

1 NEW YORK STATE SENATE

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3  
4 THE STENOGRAPHIC RECORD

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8  
9 ALBANY, NEW YORK

10 March 1, 2010

11 3:23 p.m.

12  
13  
14 REGULAR SESSION

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18 SENATOR DAVID J. VALESKY, Acting President

19 ANGELO J. APONTE, Secretary

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

2 ACTING PRESIDENT VALESKY: The  
3 Senate will come to order.

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

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

9 ACTING PRESIDENT VALESKY: Father  
10 Peter G. Young, of Mother Theresa Community  
11 here in Albany, is with us this afternoon to  
12 offer an invocation.

13 REVEREND YOUNG: Thank you,  
14 Senator.

15 Let us pray.

16 We know that in March our lion has  
17 roared in, and therefore we in this chamber  
18 today have the desire to make, make us share  
19 in God's love and to aid in gentle kindness to  
20 those who are weak, sick and unfortunate. In  
21 their love for God, You have called us to show  
22 mercy.

23 God, by Your love, You made a world  
24 where we have become neighbors to each other  
25 and we are enabled to love one another. Grant

1       that we too may use the Senate to strive  
2       toward a way of life in keeping with God's  
3       plan.

4               God has given us a marvelous  
5       example of charity in the call to us to love  
6       one another. Send down Your blessing on these  
7       Senators who generously devote themselves  
8       helping all of our New York State citizens.

9               Amen.

10              ACTING PRESIDENT VALESKY:     The  
11       reading of the Journal.

12              The Secretary will read.

13              THE SECRETARY:     In Senate Sunday.  
14       February 28, the Senate met pursuant to  
15       adjournment. The Journal of Saturday,  
16       February 27, was read and approved. On  
17       motion, Senate adjourned.

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

21              Presentation of petitions.

22              Messages from the Assembly.

23              Messages from the Governor.

24              Reports of standing committees.

25              Reports of select committees.

1                   Communications and reports from  
2                   state officers.

3                   Motions and resolutions.

4                   Senator Klein.

5                   SENATOR KLEIN:     Mr. President, on  
6                   behalf of Senator Montgomery, I move that the  
7                   following bills be discharged from their  
8                   respective committees and be recommitted with  
9                   instructions to strike the enacting clause:  
10                  Senate Number 1296.

11                  ACTING PRESIDENT VALESKY:     So  
12                  ordered.

13                  SENATOR KLEIN:     On behalf of  
14                  Senator Aubertine, I move to commit Senate  
15                  Number 6303, Calendar Number 104 on the order  
16                  of third reading, to the Committee on Codes.

17                  ACTING PRESIDENT VALESKY:     So  
18                  ordered.

19                  Senator Klein.

20                  SENATOR KLEIN:     Mr. President,  
21                  can you please recognize Senator Libous for a  
22                  motion.

23                  ACTING PRESIDENT VALESKY:  
24                  Senator Libous.

25                  SENATOR LIBOUS:     Thank you,

1 Mr. President. Good to see you today, sir.

2 ACTING PRESIDENT VALESKY: Good  
3 to see you, Senator.

4 SENATOR LIBOUS: On behalf of  
5 Senator Marcellino, I move that the following  
6 bill be discharged from its respective  
7 committee and be recommitted with instructions  
8 to strike the enacting clause. And that would  
9 be Senate 6704, please.

10 ACTING PRESIDENT VALESKY: So  
11 ordered.

12 SENATOR LIBOUS: Thank you.

13 ACTING PRESIDENT VALESKY:  
14 Senator Klein.

15 SENATOR KLEIN: Mr. President,  
16 are there any substitutions at the desk?

17 ACTING PRESIDENT VALESKY: Yes,  
18 we have substitutions.

19 The Secretary will proceed.

20 THE SECRETARY: On page 9,  
21 Senator Golden moves to discharge, from the  
22 Committee on Finance, Assembly Bill Number  
23 4491 and substitute it for the identical  
24 Senate Bill Number 2013, Third Reading  
25 Calendar 48.

1                   ACTING PRESIDENT VALESKY:

2           Substitution ordered.

3                   Senator Klein.

4                   SENATOR KLEIN:     Mr. President, I  
5           believe Senator Sampson has a resolution at  
6           the desk. I ask that the resolution be read  
7           in its entirety and move for its immediate  
8           adoption.

9                   ACTING PRESIDENT VALESKY:     Has  
10          this resolution been deemed privileged and  
11          submitted by the office of the Temporary  
12          President?

13                  SENATOR KLEIN:     Yes, it has,  
14          Mr. President.

15                  ACTING PRESIDENT VALESKY:     The  
16          Secretary will read.

17                  THE SECRETARY:     By Senator  
18          Sampson, legislative resolution congratulating  
19          the United States Olympians, and particularly  
20          the New Yorkers, who competed in the 2010  
21          Vancouver Olympic Winter Games held  
22          February 12-28, 2010.

