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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

April 8, 2008

2:38 p.m.

REGULAR SESSION

SENATOR JOSEPH A. GRIFFO, Acting President

STEVEN M. BOGGESS, Secretary

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P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The
Senate will come to order.

I ask all present to please rise
and join with me as we recite the Pledge of
Allegiance to our Flag.

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

ACTING PRESIDENT GRIFFO: Today's
invocation will be offered by Father Peter G.
Young, of Mother Theresa Community here in
Albany.

REVEREND YOUNG: Thank you,
Senator.

Let us pray.

By being a Senator, you have
accepted and been accepted into the leadership
position so that you can more fully serve the
people of New York State.

In this spirit of community, our
prayer today will be to better achieve the
goal of dedicated representation in the power
that is entrusted to all of our legislative
leadership. May you attain your satisfaction
in your services to you and to your

1 constituents.

2 Amen.

3 ACTING PRESIDENT GRIFFO: Thank
4 you, Father.

5 The reading of the Journal.

6 THE SECRETARY: In Senate,
7 Monday, April 7, the Senate met pursuant to
8 adjournment. The Journal of Sunday, April 6,
9 was read and approved. On motion, Senate
10 adjourned.

11 ACTING PRESIDENT GRIFFO: Without
12 objection, the Journal stands approved as
13 read.

14 Senator Duane.

15 SENATOR DUANE: Thank you,
16 Mr. Chair.

17 I announce with great sadness the
18 death of Senator Jeff Klein's father today.
19 And I was hoping we could have a moment of
20 silence on behalf of Mr. Klein.

21 ACTING PRESIDENT GRIFFO: Without
22 objection, we will dedicate ourselves to a
23 moment of silence for the father of Senator
24 Jeff Klein. Our condolences and sympathies go
25 to his family.

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

3 ACTING PRESIDENT GRIFFO:

4 Presentation of petitions.

5 Messages from the Assembly.

6 Messages from the Governor.

7 Reports of standing committees.

8 Reports of select committees.

9 Communications and reports from
10 state officers.

11 Motions and resolutions.

12 Senator Farley.

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

15 On behalf of Senator Nozzolio, I
16 move that the following bill be discharged
17 from its respective committee and be
18 recommitted with instructions to strike the
19 enacting clause: That's Senate 590.

20 ACTING PRESIDENT GRIFFO: So
21 ordered.

22 Senator Skelos.

23 SENATOR SKELOS: Mr. President,
24 if we could adopt the Resolution Calendar at
25 this time.

1 ACTING PRESIDENT GRIFFO: All in
2 favor of adopting the Resolution Calendar
3 signify by saying aye.

4 (Response of "Aye.")

5 ACTING PRESIDENT GRIFFO:
6 Opposed, nay.

7 (No response.)

8 ACTING PRESIDENT GRIFFO: The
9 Resolution Calendar is accepted.
10 Senator Skelos.

11 SENATOR SKELOS: Mr. President,
12 if we could go to the noncontroversial reading
13 of the calendar.

14 ACTING PRESIDENT GRIFFO: The
15 Secretary will read.

16 THE SECRETARY: Calendar Number
17 498, by Senator Larkin, Senate Print 233, an
18 act to amend the Environmental Conservation
19 Law, in relation to deer season.

20 ACTING PRESIDENT GRIFFO: Read
21 the last section.

22 THE SECRETARY: Section 2. This
23 act shall take effect on the 180th day.

24 ACTING PRESIDENT GRIFFO: Call
25 the roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 51. Nays,
3 2. Senators Perkins and Serrano recorded in
4 the negative.

5 ACTING PRESIDENT GRIFFO: The
6 bill is passed.

7 THE SECRETARY: Calendar Number
8 499, by Senator Volker, Senate Print 1284A, an
9 act to amend the Environmental Conservation
10 Law, in relation to establishment.

11 ACTING PRESIDENT GRIFFO: Read
12 the last section.

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

15 ACTING PRESIDENT GRIFFO: Call
16 the roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 51. Nays,
19 2. Senators Perkins and Serrano recorded in
20 the negative.

21 ACTING PRESIDENT GRIFFO: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 645, by Senator Volker, Senate Print 4873A, an
25 act to amend the Criminal Procedure Law, in

1 relation to authorizing defendants.

2 ACTING PRESIDENT GRIFFO: Read
3 the last section.

4 THE SECRETARY: Section 2. This
5 act shall take effect on the first of January
6 next succeeding.

7 ACTING PRESIDENT GRIFFO: Call
8 the roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 53.

11 ACTING PRESIDENT GRIFFO: The
12 bill is passed.

13 THE SECRETARY: Calendar Number
14 651, by Senator Golden, Senate Print 5991, an
15 act to amend the Penal Law, in relation to
16 enhancing.

17 ACTING PRESIDENT GRIFFO: Read
18 the last section.

19 THE SECRETARY: Section 2. This
20 act shall take effect on the 90th day.

21 ACTING PRESIDENT GRIFFO: Call
22 the roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT GRIFFO: Senator
25 DeFrancisco, to explain his vote.

1 SENATOR DeFRANCISCO: Just to be
2 consistent with each of these expansions.

3 I believe strongly that we keep
4 adding more and more employees that, if you
5 assault, increases the penalty. We're running
6 out of people. Pretty soon we'll have
7 everybody under this category.

8 And I guess my point is maybe we
9 should do it all at once. I know Senator
10 Volker always replies that he tries to do
11 that, but the Assembly won't go along with it.
12 But we're almost there, so why don't we make
13 these penalties apply to everybody.

14 I vote aye, but I'm still urging
15 that to happen.

16 Thank you.

17 ACTING PRESIDENT GRIFFO: Senator
18 DeFrancisco to be recorded in the affirmative.

19 Senator Savino.

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

22 First I have to say I concur with
23 Senator DeFrancisco in his comments.

24 But I would like to take a moment
25 to thank Senator Golden, who's not in the

1 chambers presently, for bringing this bill.

2 And I'm going to vote in favor of
3 this bill, not only for myself but in support
4 of the 18,000 members of the Social Service
5 Employees Union, of which I was previously the
6 vice president and a member, and prior to that
7 I was a caseworker.

8 You know, when I first decided to
9 enter public service at the age of 26, I
10 wanted to become a police officer. I took the
11 exam, I scored a perfect score on the police
12 test, and I was about to go into the police
13 academy. My mother at the time was a 911
14 operator. And when I called her and told her
15 that I was going to become a cop, she was
16 horrified and terrified because she said:
17 "You're too small, you're too little, you'll
18 get killed, it's too dangerous."

