with those from the
9 Long Gray Line. They're leaders, they're future
10 government leaders, they're future leaders, those
11 who don't stay in the private sector. They have
12 intelligence, they have competence, and they know
13 what direction they're going in.

14 This year we really have a special
15 guest with us, the superintendent of West Point.
16 Never served with him, but we have a bond called
17 the 25th Infantry Division. Thank you very much,
18 General, for the service that you have given.

19 (Applause.)

20 SENATOR LARKIN: I live right
21 outside the gate at West Point, and I take a lot
22 of ribbing from some of those sailors -- where's
23 he at? Don't duck, Tom.

24 (Laughter.)

25 SENATOR LARKIN: One guy said, "You

1 lost 12 football games." I said "Yeah, but let
2 me tell you about the battlefield." MacArthur,
3 Eisenhower, Patton, Bradley, Ridgeway, Clark.
4 That's the battlefield.

5 And to carry on from Vietnam to what
6 we're doing in the Middle East, we have
7 distinguished leaders such as General Caslen.
8 Take a look at his bio. When you can start to
9 see what he has done as a leader of our nation,
10 our armed forces, our integrated forces with our
11 allies -- this is a product of 1975 at
12 West Point.

13 And those that are here with him.
14 I've talked to artillerymen. Of course I tell
15 you, artillerymen, I've never been to Fort Sill.
16 Favorite places, Benning, Knox and a lot of
17 others.

18 But what do you mean to us in this
19 country? The economy, if you talk about
20 West Point, 4,000 cadets help feed the trough --
21 Highland Falls, Orange County, those surrounding
22 areas. Workforce of over a thousand outside
23 contractors doing -- now building us, finally
24 building a new barracks. Am I right, sir?

25 So these are the people. Somebody

1 said, "Well, I don't want my kid to go there.
2 They can't get out a Friday night." I said,
3 "Yes, they do. They go in the bathroom and learn
4 how, that first week, to get that weapon, how do
5 you disassemble that weapon. And how you study."
6 This is not a fancy dance school, it's a school
7 for leaders.

8 The class that's going in in June,
9 it's called R-Day. The Congress across the
10 country had over 18,700 and some applicants.
11 They're taking a thousand. They don't have to
12 worry about playing football, basketball, hockey
13 or something else. They have to be prepared to
14 lead men and women in times of disaster, no
15 matter what it might be.

16 And their young cadets today, the
17 firsties -- for you who don't know, that means
18 they're seniors, in their college year -- after
19 graduation, they'll be taking off and going to a
20 basic course. And some of them this time next
21 year will be in Afghanistan or wherever the
22 mission is for them.

23 We, as New Yorkers and Americans, we
24 have the right to be proud of these individuals.
25 They're from every state in the union. We're

1 proud of those from New York.

2 The most important thing, we can't
3 turn our backs on something we don't like. These
4 are the people that are going to defend us and
5 make sure that what our Constitution says and the
6 democracies that we want to carry on in the
7 future -- they will be protecting that for each
8 and every one in the United States of America,
9 because they are committed.

10 Cadets go to West Point for four
11 years. Then they're five years after that.
12 They've committed a good portion of their life,
13 their young life. They're proud. Those of you
14 who had the opportunity to meet some of our
15 visitors today met the best and brightest the
16 nation has.

17 I, as I said, live just a hop, skip
18 and a jump from the Academy. I take it with very
19 great pride the moment I go in the gate, because
20 I know those cadets that I see running,
21 walking -- what are they really doing? They're
22 preparing themselves for when we as a nation will
23 call upon you to answer the call to protect our
24 freedoms.

25 Mr. President, I would like to

1 introduce the 59th Superintendent of the
2 United States Military Academy, Lieutenant
3 General Caslen.

4 (Standing ovation.)

5 SUPERINTENDENT CASLEN: Thank you
6 very much. Please have a seat. Thank you.

7 Senator Skelos and Senator Larkin
8 and members of this distinguished Senate, good
9 morning and thank you for having us here today.
10 It truly is an honor to address you this morning
11 on behalf of the entire staff and faculty and the
12 Corps of Cadets of the United States Military
13 Academy. And we truly thank you for this
14 recognition.

15 I'm pleased to be here this morning
16 representing the Academy, along with Cadet Austin
17 Welch, who's our First Captain, and also 12 other
18 cadets from across all of New York, representing
19 more than 4400 members of the Corps of Cadets.
20 And of that 4400, 287 of them come from the
21 Empire State.

22 The United States Army has always
23 had a strong presence in New York, dating all the
24 way back from the American Revolution. New York
25 has a rich history of military service. Many

1 New Yorkers have served with valor and
2 distinction, and some have made the ultimate
3 sacrifice.

4 We greatly appreciate the tremendous
5 support provided by the State Legislature and
6 from the towns and communities and families that
7 support our mission in so many ways.

8 West Point's mission is to educate
9 and train and inspire the Corps of Cadets so that
10 each graduate is a commissioned leader of
11 character, committed to the values of duty and
12 honor and country, and prepared for a career of
13 professional excellence and service to the nation
14 as an officer in the United States Army.

15 We could not do this without the
16 continued support of New York, New York State and
17 the New York Legislature, and our surrounding
18 communities outside our gates. So it's important
19 to me as superintendent that we work hard to be
20 good neighbors with all the communities, but that
21 we also look for ways to continue to connect and
22 build relationships and partners together on
23 opportunities that will not only enhance the
24 cadet development at West Point, but also to
25 benefit the communities as well.

1 Our cadets represent what's been
2 called "the next Greatest Generation." They
3 desire to serve something larger than themselves,
4 and in this case our nation. That desire to
5 serve echoes the actions of those who served
6 before them. They understand service, and they
7 understand sacrifice.

8 We challenge our cadets daily,
9 physically and intellectually, to achieve
10 excellence. We instill the virtues of duty and
11 honor and country and develop leaders who aspire
12 to live honorably. This requires a dedicated
13 team, many of whom are from our local
14 communities, who are also committed to creating a
15 culture of professional excellence needed to
16 develop leaders of character for our nation. So
17 as superintendent, I could not be more proud to
18 lead such an amazing team of professionals.

19 If you haven't been to West Point
20 lately, or if you've never been there, please
21 come see us and come to see your Academy. Talk
22 with our staff and faculty and spend some time
23 with our cadets. I promise they will inspire you
24 as they inspire me every day.

25 So thank you very much for honoring

1 us today. We could not be more pleased, more
2 honored to be here today with all of you. Go
3 Army, and beat Navy!

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1 Thank you very much.

2 (Laughter; applause.)

3 ACTING PRESIDENT MARTINS: Senator
4 Amedore.

5 SENATOR AMEDORE: Mr. President, I
6 rise today also to give honor, and it's a
7 privilege to be here with our future leaders and
8 so many individuals from West Point who truly
9 hold the motto of duty, honor and country.

10 And one particular cadet I'd like to
11 highlight, and that is Cadet Gregory Larsen, who
12 was born and raised right here in the Capital
13 Region, in the Village of Voorheesville, which is
14 just a couple of miles down the road from the
15 chamber here.

16 Speaking with Cadet Larsen, who is a
17 senior and will be graduating just within a
18 couple of weeks from now, he's going on, and his
19 future is going on to serve in another part of
20 the country, down in Texas, at Fort Hood. But
21 he'll also be aspiring and working hard and will
22 achieve, because I know he can do it, no matter
23 how difficult the task will be to achieve that
24 rank or the membership of the proud Army to be a
25 Ranger for this country.

1 So to Cadet Larsen, Godspeed to you,
2 and may you never stop believing in what this
3 great country believes in. Thank you for your
4 service.

5 (Appause.)

6 ACTING PRESIDENT MARTINS: Thank
7 you, Senator Amedore.

8 Senator Nozzolio.

9 SENATOR NOZZOLIO: Thank you,
10 Mr. President. On the resolution.

11 Every year I rise with great pride
12 to have New York's finest here with us today --
13 finest for our state today, for our nation and
14 world tomorrow.

15 I wish to thank Senator Larkin again
16 for hosting this event, for calling attention to
17 the importance for this body and the entire State
18 of New York that West Point exists here, and we
19 are very pleased to have the custodianship.

20 And thank you, Colonel Larkin, for
21 your tremendous years of service to the people of
22 the great State of New York.

23 (Appause.)

24 SENATOR NOZZOLIO: Having the
25 cadets here always brings back many wonderful

1 memories, and some not so wonderful, that I had
2 as a collegiate athlete playing for Cornell
3 against West Point. Always being beaten by
4 West Point, but by beaten, it was the greatest
5 competitor that we could possibly have.

6 It at times occurred to me then, and
7 after watching many subsequent spring football
8 games between Cornell and West Point I realized
9 that the difference between the two teams was
10 that the upper classmen and particularly those in
11 first class, upper class, would in fact be in
12 harm's way in just a few months after that
13 football game. That leaving the athletic field,
14 going into the field of battle defending our
15 nation, protecting American interests, that
16 separates you so much apart from your
17 contemporaries.

18 You have the wonderful legacy of
19 leadership from generals like Grant and
20 Eisenhower to presidents like Grant and
21 Eisenhower. One interesting aside I had just
22 read, that it was actually because Dwight David
23 Eisenhower, who himself was a great football
24 player, was injured in football and as such had
25 to retreat from being a player. But he loved the

1 game so much he became a coach, and a coach while
2 he was a student at West Point.

3 He describes his days as a coach,
4 honing his leadership skills to eventually lead
5 him to the skill set he needed to command the
6 Allied forces during the most important critical
7 time in our world history.

8 You have that legacy. You also
9 carry the legacy of a former cadet, one of the
10 last cadets who was on the cover of Sports
11 Illustrated magazine, a football player by the
12 name of Don Holleder. Don Holleder was from the
13 greater Rochester area. He lived in a district
14 that I represent, in Webster. A true
15 All-American who could have gone on to play
16 professional football, as he was an All-American
17 in the late 1950s and into the early 1960s.

18 Don Holleder, who was Cadet
19 Holleder, now has as his legacy the name of the
20 athletic building on your campus. Don Holleder
21 served America, he served our nation. Leaving
22 the athletic fields at West Point and being on
23 the battlefields of Vietnam, he lost his life.
24 That's why, a beloved individual, the Holleder
25 Athletic Center is in his memory on your campus.

1 Carry his memory and the memory of
2 all the great leaders, because tomorrow you will
3 be among those great leaders. It's an honor to
4 have you with us today.

5 ACTING PRESIDENT MARTINS: Thank
6 you, Senator Nozzolio.

7 Senator Bonacic.

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

10 This is West Point Day but, you
11 know, sometimes I think it's Senator Larkin's
12 Day.

13 (Laughter.)

14 SENATOR BONACIC: And it's richly
15 deserved because of his love for the military and
16 his love of West Point.

17 I have the privilege of living in
18 Orange County, my home and where Senator Larkin
19 is and where we have the great West Point
20 Academy.

21 I'm really here to recognize all of
22 you. You are our heroes today, and you will
23 always be our heroes in America.

24 But one cadet I would like to
25 introduce from our district, I'd ask him to stand

1 up: Christopher Whipple, Cadet Christopher
2 Whipple. Christopher Whipple is from Sullivan
3 County. He's majoring in human geography and
4 Chinese.

5 And I want to thank you all for the
6 great courage and your willingness to sacrifice
7 everything to protect our country and our
8 freedoms. I always said that the strength of
9 America is our people, and you are the best of
10 the best of the American people. God bless you,
11 and may the Lord always keep you safe.

12 Thank you.

13 (Appause.)

14 ACTING PRESIDENT MARTINS: Thank
15 you, Senator Bonacic.

16 Senator Addabbo.

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

19 First and foremost, I too want to
20 thank Senator Colonel Bill Larkin. Without his
21 efforts, we would not have West Point Day. So
22 thank you very much, Senator Colonel, for your
23 efforts here today.

24 And as the ranking member of the
25 Senate Veterans Committee, ably and creditably

1 chaired by our Senator Croci, I want to welcome
2 our cadets and the graduates and leadership of
3 West Point. I thank you so much for the path
4 that you have chosen. For some, that path has
5 already been paved with service and part of our
6 military history, and I thank you. And for the
7 cadets, a path that you have yet to pave, but
8 thank you so much.