23                  "WHEREAS, The Olympic movement  
24          follows from a set of core Olympic values:  
25          The search for excellence, fair play, the joy

1 in effort, respect for others, and harmony  
2 between body, mind, and will; and

3 "WHEREAS, The Olympic Games have  
4 been a catalyst for peace, and more than 200  
5 countries are represented in the Olympics,  
6 with over 10,000 athletes competing; and

7 "WHEREAS, The young men and women  
8 of the United States selected to participate  
9 in the 2010 Vancouver Olympics have worked for  
10 many years for this opportunity to honor our  
11 nation through their dedication and  
12 patriotism; and

13 "WHEREAS, The 2010 United States  
14 Olympic team members have achieved great  
15 success in their chosen sports and have served  
16 as inspirational role models for the nation;  
17 and

18 "WHEREAS, Lowell Bailey of Lake  
19 Placid, New York, was chosen to represent the  
20 United States in Biathlon;

21 Dustin Brown of New York, New York,  
22 was chosen for the United States Hockey Team  
23 and won a Silver Medal;

24 Tim Burke of Paul Smiths, New York,  
25 was chosen to represent the United States in

1 Biathlon;

2 Ryan Callahan of Rochester,  
3 New York, was chosen for the United States  
4 Hockey Team and won a Silver Medal;

5 Annelies Cook of Lake Placid,  
6 New York, was chosen to represent the United  
7 States in Biathlon;

8 Julia Clukey of Lake Placid,  
9 New York, was chosen to represent the United  
10 States in the Luge;

11 Caitlin Compton of New York,  
12 New York, was chosen to represent the United  
13 States in Cross-Country Skiing;

14 John Daly of Smithtown, New York,  
15 was chosen to represent the United States in  
16 the Bobsled;

17 Bill Demong of Vermontville,  
18 New York, was chosen to the represent the  
19 United States in the Nordic Combined and won a  
20 Gold Medal and a Silver Medal;

21 Matthew De Peters of Buffalo,  
22 New York, was chosen to represent the United  
23 States in Freestyle Skiing;

24 Peter Frenette of Saranac Lake,  
25 New York, was chosen for the United States Ski



1       Jumping Team;

2                   Mark Grimmette of Lake Placid,  
3       New York, was chosen to represent the United  
4       States in the Luge;

5                   Erin Hamlin of Remsen, New York,  
6       was chosen to represent the United States in  
7       the Luge;

8                   Anders Johnson of Plattsburgh,  
9       New Yorker, was chosen to represent the United  
10      States in Ski Jumping;

11                   Haley Johnson of Lake Placid,  
12      New York, was chosen to represent the  
13      United States in the Biathlon;

14                   Dan Joye of Carmel, New York, was  
15      chosen to represent the United States in the  
16      Luge;

17                   Patrick Kane of Buffalo, New York,  
18      was chosen for the United States Hockey Team  
19      and won a Silver Medal;

20                   Trevor Marsicano of Ballston Spa,  
21      New York, was chosen to represent the United  
22      States in Speed Skating;

23                   Chris Mazdzer of Saranac Lake,  
24      New York, was chosen to represent the United  
25      States in the Luge;

1                   Steve Mesler of Buffalo, New York,  
2                   was chosen to represent the United States in  
3                   the Bobsled and won a Gold Medal;

4                   Ryan Miller of Buffalo, New York,  
5                   was chosen for the United States Hockey Team  
6                   and won a Silver Medal;

7                   John Napier of Schenectady,  
8                   New York, was chosen to represent the  
9                   United States in the Bobsled;

10                  Sara Studebaker of Lake Placid,  
11                  New York, was chosen to represent the  
12                  United States in the Biathlon;

13                  Bengt Walden of Lake Placid,  
14                  New York, was chosen to represent the  
15                  United States in the Luge;

16                  Andrew Weibrecht of Lake Placid,  
17                  New York, was chosen to represent the United  
18                  States in Alpine Skiing and won a Bronze  
19                  Medal; and

20                  "WHEREAS, New York has been the  
21                  birthplace or home of hundreds of Olympians,  
22                  including more than 300 Olympic athletes born  
23                  in New York City; and

24                  "WHEREAS, The year 2010 is the 30th  
25                  anniversary of New York's Olympics in Lake

1 Placid, site of the "Miracle on Ice"; and

2 "WHEREAS, The 1980 Olympics in  
3 Lake Placid was the second time the Olympic  
4 Winter Games were held in Lake Placid,  
5 New York; now, therefore, be it

6 "RESOLVED, That this Legislative  
7 Body pause in its deliberations to  
8 congratulate the New Yorkers chosen to  
9 represent the United States and the great  
10 State of New York in the 2010 Winter Games in  
11 Vancouver, British Columbia, Canada, and to  
12 thank New York's young athletes for once again  
13 showing this great Empire State's character,  
14 diversity, energy and unbeatable human spirit  
15 to the world; and be it further

16 "RESOLVED, That copies of this  
17 resolution, suitably engrossed, be transmitted  
18 to the aforementioned Olympians."

19 ACTING PRESIDENT VALESKY:  
20 Senator Little, on the resolution.

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

23 Today I join all of my colleagues  
24 as well as all New Yorkers in our pride with  
25 our young men and women and how they achieved

1       and how they participated in our current  
2       Winter Olympics which have just finished in  
3       Vancouver.

4               As a representative of Lake Placid,  
5       which is the winter sports capital of the  
6       world, the home of the 1932 and the 1980  
7       Olympics, I have a particular pride in having  
8       had 12 of these athletes that are listed on  
9       this resolution coming from my district, and a  
10      great deal of pride as we had one Gold Medal  
11      winner in Bill Demong, a 29-year-old from  
12      Vermontville, Saranac Lake area, who won a  
13      Gold Medal in this Olympics and also was  
14      selected by his peers to carry the flag at the  
15      final closing of the Olympics.