19 And I thought about it, and what I
20 really wanted to do, I had wanted to be a
21 social caseworker, but there were no openings
22 at the time. Lo and behold, the City of
23 New York decided to hire 1100 new caseworkers,
24 and I applied for that job.

25 And I called my mother on the phone

1 that day and I said, "Ma, guess what? Good
2 news. I'm not going to become a cop, so you
3 can rest at night. I've decided to become a
4 caseworker instead."

5 And she was even more horrified,
6 because as a 911 operator she routinely took
7 calls from caseworkers in the field in the
8 action of trying to protect children or
9 intervene in family crisis situations, and
10 they were assaulted regularly.

11 When I went to work for that
12 agency, I saw my coworkers being assaulted in
13 the field on a constant basis. This bill will
14 finally elevate the penalties against people
15 who would assault those of us in public
16 service who are trying to intervene in family
17 crisis situations.

18 So I strongly support this bill,
19 and I want to thank Senator Golden for
20 bringing it forward.

21 Thank you.

22 ACTING PRESIDENT GRIFFO: Senator
23 Savino to be recorded in the affirmative.

24 Announce the results.

25 THE SECRETARY: Ayes, 53. Nays,

1 1. Senator Montgomery recorded in the
2 negative.

3 ACTING PRESIDENT GRIFFO: The
4 bill is passed.

5 THE SECRETARY: Calendar Number
6 661, by Senator Maziarz, Senate Print 314, an
7 act to amend the Economic Development Law, in
8 relation to the powers of the Department of
9 Economic Development.

10 ACTING PRESIDENT GRIFFO: Read
11 the last section.

12 THE SECRETARY: Section 2. This
13 act shall take effect immediately.

14 ACTING PRESIDENT GRIFFO: Call
15 the roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 54.

18 ACTING PRESIDENT GRIFFO: The
19 bill is passed.

20 THE SECRETARY: Calendar Number
21 663, by Senator Rath, Senate Print 6197, an
22 act to amend the Economic Development Law, in
23 relation to establishing the New York State
24 Amateur Sports Development Advisory Council.

25 ACTING PRESIDENT GRIFFO: Read

1 the last section.

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

4 ACTING PRESIDENT GRIFFO: Call
5 the roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 54.

8 ACTING PRESIDENT GRIFFO: The
9 bill is passed.

10 THE SECRETARY: Calendar Number
11 693, by --

12 SENATOR SKELOS: Lay it aside for
13 the day, please.

14 ACTING PRESIDENT GRIFFO: Lay it
15 aside for the day.

16 THE SECRETARY: Calendar Number
17 698, by Senator Alesi, Senate Print 290A, an
18 act to amend the Vehicle and Traffic Law, in
19 relation to requiring persons convicted of
20 driving while intoxicated.

21 ACTING PRESIDENT GRIFFO: Read
22 the last section.

23 THE SECRETARY: Section 3. This
24 act shall take effect September 1, 2008.

25 SENATOR DUANE: Call the roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 55.

3 ACTING PRESIDENT GRIFFO: The
4 bill is passed.

5 Senator Skelos.

6 SENATOR SKELOS: Mr. President.

7 ACTING PRESIDENT GRIFFO: Senator
8 Skelos.

9 SENATOR SKELOS: With Calendar
10 Number 709, if we could just lay it aside
11 temporarily.

12 ACTING PRESIDENT GRIFFO:
13 Calendar 709 will be laid aside temporarily.

14 SENATOR BRUNO: Mr. President.

15 ACTING PRESIDENT GRIFFO: Before
16 you begin, Senator Bruno, we would like to
17 extend to you from all the members in this
18 chamber a very happy birthday and wish you
19 continued good health.

20 (Extended applause.)

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

24 And thank you. You're friends and
25 colleagues. And at this moment, it's

1 certainly one and the same. And hopefully it
2 continues that way throughout this year as we
3 celebrate a birthday here.

4 And I'm telling you this. It is
5 one surprise that I am here on my feet
6 standing here at age 79 --

7 (Applause.)

8 SENATOR BRUNO: -- and really
9 ready to go another 30 years. I'm 34 years
10 into it. And we'll all just stay together in
11 this same mode.

12 But, you know -- and thank you
13 again, really. I find that the older you get,
14 the more kind of sensitive you get, and the
15 more emotional you get. And when Senator
16 Duane gives me a very special hug, that means
17 a great deal to me, in more ways that I can
18 describe here.

19 (Laughter.)

20 SENATOR DUANE: I'm not going to
21 try to describe it.

22 (Laughter.)

23 SENATOR BRUNO: Mr. President,
24 I'm really trying to recover.

25 (Laughter.)

1 SENATOR BRUNO: But we have
2 something very, very meaningful and important
3 to do now. And we've asked for Calendar 709
4 to be brought up at this time, and I would ask
5 that we address it. Thank you very much.

6 ACTING PRESIDENT GRIFFO: The
7 Secretary will read Calendar Number 709.

8 THE SECRETARY: Calendar Number
9 709, by Senator Bruno, Senate Print 7231, an
10 act to amend the Public Authorities Law, the
11 Environmental Conservation Law and the Highway
12 Law, in relation to memorializing Robert F.
13 Kennedy by renaming the Triborough Bridge as
14 Robert F. Kennedy Bridge.

15 ACTING PRESIDENT GRIFFO: Senator
16 Bruno.

17 SENATOR BRUNO: Mr. President, on
18 the bill.

19 ACTING PRESIDENT GRIFFO: On the
20 bill.

21 SENATOR BRUNO: I think it was
22 40 years ago this June our nation lost one of
23 its most important patriotic and influential
24 sons.

25 And I'm here today with you really

1 speaking at the request of Robert F. Kennedy's
2 wife, Ethel Skakel Kennedy, who herself is a
3 role model for people across the world as a
4 devoted wife, as a mother, as a grandmother,
5 as a friend, as a person who devotes a lot of
6 her energy and time and talent to just making
7 the world better for everyone.

8 I'm sure that everyone here that's
9 of age can remember how they felt at the
10 moment that they heard that Robert F. Kennedy
11 was assassinated, remember where you were and
12 what you were thinking and the shock and the
13 disbelief.

14 And his untimely death at a young
15 and accomplished age was preceded just two
16 months earlier by the assassination of Martin
17 Luther King and four and a half years earlier
18 by the assassination of John F. Kennedy, a
19 great, great president.

20 That didn't stop the nation from
21 carrying on what would be these three great
22 men's legacy, the civil rights movement. I
23 can't think of a more fitting honor than
24 dedicating a bridge after a man who truly
25 dedicated his life to bridging the gap, as

1 just an outstanding young man, citizen,
2 Attorney General, United States Senator
3 representing the State of New York.