9 And my appreciation and prayers are
10 with you each and every day. For without our
11 military, we would not be elected officials and
12 the democracy of this country would not have been
13 protected.

14 I also have the great honor to
15 affectionately acknowledge someone who was a
16 cadet back in 1955, but in 1956 he graduated
17 West Point. And it is my uncle -- Uncle Leo, as
18 we affectionately know him around the house --
19 Retired Army Brigadier General Luciano Salamone.

20 Thank you very much, Uncle Leo, for
21 being here. Thank you.

22 (Appause.)

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

25 ACTING PRESIDENT MARTINS: Thank

1 you, Senator Addabbo.

2 Senator Little.

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

5 And West Point Day is a very special
6 day here in our chamber because we as
7 Senators are able to not only recognize the
8 cadets and the administration of West Point but
9 give gratitude for being the host of one of our
10 military academies.

11 But with no disrespect to General
12 Caslen, I have to say that for a number of years
13 I got up and said "Go Navy, beat Army!"

14 (Laughter.)

15 SENATOR LITTLE: My son David is a
16 captain in the Navy. He's now the deputy
17 commander of the air group on the Truman carrier.
18 And I just want to tell you -- and everyone here
19 already knows that -- how very, very proud I am
20 of him as a parent. But I also know how proud
21 your parents and your families are of you.

22 And we want to thank you for
23 choosing the academic rigors of West Point, the
24 ability to work year-round, no summers off, to
25 know that at the end and the completion of your

1 degree and your graduation from West Point -- and
2 I have to tell you, one person once asked my son,
3 about the Naval Academy, "Do you like it there?"
4 He said, "Well, I really don't like it there, but
5 I will like being from there."

6 (Laughter.)

7 SENATOR LITTLE: And you will have
8 an education that is second to none.

9 But you also are willing to put
10 yourselves in harm's way. And on behalf of our
11 entire country, I thank you for your dedication,
12 for your ability, and for your real sense of
13 patriotism to volunteer to do this.

14 Thank you very much.

15 (Applause.)

16 ACTING PRESIDENT MARTINS: Thank
17 you, Senator Little.

18 Senator Golden.

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

21 I rise also to congratulate our
22 great West Point.

23 And I had the good fortune of being
24 with the general down at Fort Hamilton as we did
25 a West Point Day down in Brooklyn, New York.

1 How many of these young men and
2 women that have gone over the years into battle
3 and have given their lives for this great nation,
4 how many of them have come back wounded and
5 scarred for life? Many. The red, white and blue
6 of this great nation is because of the blood that
7 was unfortunately spilled during combat over
8 many, many, many, many years to keep that red,
9 white and blue flying.

10 And this is the greatest nation in
11 the world because of our military units and
12 because of the great work that West Point does.
13 We're proud of West Point, proud of
14 Fort Hamilton, proud of Senator Ritchie, as we
15 had Fort Drum Day here a little while ago. I've
16 got to have a Fort Hamilton Day, I guess, soon.

17 But I've got to tell you, not only
18 will you see the West Pointers out there doing
19 what they do, but they're in the community. We
20 have a race down in Brooklyn, New York, and we go
21 from Brooklyn to Manhattan, the 9/11 run. And it
22 was named after Andy -- that -- it's your
23 gentleman that's in your community. What's the
24 name of that group? Siva? Siller. The Siller
25 race.

1 And when you see the actual
2 companies all lined up, you'll see 120 men and
3 women with backpacks on, in their fatigues,
4 running through that tunnel as that fireman ran
5 to give his life for this great, great, great
6 city. It is the greatest thing to see them down
7 there running that race.

8 But it was also great to see them at
9 Fort Hamilton. And I've had a number of young
10 men and women -- juniors, seniors, a couple of
11 freshmen -- asking me about military life, asking
12 me about West Point. That would not have
13 happened if West Point Day did not happen in
14 Fort Hamilton.

15 So I want to thank you, General. I
16 want to thank you for your leadership, I want to
17 thank you for all that you have done for our
18 great nation. And I want to thank every one of
19 you that are in West Point today, because you are
20 the future leaders of industry, the future
21 leaders of military and paramilitary units across
22 this great nation.

23 Thank you for your service.

24 (Applause.)

25 ACTING PRESIDENT MARTINS: Thank

1 you, Senator Golden.

2 Senator Ritchie.

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

5 I have the honor and privilege to
6 represent the Tenth Mountain Division, so I get
7 to see, pretty much each and every day, the
8 sacrifices from our soldiers and their families.
9 And sometimes when we don't get to see that, we
10 forget what our soldiers and their families
11 sacrifice to defend our country.

12 And I just want to take a moment to
13 say that Senator Colonel Larkin never forgets
14 that. Not a day goes by that he doesn't remind
15 each and every one of us in here what the
16 sacrifices are.

17 I know when I am invited to a
18 ceremony at Fort Drum, sometimes it's a
19 celebration when the soldiers are coming home to
20 see their families. Sometimes it's during a
21 deployment, when the sergeant major the last time
22 told me he had been away from his family for
23 55 months and was going back to Afghanistan. And
24 sometimes it's to go to a remembrance ceremony
25 where the soldier has given all for his country.

1 So it's an honor for me today to
2 have two cadets from my district in the Class of
3 2017 here today, Cadet Brandon Lloyd and
4 Cadet Nicholas Tyler.

5 I want to thank you for your
6 leadership and your decision to attend
7 West Point. And I want to commend you for all
8 that you're doing. And I want to thank you for
9 your decision to serve and defend our country.
10 And I can guarantee you that none of us in this
11 chamber will ever forget what you're giving to
12 stand up for your country. And I want to thank
13 you once again and tell you how proud not just
14 myself but all our community is of what both of
15 you boys are doing.

16 Thank you, Mr. President.

17 (Applause.)

18 ACTING PRESIDENT MARTINS: Thank
19 you, Senator Ritchie.

20 Senator Breslin.

21 SENATOR BRESLIN: Thank you very
22 much, Mr. President.

23 This is a day that I look forward to
24 every year, and I know Colonel Larkin starts
25 telling me in January to make sure I'm here on

1 West Point Day. And then to tell me it's on
2 May 6th. And I'm sure he told everyone else on
3 both sides of the aisle, May 6th. "And you know,
4 Neil, there's a breakfast, 10 o'clock, you're
5 going to be there." And that started about two
6 months ago. And he's come to me a few times
7 today already, and we've chatted.

8 But this would not be the day that
9 it is if it wasn't for Bill Larkin. He's a very
10 special human being who's meant so much to
11 West Point, but he's meant so much to us here in
12 this chamber. Just a tremendous person.

13 And, you know, when I look across
14 the chamber at those young faces that are going
15 to protect us, we're all humbled by you. And
16 because of you, and particularly your
17 predecessors now, you give this chamber the
18 ability to debate issues and be an open, open
19 democracy, the greatest democracy in the world,
20 where no idea goes without debate and without
21 conclusions.

22 And so you are our future. You are
23 going to protect this body for years to come.

24 And I'm also blessed to have one of
25 your members to be here from Albany, New York.

1 Juan Carlos Rivera, please stand up.

2 (Applause.)

3 SENATOR BRESLIN: Now, later you
4 can tell me what geospatial information service
5 is, which you're majoring in, and I won't try to
6 explain it.

7 But I'm also going to go beyond you
8 just a slight bit. We're also privileged -- Juan
9 Carlos is a graduate of Albany High right here in
10 Albany, and so we're fortunate to have your
11 parents with us. And I would suggest that a lot
12 of the cadets there would say "I wouldn't be here
13 if it wasn't for my parents." And I can tell
14 you, as you've taught me, how special they are.
15 And I'd like your parents to stand up and be
16 recognized, Mr. and Mrs. Rivera.

17 (Applause.)

18 SENATOR BRESLIN: Thank you very
19 much.

20 And I'd be remiss if I didn't
21 mention the former county executive of Albany,
22 now retired. I'm sure a lot of you don't
23 remember who he was.

24 (Laughter.)

25 SENATOR BRESLIN: Sometimes I

1 don't. And that's my brother Michael, who's
2 West Point Class of 1961. Michael?

3 (Applause.)

4 SENATOR BRESLIN: Michael was a
5 major in the Army and a Vietnam veteran and
6 taught at the College of the Americas, and on and
7 on and on. I hear it every Thanksgiving, every
8 Christmas.

9 (Laughter.)

10 SENATOR BRESLIN: But he also,
11 coincidentally, is still part of the interview
12 process for West Point. And I know that he spoke
13 very favorably about you, Juan Carlos, and was
14 one of the people who interviewed you.

15 So now you know why this is such a
16 special day. We have you, Juan Carlos, we have
17 your other cadets, your leadership, Colonel
18 Larkin, who does such a phenomenal job, and it's
19 the one day of the year I get to praise my older
20 brother.

21 Thank you very much, Mr. President.

22 (Applause.)

23 ACTING PRESIDENT MARTINS: Thank
24 you, Senator Breslin.

25 Senator DeFrancisco.

1 SENATOR DeFRANCISCO: Yes, just to
2 make it unanimous, good job again, Colonel. It's
3 a great event each year.

4 I don't have a cadet here this year,
5 but this is probably a little different spin on
6 what's going on here today, and this is what I
7 think of when we have this day every year.

8 What I think of is we pick up the
9 paper, all of us every day, we see inhuman
10 activity by supposed humans. We see violence,
11 needless violence conducted by people as young as
12 you and even younger. And we think about that
13 and say to ourselves, What in the world is going
14 on? What is happening to our country when it's
15 not achievement that's reported, it's not
16 achievement what's done, but it's the opposite,
17 the total opposite?

18 I have eight grandchildren, three
19 children and eight grandchildren, and I always
20 think of what is this world going to be as they
21 grow up. And you're scared to death -- I'm
22 scared to death.

23 The main benefit of this day, to me,
24 is I leave here knowing that there is a future,
25 there are people who do work hard to achieve, who

1 do try to stop things that are wrong in our
2 society, to show an example, to not say what can
3 I get out of government, but what I'm going to
4 give to government and to the people of this
5 great country.

6 So thank you. Thank you, thank you,
7 thank you for everything you show the rest of us,
8 many of whom aren't doing our fair share. You're
9 doing way beyond.

10 So I hope Senator Larkin is here
11 forever, and I hope you'll be here or your fellow
12 classmen over the years will be here to continue
13 to remind me and everyone else how lucky we are
14 and we do have a solid future.

15 Thank you.

16 (Applause.)

17 ACTING PRESIDENT MARTINS: Thank
18 you, Senator DeFrancisco.

19 Senator Murphy.

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

22 Colonel Larkin, thank you. Thank
23 you for letting me be part of this. This is an
24 incredible day here, and I had the privilege of
25 being in your office and individually meeting

1 every one of these cadets.

2 Senator Golden, Tunnels to Tower was
3 the race. It's inspirational when you see these
4 cadets lined up with the American flag running
5 through. And when you're coming down a lane and
6 it's towards the end of the race and you're
7 huffing and puffing, they give you the
8 inspiration. Like they're giving us the
9 inspiration here in America. Because that's what
10 we need nowadays.

11 General, I look and see quality
12 candidates. It makes me feel really good about
13 America, what you're doing up there. Incredible.
14 I'd just like to recognize two, not one but two
15 from my district. I'd like to recognize
16 Christopher Roberto.

17 (Applause.)

18 SENATOR MURPHY: Christopher will
19 be graduating this year and is a chemistry major.
20 And I've taken a little chemistry, and I really
21 don't care, particularly, to know how
22 isopropomethylene was made. But God bless you.
23 God bless you, and we wish you the best.

24 Another one, Kevin Schurr. Kevin?

25 (Applause.)

1 SENATOR MURPHY: Kevin is from
2 Somers. I've known Kevin's mother and father for
3 quite a long time, and the family that he comes
4 from.

5 I am honored and privileged to know
6 that you will be protecting us. We wish you the
7 best.

8 General, thank you for everything
9 you do, and God bless.

10 (Applause.)

11 ACTING PRESIDENT MARTINS: Thank
12 you, Senator Murphy.

13 Senator Serino.

14 SENATOR SERINO: Thank you,
15 Mr. President.

16 First I'd like to thank Senator
17 Colonel Larkin. You know, I love listening to
18 him speak, he's got such a passion and pride when
19 he talks about West Point and your service. And
20 it's wonderful that you do this event today.
21 Thank you. It warms my heart.