16             I also have a tremendous amount of  
17      pride in the fact -- well, also, Bill Demong  
18      won a Silver Medal with his teammates. And  
19      Andrew Weibrecht, at 23, attending his first  
20      Olympics, who received a Bronze Medal in the  
21      Alpine ski racing.

22             So we are very pleased. In Lake  
23      Placid, as you know, we have the only luge and  
24      bobsled skeleton run in this part of the  
25      country. We have one of the only ski jumping

1 facilities in this part of the country, as  
2 well as several hockey rinks and skiing areas.  
3 We also have a huge cross-country facility and  
4 a biathlon track and facility.

5 So it's a pride of New York State  
6 and our hope that again we will have an  
7 Olympics in this part of the country, and  
8 particularly in New York State, where  
9 Lake Placid and the whole surrounding areas,  
10 from Plattsburgh to Albany, would be able to  
11 participate in it.

12 I thank you very much for the  
13 resolution. And again, we congratulate all of  
14 our athletes. And our particular pride in  
15 those who achieved the ultimate goal of  
16 winning an Olympic medal.

17 Thank you.

18 ACTING PRESIDENT VALESKY: Thank  
19 you, Senator Little.

20 Are there any other Senators who  
21 wish to be heard on the resolution?

22 The question is on the resolution.  
23 All in favor signify by saying aye.

24 (Response of "Aye.")

25 ACTING PRESIDENT VALESKY:

1 Opposed, nay.

2 (No response.)

3 ACTING PRESIDENT VALESKY: The  
4 resolution is adopted.

5 Senator Sampson has indicated he  
6 would like to open this resolution up to the  
7 entire body for cosponsorship. Anyone wishing  
8 not to cosponsor the resolution should notify  
9 the desk.

10 Senator Klein.

11 SENATOR KLEIN: Mr. President, I  
12 believe there's a resolution at the desk by  
13 Senator Adams. I ask that the resolution be  
14 read in its entirety and move for its  
15 immediate adoption.

16 ACTING PRESIDENT VALESKY:  
17 Senator Klein, has this resolution been deemed  
18 privileged and submitted by the office of the  
19 Temporary President?

20 SENATOR KLEIN: Yes, it has,  
21 Mr. President.

22 ACTING PRESIDENT VALESKY: The  
23 Secretary will read.

24 THE SECRETARY: By Senator Adams,  
25 legislation resolution commemorating March 1,

1       2010, as Korean Independence Day.

2               "WHEREAS, It is the custom of this  
3       Legislative Body to honor with great pleasure  
4       and great pride the Korean-American community  
5       of the State of New York upon the historic  
6       occasion of the commemoration of March 1,  
7       2010, as Korean Independence Day; and

8               "WHEREAS, a nationwide uprising on  
9       March 1, 1919, in Korea was an outcry for  
10      national survival in the face of intolerable  
11      aggression, oppression, and plundering by the  
12      Japanese colonists. An apparent sudden change  
13      in the international situation in the wake of  
14      World War I stimulated a group of Korean  
15      leaders to launch an independence struggle  
16      both at home and abroad; and

17              "WHEREAS, 33 nationalists who  
18      formed the core of the Samil Movement convened  
19      at Taehwagwan Restaurant in Seoul, Korea, to  
20      read the Korean Declaration of Independence  
21      that had been drawn up by the historian/writer  
22      Choe Namseon and the poet/Buddhist monk  
23      Manhae, also known as Han Yongun; and

24              "WHEREAS, The nationalists  
25      initially planned to assemble at Tapgol Park

1 in downtown Seoul but decided on the more  
2 private location out of fear that the  
3 gathering might turn into a riot. The leaders  
4 of the movement signed the document and sent a  
5 copy to the Japanese Governor General; and

6 "WHEREAS, In the early 1950s,  
7 thousands of Koreans fleeing from war, poverty  
8 and desolation came to the United States  
9 seeking opportunities; and

10 "WHEREAS, Korean-Americans, like  
11 waves of immigrants that came to the United  
12 States before them, have taken root and  
13 thrived in the United States through strong  
14 family ties, community support, and hard work;  
15 and

16 "WHEREAS, The partnership of the  
17 United States and South Korea helps maintain  
18 peace and stability in the Asia-Pacific region  
19 and provides economic benefits to the people  
20 of both nations and the rest of the world; and

21 "WHEREAS, The contributions of  
22 Korean-Americans to the United States include  
23 the development of the first beating heart  
24 operation for coronary artery disease, the  
25 development of several varieties of the



nectarine, and achievements in engineering,  
architecture, medicine, acting, singing,  
sculpture and writing; and

"WHEREAS, The State of New York is  
fortunate to have in its midst a substantial  
number of citizens who trace their origins to  
Korea; and

"WHEREAS, The unique beauty of  
Korean culture, and the contribution of its  
people to literature, the arts and sciences,  
and to the economy are well-known and  
well-appreciated around the world. The  
contributions of Korean-Americans are  
especially bountiful throughout the Empire  
State and are distinguished by their  
excellence; now, therefore, be it

"RESOLVED, That this Legislative  
Body pause in its deliberations to commemorate  
March 1, 2010, as Korean Independence Day; and  
be it further

"RESOLVED, That copies of this  
resolution, suitably engrossed, be transmitted  
to the Brooklyn Korean Association, the  
Korean-American Association of Greater  
New York, Reverend Nam Su Kim, Adam Kim, and

1       Insik Hwang."

2                   ACTING PRESIDENT VALESKY:

3       Senator Adams, on the resolution.

4                   SENATOR ADAMS:       Thank you,  
5       Mr. President.

6                   And I'm sure my colleague Senator  
7       Stavisky wanted to also speak on this  
8       resolution, but she's not here with us now.