4 This bill would change the name of
5 the Triborough Bridge to the Robert F. Kennedy
6 Bridge. And it's more than just symbolic, in
7 honor of a great man. By renaming this
8 bridge, we are ensuring that future
9 generations will remember the accomplishments
10 of Robert F. Kennedy. A bridge in his name
11 will be a constant reminder of the unselfish
12 commitment and devotion to the betterment of
13 everyone.

14 You can't help but wonder if John
15 F. Kennedy, Martin Luther King, Robert Kennedy
16 could have ever dreamed and imagined that this
17 nation would have moved as far as it has to
18 improve civil rights of every single
19 individual in the United States. They were
20 the leaders, they brought it together, they
21 stayed with it, they truly committed and
22 dedicated their lives.

23 You know, you reflect on how far
24 and how wonderful it is that at this time, as
25 we do this, we celebrate the first, in the

1 history of New York State, African-American
2 governor, Governor Paterson. And we should
3 acknowledge that as a testimony to what really
4 started so many years ago and just how great
5 and expanded all people are here now, in that
6 we are together and moving forward.

7 Robert F. Kennedy set out to
8 accomplish what a lot of people -- and
9 following his brother -- what many people
10 really thought was impossible.

11 And I just really wanted to end
12 these remarks with one of Mr. Kennedy's most
13 famous quotes: "There are those who look at
14 things the way they are and ask why. I dream
15 of things that never were and ask why not."

16 I would urge my colleagues to
17 support unanimously this piece of legislation
18 and offer it up for all of you to be
19 cosponsors. And if anyone would prefer not,
20 please address the desk privately.

21 But thank you for your support,
22 thank you for your good wishes. And on this
23 commemorative day here in this chamber where
24 we celebrate the life, really, of the
25 Kennedys, present and past, and we celebrate

1 hopefully completing a budget tonight for the
2 people, the 19 million-plus people of this
3 state, what a testimony of togetherness, of
4 objectivity, of accomplishment, of putting
5 what's right in front of what may end up being
6 differences politically, but to govern
7 together as partners moving forward.

8 Thank you. And thank you,
9 Mr. President.

10 ACTING PRESIDENT GRIFFO: Thank
11 you, Senator Bruno.

12 Senator Larkin.

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

15 You know, there's many, many
16 stories about Senator Kennedy, of what he did,
17 what he didn't do and how he interacted. I
18 never knew the man except what I read in
19 papers about him.

20 But in 1963, as a young Army
21 officer, I was a project officer for the visit
22 of the President of the United States, John F.
23 Kennedy, to Europe. When I come back to the
24 States, talking to all the Army brass and the
25 Secret Service, my boss pops up and said:

1 "Have you met with Attorney General Robert
2 Kennedy?" I said, "No, sir." He said, "Well
3 get your --- down on the front lawn. There
4 will be a car to take you over there."

5 I went to his office. You know,
6 now I know why lawyers' offices all have all
7 those piles of books on them, because he had
8 books all over the place. He rolled up his
9 sleeves, sat down and said, "What would you
10 like to drink?" I said -- I was drinking
11 coffee in those days, Joe -- I said, "A cup of
12 coffee." He said, "No, I mean a real drink."
13 I said, "Sir, I'm in uniform. I'll still have
14 a cup of coffee."

15 Sat down and started talking about
16 the visit of his brother. He reminded me that
17 there were two back surgeons, Admiral Burkley
18 and Janet Travell, and what they did for the
19 president, what they did and how much time
20 they would spend with us when he was in
21 Europe.

22 Then all of a sudden he called in
23 one of the top protective services of the
24 Secret Service, a man by the name of Jack
25 Reed, and said: "Jack, this is Billy Larkin."

1 He said, "Well, good, I met you on the phone
2 two weeks ago." And we talked about what we
3 would do.

4 The sense when he talked about his
5 brother, you couldn't -- you know, you
6 couldn't make the story up, because he had
7 such warmth, such presence of his brother.

8 And then he said: "What are you
9 doing tonight?" And I'm thinking, the last
10 thing General Cotton said to me was "no
11 politics." "Sir, General Cotton's invited a
12 bunch of us over for dinner."

13 He said, "Aw, shucks." He said,
14 "We're having something out at McLean tonight,
15 Art Buchwald's going to be there, and this one
16 here -- you'll have a better time with us." I
17 said, "Sir, I already told the general I'd go
18 to his house." He said, "Well, if you get
19 tied up, here's the number, you call and we'll
20 have something for you."

21 Of course, the next day in the
22 Washington Post, Buchwald's dog ran right down
23 the buffet line, and it was the big headline.
24 I missed it.

25 (Laughter.)

1 SENATOR LARKIN: But the thing
2 that got me then, and I tell my children --
3 and I've got goosebumps now -- as we were
4 finishing to get ready to go out, finishing
5 the conversation, he put his arm, right arm
6 around my shoulder, and said: "Major, don't
7 forget this. You don't only have the security
8 of the President of the United States, you
9 have the safety and security of my brother."

10 By what we're doing here today, as
11 Senator Bruno said, the bridge, calling it a
12 bridge, moving it, is a true tribute for
13 somebody who cared about New York. Never mind
14 all the other stuff about where he lived,
15 where he didn't live. I think he was a fine
16 gentleman.

17 And I'm proud to say that I'm happy
18 to vote for this, for someone that I knew, and
19 the history will never leave me.

20 ACTING PRESIDENT GRIFFO: Senator
21 Leibell.

22 SENATOR LEIBELL: Thank you,
23 Mr. President.

24 It strikes me today, as we are
25 here, how truly unique and special our system

1 is. As we watch other nations in turmoil, we
2 are able to come here today from different
3 areas of the state, different backgrounds, and
4 discuss the important issues that confront our
5 great state.

6 Similarly, we are here today,
7 people from all political persuasions and all
8 political backgrounds, to recognize someone
9 who was truly not only a great New Yorker but
10 a great American.

11 For those of us -- and I think,
12 Senator Bruno, you alluded to that -- those of
13 us who are a little older, we remember very
14 well Robert Kennedy and his years in public
15 life and the impact he had upon all of us. In
16 fact, I happen to know for a fact that on both
17 sides of the aisle many of us here got our
18 start in politics because we were inspired by
19 Robert Kennedy and his leadership.

20 It is truly fitting that we take a
21 bridge like the Triborough -- for those of us
22 who live more downstate, and who travel on it
23 frequently, who have in the past, it's well
24 known to all of us, as well as all the
25 visitors who come to New York -- and to rename

1 it in honor of this great public servant.

2 It's really very difficult to
3 understand and to realize the losses this
4 family has sustained, over the course of
5 generations now, in the service of our
6 country, whether it was military service or
7 elected office.