22 And second, I would like to
23 acknowledge two people. I have a cadet. Would
24 Cadet Renee Mihail stand, please? Hi, Renee.

25 (Applause.)

1 SENATOR SERINO: We have a couple
2 of things in common that I'll go through briefly.
3 But Renee, of course, is graduating this year.
4 She lives in Putnam Valley with her parents,
5 Dr. Cliff Mihail and Deb Eldridge.

6 But she grew up in Wappingers Falls,
7 and I did as well. Right now your major, which
8 is really impressive, is Arabic and comparative
9 politics. That's wonderful.

10 And the second thing that we have in
11 common, if you look around this room, we're in,
12 as you are, you're in the minority. We have
13 63 members, and there's only 11 women, so ...

14 And the other item that I want to
15 tell you about too is I am so fortunate, and I
16 always brag about it, I have Sakima Brown, who is
17 a graduate of West Point.

18 (Appause.)

19 SENATOR SERINO: She's the Class of
20 '98, and I brag about her all the time, as I hope
21 and I know someone will do about you as well.

22 So thank you, and I wish you the
23 best of luck.

24 And then the second person that I
25 would like to mention that's a constituent of

1 mine is Brigadier General Salamone, who's the
2 Class of '56, my constituent, and Senator
3 Addabbo's uncle.

4 So thank you, and thank you for
5 having us be a part of this wonderful day with
6 you. Thank you.

7 (Applause.)

8 ACTING PRESIDENT MARTINS: Thank
9 you, Senator Serino.

10 Senator Flanagan.

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

13 A couple of things. General, I am
14 inspired -- actually, when you come in and you
15 stand up and you get up to the podium, I feel
16 like the principal has arrived, we have to sit up
17 straight, stand up. And I look at someone like
18 you as a leader and think I would follow whatever
19 this gentleman told me to do. I really feel
20 strongly about that.

21 But I do have a somewhat rhetorical
22 question. This is my 13th year in the Senate.
23 And you must be changing the admission standards,
24 because every year these cadets look younger and
25 younger, and I know I'm not getting any older.

1 (Laughter.)

2 SENATOR FLANAGAN: But I do want to
3 recognize one cadet who happens to be from my
4 district. Samantha, would you please stand up?
5 Samantha Picco.

6 (Applause.)

7 SENATOR FLANAGAN: I checked with
8 Senator Lanza on how to say this properly: She
9 is majoring in kinesiology and will be a graduate
10 next year.

11 But simply put, thank you for your
12 service now, for your prospective service.

13 And Godspeed to all of you. Thank
14 you.

15 (Applause.)

16 ACTING PRESIDENT MARTINS: Thank
17 you, Senator Flanagan.

18 Senator Croci.

19 SENATOR CROCI: Thank you,
20 Mr. President. On the resolution.

21 Almost an order of personal
22 privilege, though, Colonel.

23 I would just say thank you, General,
24 and to the Corps for coming up today; Colonel,
25 for your inspiring words in our prayer; and to

1 Colonel Larkin for ensuring that we remember what
2 New York provides the nation in having one of the
3 premier military academies in the United States
4 right here in the Empire State.

5 Thank you all for coming. Thank you
6 for sharing your experiences at the Point, which
7 is, as we know, an incubator for leadership. You
8 all are practitioners of the art of leadership.
9 No one knows that more than your senior officers
10 and commanders who have been in combat.

11 We are faced right now with a world
12 ever-changing, a world in which it seems to be a
13 bad movie replaying itself over and over again.
14 For those of us who have served in the peacetime
15 military and in wartime military, I think we all
16 see what's happening in the world, and it stands
17 to reason that these young men and women will in
18 their careers see combat overseas.

19 To that I say that you are
20 well-prepared in attending the institution you
21 attend. Under the leadership of your General,
22 the Superintendent, and all the fine officers and
23 senior NCOs that you have, you are well-prepared
24 for the challenges ahead, you are well-prepared
25 to defend this great nation. And I'm very proud

1 to be standing in the same chamber with you as
2 you go off to face the threats that the
3 United States will soon face.

4 So to that I say, General, Godspeed
5 to you and to the Corps of Cadets in all of your
6 endeavors, with the exception of football.

7 Thank you.

8 (Laughter; applause.)

9 ACTING PRESIDENT MARTINS: Thank
10 you, Senator Croci.

11 Senator Hoylman.

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

14 I rise to acknowledge the cadet that
15 represents the 27th Senate District. Elizabeth
16 Judd, if you could stand.

17 (Applause.)

18 SENATOR HOYLMAN: I wanted to thank
19 Elizabeth for coming here today, Senator Larkin
20 and the chair of our Veterans Committee for
21 arranging today.

22 You know, Elizabeth is graduating in
23 a couple of weeks. She tells me she's sad
24 because she's leaving New York, she's going down
25 to Virginia where she's going to enroll in IED

1 school, improved explosive device school. And
2 that takes an incredible amount of courage and
3 intelligence, bravery. And I wanted to thank her
4 for her years of service and years of service
5 ahead.

6 Elizabeth, we had the Women of
7 Distinction awards last night, but I think you'll
8 be back soon where we can give you that award in
9 person in the future.

10 Thank you so much, Mr. President.

11 (Applause.)

12 ACTING PRESIDENT MARTINS: Thank
13 you, Senator Hoylman.

14 And now to close, Senator Larkin.

15 SENATOR LARKIN: I have two cadets,
16 one from Stony Point and one from Highland Falls.
17 Would you please, Cadet Laible and Cadet Dipalma,
18 please stand up.

19 (Applause.)

20 SENATOR LARKIN: You know, it's a
21 privilege to introduce two future leaders of our
22 great country. Both of you, one has decided what
23 he wants as a major and the other says "I'll take
24 it as it goes along." General, he's from
25 Highland Falls.

1 But, you know, you're leaving here
2 today, you came before to the Capitol, you're
3 going into the other house -- and you have to
4 understand this isn't just about coffee and
5 danish and a little dinner after and cookies to
6 take home, it's to say thank you, from the bottom
7 of our hearts. Thank you for raising that hand
8 and saying "I want to serve my country and my
9 fellow citizens." You're an inspiration.

10 You make your fellow youngsters that
11 look at the Academy -- and they say, If they can
12 do it, I can do it, because I want to show that I
13 am proud to be an American and I want to join an
14 organization that its principles are duty, honor
15 and country.

16 That's something the rest of the
17 nation could abide by. Thank you, and God bless
18 you.

19 And General, it's been a long ride.
20 What a great leader you are. Thank you very
21 much.

22 Ladies and gentlemen, West Point.

23 (Extended standing ovation.)

24 SENATOR LaVALLE: Mr. President.

25 ACTING PRESIDENT MARTINS: The

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

3 (Response of "Aye.")

4 ACTING PRESIDENT MARTINS: Opposed,
5 nay.

6 (No response.)

7 ACTING PRESIDENT MARTINS: The
8 resolution is adopted.

9 Senator LaValle.

10 SENATOR LaVALLE: Mr. President,
11 would you take up a previously adopted resolution
12 by Senator Gianaris, and would you read it in its
13 entirety.

14 SENATOR SQUADRON: Mr. President.
15 Mr. President.

16 ACTING PRESIDENT MARTINS: Senator
17 Squadron, why do you rise?

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

20 In accordance with Section 14,
21 Chapter 28 of Mason's, I move to suspend the
22 rules, suspend Rule 7, subdivision 9
23 specifically, which interferes with the immediate
24 consideration of a resolution removing Senator
25 Dean G. Skelos from the office of Temporary

1 President and Majority Leader of the Senate and
2 relinquishing the emoluments attached to those
3 two positions.

4 ACTING PRESIDENT MARTINS: Senator
5 Squadron, there is no resolution before this
6 house.

7 SENATOR SQUADRON: Mr. President, I
8 am not offering a resolution at this moment. The
9 fact is that presenting a resolution under
10 Rule 7, subdivision 9, requires the
11 consideration -- or the control of the Temporary
12 President.

13 In this case the resolution would
14 censure and remove the Temporary President.
15 Therefore, the Senate must consider this
16 resolution outside the normal rules of the
17 Senate, which is why I am making the motion I'm
18 making, because I believe the Temporary President
19 is conflicted in his judgment on this resolution.

20 So --

21 ACTING PRESIDENT MARTINS: Senator
22 Squadron --

23 SENATOR SQUADRON: So,
24 Mr. President, again, I am making a motion to
25 suspend the rules.

1 ACTING PRESIDENT MARTINS: Senator
2 Squadron, I appreciate your effort. We have five
3 members who have risen to require that that be
4 placed in writing. We do not have a writing.

5 If you reduce it to writing,
6 certainly you can present it to the Secretary of
7 the Senate and we will have the opportunity to
8 take it up in due course.

9 SENATOR SQUADRON: Mr. President,
10 it has been in submitted in writing. It is
11 currently before the desk.

12 ACTING PRESIDENT MARTINS: It is
13 not before the desk, Senator Squadron, as it has
14 not been recognized.

15 We are currently on an agenda.
16 Senator LaValle has asked us to consider a matter
17 that is properly before this house. And so we
18 will continue with our business as usual.

19 SENATOR GIANARIS: Mr. President.

20 ACTING PRESIDENT MARTINS: The
21 Secretary will read.

22 SENATOR GIANARIS: Mr. President.

23 ACTING PRESIDENT MARTINS: Senator
24 Gianaris, why do you rise?

25 SENATOR GIANARIS: Mr. President,

1 the motion by definition is a motion to suspend
2 the rules. So any citing of the rulings by you
3 is counter to the purpose of this very motion.

4 So -- so the very purpose of the
5 motion that's been made by Senator Squadron,
6 which by the way has been delivered to the clerk
7 and is in the hands of the floor team of the
8 Majority, is to suspend the rules to allow us to
9 proceed with the resolution that Senator Squadron
10 referenced.

11 ACTING PRESIDENT MARTINS: Senator
12 Gianaris, as I think we've already made clear, it
13 has to be submitted in writing. I understand
14 that it was just walked up. It is not before
15 this house. It will be before this house in due
16 course, which is not now, and it's certainly not
17 when you choose to place something before the
18 house.

19 When it is placed in writing and
20 presented to the Senate, the Secretary of the
21 Senate, it will be taken up in due course.

22 We do have an agenda, and we do have
23 an item that is before the house, and so I would
24 ask that we allow this process to proceed.

25 SENATOR GIANARIS: Mr. President,

1 by what authority are you suggesting that it is
2 not properly before this house?

3 ACTING PRESIDENT MARTINS: Senator
4 Gianaris, we have a matter that's before the
5 house currently. There is no reason, there is no
6 reason at all to substitute the matter that is
7 currently before this house for any other matter
8 that has not been properly brought before this
9 house.

10 SENATOR GIANARIS: Mr. President --

11 ACTING PRESIDENT MARTINS: So I
12 will -- I will ask Senator LaValle to continue,
13 and I will direct the Secretary to read the
14 resolution that is properly before the house.

15 SENATOR GIANARIS: Mr. President,
16 with due respect, it is not your determination
17 whether it's properly before the house, it's the
18 determination of this body.

19 And I will refer you to Mason's
20 Section 270 -- I'm sorry, 282, subdivisions 1 and
21 2. A motion to suspend the rules may be made at
22 any time and further, for further clarification,
23 a motion to suspend may be made during the order
24 of business of motions and resolutions, which we
25 are currently under.

1 So I ask you again, under what
2 authority are you denying this motion when --

3 ACTING PRESIDENT MARTINS: Senator
4 Gianaris --

5 SENATOR GIANARIS: -- the rules
6 make it clear that it's in order at any time?

7 ACTING PRESIDENT MARTINS: Senate
8 rules take precedence over Mason's. Mason's are
9 there as a complement, but certainly not as a
10 substitute.

11 Senator Hannon, why do you rise?

12 SENATOR HANNON: Point of order.

13 Just making a motion does not wipe
14 out the existing rules of this Senate duly
15 adopted at the beginning of this session. We
16 have those rules, and one must make motions
17 within them. Just making a motion does not
18 suspend them. If the motion is made and adopted,
19 then it would be suspended.