9                   Joining in the chamber with me is  
10      Mr. Hwang, the former president of the  
11      Brooklyn Korean-American Association, Mr. Kim,  
12      who's the former president also of the  
13      Brooklyn Korean-American Association,  
14      Mr. Jung-Kibok, who's the representative of  
15      the Korean-American Association of Greater New  
16      York, and Mr. Adam Kim.

17                   Last week we had the opportunity to  
18      acknowledge men and women who were here in the  
19      chamber from the Dominican Republic. And I  
20      think that we give great acknowledgment to our  
21      country each time we identify and uniquely  
22      examine each string of the quilt of the  
23      diversity of this country.

24                   The Korean-Americans, when you look  
25      at their history, you'll see a unique

1       identification with the history and  
2       development of America. Their independence  
3       movement day that we celebrate today, after  
4       the tyrannical acts of Japan and some of the  
5       abuse that they had to undergo, 33  
6       nationalists sat down and read and signed  
7       their declaration of independence. This is an  
8       important document, just as the Declaration of  
9       Independence is important for our country.

10               It is clear that when you look at  
11       the pollen of freedom from the flowers of our  
12       land has reached the soil of Korea and put the  
13       flowers of hope there. They saw what we went  
14       through through our independence struggle from  
15       Britain and borrowed from that and united  
16       around to have freedom also.

17               So it doesn't matter what part of  
18       the globe or where we are, the desire to be  
19       free, the desire to be independent and the  
20       desire to have self-determination is  
21       paramount.

22               And each time I talk about any  
23       particular ethnic group or a particular group  
24       from a different geographical area of the  
25       globe, I always acknowledge those first

1 arrivals and how important it is that they too  
2 love America and the spirit of America and the  
3 contribution that the many Korean nationalists  
4 and those Korean immigrants to America, how  
5 they contribute to the greatness of this  
6 country.

7 And nothing touched me more than  
8 during the Haitian earthquake. Some of the  
9 men and women who are here from the  
10 Korean-American community immediately called  
11 my office. Senator Parker and I, we have two  
12 of the largest Haitian populations in the  
13 state, and they raised thousands of dollars.  
14 But they went one step further. They also  
15 bought clothing for those who are in Haiti and  
16 didn't have clothing, and raised food.

17 And during the various times of the  
18 year, they use their businesses to give  
19 clothing and coats to those who are in this  
20 city and state that do not have coats during  
21 the winter months.

22 So there's a continuous  
23 contribution that they are making. And it  
24 just adds to the fact and the reality that  
25 what's great about this country is that we in

1       our diversity is something we can celebrate.

2               And I commend those men and women  
3       from the Korean-American community and  
4       continue to call on us the importance of  
5       opening our borders and allowing all groups to  
6       come in and contribute to what's great about  
7       the United States of America.

8               So on this day, March 1, 2010, I  
9       want to applaud the Korean community and the  
10      Korean Independence Day movement and state  
11      that we are glad to be a part of this great  
12      country.

13              Thank you, Mr. President.

14              ACTING PRESIDENT VALESKY:     Thank  
15      you, Senator Adams.

16              Senator Craig Johnson, on the  
17      resolution.

18              SENATOR CRAIG JOHNSON:     Thank you  
19      very much, Mr. President.

20              First I want to commend Senator  
21      Adams for sponsoring this resolution. And I  
22      too want to share in congratulating the  
23      growing Korean-American community for this  
24      resolution.

25              The history of Korean independence

1 is such an incredible one, especially when you  
2 look and see the struggles that the  
3 nationalists in Korea had to undergo with  
4 respect to their dealings with imperial Japan.  
5 And if you look at the history, especially in  
6 the '30s and '40s during the Second World War,  
7 and what Korean women had to suffer through at  
8 the hands of the Imperial Japanese Army during  
9 the Second World War, we must look on with  
10 admiration to their independence.

11 The Korean-American community is a  
12 growing community in Long Island and in  
13 particular in my district. And in reading the  
14 resolution, Senator Adams, I want to commend  
15 you for one particular section which talks  
16 about the fact that New York State is  
17 fortunate to have in its midst a substantial  
18 number of citizens who trace their origins to  
19 Korea.

20 What many in this body maybe do not  
21 realize is I can attest to that personally, as  
22 my sister Karen is from South Korea. She was  
23 born in Seoul, South Korea, in 1973, and my  
24 family adopted her in 1974. And I've been  
25 lucky to have such an incredible human being

1 in my life, as my sister has taught me so  
2 much.

3 And so I want to echo what Senator  
4 Adams has put forth in this resolution. The  
5 Korean-American community contributes so much  
6 to New York State in so many fields. And I  
7 know they will continue to do so.

8 So I thank you, Senator Adams, for  
9 recognizing this day. I congratulate the men  
10 who are here today as representatives of the  
11 Korean-American community, and I thank you for  
12 your time.

13 Thank you, Mr. President.

14 ACTING PRESIDENT VALESKY: Thank  
15 you, Senator Johnson.

16 Senator Larkin, on the resolution.

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

19 As someone who served in Korea in  
20 combat in 1950 and '51, I feel that this is a  
21 most important event of planning this to make  
22 sure that we understand the culture of our two  
23 countries, what was done.