8 I had the good fortune to have,
9 within my area in Westchester County, Bobby
10 Kennedy, Jr., who like his siblings has also
11 staked out an important course for our state
12 and our country.

13 So I'm very pleased that earlier
14 this year it was recommended in the Governor's
15 State of the State that we memorialize Robert
16 Kennedy in this fashion. And I think it's
17 particularly significant that all of us here
18 today, regardless of political persuasion,
19 acknowledge what a great citizen we had, what
20 a great public leader we had, and what a great
21 loss we all sustained with his death.

22 Thank you, Mr. President.

23 ACTING PRESIDENT GRIFFO: Senator
24 Little.

25 SENATOR LITTLE: Thank you,

1 Mr. President.

2 As you know, I represent a lot of
3 small communities in the Adirondacks. And
4 many of our small communities kind of tie
5 their history to people who have visited those
6 areas, famous people.

7 The small hamlet of North Creek,
8 part of its history is that Teddy Roosevelt
9 found out that McKinley had died at the train
10 station in North Creek. They had brought him
11 by buggy from a camp in the mountains and came
12 down, and that's where he found out. And we
13 have memorialized that.

14 But another famous visitor to North
15 Creek was Robert Kennedy and his family. I
16 believe Ethel was with him, and some of the
17 children. And they whitewater-rafted, coming
18 down the Hudson, and enjoyed the Whitewater
19 Derby that is an annual event in North Creek.
20 And people speak about it all the time. And
21 when we talk about the Whitewater Derby,
22 everyone remembers that Robert Kennedy came
23 there to enjoy the Adirondacks and the outdoor
24 nature and the things that he enjoyed doing
25 with his family.

1 The second thing that I'm reminded
2 of is I believe this is 40 years this June
3 since Robert Kennedy was killed. And at the
4 time, I had welcomed my second child, who will
5 be 40 years old in June.

6 But all I could think of was here
7 was a family, a mother with young children and
8 a baby, an expected child that had not been
9 born yet -- Rory Kennedy, I believe -- all
10 that they went through, the loss and the
11 heartache, and what they had ahead of them,
12 moving on without him.

13 So I admire that family. I admire
14 Ethel Kennedy. And I certainly feel the loss
15 that she had to have felt and am very happy to
16 support this small recognition of the
17 wonderful things that Robert Kennedy did, and
18 look forward to seeing the name on that bridge
19 as we use it so frequently.

20 Thank you.

21 ACTING PRESIDENT GRIFFO: Senator
22 Nozzolio.

23 SENATOR NOZZOLIO: Thank you,
24 Mr. President. On the legislation.

25 In many ways, each of us was

1 touched by the life of Robert Kennedy. I wish
2 to share with my colleagues how in some small
3 way Robert Kennedy had a great influence over
4 my life.

5 Many, many, many years ago, four
6 and a half decades, 44 years ago this year, I
7 was an eighth-grader at St. Patrick's Grammar
8 School in Seneca Falls, New York. Seneca
9 Falls is a small community within the center
10 of the Finger Lakes region.

11 And as a student at St. Patrick's
12 it was mandatory, the Sisters of St. Joseph's,
13 it was mandatory for us, when Robert Kennedy
14 came to visit Seneca Falls, that the entire
15 school be closed and that all of us proceed to
16 welcome the Attorney General, soon to be
17 United States Senator, into our small
18 community.

19 I happened to be president of the
20 eighth-grade class and, as such, was given the
21 opportunity to meet Robert Kennedy. As a
22 matter of fact, I did a few other things, like
23 organize a rally of our students so that we
24 were participating in the democracy that, for
25 us, was only shown, as kids in a small town,

1 only shown on the small screen of the
2 television set.

3 The point I wish to make is that my
4 impressions of this leader of the United
5 States -- and really a global leader -- was
6 that how kind and how gentle a man Robert
7 Kennedy appeared to me to be, as an
8 eighth-grader at St. Patrick's School. He was
9 kind and gentle with all the students who were
10 there that day, the few hundred of us.

11 And what had an even greater impact
12 on me was that after he left the community and
13 went on to become the United States Senator,
14 he sent me a letter, and the letter was about
15 young people being involved in their
16 government and in the political process.

17 It was a moment that I, as one who
18 never had a connection to the political
19 process, one who was from such a small town,
20 became inspired by. And it didn't matter
21 about the politics, it didn't matter about
22 Democrat, it didn't matter about Republican.
23 What mattered was that young people get
24 involved in their government and in the
25 political process.

1 I carried that letter around for
2 many years. Through college I think I kept it
3 in my important shoebox, where you'd keep your
4 important things. But when I became an
5 Assemblyman a few years later, I took out that
6 letter and I framed it. And it has been on my
7 wall in our office in the Legislative Office
8 Building for the last 26 years.

9 That letter draws attention
10 because, as a Republican, people kid me and
11 say: "Why do you have a letter on your wall
12 from a Democratic officeholder?"

13 Well, I think the reason why it's
14 on the wall sums up the reason why I'm in
15 politics. Because it is a process of
16 participation, it's a process of making our
17 government more responsive to the people that
18 it's intended to serve. And that's what the
19 life of Robert Kennedy was all about.

20 When Ethel Kennedy came here
21 earlier this year and sat in that chair that
22 Phyllis is sitting in, that moment was a
23 moment of great inspiration to me. And I told
24 Mrs. Kennedy about how inspiring her husband
25 was to getting a young kid from a small town

1 in Central Finger Lakes, upstate New York,
2 involved and interested in the political
3 process.

4 I'm so pleased that this
5 Legislature and that Senator Bruno and all of
6 us have joined to provide this permanent,
7 lasting recognition of Robert Kennedy. But
8 his true impact is not the impact of having a
9 name on a bridge, it's having the impact on
10 many of our spirits throughout this great
11 state and nation.

12 Mr. President, I fully support this
13 legislation and thank you for the opportunity
14 to be heard.

15 ACTING PRESIDENT GRIFFO: Senator
16 Krueger.

17 SENATOR LIZ KRUEGER: Thank you.
18 Thank you, Mr. President. I also rise in
19 support of this bill.

20 I certainly want to wish Senator
21 Bruno a happy birthday. He was referencing
22 his age; same as my father's.

23 And several of my colleagues
24 referenced the role of Robert Kennedy in their
25 lives as young people. And I too wanted to

1 stand up and say that, as a 50-year-old woman,
2 I was inspired not only to get involved in
3 public service but to become a proud Democrat
4 because of the role of the Kennedy family, the
5 sacrifices they have made for this country in
6 public service -- the loss of John F. Kennedy
7 when I was a young elementary school student,
8 the loss of Bobby Kennedy when I was a few
9 years older, and what that meant.