20 But Mr. Gianaris is in error, and it
21 does not properly lie.

22 ACTING PRESIDENT MARTINS: Your
23 point is well-made, Senator Hannon.

24 SENATOR GIANARIS: Mr. -- Mr. --
25 Mr. -- Mr. President. Mr. President, if --

1 SENATOR LaVALLE: Excuse me.

2 Mr. President, we have a resolution --

3 SENATOR GIANARIS: Mr. President --

4 SENATOR LaVALLE: -- before this
5 house honoring --

6 SENATOR GIANARIS: Mr. President, I
7 will not -- I will not allow --

8 SENATOR LaVALLE: -- the memory --

9 SENATOR GIANARIS: -- this body to
10 move forward without taking a proper look at the
11 rules.

12 SENATOR LaVALLE: I --

13 ACTING PRESIDENT MARTINS: Senator
14 LaValle.

15 SENATOR GIANARIS: Senator Hannon's
16 point is not well-taken. If there is a rule that
17 is contradictory to Mason's, which you conceded
18 was complementary, then --

19 ACTING PRESIDENT MARTINS: The
20 Secretary --

21 SENATOR GIANARIS: -- the rule
22 would take precedence.

23 ACTING PRESIDENT MARTINS: The
24 Secretary will read the resolution that is
25 properly before this house.

1 (Inaudible cross-talk.)

2 SENATOR GIANARIS: -- under what
3 rule does the chair --

4 ACTING PRESIDENT MARTINS: Senator
5 Gianaris.

6 SENATOR GIANARIS: -- I've been
7 given no guidance. There is no Senate rule that
8 tells us we cannot have discussion right now.

9 SENATOR LaVALLE: Senator --

10 SENATOR GIANARIS: -- if there is
11 some, please --

12 SENATOR LaVALLE: -- I had moved --

13 SENATOR GIANARIS: -- please
14 enlighten us.

15 SENATOR LaVALLE: -- so that we
16 could honor your predecessor's memory. I would
17 like the clerk to start reading the resolution.

18 SENATOR GIANARIS: We have much
19 business, and it is important me for me to do
20 that, but this is also important.

21 And if someone can cite me a rule
22 that Senator Hannon or the chair said takes
23 precedence, which I concede, we can move the
24 discussion forward.

25 ACTING PRESIDENT MARTINS:

1 {Gaveling.} Senator Gianaris --

2 (Inaudible cross-talk.)

3 ACTING PRESIDENT MARTINS: --

4 address the chair. Thank you. I appreciate it.

5 There are rules in this house.

6 SENATOR GIANARIS: Yes, sir.

7 ACTING PRESIDENT MARTINS: We do

8 not substitute -- we do not substitute those

9 rules on a whim.

10 SENATOR GIANARIS: Under which

11 Senate rule are you denying the ability to

12 consider this motion, Mr. President?

13 ACTING PRESIDENT MARTINS: There is

14 nothing before the house, Senator Gianaris.

15 SENATOR GIANARIS: Under which

16 Senate rule?

17 ACTING PRESIDENT MARTINS: We

18 are -- we are going in circles. There is nothing

19 properly before this house.

20 SENATOR GIANARIS: Yes, we are

21 going in circles, sir, because you refuse to

22 recognize --

23 ACTING PRESIDENT MARTINS: The

24 Secretary will read.

25 SENATOR GIANARIS: -- a motion

1 that's properly before --

2 ACTING PRESIDENT MARTINS: The
3 Secretary --

4 SENATOR GIANARIS: Mr. President, I
5 appeal the ruling of the chair that this motion
6 is out of order.

7 SENATOR LaVALLE: There is -- there
8 is nothing to appeal, Senator Gianaris.

9 ACTING PRESIDENT MARTINS: There is
10 nothing -- there is no ruling of the chair,
11 Senator Gianaris, for you --

12 SENATOR GIANARIS: You have ruled
13 this motion is not in order, have you not,
14 Mr. President?

15 ACTING PRESIDENT MARTINS: There is
16 nothing before the house, Senator Gianaris --

17 SENATOR GIANARIS: You have ruled
18 that the motion is not properly before the house,
19 have you not, Mr. President?

20 ACTING PRESIDENT MARTINS: Senator
21 Gianaris --

22 SENATOR GIANARIS: Have you or have
23 you not ruled --

24 ACTING PRESIDENT MARTINS: I
25 have -- I -- Senator Gianaris, there is no motion

1 before the house for me to rule on.

2 The Secretary will read.

3 SENATOR GIANARIS: Mr. President,
4 there is a motion that is in the possession of
5 the clerk and in the possession of the Majority.
6 If you want to rule it's out of order, that's
7 your right. We have the right to appeal that
8 motion --

9 THE SECRETARY: Legislative
10 Resolution Number 1773, by Senator Gianaris --

11 SENATOR GIANARIS: You can hide
12 from the public --

13 THE SECRETARY: -- honoring the
14 accomplishments and celebrating the life of
15 former New York State Senator George Onorato.

16 SENATOR GIANARIS: {Inaudible} --
17 shameful what's going on here --

18 THE SECRETARY: "WHEREAS, it is the
19 sense of this Legislative Body --

20 SENATOR GIANARIS: -- refuse to let
21 us even consider --

22 THE SECRETARY: -- to recognize and
23 commend those individuals of distinguished
24 purpose --

25 SENATOR GIANARIS: -- on the floor

1 of the Senate whether an indicted --

2 THE SECRETARY: -- whose lives have
3 been committed to public service in the --

4 (Inaudible cross-talk.)

5 ACTING PRESIDENT MARTINS: Excuse
6 me. Excuse me.

7 SENATOR GIANARIS: Charged, not
8 indicted. But --

9 ACTING PRESIDENT MARTINS: Senator
10 Gianaris, we have been patient. A press release
11 is not a substitute for a proper motion or
12 resolution before this house. You are out of
13 order. We do not have a member of this -- we do
14 not have a member of this house that is under
15 indictment.

16 SENATOR GIANARIS: Well --

17 ACTING PRESIDENT MARTINS: I would
18 ask you to sit and allow us to continue with the
19 agenda of this house --

20 SENATOR GIANARIS: Mr. President --

21 ACTING PRESIDENT MARTINS: -- in
22 the proper order that it -- in the proper order
23 that it is before this house.

24 SENATOR GIANARIS: Mr. President --

25 ACTING PRESIDENT MARTINS: You are

1 out of order. Please sit.

2 SENATOR GIANARIS: Mr. President, I
3 concede that the member I referred to is not
4 under indictment. I apologize for that.

5 SENATOR LaVALLE: Would the clerk
6 continue to read, please.

7 SENATOR GIANARIS: That particular
8 member is not under indictment, but others are.

9 Now, would you let us or let us not
10 consider a motion that was properly placed before
11 the house pursuant to Mason's, which is not
12 contradictory to the Senate rules? If you want
13 to rule against us, that is your right,
14 Mr. President. But then we have the right to
15 appeal and be heard on the appeal. And that's
16 all I'm asking.

17 SENATOR LaVALLE: Would the clerk
18 continue to read, please.

19 THE SECRETARY: "WHEREAS, It is the
20 sense of this Legislative Body to recognize and
21 commend those individuals of distinguished
22 purpose whose lives have been committed to public
23 service and the pursuit of excellence in the
24 conduct of the legislative process in this noble
25 Empire State; and

1 "WHEREAS, It is with great sorrow
2 and deep regret that this Legislative Body
3 records the passing of former New York State
4 Senator George Onorato, noting the significance
5 of his purposeful life and accomplishments; and

6 "WHEREAS, Senator George Onorato,
7 who served western Queens as a member of the
8 New York State Senate from 1983 to 2010, passed
9 away on Saturday, February 21, 2015, at the age
10 of 86; and

11 "WHEREAS, A life-long resident of
12 Queens, New York, George Onorato was the youngest
13 of five children born to Italian immigrants,
14 Maria Racana and Biagio Onorato, on November 5,
15 1928; and

16 "WHEREAS, Before graduating from
17 Long Island City High School, George Onorato
18 attended both Public School 84 and Junior High
19 School 141 in Queens; and

20 "WHEREAS, George Onorato proudly
21 served his country as a member of the 118th
22 Medical Battalion in the United States Army from
23 1950 to 1952; he was recognized with the
24 prestigious Presidential Citation for his
25 extraordinary heroism in action against an armed

1 enemy; and

2 "WHEREAS, Upon his honorable
3 discharge from the military, George Onorato held
4 the position of Secretary/Treasurer of
5 Bricklayer's Local No. 41 for 15 years; and

6 "WHEREAS, In 1983, George Onorato
7 was elected to the esteemed seat of New York
8 State Senator; throughout his legislative career,
9 he was a strong advocate for New York's working
10 families, consumers, senior citizens, veterans,
11 and young people; as Chairman of the Senate
12 Standing Committee on Labor, he was able to draw
13 on his extensive experience with organized labor
14 to address the needs of working men and women
15 throughout New York; and

16 "WHEREAS, Senator George Onorato was
17 particularly interested in ensuring better access
18 to health care for all New Yorkers, improving
19 educational opportunities for children and
20 college students in New York City and throughout
21 the state, and spurring job creation, as well as
22 developing more equitable tax policies; and

23 "WHEREAS, An advocate for
24 environmental conservation, Senator George
25 Onorato strived to reform energy laws to ensure

1 adequate power supplies, promote greater air
2 quality protection, and enhance conservation
3 measures; and

4 "WHEREAS, In addition, Senator
5 George Onorato championed efforts to make
6 New York State government operations more open
7 and accountable to the public; and

8 "WHEREAS, Senator George Onorato
9 played a role in shaping many major New York laws
10 that were enacted over his 25 years of service as
11 a member of the Senate Minority leadership team
12 and later as Assistant Majority Leader/Liaison to
13 the Executive Branch; he also was both a
14 past Treasurer and President of the Conference of
15 Italian-American Legislators; and

16 "WHEREAS, Active in his community,
17 Senator George Onorato was instrumental in
18 building an aquatic center for the Boys and
19 Girls Club in Astoria, New York; and

20 "WHEREAS, In 2001, Senator George
21 Onorato received the distinguished Ellis Island
22 Medal of Honor by fulfilling the American Dream
23 through his personal accomplishments and
24 dedicated service to his beloved Queens
25 community; and

1 "WHEREAS, The passing of Senator
2 George Onorato, a deeply respected and highly
3 regarded public servant, will be deeply felt in
4 the New York State Legislature and in the
5 communities he served with such passion and
6 devotion; and

7 "WHEREAS, Senator George Onorato
8 distinguished himself by his sincere dedication
9 and substantial contributions to the welfare of
10 those he so diligently represented for nearly
11 40 years; his unprecedented record of service to
12 the people of western Queens leaves an enduring
13 legacy that few will surpass, yet many will
14 emulate; and

15 "WHEREAS, Senator George Onorato was
16 a gentleman who was dedicated to his constituency
17 and to the belief that government can be a
18 positive force for improving people's lives; and

19 "WHEREAS, Predeceased by his first
20 wife, Josephine Onorato, and his second wife,
21 Athena Georgakakos, Senator George Onorato is
22 survived by his three children, Joanne, George,
23 and Janice; six grandchildren, Sophia,
24 Anastasia, Joseph, Mia, George, and Louis; and
25 two great-grandchildren, Cameron and Skylar; and

1 "WHEREAS, Loyal friend, trusted
2 advisor and ardent fighter for the causes in
3 which he so strongly believed, the
4 accomplishments of Senator George Onorato are
5 legend; he will be deeply missed and truly merits
6 the grateful tribute of this Legislative Body;
7 now, therefore, be it

8 "RESOLVED, That this Legislative
9 Body pause in its deliberations to honor the
10 accomplishments and celebrate the life and
11 extraordinary achievements of former Senator
12 George Onorato, recognizing the significance of
13 his exemplary record of public service and
14 dedicating ourselves anew to the causes and
15 people he served; and be it further

16 "RESOLVED, That a copy of this
17 resolution, suitably engrossed, be transmitted to
18 the family of former Senator George Onorato."

19 ACTING PRESIDENT MARTINS: Senator
20 Gianaris on the resolution.

21 SENATOR GIANARIS: Thank you,
22 Mr. President.

23 First let me thank Senator Onorato's
24 family, who's with us, for indulging us and
25 sitting patiently through some of the festivities

1 on the floor.