24 Anybody who's ever seen the  
25 photographs of what went on in 1950 when we

1       went to Korea, July the 15th, what happened at  
2       Inchon and the blasting we took at Hoengsong  
3       and Hungnam and at the Yalu.

4               I think that -- there's a national  
5       magazine that I hope -- I'll wait for  
6       Mr. Adams.

7               Mr. Adams, on the resolution being  
8       dispatched, I think it's most appropriate that  
9       a copy of this resolution be sent to the  
10      Korean War Veterans Association of America.  
11      It's a national organization authorized by  
12      Congress, and it communicates between the  
13      Korean community in America, the Korean  
14      community in Korea, and members of the armed  
15      forces that have served in Korea and how they  
16      handle some of these issues.

17              Some of your guests here from Korea  
18      know that we now have what we call a revisit  
19      program, where those who served in combat in  
20      Korea are taken back to Korea, with their  
21      families, go to areas where they were and see  
22      it. For me, I plan to go next year, if the  
23      good Lord lets me.

24              I have three children that were  
25      born in Korea. They're here, they're American



1 citizens now. One is a schoolteacher, another  
2 is an investment planner, and the other one is  
3 working here at St. Peter's in Albany and  
4 enjoying life.

5 But the culture that we get from  
6 you -- I will give you a copy of the magazine,  
7 Senator Adams, and you will see the mutual  
8 respect and cordiality between the communities  
9 of Korea and those of Americans, talking about  
10 what we did and where we did it and how we did  
11 it and what was the complete cooperation in  
12 those days.

13 I wouldn't want to go through it  
14 again. But your country has a lot to offer to  
15 a lot of people.

16 Thank you.

17 ACTING PRESIDENT VALESKY: Thank  
18 you, Senator Larkin.

19 Senator Stavisky, on the  
20 resolution.

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

23 And I must say I am so proud to  
24 represent thousands of Korean-Americans,  
25 particularly in the Flushing community,

1       because they have contributed so much to the  
2       everyday life, the political life, the  
3       cultural life, the business community, the  
4       life in the business community.

5               And yet I am proud to call them my  
6       friends. They're not my what I call  
7       hyphenated friends, they're not my  
8       Korean-American friends, they're friends.  
9       They're people whom I've known for many years.  
10      And they have made such a significant  
11      contribution to the life in both Queens and in  
12      New York State.

13             They came to the United States over  
14      a hundred years ago, and they have worked  
15      hard, they obey the laws, they contribute to  
16      society. They have large numbers of  
17      organizations, the Korean American Association  
18      being probably one of the most significant.  
19      But there are so many groups. And they lend  
20      their experience and their cultural experience  
21      to what goes on in the city.

22             And as we gather today to celebrate  
23      the Korean independence, it's particularly  
24      appropriate because just two weeks we  
25      celebrated the Asian Lunar New Year. And we

1        marched together through the streets of  
2        Flushing to celebrate the Year of the Tiger.

3                So to my friends in the chamber and  
4        to my constituents, may you have a very happy  
5        and prosperous Year of the Tiger as we come  
6        together to celebrate another day together,  
7        that of Korean independence.

8                Thank you, Mr. President.

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

11                Senator Padavan, on the resolution.

12                SENATOR PADAVAN:        To you,  
13       Mr. President, and Senator Adams, I say [in  
14       Korean], which for those of you who don't know  
15       what that means, is "thank you very much."

16                We thank those who are representing  
17       the Korean community here today and the  
18       thousands and thousands of Korean families  
19       throughout my district and elsewhere who have  
20       made a significant contribution to the quality  
21       of life of our city, many parts of it.

22                Korean immigration began over a  
23       hundred years ago when Koreans came to the  
24       Island of Hawaii to work on the nascent  
25       plantations that were being built for cane

1       sugar and pineapple. And then, of course,  
2       they spread to the West Coast and became an  
3       integral part of the fabric of many  
4       communities throughout our country.

5               Our nations were bound together on  
6       two momentous occasions. One, obviously, in  
7       defeating the Japanese and freeing Korea from  
8       that terrible, terrible yoke of bondage in  
9       which they found themselves. And secondly, of  
10      course, in defending South Korea against North  
11      Korea and the Chinese.

12             There are two memorials in New York  
13      City that relate to those conflicts. One of  
14      them is in Battery Park, and the other is in  
15      Kissena Park, in my district, which was  
16      established and funded by myself and many  
17      others, as well as the Korean community,  
18      veterans of the Republic of Korea as well as  
19      veterans from the United States. And it's a  
20      beautiful monument surrounded by a park. And  
21      on the inscription it tells us of the  
22      sacrifices made by so many, both Koreans and  
23      Americans, to keep that country free.

24             So we're delighted to join with my  
25      colleagues to simply thank the Korean

1 community for all its contributions, both in  
2 terms of business, in terms of the arts,  
3 culture, and for their very, very deep  
4 commitment to families. I probably have a  
5 hundred Korean churches in my district of  
6 every denomination. And when I go to them and  
7 I visit them on various occasions, it's just  
8 amazing to see how family-oriented they are  
9 and how important that is to them as a  
10 community.

11 So again, Mr. President, Senator  
12 Adams, thank you very much for introducing  
13 this resolution.

14 ACTING PRESIDENT VALESKY: Thank  
15 you, Senator Padavan.

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

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

20 (Response of "Aye.")