10 And the recognition of not only how
11 important public service is for all of us, but
12 I think also, for those of us on this side of
13 the aisle, the importance and the meaning of
14 the Democratic Party and the Kennedy family's
15 role and sacrifices for all Americans through
16 their efforts through our party.

17 So I too rise to say thank you for
18 the Kennedy family for all of the work they
19 have done on all of our behalfts, for the great
20 work of Bobby Kennedy in the State of New York
21 on behalf of the people of New York State.

22 But I also proudly to rise to say that because
23 of men like Bobby Kennedy and John F. Kennedy,
24 I made the decision to get involved in public
25 service and civic responsibility and the

1 Democratic Party.

2 Thank you, Mr. President.

3 ACTING PRESIDENT GRIFFO: Senator
4 Craig Johnson.

5 SENATOR CRAIG JOHNSON: Thank you
6 very much, Mr. President.

7 I too rise in support of this
8 legislation. I thank Senator Bruno not only
9 for sponsoring it but inviting all members of
10 the Senate delegation to join in that
11 sponsorship.

12 Unlike Senator Krueger and other
13 members of the Senate, I really can't comment
14 on where I was when Robert Kennedy was
15 tragically assassinated in 1968; I wasn't even
16 born yet. But I have to say that his legacy
17 lives on.

18 And we can study in our history
19 about his importance as an Attorney General to
20 his brother, where he fought to protect Martin
21 Luther King, Jr., and African-Americans in the
22 South during the Civil Rights Era of the early
23 1960s.

24 And we can also talk about his role
25 as a United States Senator and fighting hard

1 to end the Vietnam War, a war that divided our
2 country.

3 But one other thing that makes
4 Robert Kennedy so great and what makes naming
5 this bridge an important legacy in his name is
6 he was one of the first Americans and first
7 elected officials to challenge us to defeat
8 poverty. And it was Robert Kennedy in the
9 1960s and in his 1968 campaign who talked
10 about poverty in America, something that many
11 elected officials didn't want to address.

12 And it wasn't just poverty in the
13 inner cities, it was poverty in the rural
14 countryside. Whether it was Bed-Stuy in
15 New York State or the rural counties in
16 Mississippi, it was Robert Kennedy who
17 challenged Americans to tackle that issue.

18 And it's a tragedy that even today,
19 we still haven't conquered that, that even in
20 this presidential campaign of 2008 we have
21 candidates who may have left the field or who
22 are currently campaigning who are talking
23 about the need to eradicate poverty. Maybe,
24 hopefully, there will be a cabinet-level
25 position named someday shortly whose sole

1 mission is to eradicate poverty here in our
2 country. And if that day comes, Democrat or
3 Republican president, hopefully it will be
4 Robert F. Kennedy who gets credit for that
5 position.

6 So I challenge my colleagues here
7 in the Senate and in the Assembly, and I
8 challenge New Yorkers that when they cross the
9 Robert F. Kennedy Bridge, that they too think
10 about the challenge that Robert F. Kennedy was
11 instilling upon us to end poverty not just in
12 New York but in the United States.

13 I vote aye, Mr. President. Thank
14 you.

15 ACTING PRESIDENT GRIFFO: Senator
16 Rath.

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

19 So much has been said that I won't
20 repeat about the Kennedys and the wonderful
21 role that they played in so many places
22 throughout our country, throughout our
23 history, the family and their sacrifices.

24 Let me draw your attention to
25 wonderful New York State and water that's

1 everywhere around New York State. And we're
2 talking about a bridge here.

3 We have a bridge in Buffalo that
4 many of you may have gone over at one time or
5 another, called the Peace Bridge. It's a very
6 old bridge. We're looking to have another
7 bridge so we can get traffic moving across. I
8 think Senator Savino would remember being on
9 the Peace Bridge and how crowded it was last
10 year.

11 It's called the Peace Bridge
12 because when that bridge was opened, people
13 from the U.S. side and people from the
14 Canadian side came together. And still at
15 this time the flags of the U.S. and Canada fly
16 side by side, the recognition of the Peace
17 Bridge being the years of peace between the
18 U.S. and Canada.

19 Of course, now we have a bridge
20 being named after Robert F. Kennedy. How
21 appropriate. As I recall, he was very much
22 always in the center of trying to get the job
23 done, trying to make something happen. And if
24 that is not a sign of coming across from one
25 side of an issue to another side of an issue,

1 coming to the center of the bridge and finding
2 some way that you can make peace on the issue.

3 It often occurs to me that maybe we
4 should have a little bridge going over the
5 middle of the aisle here; maybe we could find
6 a little peace if a few people could whisk
7 back and forth.

8 Senator Johnson, to your point
9 about not being born at this time, one of the
10 better lines of President Kennedy that's often
11 repeated was when he was being taken to task
12 for appointing his brother to Attorney
13 General -- you may have heard it -- he said he
14 couldn't see any reason why a young guy
15 shouldn't get some opportunity before he had
16 to go out and practice law, he should have a
17 little bit of experience before he went out to
18 practice law. The Kennedys always had an eye
19 for something that was a little humorous.

20 So let me take you to what I think
21 might be a little bit humorous here. There's
22 a stadium in Cleveland called the Jake.
23 There's a stadium in Buffalo called the Ralph.
24 How about a bridge in New York called the
25 Bobby?

1 ACTING PRESIDENT GRIFFO: Senator
2 Savino.

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

5 First I'd like to extend a happy
6 birthday greeting to Senator Bruno. And I
7 want to thank him for bringing this bill to
8 the floor.

9 I think it's appropriate that we
10 have a recognition of not just the
11 contributions of Bobby Kennedy -- who I also,
12 as like Senator Johnson, was too young to
13 remember -- but the entire Kennedy family.

14 In fact, the profound loss that we
15 all feel every time one of the Kennedys has
16 been taken away from us, whether it was John
17 F. Kennedy, Robert Kennedy, or even JFK, Jr.,
18 is because we recognize in this family is a
19 tradition of public service that goes beyond
20 anything many of us are able to achieve.

21 You know, as the granddaughter of
22 an Irish-American, I watched my grandfather,
23 who was so incredibly proud of John F.
24 Kennedy, Bobby Kennedy, and the entire Kennedy
25 family and what they were able to do to

1 inspire people to public service.

2 So I think it's fitting that we
3 find a way to pay tribute to Robert Kennedy
4 here in New York. And I think it's even more
5 fitting that it's the Triborough Bridge.

6 I grew up in Astoria, Queens, at
7 the foot of the Triborough Bridge. And on the
8 Queens side of this bridge is a beautiful
9 park, the park where everyone in North Queens
10 goes to barbecue, to play baseball.