2 I do want to say, slightly off
3 topic, that we do intend to return to this issue,
4 my friends in the Majority. And if they think
5 that we're not going to have the Senate take a
6 stand on such an important and publicly important
7 thing, they're sadly mistaken.

8 But I don't want to intrude any
9 further on the memory of my predecessor and the
10 great work he did.

11 But I do want to recognize that with
12 us from Senator Onorato's family are his daughter
13 Janice -- if you could stand up as I call your
14 names -- his daughter-in-law Moreen Fried, his
15 niece Valerie, and his niece Maria
16 Onorato-Filocamo. We thank them for --

17 (Applause.)

18 SENATOR GIANARIS: We thank them
19 for making the trip. Some of them came from
20 pretty far to be with us today on this eventful
21 day.

22 And I want to just say a couple of
23 words myself and then allow any of my colleagues
24 that wish to join in in memory of Senator
25 Onorato, who I've known -- I can't say my whole

1 life, but since I was a child.

2 He was an institution in Astoria and
3 the neighborhoods of western Queens that I now
4 represent. And I think, perhaps unlike how some
5 of my colleagues across the aisle feel about me
6 today, everyone loved George Onorato. He was
7 always ready with a smile and a joke. He was
8 dignified. He was a great golfer. And he
9 thought about the working people of this state,
10 having come out of the labor movement himself.

11 I really got to know him well when
12 he actually had his first serious competitive
13 election, which happened to be about 14 or 15
14 years after he was first elected. But that's a
15 symbol of his popularity back home. And I worked
16 on that campaign very hard. He came through with
17 flying colors, of course, and served another
18 decade here in this chamber.

19 He was a mentor to me when I was in
20 the Assembly and he was my colleague in this
21 house.

22 And I know we all know how much he
23 loved both his wife Josephine and his second wife
24 Athena. And I think again, up here, the
25 Sergeants-at-Arms and the Senators are very

1 familiar with Athena and how she accompanied him
2 up here and how much they loved each other.

3 And so I thank my colleagues for
4 allowing us to consider this resolution today,
5 and I thank the Onorato family again for joining
6 us.

7 And I appreciate the opportunity,
8 Mr. President.

9 ACTING PRESIDENT MARTINS: Senator
10 Gianaris, thank you for that.

11 Senator Farley.

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

14 I rise because I knew Senator George
15 Onorato very well. I served with him throughout
16 his entire Senate career. And I'd like to extend
17 my sympathy to the Onorato family who are here.

18 You know, George was a very unique
19 Senator. I didn't know anyone that was more of a
20 gentleman and more liked by every one of his
21 colleagues. He had a dry sense of humor which
22 was truly unique, and one that I can still smile
23 at some of the things that he did and said.

24 George was not only a great Senator,
25 he was a wonderful human being. And as Senator

1 Gianaris said, he was a superb golfer. And I
2 mean one that was really an outstanding golfer
3 and a good athlete. But he was always very proud
4 of his union activities as a bricklayer and as a
5 man of the people.

6 George Onorato served Queens very
7 well. You know, we come up here and try to
8 represent our people with dignity and honor. And
9 Senator Onorato certainly was a credit to Queens,
10 to his family, and to the State of New York. He
11 was a great Senator and a great guy, and he will
12 be missed.

13 Thank you.

14 ACTING PRESIDENT MARTINS: Thank
15 you, Senator Farley.

16 Senator Savino.

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

19 I had the unique opportunity of
20 having not only been George Onorato's colleague
21 and sitting with him for the remaining years that
22 he was in the Senate as a co-Senator, but I was a
23 constituent of his for probably most of my adult
24 life. I did a little back of the envelope
25 calculation a few minutes ago and I realized I

1 voted for George Onorato more times than I voted
2 for myself.

3 (Laughter.)

4 SENATOR SAVINO: Although hopefully
5 I'll catch up with that soon.

6 Growing up in Astoria and living in
7 Jackson Heights for a short period of time, I
8 always lived in George's district. And in fact,
9 he was the first Senator I ever voted for. And I
10 can still remember, you know, as a young woman,
11 knowing who George was. And you would see him
12 out and about in the community, in the local
13 restaurants.

14 And he was a gentleman, he really
15 was. He was a sweetheart. He was very dapper,
16 always well-dressed, always, you know -- and it
17 kind of belied his reputation as a laborer. He
18 was a brickie, and proud of the labor movement,
19 an incredibly proud individual. He was, I
20 believe, the first elected union official in the
21 New York State Senate, and I was the second one,
22 who were active union leaders at the time.

23 And during the final years of his
24 term here, he got to do something that he had
25 dreamed about his entire term in the Senate, and

1 that was to become the chair of the New York
2 State Senate's Labor Committee. And during his
3 two years as chair of the Labor Committee, we did
4 a lot of very good things under George's
5 tutelage.

6 When he was chair of the Labor
7 Committee, we passed the Domestic Workers' Bill
8 of Rights, the first in the nation to correct a
9 75-year injustice that affected women,
10 particularly women of color. George helped get
11 that bill through.

12 The Wage Theft Prevention Act, which
13 has kind of been a bone of contention for some
14 people, happened under George's watch because he
15 knew that workers were being cheated out of their
16 wages even now with the protections in the
17 current law. He helped me get that done.

18 Misclassification in the
19 construction industry, which he understood better
20 than anybody, having been a brickie. He knew
21 that workers could be cheated all the time or
22 misclassified to make sure that they didn't get
23 compensated correctly.

24 So George used his time in the
25 Senate well. He represented his community well.

1 He left his mark on Astoria and Long Island City
2 and Jackson Heights. He left his mark on me and
3 helped shape me as a legislator. And in the end,
4 he left his mark on working people, which is what
5 he lived to do.

6 So I want to say George's family,
7 thank you for sharing him with us here in the
8 Senate and the people of Astoria and Long Island
9 City and Jackson Heights. And we will never
10 forget George Onorato or his lovely wife Athena.

11 I didn't have the opportunity of
12 knowing his first wife, but I can tell you that
13 Athena made him very happy and he made her very
14 happy. And my fondest memories of George and
15 Athena is wherever you saw them walking along,
16 they always held hands. It was so sweet. And it
17 was something I will never forget about them.

18 Thank you, Mr. President.

19 ACTING PRESIDENT MARTINS: Thank
20 you, Senator Savino.

21 Senator LaValle.

22 SENATOR LaVALLE: Thank you.

23 Like Senator Farley, we both served
24 with Senator Onorato. When he came to this
25 chamber he was, as I'm sure all of us are, very

1 proud of our roots, what we accomplished. And
2 certainly his union roots never left him, were
3 always a part of him.

4 But everyone knows that George
5 Onorato was a very gentle but persuasive
6 individual. He had great respect for this
7 institution. And when he left, a lot of golf
8 scores went up in this chamber.

9 (Laughter.)

10 SENATOR LaVALLE: He was always
11 with a partner at his side, and they were a
12 lovely couple as they walked the halls here.

13 So I'm glad to join this resolution
14 and speak on the resolution for a great Senator
15 who was part of this chamber.

16 ACTING PRESIDENT MARTINS: Thank
17 you, Senator LaValle.

18 Senator Robach.

19 SENATOR ROBACH: Yes,
20 Mr. President, let me add my condolences to the
21 family on the passing of George.

22 And let me just say, too, I admired
23 him a great deal. He not only loved his district
24 and used to always say, you know, count your
25 blessings in this business, and give that good

1 advice.

2 But what I loved about George the
3 most, he really was more of a statesman than a
4 politician. He did not have to have the
5 limelight. Early on as the Labor chair here,
6 rather than sponsor the bill, he would often try
7 to get groups together to make something happen
8 that would really impact people in a way that he
9 thought was beneficial.

10 And I really think that should be
11 the template of government, but it's really
12 getting kind of rare and rarer in politics today,
13 where people are more focused on outcome rather
14 than themselves sometimes.

15 So he really was a selfless person
16 who really was a throwback, I think -- a
17 renaissance person -- to a time when it was
18 really about achieving a result, getting things
19 done, and doing it in a good way.

20 And I will not only miss his smile,
21 his demeanor, but I think he really was a role
22 model to all of us on a good way to conduct
23 business and get things done in the best way
24 possible.

25 On a humorous note, somebody had

1 mentioned golf. And very early, George Onorato
2 and Ralph Quattrociochi, who I had worked for
3 earlier, were very good friends, both
4 Italian-Americans, same age, enjoyed Italian
5 food, but they both enjoyed golf. I'll just say
6 this. One of them was very good, and one of them
7 was terrible, I'll let you figure out which one
8 was which.

9 (Laughter.)

10 SENATOR ROBACH: We'll miss you,
11 George. God bless your family.

12 ACTING PRESIDENT MARTINS: Thank
13 you, Senator Robach.

14 Senator Stavisky.

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

17 I think you understand the genuine
18 affection that the people in this chamber have --
19 not had, but have for your father and uncle, I
20 guess, and members of the family.

21 I sat next to George for about six
22 or seven years back in the second row there. And
23 George provided insights -- I was elected in
24 1999. And George gave me insights into
25 legislation, into ideas. And he certainly was --

1 I couldn't have sat next to a more engaging
2 individual, because George had a story, he had an
3 experience, he was a masterful storyteller.

4 And yes, his love for his colleagues
5 and the labor movement, for men and women who
6 work with their hands, it demonstrates that you
7 don't have to be a lawyer, that working men and
8 women deserve representation on a fair and equal
9 setting. And in fact George epitomized the labor
10 movement.

11 A couple of years ago the
12 bricklayers were here, and I tried it downstairs
13 in the concourse. Not easy. Not easy.

14 George believed in opportunity for
15 everybody. He was a very proud veteran; he used
16 to talk about some of his experiences. And it
17 was really the way he said things, the way he
18 presented issues that I think made George unique.

19 And yes, we used to watch George and
20 Athena holding hands walking throughout the
21 concourse. And it demonstrates the love that he
22 had for Athena, which was mutual. And I do
23 remember Josephine, his first wife, and they had
24 the same type of relationship.

25 Lastly let me say that I think

1 George would be very proud of his successor
2 today, because his successor today, Senator
3 Gianaris, has brought so many issues to the floor
4 for debate. And George epitomized talking about
5 issues -- not people, not politics, but issues.

6 So again, we recognize the Onorato
7 family and thank them for George's services.

8 Thank you.

9 ACTING PRESIDENT MARTINS: Thank
10 you, Senator Stavisky.

11 Senator LaValle.

12 SENATOR LaVALLE: Mr. President,
13 can we take up a previously adopted resolution,
14 1359, by Senator Farley. Would we read it in its
15 entirety. The Senator would like to open it for
16 cosponsorship. And then would you recognize
17 Senator Farley to speak and present his guests
18 who are in our chamber.