21 ACTING PRESIDENT VALESKY:  
22 Opposed, nay.

23 (No response.)

24 ACTING PRESIDENT VALESKY: The  
25 resolution is adopted.

1           Senator Adams has indicated that he  
2       would like to open the resolution to the  
3       entire body for cosponsorship. Anyone not  
4       wishing to cosponsor the resolution should  
5       inform the desk.

6           A very sincere welcome to our  
7       special guests today.

8           Senator Klein.

9           SENATOR KLEIN:     Mr. President, at  
10      this time I move to recall Senate Resolution  
11      Number 3303, by Senator Fuschillo, which was  
12      adopted on January 12th. I ask that the title  
13      of the resolution be read and that Senator  
14      Fuschillo be recognized to make some brief  
15      remarks.

16          ACTING PRESIDENT VALESKY:     The  
17      Secretary will read.

18          THE SECRETARY:     By Senator  
19      Fuschillo, Legislative Resolution Number 3303,  
20      mourning the death of Joseph R. Sugar,  
21      distinguished citizen and devoted member of  
22      his community.

23          ACTING PRESIDENT VALESKY:  
24      Senator Fuschillo.

25          SENATOR FUSCHILLO:     Thank you,

1 Mr. President. And thank you, Senator Klein.

2 Today is NYSSMA's advocacy day here  
3 in the state, and I want to welcome all the  
4 advocates for being here today. And it's only  
5 fitting that I recognize a man by the name of  
6 Joe Sugar. And his son Tom and wife Clara are  
7 in the gallery, and I welcome you to Albany  
8 once again.

9 Joe Sugar was Mr. Music. He  
10 dedicated more than 50 years of his life in  
11 the art of education and teaching and music in  
12 our schools. But it was more than that. He  
13 knew the importance of music as a way of life  
14 for everybody.

15 Joe dedicated his entire life to  
16 the advancement of music education. He was  
17 the director of bands at Indiana University,  
18 director of bands at Matawan High School,  
19 director of bands at Bethpage High School,  
20 director of bands at Hewlett High School and  
21 director of music at Hewlett-Woodmere School  
22 District, where his son Tom is now the  
23 teacher.

24 And I understand, Tom, one of the  
25 students told you that their parents knew the

1 real Mr. Sugar who was the teacher there long  
2 before you.

3 You know, I, during my almost 12  
4 years in the Senate, one year didn't make  
5 NYSSMA's advocacy day celebration. And boy,  
6 was I scolded by Joe Sugar. But when I went  
7 back to my district, I was almost afraid to  
8 see him one day out at an event. And he gave  
9 it to me. You know: "Where were you?" And I  
10 told him I was in session. Clara, it wasn't a  
11 good enough excuse for him that I wasn't  
12 there.

13 But at that moment, I saw his  
14 compassion, his dedication, and his love for  
15 music. His resume of teaching music  
16 throughout this state is second to none. But  
17 his love for people is really what took me.  
18 And this year I'm going to miss him terribly.

19 And as I said, today is the  
20 advocacy day for NYSSMA throughout the halls  
21 of this chamber. But I'm proud that I found  
22 out that it's been renamed after Joe Sugar.  
23 And that's a great tribute to a man that  
24 dedicated his entire life.

25 And, Clara, his legacy will go on



1 forever. So it's with deep sorrow that I rise  
2 on the passing of your husband, but I'm proud  
3 that I knew him. God bless you.

4 And thank you very much,  
5 Mr. President.

6 ACTING PRESIDENT VALESKY: Thank  
7 you, Senator Fuschillo.

8 Are there any other Senators who  
9 wish to be heard?

10 As Senator Klein indicated, this  
11 resolution was unanimously adopted on  
12 January 12th.

13 Thank you very much for being with  
14 us today.

15 Senator Klein.

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

19 ACTING PRESIDENT VALESKY: The  
20 Secretary will proceed with the reading of the  
21 noncontroversial active list.

22 THE SECRETARY: Calendar Number  
23 10, by Senator Savino, Senate Print 5481A, an  
24 act to amend the Executive Law, in relation to  
25 establishing Women's Equality Day.

1                   ACTING PRESIDENT VALESKY:     Read  
2     the last section.

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

5                   ACTING PRESIDENT VALESKY:     Call  
6     the roll.

7                   (The Secretary called the roll.)

8                   THE SECRETARY:     Ayes, 57.

9                   ACTING PRESIDENT VALESKY:     The  
10    bill is passed.

11                  THE SECRETARY:     Calendar Number  
12    33, by Senator L. --

13                  SENATOR KLEIN:     Lay the bill  
14    aside for the day.

15                  ACTING PRESIDENT VALESKY:     The  
16    bill is laid aside for the day.

17                  THE SECRETARY:     Calendar Number  
18    80, by Senator Adams, Senate Print 6352A, an  
19    act to amend the Racing, Parimutuel Wagering  
20    and Breeding Law, in relation to equine drug  
21    testing.

22                  ACTING PRESIDENT VALESKY:     Read  
23    the last section.

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

1                   ACTING PRESIDENT VALESKY:     Call  
2     the roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:     Ayes, 57.