11 And they will be able to play under
12 this newly renamed bridge where they will be
13 reminded every day of the contributions of the
14 Kennedy family. And perhaps some of those
15 children that are playing there will be
16 inspired by Bobby Kennedy and the entire
17 Kennedy family.

18 So I want to thank you, and I vote
19 aye on this bill.

20 ACTING PRESIDENT GRIFFO: Senator
21 Onorato.

22 SENATOR ONORATO: Mr. President,
23 I too rise to join with my colleagues and to
24 pay a special thank you to Senator Bruno for
25 bringing this bill forward.

1 I happen to represent Queens and
2 Astoria, and my greatest moment -- I'm a lot
3 older, perhaps, that most people in this
4 chamber -- I and one of our former colleagues
5 here, Nicholas Ferraro, State Senator, who I
6 actually succeeded, had the great fortune of
7 being delegates to vote for Robert F. Kennedy
8 to elect him as a United States Senator of the
9 State of New York. And I'm very, very proud
10 of this moment.

11 And again, thank you, Senator
12 Bruno, and a happy birthday.

13 ACTING PRESIDENT GRIFFO: Senator
14 Connor.

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

17 And happy birthday, Senator Bruno.
18 And thank you for bringing this out.

19 You know, I came of age in the
20 '60s, and it was quite a decade in American
21 history. And I joined the Young Democrats
22 when I was 17. I remember meeting John
23 Kennedy was when I was a freshman in high
24 school and he came to Trenton, and I went down
25 and waded through a crowd to shake his hand.

1 At 19, I went to the Democratic
2 National Convention in Atlantic City as a
3 page, and I met Bob Kennedy. I shook his hand
4 as he waded through.

5 Many of you know I've counted a lot
6 of ballots in my life. Let me tell you about
7 the first time I ever counted ballots. And by
8 the way, I should say when I was 19, for my
9 younger colleagues, I could not vote in that
10 election in '64.

11 I do want to correct something,
12 Senator Johnson. Actually, it was Lyndon
13 Johnson that launched the War on Poverty. But
14 Bobby Kennedy brought poverty to our TV
15 screens in Appalachia and continued on and
16 certainly was the impetus which the
17 then-President took up in the War on Poverty.

18 So for the first time ever, the
19 residents of the District of Columbia, when I
20 was in law school, got to vote in a primary,
21 because they never had a vote for president
22 before. And they conducted that election on
23 paper ballots. And I was a law student, I
24 wasn't there in any great capacity. I was
25 there for Lord knows what it was then,

1 probably the good price of 3 bucks an hour or
2 something, counting ballots in a big high
3 school.

4 And the District of Columbia, of
5 course, as we counted these ballots, you know,
6 on your table the Robert Kennedy stack would
7 be like this (indicating), and, you know,
8 Humphrey and McCarthy and the others would
9 have little stacks. Bobby Kennedy carried
10 that election. That was my first experience
11 in the actual counting of ballots.

12 Senator Bruno said everyone
13 remembers where they were when we lost Bobby
14 Kennedy. Well, I won't get to that yet.

15 Later, later that spring, a lot of
16 us "came clean for Gene," as we called it,
17 because the burning issue was the war in
18 Vietnam for many people. And, you know, the
19 myth is that Gene McCarthy went to
20 New Hampshire and beat Lyndon Johnson and
21 drove him out of the presidential race. In
22 fact, Lyndon Johnson won the primary 60-40.
23 But it was press expectations. The press had
24 said an incumbent president should be getting
25 80 percent of the vote. And then Johnson did

1 withdraw, and Bobby Kennedy got into the race.

2 And many of us were torn, but we
3 switched our support to Senator Kennedy -- not
4 that I was endorsing anybody, we were talking
5 about who are we going to knock on doors
6 for -- for the reason that it was quite
7 obvious that Bobby Kennedy brought to that
8 whole movement more than just the singular
9 issue of the war in Vietnam, which Senator
10 McCarthy had certainly focused on. But, you
11 know, his support was somewhat elitist. It
12 was students, professors, intellectuals and so
13 on. And delivered a message that needed to be
14 delivered in that spring of 1968, in my
15 opinion.

16 But what Bobby Kennedy brought was
17 a whole other dynamic. Because he brought
18 blue-collar workers and union members and
19 African-Americans and Latinos and middle-class
20 people who hadn't been involved, weren't
21 particularly happy with the war in Vietnam but
22 weren't involved in that peace movement, and
23 he brought them all to a cause that embraced
24 civil rights and fighting poverty and uniting
25 all Americans. And it excited us.

1 And I well remember in my first
2 year of law school being up all night for the
3 final night of exams. And for those who have
4 been through that ordeal, first year of law
5 school, taking my final exam that afternoon
6 after being up all night, and then doing what
7 all students would do when they're finished
8 the last exam. And tottering into my
9 apartment -- it seems very late, but it
10 probably wasn't that late, it was probably
11 12:00 or 1:00, because we'd started early and
12 we were all tired -- and putting on the TV and
13 they were just announcing that Bobby Kennedy
14 had won the California primary.

15 And I sat there and watched his
16 speech and was quite excited by it. But I was
17 tired and had a few beers. And just as the
18 speech ended, I turned off the TV and went
19 to bed. And woke up to a clock radio the next
20 morning thinking, Am I hearing things? They
21 were talking about Kennedy being shot, and it
22 was like, you know, half-groggy, a flashback
23 to when President Kennedy was shot.

24 And it was really a tragic loss, I
25 think, to all Americans, to the State of

1 New York. I have always firmly believed
2 without a doubt that he would have gone on to
3 win the nomination in Chicago. And I believe
4 it would not have been the kind of convention
5 that it turned out to be. And I believe he
6 would have won the presidency.

7 And I really think -- you can only
8 speculate, but I think perhaps American
9 history in that period of time would have had
10 a different tilt to it, to say the least, and
11 would have meant a lot more accomplishments
12 for all Americans.

13 And so, you know, a few years ago
14 when I was Minority Leader I had occasion to
15 meet Courtney Kennedy, one of Senator
16 Kennedy's daughters. And she actually came to
17 see me about a cause she was interested in,
18 wanted my assistance. And I later met her
19 several times, ran into her once at a White
20 House dinner -- actually twice -- and ran into
21 her during the Chicago convention, in an
22 establishment where people were having a
23 relaxing beer in the evening.

24 On one of those occasions she said
25 to me, "Marty, let me ask you something. Let

1 me raise something with you." She said, "My
2 daddy was the Senator from New York State, and
3 there's not a single thing in New York State
4 named after him." You know, in Washington
5 they have RFK Stadium; other places named
6 things after him.

7 And I said, "Well, someday we'll do
8 something about that." And I actually, in the
9 succeeding years, mentioned this to a number
10 of people, including our Majority Leader, just
11 in chatting. Mentioned it to our a couple of
12 governors ago, Pataki. Didn't get much
13 reaction.