19 ACTING PRESIDENT MARTINS: Thank
20 you, Senator LaValle.

21 The Secretary will read.

22 THE SECRETARY: Legislative
23 Resolution Number 1359, by Senator Farley,
24 congratulating the Scotia-Glenville High School
25 Boys Varsity Basketball Team and Coach James

1 Giammattei upon the occasion of capturing the
2 New York State Class A State Championship.

3 "WHEREAS, Excellence and success in
4 competitive sports can be achieved only through
5 strenuous practice, team play and team spirit,
6 nurtured by dedicated coaching and strategic
7 planning; and

8 "WHEREAS, Athletic competition
9 enhances the moral and physical development of
10 the young people of this state, preparing them
11 for the future by instilling in them the value of
12 teamwork, encouraging a standard of healthy
13 living, imparting a desire for success and
14 developing a sense of fair play and competition;
15 and

16 "WHEREAS, This Legislative Body is
17 justly proud to congratulate the Scotia-Glenville
18 High School Boys Varsity Basketball Team and
19 Coach James Giammattei upon the occasion of
20 capturing the New York State Public High School
21 Athletic Association Class A State Championship
22 on Sunday, March 22, 2015, at the Glens Falls
23 Civic Center, Glens Falls, New York; and

24 "WHEREAS, The Scotia-Glenville
25 High School Boys Varsity Basketball Team won

1 their second consecutive New York State
2 Championship with an exciting 54-49 victory over
3 Greece Athena High School; and

4 "WHEREAS, With this victory, the
5 Scotia-Glenville High School Tartans became the
6 first Section II boys' basketball squad to ever
7 repeat as state champions; they also extended a
8 remarkable 53-game winning streak dating back to
9 last season; and

10 "WHEREAS, The team's overall record
11 of 26-0 is outstanding, and the team members were
12 loyally and enthusiastically supported by family,
13 fans, friends and the community at large; and

14 "WHEREAS, The athletic talent
15 displayed by the Tartans is due in great part to
16 the efforts of Coach James Giammattei, a skilled
17 and inspirational tutor, respected for his
18 ability to develop potential into excellence; and

19 "WHEREAS, The hallmarks of the
20 Scotia-Glenville High School Boys Varsity
21 Basketball Team, from the opening game of the
22 season to participation in the championship, were
23 a brotherhood of athletic ability, of good
24 sportsmanship, of honor and of scholarship,
25 demonstrating that these team players are second

1 to none; and

2 "WHEREAS, Athletically and
3 academically, the Scotia-Glenville High School
4 Boys Varsity Basketball Team members have proven
5 themselves to be an unbeatable combination of
6 talents, reflecting favorably on their school;
7 and

8 "WHEREAS, Coach James Giammattei has
9 done a superb job in guiding, molding and
10 inspiring the team members toward their goals;
11 and

12 "WHEREAS, Sports competition
13 instills the values of teamwork, pride and
14 accomplishment, and Coach James Giammattei and
15 these outstanding athletes have clearly made a
16 contribution to the spirit of excellence which is
17 a tradition of their school; now, therefore, be
18 it

19 "RESOLVED, That this Legislative
20 Body pause in its deliberations to congratulate
21 the Scotia-Glenville High School Boys Varsity
22 Basketball Team; its members: Joe Almond,
23 Diamond Corker, Joe Cremo, Michael Palleschi,
24 Scott Stopera, Rhys TenEyck, Daniel Clune, Sean
25 Degraffenreid, Trevor Martin, and Christian

1 Corker; Head Coach James Giammattei; Assistant
2 Coaches Glenn Stopera, Michael Rauch, and Mark
3 Mortenson; and Manager Jonathan Sharer on their
4 outstanding season and overall team record; and
5 be it further

6 "RESOLVED, That copies of this
7 resolution, suitably engrossed, be transmitted to
8 the members of the Scotia-Glenville High School
9 Boys Varsity Basketball Team, and Coach James
10 Giammattei."

11 ACTING PRESIDENT MARTINS: Thank
12 you.

13 Senator Farley.

14 SENATOR FARLEY: Thank you very
15 much, Mr. President.

16 This is a very exciting day for me.
17 And also in the chamber -- in the gallery,
18 rather -- I do have the Shenendehowa team, which
19 we're going to introduce in just a moment.

20 But I want to speak about
21 Scotia-Glenville, where my children live.

22 Mr. President, this is an incredible
23 accomplishment. This was the Class A champion
24 two years in a row. And, you know, their family
25 and friends and everybody in the Capital District

1 area is absolutely thrilled with what has
2 happened in Scotia-Glenville with this team.

3 It's no coincidence we honor them
4 here today, because just last year I had them all
5 here in the chamber. After we left, they were
6 all up at the podium, I had a picture taken with
7 them, and they have that holding the gavel.
8 They're an incredible grownup of young men, and
9 what they have accomplished is unbelievable.

10 They had a perfect 26 and 0 record,
11 and this is their second New York State
12 championship. They had an exciting 54-49 victory
13 over Greece Athena. We have the Senator here
14 from there, and I know that he is very proud of
15 them. I don't know whose that is.

16 But anyway, they have a streak that
17 goes back to 53 games. So I'd ask that the
18 Scotia-Glenville team and whoever is with them,
19 their family, if you would please stand so that
20 this chamber can give you a big round of
21 applause. There they are.

22 (Applause.)

23 SENATOR FARLEY: Incidentally,
24 Senator Breslin, Joe Cremo, their captain and one
25 of their stars, is going to be attending the

1 University at Albany. And they're on their way
2 to the big dance next year, I'm sure, with him
3 there.

4 And with that, I'd ask that the
5 Shenendehowa resolution be read, if we could.
6 And Senator Marchione and I will speak to it, if
7 we can.

8 ACTING PRESIDENT MARTINS: Senator
9 LaValle.

10 SENATOR SQUADRON: Mr. President.
11 Mr. President. Mr. President.

12 SENATOR LaVALLE: Can you take up
13 the previously adopted resolution --

14 ACTING PRESIDENT MARTINS: Senator
15 Squadron, why do you rise?

16 SENATOR LaVALLE: -- by Senator
17 Marchione, 1360, read it in its entirety, open it
18 for cosponsorship --

19 SENATOR SQUADRON: I rise to again
20 make a motion in accordance with Section 14 --

21 SENATOR LaVALLE: -- and then
22 Senator Farley will sit down.

23 SENATOR SQUADRON: -- Chapter 28 of
24 Mason's to suspend the rules, particularly
25 Rule 7, subdivision 9, which interferes with the

1 immediate consideration of a resolution removing
2 Senator Skelos as Temporary President and
3 Majority Leader.

4 Out of deference to the house, and
5 certainly to the honored memory of Senator
6 Onorato, absent a motion, we did move on
7 previously. That motion stands. It has been in
8 writing at the desk now for a number of minutes.

9 I'd also like to point out,
10 Mr. President, Rule 4, which we didn't discuss
11 previously -- and I'll give you a moment --
12 Rule 4, about the presiding officer, which you
13 are acting as. You shall decide all questions of
14 order subject to appeal of the Senate.

15 By any measure, this is a question
16 of order. And by any measure, an appeal to the
17 Senate is appropriate. So appealing your
18 decision, I believe the rules spell out the
19 process. I will now speak on my motion to
20 suspend the rules under Mason's, since the Senate
21 rules are silent on the matter.

22 The rule --

23 ACTING PRESIDENT MARTINS: Senator
24 Squadron.

25 SENATOR SQUADRON: Yes.

1 ACTING PRESIDENT MARTINS: Senator
2 Squadron --

3 SENATOR SQUADRON: Yes,
4 Mr. President.

5 ACTING PRESIDENT MARTINS: -- I
6 will respond.

7 And I will direct your attention to
8 Rule 12 in the rules that speaks specifically to
9 suspension of rules. And we'll resolve this
10 issue once and for all.

11 One -- and I'm not making a ruling,
12 Senator Squadron, I'm merely reading from the
13 rules.

14 SENATOR SQUADRON: And,
15 Mr. President, are you --

16 ACTING PRESIDENT MARTINS: I'm
17 reading from the rules --

18 SENATOR SQUADRON: Are you deciding
19 a question of order?

20 ACTING PRESIDENT MARTINS: I am not
21 deciding, I am reading from the rules. Because
22 you mentioned that there were no rules -- no
23 portion of our rules addressed the issue, and I'm
24 correcting that statement.

25 If there's a resolution, the

1 resolution -- there are two ways to suspend the
2 rules. One is by resolution. We don't have a
3 resolution before the house. The second way is
4 by motion, and that motion has to be presented at
5 least 24 hours in advance to the Secretary, not
6 walked up the day of.

7 So, Senator Squadron, as I had
8 stated earlier, there is nothing properly before
9 this house.

10 Senator LaValle.

11 SENATOR SQUADRON: Mr. President,
12 this is a question of order?

13 SENATOR GIANARIS: Mr. President,
14 you cited Rule 12. I don't see anything in
15 Rule 12 that refers to {inaudible}.

16 ACTING PRESIDENT MARTINS: I'm
17 sorry, Senator Gianaris.

18 SENATOR GIANARIS: You cited
19 Rule 12, Mr. President, and I'm trying to come up
20 with -- I can't see anything in Rule 12 that
21 conforms with what you just cited.

22 ACTING PRESIDENT MARTINS: Well,
23 Senator -- Senator Gianaris, as I know for a fact
24 that you and I both can read, Section -- Rule 12,
25 Section 1 and Section 2 both address this issue,

1 either as a resolution or as a motion. It's
2 there, it's clearly there. And if anyone wants
3 to reference it, they can.

4 Senator LaValle.

5 SENATOR GIANARIS: Mr. President,
6 just because you say it, it doesn't make it so.

7 SENATOR LaVALLE: Thank you,
8 Mr. President.

9 SENATOR GIANARIS: If you would --

10 SENATOR LaVALLE: We are conducting
11 the business of the Senate right now. Would the
12 clerk read the resolution, please.

13 ACTING PRESIDENT MARTINS: The
14 Secretary will read.

15 SENATOR GIANARIS: Mr. President --
16 Mr. President, you cited language that does not
17 exist. You can't make up rules as you --

18 (Inaudible cross-talk.)

19 THE SECRETARY: Legislative
20 Resolution Number 1360, by Senators Marchione and
21 Farley, congratulating the Shenendehowa High
22 School Boys Varsity Basketball Team and Coach
23 Tony Dzikas upon the occasion of capturing the
24 New York State Public High School Athletic
25 Association --

1 (Inaudible cross-talk.)

2 SENATOR GIANARIS: Mr. President,
3 you cannot single-handedly make up the rules of
4 the Senate.

5 THE SECRETARY: -- Class AA State
6 Championship.

7 SENATOR GIANARIS: If you want to
8 rule against us, that's your right. Rule 12 says
9 nothing remotely close to what you just referred
10 to. So please --

11 THE SECRETARY: "WHEREAS,
12 Excellence and success in competitive sports can
13 be achieved only through strenuous practice, team
14 play and team spirit" --

15 SENATOR GIANARIS: -- don't
16 misinterpret the rules and make up rules to get
17 your way in this --

18 THE SECRETARY: -- "nurtured by
19 dedicated coaching and strategic planning;
20 and" --

21 (Continued inaudible cross-talk.)

22 THE SECRETARY: -- "WHEREAS,
23 Athletic competition enhances the moral and
24 physical development of the young people of this
25 State, preparing them for the future by

1 instilling in them the value of teamwork,
2 encouraging a standard of healthy living,
3 imparting a desire for success and developing a
4 sense of fair play and competition; and

5 "WHEREAS, This Legislative Body is
6 justly proud to congratulate the Shenendehowa
7 High School Boys Varsity Basketball Team and
8 Coach Tony Dzikas upon the occasion of capturing
9 the New York State Public High School Athletic
10 Association Class AA State Championship on
11 Sunday, March 22, 2015, at the Glens Falls Civic
12 Center, Glens Falls, New York; and

13 "WHEREAS, The Shenendehowa High
14 School Boys Varsity Basketball Team won their" --

15 (Continued inaudible cross-talk.)

16 ACTING PRESIDENT MARTINS:

17 {Gaveling.} Senator Gianaris, I will ask you to
18 please sit, allow the chamber to proceed. This
19 was presented as a motion for suspension of
20 rules.

21 SENATOR GIANARIS: Correct.

22 ACTING PRESIDENT MARTINS: You can
23 say whatever you would like. You are obstructing
24 our performance here. Please sit down, allow the
25 chamber to proceed. There is a matter properly

1 before this house. You know what the rules of
2 this house say, you have them before you.

3 SENATOR GIANARIS: Read them --
4 read them to me, Mr. President.

5 ACTING PRESIDENT MARTINS: Please
6 allow the chamber to continue.

7 SENATOR GIANARIS: Read me --

8 ACTING PRESIDENT MARTINS: We have
9 done with this issue.

10 SENATOR GIANARIS: Read me the
11 rule, Mr. President --

12 ACTING PRESIDENT MARTINS: We are
13 moving on. The Secretary --

14 SENATOR GIANARIS: Read me the rule
15 that you cited that --

16 (Continued inaudible cross-talk.)