5                   ACTING PRESIDENT VALESKY:     The  
6     bill is passed.

7                   THE SECRETARY:     Calendar Number  
8     82, by Senator --

9                   SENATOR KLEIN:     Lay the bill  
10    aside for the day.

11                  ACTING PRESIDENT VALESKY:     The  
12    bill is laid aside for the day.

13                  THE SECRETARY:     Calendar Number  
14    86, by Senator Foley, Senate Print 5945, an  
15    act to amend the Election Law, in relation to  
16    authorizing registration records.

17                  ACTING PRESIDENT VALESKY:     Read  
18    the last section.

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

21                  ACTING PRESIDENT VALESKY:     Call  
22    the roll.

23                  (The Secretary called the roll.)

24                  THE SECRETARY:     Ayes, 57.

25                  ACTING PRESIDENT VALESKY:     The

1 bill is passed.

2 THE SECRETARY: Calendar Number  
3 97, by Senator Squadron, Senate Print 3775C,  
4 an act to amend the Alcoholic Beverage Control  
5 Law, in relation to the siting of certain  
6 premises.

7 ACTING PRESIDENT VALESKY: Read  
8 the last section.

9 THE SECRETARY: Section 6. This  
10 act shall take effect December 31, 2010.

11 ACTING PRESIDENT VALESKY: Call  
12 the roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 57.

15 ACTING PRESIDENT VALESKY: The  
16 bill is passed.

17 THE SECRETARY: Calendar Number  
18 103, by Senator Morahan, Senate Print 5328A,  
19 an act to amend the Real Property Tax Law, in  
20 relation to temporarily extending.

21 ACTING PRESIDENT VALESKY: Read  
22 the last section.

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

25 ACTING PRESIDENT VALESKY: Call

1 the roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 57.

4 ACTING PRESIDENT VALESKY: The  
5 bill is passed.

6 THE SECRETARY: Calendar Number  
7 109, by Senator Foley, Senate Print 3703A, an  
8 act to amend the Banking Law, in relation to  
9 requirement.

10 ACTING PRESIDENT VALESKY: Read  
11 the last section.

12 THE SECRETARY: Section 3. This  
13 act shall take effect on the same date as  
14 Section 8 of Chapter 472 of the Laws of 2008.

15 ACTING PRESIDENT VALESKY: Call  
16 the roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 57.

19 ACTING PRESIDENT VALESKY: The  
20 bill is passed.

21 THE SECRETARY: Calendar Number  
22 117, by Member of the Assembly Rosenthal,  
23 Assembly Print Number 8678A, an act to amend  
24 the Education Law, in relation to requiring  
25 licensure.

1                   ACTING PRESIDENT VALESKY:     Read  
2     the last section.

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

5                   ACTING PRESIDENT VALESKY:     Call  
6     the roll.

7                   (The Secretary called the roll.)

8                   THE SECRETARY:     Ayes, 57.

9                   ACTING PRESIDENT VALESKY:     The  
10    bill is passed.

11                  THE SECRETARY:     Calendar Number  
12    127, by Senator Sampson, Senate Print 5720, an  
13    act to amend the Real Property Law, in  
14    relation to online listing.

15                  ACTING PRESIDENT VALESKY:     Read  
16    the last section.

17                  THE SECRETARY:     Section 4.   This  
18    act shall take effect immediately.

19                  ACTING PRESIDENT VALESKY:     Call  
20    the roll.

21                  (The Secretary called the roll.)

22                  THE SECRETARY:     Ayes, 57.

23                  ACTING PRESIDENT VALESKY:     The  
24    bill is passed.

25                  THE SECRETARY:     Calendar Number

1       130, by Senator Breslin, Senate Print 3554, an  
2       act to amend the Insurance Law, in relation to  
3       losses sustained.

4                ACTING PRESIDENT VALESKY:     Read  
5       the last section.

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

8                ACTING PRESIDENT VALESKY:     Call  
9       the roll.

10               (The Secretary called the roll.)

11               THE SECRETARY:     Ayes, 56. Nays,  
12       1. Senator Marcellino recorded in the  
13       negative.

14               ACTING PRESIDENT VALESKY:     The  
15       bill is passed.

16               THE SECRETARY:     Calendar Number  
17       132, by Senator Sampson --

18               SENATOR KLEIN:     Lay the bill  
19       aside for the day, please.

20               ACTING PRESIDENT VALESKY:     The  
21       bill is laid aside for the day.

22               THE SECRETARY:     Calendar Number  
23       135, by Senator Breslin, Senate Print 402, an  
24       act to amend the Vehicle and Traffic Law, in  
25       relation to special vehicle identification.

1                   ACTING PRESIDENT VALESKY:     Read  
2     the last section.

3                   THE SECRETARY:     Section 3.   This  
4     act shall take effect on the 90th day.

5                   ACTING PRESIDENT VALESKY:     Call  
6     the roll.

7                   (The Secretary called the roll.)

8                   THE SECRETARY:     Ayes, 57.

9                   ACTING PRESIDENT VALESKY:     The  
10    bill is passed.

11                   THE SECRETARY:     Calendar Number  
12    139, by Senator Stavisky, Senate Print 1538B,  
13    an act to amend the Executive Law, in relation  
14    to providing information.

15                   ACTING PRESIDENT VALESKY:     Read  
16    the last section.

17                   THE SECRETARY:     Section 3.   This  
18    act shall take effect on the 180th day.

19                   ACTING PRESIDENT VALESKY:     Call  
20    the roll.

21                   (The Secretary called the roll.)