14 I think it's -- I'm glad we're
15 doing it now. I thank Senator Bruno for doing
16 it now. Bobby Kennedy was not only a
17 phenomenal figure in American history, he
18 meant a lot to New Yorkers. And he meant the
19 world to most people in my generation.

20 Thank you, Mr. President.

21 ACTING PRESIDENT GRIFFO: Senator
22 Duane.

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

25 I do remember where I was when I

1 heard that Senator Kennedy had been shot. I
2 was actually -- shows my generation -- I was
3 in bed listening to the radio, a transistor
4 radio under my pillow. Which I'm sure I was
5 not supposed to be doing. But I was listening
6 to the results of the California primary.

7 And in the home that I grew up in,
8 even though it was a split home -- my mother's
9 side being the Democratic side -- the Kennedys
10 were cause for great celebration in our
11 household. And I cried that night, because I
12 was at the age of really a political
13 awakening, and he was part of that awakening
14 for me.

15 And I'm also pleased that the
16 Triborough Bridge is the one being renamed,
17 because I was a kid who grew up in Queens but
18 I moved into Manhattan, and that's two out of
19 three of the boroughs that are being connected
20 by the Triborough Bridge.

21 But the legacy of Bobby Kennedy
22 lasts both through his words and his actions
23 and also his children. And so I'm very
24 pleased to be able to vote in favor of this,
25 and I do it with a sense of how bittersweet it

1 is.

2 Thank you, Mr. President.

3 ACTING PRESIDENT GRIFFO: Thank
4 you, Senator Duane.

5 The Secretary will read the last
6 section.

7 THE SECRETARY: Section 15. This
8 act shall take effect immediately.

9 ACTING PRESIDENT GRIFFO: Call
10 the roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 61. Nays,
13 0.

14 ACTING PRESIDENT GRIFFO: The
15 bill is passed.

16 Senator Bruno.

17 SENATOR BRUNO: Mr. President, is
18 there any further business at the desk at this
19 time?

20 ACTING PRESIDENT GRIFFO: Senator
21 Bruno, that completes the noncontroversial
22 reading of the calendar.

23 But we do have two petitions out of
24 committee.

25 SENATOR BRUNO: Mr. President,

1 can you recognize Senator Schneiderman for
2 that purpose.

3 ACTING PRESIDENT GRIFFO: Thank
4 you, Senator Bruno.

5 Senator Schneiderman.

6 SENATOR SCHNEIDERMAN: Thank you,
7 Mr. President.

8 Thank you, Senator Bruno. Happy
9 birthday and many, many more.

10 I rise today because I have a
11 motion at the desk. I would like to have it
12 called up at this time.

13 ACTING PRESIDENT GRIFFO: The
14 Secretary will read.

15 THE SECRETARY: Senate Print
16 2404A, by Senator Schneiderman, an act to
17 amend the General Business Law and the Penal
18 Law.

19 ACTING PRESIDENT GRIFFO: Senator
20 Schneiderman.

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

23 I am still sort of moved by all of
24 the discussion of the life and work of Robert
25 Kennedy. He certainly was a hero of mine when

1 I was young. And the motion that I am
2 bringing today seeks to bring to the floor a
3 bill that I think is appropriate in light of
4 that history.

5 This is a bill that would seek to
6 address the plague of illegal guns that
7 results in many, many people -- political
8 leaders, ordinary citizens, police officers --
9 being killed in New York every year. More
10 than 30,000 gun deaths occur in the United
11 States every year, and more than a third of
12 those are homicides. In addition, we have
13 over 40,000 nonfatal gun assaults.

14 The overwhelming majority of people
15 with guns in this state and in this country
16 are law-abiding citizens. The overwhelming
17 majority of gun dealers in this state and in
18 this country are law-abiding businessmen and
19 women.

20 But it is absolutely clear -- and
21 the Senate recognized this a few years ago
22 when we passed the gun trafficking law to
23 increase the penalties for those in possession
24 of illegal guns -- it is absolutely clear that
25 the source of most of those illegal guns is a

1 very small number of dealers who are
2 absolutely unscrupulous and put the
3 law-abiding good gun dealers at a
4 disadvantage.

5 This bill would, for the first time
6 in the State of New York, impose a set of
7 requirements on gun dealers that would require
8 them to observe the most basic standards to
9 prevent guns going into the hands of
10 criminals. This would not stop one
11 law-abiding New York State citizen from
12 purchasing a gun, it would simply make it
13 harder for criminals to get guns.

14 You know, at the time guns are
15 manufactured there's no distinction between an
16 illegal gun and a legal gun. It's not like
17 down at the Glock factory they say, "Oh,
18 3:00 p.m., time to start making the illegal
19 guns." They all start off as legal guns.

20 And there's a very small number of
21 gun dealers -- the Bureau of Alcohol, Tobacco
22 and Firearms estimates that 1 percent of the
23 gun dealers in this country account for more
24 than half of the illegal guns that make their
25 way into the illegal market.

1 So we're talking about a small
2 number of bad actors. We can prevent them
3 from moving their legal guns into the illegal
4 market by voting for this motion and passing
5 the bill that it seeks to bring to the floor.

6 I cannot tell you how simple this
7 would be and what a great signal to the people
8 of the state this would be that we are not
9 just going to stop at increasing penalties for
10 the possession of an illegal gun, but that we
11 are going to make it harder for the criminals
12 to get those guns in the first place.

13 This bill, among other things,
14 would require gun dealers to store weapons in
15 a secure manner. We have no law in New York
16 State requiring guns be securely stored. And
17 you all remember the tragic case of Bucky
18 Phillips, who got the guns he later used to
19 wreak terror in our state by breaking into a
20 gun store.

21 This bill would require that dealer
22 employees making retail gun sales, trying to
23 spot straw purchasers or potential criminals,
24 be at least 21 years of age and receive
25 training.

1 This is not some radical piece of
2 legislation, ladies and gentlemen. This is
3 something we owe it to the people of the State
4 of New York to do.

5 It also requires that gun dealers
6 maintain liability insurance, so if someone is
7 injured through their misconduct they can
8 recover; that gun dealers maintain sales
9 records; and that they cooperate with law
10 enforcement officers.

11 So I respectfully suggest that
12 there's no excuse for us not to move this.
13 The Assembly has moved similar pieces of
14 legislation. Right now the only thing
15 preventing the State of New York from having a
16 safer gun market and taking every step
17 necessary to stop criminals from getting guns
18 is the need for the State Senate to act on
19 this legislation.