17 THE SECRETARY: "WHEREAS, The
18 Shenendehowa High School Boys Varsity Basketball
19 Team won their first New York State Championship
20 since 1987 with an exciting 76-63 victory over
21 Brentwood High School; and

22 "WHEREAS, The team's overall record
23 of 25-1 is outstanding, and the team members were
24 loyally and enthusiastically supported by family,
25 fans, friends and the community at large; and

1 "WHEREAS, The athletic talent
2 displayed by the Plainsmen is due in great part
3 to the efforts of Coach Tony Dzikas, a skilled
4 and inspirational tutor, respected for his
5 ability to develop potential into excellence; and

6 "WHEREAS, The hallmarks of the
7 Shenendehowa High School Boys Varsity Basketball
8 Team, from the opening game of the season to
9 participation in the championship, were a
10 brotherhood of athletic ability, of good
11 sportsmanship, of honor and of scholarship,
12 demonstrating that these team players are second
13 to none; and

14 "WHEREAS, Athletically and
15 academically, the Shenendehowa High School
16 Varsity Boys Basketball Team members have proven
17 themselves to be an unbeatable combination of
18 talents, reflecting favorably on their school;
19 and

20 "WHEREAS, Coach Tony Dzikas has done
21 a superb job in guiding, molding and inspiring
22 the team members toward their goals; and

23 (Democratic Senators exiting the
24 chamber.)

25 THE SECRETARY: "WHEREAS, Sports

1 competition instills the values of teamwork,
2 pride and accomplishment, and Coach Tony Dzikas
3 and these outstanding athletes have clearly made
4 a contribution to the spirit of excellence which
5 is a tradition of their school; now, therefore,
6 be it

7 "RESOLVED, That this Legislative
8 Body pause in its deliberations to congratulate
9 the Shenendehowa High School Boys Varsity
10 Basketball Team; its members: Kevin Huerter,
11 Erik Kromer, Drew Lewis, Luke Hicks, Mike
12 Pizziketti, Thomas Huerter, Evan Paddock,
13 Petar Bebic, Matt Alverson, Mike Collins,
14 Michael Gillooley, Brandon Fischer, Evan Warner,
15 and Mike Spulnick; Coach Tony Dzikas, and
16 Assistant Coaches Don Joss, Josh Koopman,
17 Yac Sangare, Dolph Beyer, and Ryan Losanno on
18 their outstanding season and overall team record;
19 and be it further

20 "RESOLVED, That copies of this
21 resolution, suitably engrossed, be transmitted to
22 members of the Shenendehowa High School Boys
23 Varsity Basketball Team, and Coach Tony Dzikas."

24 (The Democratic Conference exited
25 the chamber en masse.)

1 SENATOR LaVALLE: Mr. President,
2 would you recognize Senator Marchione and then
3 Senator Farley.

4 ACTING PRESIDENT MARTINS: Before
5 we do so, Senator LaValle -- thank you.

6 To the Shenendehowa High School,
7 please accept my apologies for the lack of
8 decorum demonstrated by my colleagues in the
9 chamber today.

10 Senator Marchione.

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

13 And I echo that sentiment. I'm very
14 sorry that this occurred. I guess you can say
15 that here in the chamber sometimes it's as
16 exciting as being on a basketball court.

17 (Laughter.)

18 SENATOR MARCHIONE: And you
19 actually have witnessed something that I have
20 never witnessed before, and I'm really -- I
21 apologize to you for having -- having to have you
22 witness such a thing in our chambers.

23 But I'm thrilled to have you here.
24 Congratulations to all of you. Coach Dzikas and
25 the Shenendehowa -- I'm so sorry, Tony, I just

1 killed your name and I know it. I'm just
2 thrilled to have you here. You guys are really
3 true champions.

4 They captured the New York State
5 Public High School Athletic Association Class AA
6 State Championship on Monday, March 22nd, at the
7 Glens Falls Civic Center. This team's overall
8 record was 25 to 1, absolutely outstanding.

9 The team was loyally and
10 enthusiastically supported by family and friends
11 and actually the entire community. And I know
12 that because my family supported you. I know
13 that my son and my daughter-in-law, my
14 grandchildren attended many, many of the games
15 that you guys played.

16 The athletic talent displayed by all
17 of you is due in part to the great efforts of
18 your coach, who is skilled and an inspirational
19 tutor, an outstanding coach and a trusted mentor,
20 and I know that firsthand.

21 From the opening game to the
22 championship, the Shenendehowa High School Boys
23 Varsity Basketball Team demonstrated athletic
24 skill, good sportsmanship, scholarship and
25 teamwork. Athletically and academically, this

1 team has proven itself an unbeatable combination
2 of talent and perseverance. Coach, you've done a
3 superb job guiding, molding and inspiring this
4 team towards its goal.

5 The Shenendehowa High School Boys
6 Varsity Basketball Team and your coach are
7 champions on and off the court. I'm proud to
8 recognize your achievements today.
9 Congratulations to all of you.

10 (Applause.)

11 ACTING PRESIDENT MARTINS: Senator
12 Farley.

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

15 Both Senator Marchione and I
16 represent the largest school district in the
17 Capital Region, Shenendehowa -- somebody that has
18 a history of success, not only academic but
19 athletic. They're legendary in their
20 championships.

21 You know, and I do apologize for
22 what has happened here. And for all the years
23 that I've been here, I've never seen, quite
24 frankly, such rudeness.

25 And Senator Sampson, I appreciate

1 your being here.

2 You know, the Senate is a chamber
3 that really loves to honor people that succeed.
4 And Dr. Robinson, I believe who's here, is a
5 superintendent I've known for many, many years.
6 And you can so proud of what has happened at
7 Shenendehowa. They not only win, they're
8 academically superb, they do well.

9 You know, Senator Marchione and I
10 share that school district and everything that
11 you've done. And you know what we want to do
12 after this chamber is over, if we could invite
13 both Scotia-Glenville and Shenendehowa down on
14 the floor after we get done, if you can stick
15 around that long, and we will try to show you
16 some hospitality.

17 We're very proud of you. And I'm
18 going to ask that the Shenendehowa people stand
19 up and get the applause of this Senate that is
20 here to honor you.

21 (Standing ovation.)

22 SENATOR FARLEY: We want to you to
23 know that we love you.

24 ACTING PRESIDENT MARTINS: Thank
25 you, Senator Farley.

1 Senator Little.

2 SENATOR LITTLE: Thank you,
3 Mr. President.

4 I just want to say that I got to see
5 you play. Because born and raised in
6 Glens Falls, New York, the home of the New York
7 State Basketball Championships, we were very
8 proud to host all of you and have you go there.

9 I know that you spend a great deal
10 of your season and your games getting to
11 Glens Falls. And you certainly did. And I did
12 not see you play on Sunday, but I saw the games
13 on Saturday. And you know what's really, really
14 fantastic is you both belong to Section II.
15 There are five classes, am I correct, AA, A, B, C
16 and D. Lake George won the C, Section II, you
17 won the A and the AA. So the five classes, three
18 state championships were in Section II.

19 Congratulations to all of you, and I
20 wish you much success. And for those of you who
21 will be back next year, I hope to see you in
22 Glens Falls.

23 Thank you.

24 (Applause.)

25 ACTING PRESIDENT MARTINS: Senator

1 LaValle.

2 SENATOR LaVALLE: Mr. President,
3 will you --

4 ACTING PRESIDENT MARTINS: I
5 believe this matter is open for cosponsorship.
6 If you do not wish to be on the resolution,
7 please advise the desk.

8 SENATOR LaVALLE: Would you take up
9 previously adopted Resolution 126, by Senator
10 Gallivan, read it in its entirety. The Senator
11 would like it open for cosponsorship. And then
12 would you recognize Senator Gallivan.

13 ACTING PRESIDENT MARTINS: The
14 Secretary will read.

15 THE SECRETARY: Legislative
16 Resolution Number 126, by Senator Gallivan,
17 memorializing Governor Andrew M. Cuomo to
18 proclaim May 3-9, 2015, as Correctional Officers
19 and Employees Week in the State of New York.

20 "WHEREAS, The operation of
21 correctional facilities represents a crucial
22 component of the criminal justice system in the
23 United States, and correctional personnel play a
24 vital role in protecting the rights of the public
25 to be safeguarded from criminal activity; and

1 "WHEREAS, There are over 60,000
2 corrections officers and employees in the State
3 of New York who oversee the state's correctional
4 facilities and are responsible for the care,
5 custody, and maintenance of more than 83,000
6 inmates charged to their care; and

7 "WHEREAS, To carry out their
8 responsibilities, corrections officers work under
9 demanding circumstances and face danger in their
10 daily work lives, which sometimes results in the
11 loss of life; and

12 "WHEREAS, In 1984, former President
13 Ronald Reagan signed Proclamation 5187, which
14 designated the first full week in May as
15 'National Correctional Officers Week' in honor of
16 corrections officers who put their lives on the
17 line every day to protect the public from
18 dangerous criminals and to help prisoners work
19 toward becoming productive members of society;
20 and

21 "WHEREAS, In 1996, Congress expanded
22 and renamed this special week 'National
23 Correctional Officers and Employees Week' in
24 recognition of all those employed with city,
25 state and federal correctional departments; and

1 "WHEREAS, In accordance with the
2 federal government's recognition of the
3 indispensable contributions that corrections
4 officers make every day to protect our citizens
5 from harm, it is proper and befitting for the
6 State of New York to honor all corrections
7 officers and employees; now, therefore, be it

8 "RESOLVED, That this Legislative
9 Body pause in its deliberations to memorialize
10 Governor Andrew M. Cuomo to proclaim May 3-9,
11 2015, as Correctional Officers and Employees Week
12 in the State of New York; and be it further

13 "RESOLVED, That a copy of this
14 resolution, suitably engrossed, be transmitted to
15 the Honorable Andrew M. Cuomo, Governor of the
16 State of New York."

17 ACTING PRESIDENT MARTINS: Senator
18 Gullivan.

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

21 I rise to ask that my colleagues
22 join me in recognizing correction officers
23 throughout New York State, who perform a very,
24 very worthwhile, necessary and dangerous job.

25 They are quite often understaffed.

1 We deal with them in the budget trying to
2 advocate on their behalf to ensure that they're
3 properly staffed and that their working
4 conditions are such that they can keep the
5 facilities that they oversee and they work in
6 safe and secure, not only for themselves but for
7 all of the people that are in there as well,
8 whether it's the inmates, visitors, whatever they
9 may be, and ultimately go home safely to their
10 families.

11 The resolution said many, many
12 things. I think we are very worthy as a body in
13 recognizing the correction officers across the
14 state and thanking them for the job that they do.

15 Thank you, Mr. President.

16 ACTING PRESIDENT MARTINS: Thank
17 you, Senator Gallivan.

18 Senator LaValle.

19 SENATOR LaVALLE: Mr. President,
20 can we take up a previously adopted resolution by
21 Senator Carlucci, 1557, read the title only.
22 Senator Carlucci would like to open the
23 resolution for cosponsorship. And then would you
24 recognize Senator Carlucci to speak on the
25 resolution.

1 ACTING PRESIDENT MARTINS: If you
2 do not wish to be a cosponsor on the resolution,
3 please notify the desk.

4 The Secretary will read.

5 THE SECRETARY: Legislative
6 Resolution Number 1557, by Senator Carlucci,
7 memorializing Governor Andrew M. Cuomo to
8 proclaim May 6, 2015, as the First Annual
9 New York State Suicide Prevention Advocacy Day.

10 ACTING PRESIDENT MARTINS: Senator
11 Carlucci.

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

14 And thank you for taking up this
15 important resolution. Today we're asking
16 Governor Cuomo to proclaim May 6th as Suicide
17 Prevention Day in the State of New York.

18 And unfortunately we have a painful
19 statistic. Approximately 30,000 Americans lose
20 their lives every year to suicide. That means
21 that every 15 minutes, someone in the United
22 States loses their life to suicide.

23 Today we're fortunate, though,
24 because in the gallery I have with us my Student
25 Advisory Council, where we meet on a regular

1 basis and we talk about issues that are affecting
2 students, whether it's in the school or it's in
3 the community.

4 And one of the issues that we've
5 really highlighted is suicide prevention. We've
6 seen the startling numbers, and we say to
7 ourselves we've got to get real and deal with
8 this issue. And one of the ways that we can do
9 that is about talking about the stigma attached
10 to suicide, and that by talking about this we can
11 really shed some light in often what's some very
12 dark corners of many people's lives.

13 So I want to pay tribute to our
14 Student Advisory Council, who really -- the
15 students up there are the overachievers in our
16 community who hopefully one day will be here on
17 the Senate floor, in the Assembly, elected in
18 their own right.