22                   THE SECRETARY:     Ayes, 57.

23                   ACTING PRESIDENT VALESKY:     The  
24    bill is passed.

25                   THE SECRETARY:     Calendar Number



1       140, by Senator LaValle, Senate Print 2923, an  
2       act to amend the Correction Law, in relation  
3       to requiring.

4                ACTING PRESIDENT VALESKY:     Read  
5       the last section.

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

8                ACTING PRESIDENT VALESKY:     Call  
9       the roll.

10               (The Secretary called the roll.)

11               THE SECRETARY:     Ayes, 57.

12               ACTING PRESIDENT VALESKY:     The  
13       bill is passed.

14               Senator Klein, that completes the  
15       reading of the noncontroversial active list.

16               SENATOR KLEIN:     Mr. President, at  
17       this time can we please move to a reading of  
18       the supplemental active list.

19               ACTING PRESIDENT VALESKY:     The  
20       Secretary will proceed with the reading of the  
21       supplemental active list.

22               Senator Klein.

23               SENATOR KLEIN:     Mr. President,  
24       are there any substitutions at the desk?

25               ACTING PRESIDENT VALESKY:     There

1 is a substitution at the desk.

2 The Secretary will read.

3 THE SECRETARY: On page 13,  
4 Senator Larkin moves to discharge, from the  
5 Committee on Finance, Assembly Bill Number  
6 1003A and substitute it for the identical  
7 Senate Bill Number 638A, Third Reading  
8 Calendar 111.

9 ACTING PRESIDENT VALESKY:  
10 Substitution ordered.

11 The Secretary will now proceed with  
12 the reading of the supplemental active list.

13 THE SECRETARY: Calendar Number  
14 94, by Senator Fuschillo, Senate Print 5760A,  
15 an act to authorize the First United Methodist  
16 Church.

17 ACTING PRESIDENT VALESKY: Read  
18 the last section.

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

21 ACTING PRESIDENT VALESKY: Call  
22 the roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: In relation to  
25 Calendar Number 94: Ayes, 55. Nays, 2.

1       Senators Bonacic and Larkin recorded in the  
2       negative.

3                ACTING PRESIDENT VALESKY:     The  
4       bill is passed.

5                THE SECRETARY:     Calendar Number  
6       101, by Senator Fuschillo, Senate Print 30, an  
7       act to amend the Real Property Tax Law, in  
8       relation to allowing.

9                ACTING PRESIDENT VALESKY:     Read  
10      the last section.

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

13               ACTING PRESIDENT VALESKY:     Call  
14      the roll.

15                (The Secretary called the roll.)

16               THE SECRETARY:     Ayes, 57.

17               ACTING PRESIDENT VALESKY:     The  
18      bill is passed.

19               THE SECRETARY:     Calendar Number  
20      111, substituted earlier by Member of the  
21      Assembly Gunther, Assembly Print Number 1003A,  
22      an act to amend the Insurance Law.

23               ACTING PRESIDENT VALESKY:     Read  
24      the last section.

25               THE SECRETARY:     Section 2. This

1 act shall take effect on the 120th day.

2 ACTING PRESIDENT VALESKY: Call  
3 the roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 57.

6 ACTING PRESIDENT VALESKY: The  
7 bill is passed.

8 THE SECRETARY: Calendar Number  
9 125, by Senator Nozzolio, Senate Print 3271,  
10 an act to amend Chapter 219 of the Laws of  
11 2002 amending the Judiciary Law.

12 ACTING PRESIDENT VALESKY: Read  
13 the last section.

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

16 ACTING PRESIDENT VALESKY: Call  
17 the roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 57.

20 ACTING PRESIDENT VALESKY: The  
21 bill is passed.

22 THE SECRETARY: Calendar Number  
23 128, by Senator Volker --

24 SENATOR VOLKER: Lay it aside for  
25 the day, please.

1                   ACTING PRESIDENT VALESKY:     The  
2     bill is laid aside for the day.

3                   Senator Klein, that completes the  
4     reading of the supplemental active list.

5                   SENATOR KLEIN:     Mr. President, on  
6     behalf of Senator Smith, I hand up the  
7     following committee notice and ask that it be  
8     filed in the Journal.

9                   ACTING PRESIDENT VALESKY:     So  
10    ordered.

11                  Senator Klein.

12                  SENATOR KLEIN:     Also,  
13    Mr. President, can you please recognize  
14    Senator Ruth Hassell-Thompson at this time.

15                  ACTING PRESIDENT VALESKY:  
16    Senator Hassell-Thompson.

17                  SENATOR HASSELL-THOMPSON:     Thank  
18    you, Mr. President.

19                  There will be an immediate meeting  
20    of the Majority in the Majority Conference  
21    Room, Room 332, following this session.

22                  ACTING PRESIDENT VALESKY:  
23    Immediate meeting of the Senate Majority in  
24    Room 332 immediately following session.

25                  Senator Klein.

1                   SENATOR KLEIN:     Is there any  
2     further business at the desk?

3                   ACTING PRESIDENT VALESKY:     The  
4     desk is clear.

5                   SENATOR KLEIN:     There being no  
6     further business, I move that we adjourn until  
7     Tuesday, March 2nd, at 3:00 p.m.

8                   ACTING PRESIDENT VALESKY:     On  
9     motion, there being no further business to  
10    come before the Senate, the Senate stands  
11    adjourned until Tuesday, March 2nd, at  
12    3:00 p.m.

13                   (Whereupon, at 4:06 p.m., the  
14    Senate adjourned.)

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