20 I urge everyone to support this
21 motion. And I urge everyone here, on a day
22 when we honor someone who was gunned down with
23 an illegal gun, to vote for this bill, and
24 let's make New York one step safer for all of
25 our children and for everyone in the state.

1 Thank you, Mr. President.

2 ACTING PRESIDENT GRIFFO: Thank
3 you, Senator Schneiderman.

4 All those Senators in favor of the
5 petition out of committee please signify by
6 raising your hands.

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

14 ACTING PRESIDENT GRIFFO: The
15 petition is not agreed to.

16 Senator Liz Krueger.

17 SENATOR LIZ KRUEGER: Thank you,
18 Mr. President.

19 I also have a motion at the desk,
20 which I would like called up at this time.

21 ACTING PRESIDENT GRIFFO: The
22 Secretary will read.

23 THE SECRETARY: Senate Print
24 6402, by Senator L. Krueger, an act to amend
25 the Environmental Conservation Law.

1 ACTING PRESIDENT GRIFFO: Senator
2 Krueger.

3 SENATOR LIZ KRUEGER: Thank you.

4 Picture styrofoam, and you picture
5 a product produced from petroleum that takes
6 up to 500 years to fully disintegrate. We use
7 these cups, these plates, these trays every
8 day in our own lounge, in the cafeterias here
9 in the Capitol, and throughout the food
10 service industry and the restaurant industry
11 in New York State.

12 My bill, the Food Service Waste
13 Reduction Act, is designed to lead a statewide
14 phaseout of all styrofoam products used in the
15 food service industry.

16 Styrofoam, also known as
17 polystyrene, is a liquid hydrocarbon that is
18 commercially manufactured from petroleum. We
19 are filling our landfills with this product,
20 which, again, does not break down for
21 500 years.

22 With this bill, if we were to pass
23 it, we could dramatically decrease a source of
24 waste in our landfills and on our streets and
25 roads when these cups are thrown out rather

1 than disposed of correctly.

2 We could provide alternative
3 products made right here in New York State,
4 made out of nonpetroleum products such as
5 potato starch, corn starch, sugarcane.
6 Alternatives exist; we've been testing them
7 out in my district office for months. In many
8 cases they are stronger and more efficient and
9 effective than styrofoam products.

10 If we were to pass this bill, the
11 food service industry would be able to find
12 environmentally friendly alternatives to the
13 styrofoam products they're currently using.

14 Each year Americans are throwing
15 away 25 billion styrofoam cups, or over 1300
16 tons of styrofoam products every day. Just in
17 the City of New York, our school system is
18 throwing away 150 million styrofoam meal trays
19 annually.

20 It's a notorious pollutant, and it
21 is very difficult to recycle due to its light
22 weight and low scrap value. It is generally
23 not accepted in curbside recycling programs,
24 is seldom able to be reused, takes up a
25 considerable amount of space for its weight in

1 landfills. And again, 500 years to decompose.

2 Due to the physical properties of
3 polystyrene, the EPA states that such
4 materials can have serious impacts on human
5 health, wildlife, and the aquatic environment,
6 because the product breaks down into pieces
7 and can clog waterways or kill animals because
8 it's mistaken as food.

9 Styrene, one of the key components
10 of styrofoam, is a known hazardous substance
11 suspected to be carcinogenic. In fact, many
12 people do not realize that reheating food in a
13 styrofoam container can produce toxins
14 released into the environment and into their
15 bodies.

16 My, bill which has been supported
17 by the Department of Environmental
18 Conservation, would allow an affordability
19 clause out where each year the DEC would
20 evaluate whether alternatives existed on the
21 market and were reasonably and competitively
22 priced.

23 Similar laws have already been
24 enacted in the cities of Oakland,
25 San Francisco, Berkeley, Portland, and about

1 100 other municipalities across the country.
2 New York has the chance to be the first state
3 to enact this legislation. Even the County of
4 Westchester has moved on their own and passed
5 a law to outlaw the use of styrofoam in the
6 food service industries.

7 We have alternatives. We have
8 alternatives that could actually create jobs
9 here in New York State, because we could use
10 surplus potato starch of potatoes grown right
11 in upstate New York to produce alternatives
12 that have proved to be marketable and
13 successful in other states in the country.

14 Hawaii is moving to a model with
15 sugarcane instead of styrofoam, because as a
16 state it grows a large quantity of sugarcane.

17 We have products we grow here that
18 could be used to produce jobs while producing
19 an environmentally sound, non-petroleum-based
20 product that would not last in our landfills
21 and our waste stream for, again, 500 years.

22 This is a win/win piece of
23 legislation for the people of New York State
24 and for our environment. I urge my colleagues
25 to support bringing this bill to the floor for

1 a full vote.

2 Thank you, Mr. President.

3 ACTING PRESIDENT GRIFFO: All
4 those Senators in favor of the petition out of
5 committee please signify by raising your
6 hands.

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

14 ACTING PRESIDENT GRIFFO: The
15 petition is not agreed to.

16 Senator Skelos.

17 SENATOR SKELOS: Mr. President,
18 is there any further business at the desk
19 right now?

20 ACTING PRESIDENT GRIFFO: There
21 is no further business before the desk,
22 Senator.

23 SENATOR SKELOS: Just for the
24 information of the members of the Majority,
25 there will be a conference at 7:30 in the

1 Majority Conference Room, and the Senate will
2 stand at ease until 8:00 p.m.

3 ACTING PRESIDENT GRIFFO: There
4 will be a Majority conference in the Senate
5 Majority Conference Room at 7:30, and the
6 Senate will stand at ease until 8:00 p.m. this
7 evening.

8 Senator Dilan.

9 SENATOR DILAN: Yes,
10 Mr. President. There will be a Minority
11 conference in Room 315, 7:00 p.m. tonight.

12 ACTING PRESIDENT GRIFFO: There
13 will be a Minority conference in Room 315 at
14 7:00 p.m. this evening.

15 The Senate stands at ease.

16 (Whereupon, the Senate stood at
17 ease at 3:45 p.m.)

18 (Whereupon, the Senate reconvened
19 at 5:44 p.m.)

20 ACTING PRESIDENT HANNON: Senator
21 Skelos.

22 SENATOR SKELOS: Mr. President, I
23 move that the Senate stand adjourned until
24 11:00 a.m. Wednesday, April 9th.

25 And there will be a conference of

1 the Majority tomorrow at 10 a.m. in the
2 Majority Conference Room.

3 ACTING PRESIDENT HANNON: The
4 Majority will meet tomorrow at 10 a.m. in the
5 Majority Conference Room.

6 On motion, the Senate stands
7 adjourned until Wednesday, April 9th, at
8 11:00 a.m.

9 (Whereupon, at 5:45 p.m., the
10 Senate adjourned.)

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