19 But today we ask Governor Cuomo to
20 proclaim May 6th as Suicide Prevention Day in the
21 State of New York. And I want to thank my
22 colleagues for supporting this resolution and
23 fighting suicide in New York State and making
24 sure that we can help people in our great state.

25 Thank you, Mr. President.

1 ACTING PRESIDENT MARTINS: Thank
2 you, Senator Carlucci.

3 And I will ask the members of the
4 Student Advisory Council if you would please
5 stand.

6 (Applause.)

7 ACTING PRESIDENT MARTINS: Thank
8 you for coming.

9 Senator LaValle.

10 {Gaveling.} If members would please
11 take their seats.

12 Senator LaValle.

13 SENATOR LaVALLE: I was just
14 waiting for the members to take their seats so we
15 can begin.

16 Mr. President, I just want to check
17 on Senator Carlucci's resolution, 1557. Did I
18 indicate that the Senator wanted it open for
19 cosponsorship?

20 ACTING PRESIDENT MARTINS: Yes, you
21 did, but we can always do it again.

22 If anyone does not wish to be a
23 cosponsor on that resolution, please notify the
24 desk.

25 (Pause.)

1 SENATOR LaVALLE: Mr. President,
2 can we now have the reading of the
3 noncontroversial calendar.

4 ACTING PRESIDENT MARTINS: The
5 Secretary will read.

6 THE SECRETARY: Calendar Number
7 119, by Senator Croci, Senate Print 2942, an act
8 to amend the Penal Law.

9 SENATOR LaVALLE: Lay it aside.

10 ACTING PRESIDENT MARTINS: The bill
11 is laid aside.

12 THE SECRETARY: Calendar Number
13 152, by Senator Marcellino, Senate Print 427, an
14 act to amend the Vehicle and Traffic Law.

15 SENATOR LaVALLE: Lay it aside.

16 ACTING PRESIDENT MARTINS: The bill
17 is laid aside.

18 THE SECRETARY: Calendar Number
19 156, by Senator Nozzolio, Senate Print 2217A, an
20 act to amend the Vehicle and Traffic Law.

21 SENATOR LaVALLE: Lay it aside.

22 ACTING PRESIDENT MARTINS: The bill
23 is laid aside.

24 THE SECRETARY: Calendar Number
25 157, by Senator Amedore, Senate Print 2290, an

1 act to amend the Highway Law.

2 SENATOR LaVALLE: Lay it aside.

3 ACTING PRESIDENT MARTINS: The bill
4 is laid aside.

5 THE SECRETARY: Calendar Number
6 158, by Senator Ortt, Senate Print 2966, an act
7 to amend the Vehicle and Traffic Law.

8 SENATOR LaVALLE: Lay it aside.

9 ACTING PRESIDENT MARTINS: The bill
10 is laid aside.

11 THE SECRETARY: Calendar Number
12 459, substituted earlier by Member of the
13 Assembly Buchwald, Assembly Print 222, an act to
14 amend the Tax Law.

15 SENATOR LaVALLE: Lay it aside for
16 the day.

17 ACTING PRESIDENT MARTINS: The bill
18 is laid aside for the day.

19 THE SECRETARY: Calendar Number
20 460, substituted earlier by Member of the
21 Assembly Paulin, Assembly Print 5138, an act to
22 amend the Tax Law.

23 SENATOR LaVALLE: Lay that aside
24 for the day.

25 ACTING PRESIDENT MARTINS: The bill

1 is laid aside for the day.

2 Senator LaValle.

3 SENATOR LaVALLE: Can we now have
4 the controversial reading of the calendar.

5 ACTING PRESIDENT MARTINS: The
6 Secretary will ring the bell.

7 The Secretary will read.

8 THE SECRETARY: Calendar Number
9 119, by Senator Croci, Senate Print 2942, an act
10 to amend the Penal Law.

11 ACTING PRESIDENT MARTINS: Read the
12 last section.

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

15 ACTING PRESIDENT MARTINS: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT MARTINS: Senator
19 Croci to explain his vote.

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

22 I thank my colleagues. This
23 important piece of legislation could not be more
24 timely. I think we've all watched with horror
25 what happened in Garland, Texas.

1 And terrorists who attack this
2 country don't do so alone. They have support
3 networks that help them, both abroad and, believe
4 it or not, within our midst in this country.

5 So it is extremely important that we
6 continue to tighten the laws and the penalties
7 for individuals who would support terrorist acts
8 on our own soil, the most insidious attacks on
9 the United States.

10 I compliment the Senate for its work
11 here today, and I thank my colleagues for their
12 support.

13 I vote aye.

14 ACTING PRESIDENT MARTINS: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 119: Ayes, 38.

18 Absent from voting: Senators
19 Addabbo, Breslin, Comrie, Díaz, Dilan, Espaillat,
20 Gianaris, Hamilton, Hassell-Thompson, Hoylman,
21 Kennedy, Krueger, Latimer, Montgomery, Panepinto,
22 Parker, Peralta, Perkins, Rivera, Sanders,
23 Serrano, Squadron, Stavisky and Stewart-Cousins.

24 ACTING PRESIDENT MARTINS: The bill
25 is passed.

1 The Secretary will read.

2 THE SECRETARY: Calendar Number
3 152, by Senator Marcellino, Senate Print 427, an
4 act to amend the Vehicle and Traffic Law.

5 ACTING PRESIDENT MARTINS: Read the
6 last section.

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

9 ACTING PRESIDENT MARTINS: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT MARTINS: Announce
13 the results.

14 THE SECRETARY: Ayes, 38.

15 Those absent from voting: Senators
16 Addabbo, Breslin, Comrie, Díaz, Dilan, Espaillat,
17 Gianaris, Hamilton, Hassell-Thompson, Hoylman,
18 Kennedy, Krueger, Latimer, Montgomery, Panepinto,
19 Parker, Peralta, Perkins, Rivera, Sanders,
20 Serrano, Squadron, Stavisky and Stewart-Cousins.

21 ACTING PRESIDENT MARTINS: The bill
22 is passed.

23 The Secretary will read.

24 THE SECRETARY: Calendar Number
25 156, by Senator Nozzolio, Senate Print 2217A, an

1 act to amend the Vehicle and Traffic Law.

2 ACTING PRESIDENT MARTINS: Read the
3 last section.

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

6 ACTING PRESIDENT MARTINS: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 38.

10 Absent from voting: Senators
11 Addabbo, Breslin, Comrie, Díaz, Dilan, Espaillat,
12 Gianaris, Hamilton, Hassell-Thompson, Hoylman,
13 Kennedy, Krueger, Latimer, Montgomery, Panepinto,
14 Parker, Peralta, Perkins, Rivera, Sanders,
15 Serrano, Squadron, Stavisky and Stewart-Cousins.

16 ACTING PRESIDENT MARTINS: The bill
17 is passed.

18 The Secretary will read.

19 THE SECRETARY: Calendar Number
20 157, by Senator Amedore, Senate Print 2290, an
21 act to amend the Highway Law.

22 ACTING PRESIDENT MARTINS: Read the
23 last section.

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

1 ACTING PRESIDENT MARTINS: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT MARTINS: Senator
5 Amedore to explain his vote.

6 SENATOR AMEDORE: Mr. President,
7 thank you. I rise to explain my vote.

8 And how fitting that we pass this
9 legislation today, on West Point Day. And we
10 want to again thank Senator Larkin for his fine
11 job in bringing the West Point cadets here.

12 This bill honors Lieutenant Todd
13 J. Clark, a true hero who made the ultimate
14 sacrifice while serving in the Army overseas.
15 Lieutenant Clark was killed in action in
16 Afghanistan on June 8, 2013, while serving as
17 senior advisor to the Afghan National Army.

18 He was a decorated soldier who
19 served in the Army with honor and pride for so
20 many years. And sadly, he left behind a wife and
21 two children and so many other loved ones.

22 This bill honors the memory of a
23 true American hero by renaming a road in his
24 hometown of Guilderland as the Lieutenant Colonel
25 Todd J. Clark Memorial Highway. Mr. President,

1 I'm glad and honored to vote aye.

2 ACTING PRESIDENT MARTINS: Thank
3 you, Senator Amedore.

4 Senator Ritchie.

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

7 I would like to thank Senator
8 Amedore for bringing this important piece of
9 legislation forward. Though Lieutenant Colonel
10 Clark was a native of Albany, he was also one of
11 my constituents, was stationed at Fort Drum, just
12 outside the gates with his family.

13 He served his country bravely for
14 17 years. It's a tremendous loss to his family,
15 his friends, and to his country.

16 And I don't know if my colleagues
17 remember, but during our first Fort Drum Day we
18 had a number of soldiers here with
19 General Milley, and Lieutenant Colonel Clark was
20 one of those soldiers who walked the halls, who
21 met with my colleagues, who showed his support
22 for his country and was a true patriot.

23 So once again, Senator Amedore, I
24 want to thank you for acknowledging his
25 sacrifices and honoring his memory. And I know

1 for many of us, we will not forget that. Thank
2 you.

3 I vote aye, Mr. President.

4 ACTING PRESIDENT MARTINS: Thank
5 you, Senator Ritchie.

6 Announce the results.

7 THE SECRETARY: Ayes, 38.

8 Absent from voting: Senators
9 Addabbo, Breslin, Comrie, Díaz, Dilan, Espaillat,
10 Gianaris, Hamilton, Hassell-Thompson, Hoylman,
11 Kennedy, Krueger, Latimer, Montgomery, Panepinto,
12 Parker, Peralta, Perkins, Rivera, Sanders,
13 Serrano, Squadron, Stavisky and Stewart-Cousins.

14 ACTING PRESIDENT MARTINS: The bill
15 is passed.

16 The Secretary will read.

17 THE SECRETARY: Calendar Number
18 158, by Senator Ortt, Senate Print 2966, an act
19 to amend the Vehicle and Traffic Law.

20 ACTING PRESIDENT MARTINS: Read the
21 last section.

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

24 ACTING PRESIDENT MARTINS: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT MARTINS: Announce
3 the results.

4 THE SECRETARY: Ayes, 38.

5 Absent from voting: Senators
6 Addabbo, Breslin, Comrie, Díaz, Dilan, Espaillat,
7 Gianaris, Hamilton, Hassell-Thompson, Hoylman,
8 Kennedy, Krueger, Latimer, Montgomery, Panepinto,
9 Parker, Peralta, Perkins, Rivera, Sanders,
10 Serrano, Squadron, Stavisky and Stewart-Cousins.

11 ACTING PRESIDENT MARTINS: The bill
12 is passed.

13 Senator LaValle.

14 SENATOR LaVALLE: Can we go back to
15 motions and resolutions.

16 ACTING PRESIDENT MARTINS: Motions
17 and resolutions.

18 Senator LaValle.

19 SENATOR LaVALLE: On behalf of
20 Senator Golden, on page number 25 I offer the
21 following amendments to Calendar Number 325,
22 Senate Print Number 4081, and ask that said bill
23 retain its place on the Third Reading Calendar.

24 ACTING PRESIDENT MARTINS: So
25 ordered.

1 SENATOR LaVALLE: We're just going
2 to pause for just a minute, Mr. President. So if
3 the members could just remain in their seats.

4 ACTING PRESIDENT MARTINS: Thank
5 you, Senator LaValle.

6 (Pause.)

7 SENATOR LaVALLE: Mr. President.

8 ACTING PRESIDENT MARTINS: Senator
9 LaValle.

10 SENATOR LaVALLE: Can we lay aside
11 the active list. The supplemental active list
12 that was at the desk, could you lay that aside
13 for the day.

14 ACTING PRESIDENT MARTINS: The
15 supplemental active list is laid aside for the
16 day.

17 SENATOR LaVALLE: Is there any
18 other business at the desk?

19 ACTING PRESIDENT MARTINS: There is
20 no other business at the desk, Senator LaValle.

21 SENATOR LaVALLE: Hearing none, I
22 move to adjourn until Monday, May 11th, at
23 3:00 p.m., intervening days being legislative
24 days.

25 ACTING PRESIDENT MARTINS: On

1 motion, the Senate stands adjourned until Monday,
2 May 11th, at 3:00 p.m., intervening days being
3 legislative days.

4 (Whereupon, at 1:42 p.m., the Senate
5 adjourned.)

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