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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 11, 2011

11:03 a.m.

REGULAR SESSION

LIEUTENANT GOVERNOR ROBERT J. DUFFY, President

FRANCIS W. PATIENCE, Secretary

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

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

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

7 We'll stand by until our Color  
8 Guard gets posted.

9 (The New York Cadet Wing Color  
10 Guard of the Civil Air Patrol marched to the  
11 front of the chamber.)

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

14 THE PRESIDENT: In the absence of  
15 clergy, I ask that we all recognize a moment  
16 of silence, please.

17 (Whereupon, the assemblage  
18 respected a moment of silence.)

19 (The Color Guard presented colors  
20 at the dais and then marched to the rear of  
21 the chamber.)

22 (Applause.)

23 THE PRESIDENT: The reading of  
24 the Journal.

25 The Secretary will read.

1                   THE SECRETARY:     In Senate,  
2     Monday, January 10, the Senate met pursuant to  
3     adjournment. The Journal of Sunday,  
4     January 9, was read and approved. On motion,  
5     Senate adjourned.

6                   THE PRESIDENT:     Without  
7     objection, the Journal stands approved as  
8     read.

9                   Presentation of petitions.  
10                  Messages from the Assembly.  
11                  Messages from the Governor.  
12                  Reports of standing committees.  
13                  Reports of select committees.  
14                  Communications and reports from  
15     state officers.

16                  Motions and resolutions.  
17                  Senator Skelos -- Senator Libous.

18                  SENATOR LIBOUS:     Thank you,  
19     Mr. President. Senator Skelos is the one with  
20     a little bit more hair.

21                  (Laughter.)

22                  SENATOR LIBOUS:     Thank you, sir.  
23     May we please adopt the Resolution Calendar in  
24     its entirety at this time.

25                  THE PRESIDENT:     All in favor of

1       adopting the Resolution Calendar in its  
2       entirety signify by saying aye.

3                       (Response of "Aye.")

4                       THE PRESIDENT:       Opposed, nay.

5                       (No response.)

6                       THE PRESIDENT:       The Resolution  
7       Calendar is adopted.

8                       Senator Libous.

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

11                      Mr. President, I believe there's a  
12       privileged resolution at the desk by Senator  
13       Seward. May we please have the title read and  
14       move for its immediate adoption.

15                      THE PRESIDENT:       The Secretary  
16       will read the resolution title only.

17                      THE SECRETARY:       By Senators  
18       Seward, McDonald and Farley, Legislative  
19       Resolution Number 134, commending the New York  
20       Cadet Wing Color Guard of the Civil Air Patrol  
21       upon the occasion of presenting the colors at  
22       the start of the session of the New York State  
23       Senate, January 11, 2011.

24                      THE PRESIDENT:       Senator Seward.

25                      SENATOR SEWARD:       Yes, thank you,

1 Mr. President.

2 It's certainly an honor and  
3 privilege for me to rise today to recognize  
4 the members of our Color Guard team of  
5 New York 415 Civil Air Patrol Unit.

6 As many of you in this chamber  
7 know, the Civil Air Patrol is a volunteer,  
8 nonprofit auxiliary of the United States Air  
9 Force. And we mainly think of the Civil Air  
10 Patrol in their role as providers of an array  
11 of emergency services to the people of the  
12 state, including forest fire protection,  
13 disaster relief services, guaranteed  
14 communications, aircraft emergency assistance,  
15 and those types of services that they provide.  
16 They provide a very valuable service to the  
17 people of the State of New York.

18 But in addition to those essential  
19 services that they provide, the Civil Air  
20 Patrol also encourages activities to help  
21 develop our young people of the state into  
22 responsible citizens through its very  
23 phenomenal cadet program. And we saw very  
24 much an evidence of that this morning with our  
25 Color Guard team. They are comprised of some

1 very exceptional young adults in the Civil Air  
2 Patrol's cadet program.

3 The cadet program is designed for  
4 young people 12 to 18 years of age. It aims  
5 to develop essential life skills, instills  
6 some values, including teamwork, personal  
7 integrity, leadership, respect,  
8 self-confidence. The list of some outstanding  
9 characteristics and character-building goes on  
10 and on in terms of what the cadet program  
11 does.

12 And the Color Guard team that's  
13 here today has participated in a number of  
14 wreath-laying ceremonies, recently at the --  
15 several at the Gerald B.H. Solomon Cemetery,  
16 as well as the memorial wreath right here at  
17 the New York State Capitol. They've also  
18 participated in a number of flag raisings,  
19 memorial and funeral ceremonies. They've also  
20 marched with colors in arms for numerous  
21 Memorial Day and Veterans Day parades.

22 So today, Mr. President and my  
23 colleagues, is a day that we can set aside to  
24 salute the Civil Air Patrol and what that  
25 means in terms of the services provided to the

1 people of the state, as well as, and in  
2 particular, this outstanding cadet program.

3 I'd like to, if I may,  
4 Mr. President, acknowledge the presence in the  
5 chamber today of the New York Wing Commander,  
6 Colonel Jack Ozer -- if you would stand,  
7 Colonel -- as well as Major Darren Cioffi,  
8 who's the Southeastern Group Commander; my  
9 constituent, Lieutenant Colonel Andrew Liddle,  
10 who's the New York Wing and Northeast Regions  
11 Government Relations Advisor. And I  
12 understand that Major Gerald Marketos, who's  
13 the Command Pilot and Assistant Government  
14 Relations, is also with us today too.

15 I'm going to ask Senator McDonald  
16 to -- he can acknowledge the members of the  
17 Color Guard team who are from his area. But  
18 this is the leadership of our New York Wing of  
19 the Civil Air Patrol. We're delighted to have  
20 them in the chamber today.

21 (Applause.)

22 THE PRESIDENT: Thank you,  
23 Senator.

24 I'd like to welcome our guests and  
25 thank them for their great service.

1                   And next, Senator McDonald.

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

4                   I have the honor of having the  
5                   cadets that we just saw, they're all residents  
6                   of mine in Saratoga County.   Jessi Rapelje,  
7                   Blake Hotopp, David Rakvica, Ben Schiher,  
8                   Scott Downs, and Ryan Triller were all the  
9                   young cadets who live in the communities of  
10                  Ballston Spa and Burnt Hills.  And their  
11                  senior members:  Lieutenant Colonel Anita  
12                  Martin, Group Commander; First Lieutenant  
13                  Connie Schuyler, Squadron Commander and Deputy  
14                  Group Commander; Second Lieutenant Gregg  
15                  Schuyler, Squadron Commander; First Lieutenant  
16                  Alec Martin; and Captain Penny Epler Carl.

17                  All of these folks spent a lot of  
18                  time, as Senator Seward said, dedicating their  
19                  time to our community.  They are our future.  
20                  And I'm very proud of the way the New York  
21                  State Senate has welcomed them today.

22                  Thank you, Mr. President.

23                  THE PRESIDENT:     Thank you,  
24                  Senator.

25                  And I also want to recognize our

1 Color Guard again and thank them for their  
2 service.

3 (Applause.)

4 THE PRESIDENT: All members have  
5 spoke on the resolution. The question is on  
6 the resolution. All in favor signify by  
7 saying aye.

8 (Response of "Aye.")

9 THE PRESIDENT: Opposed, nay.

10 (No response.)

11 THE PRESIDENT: The resolution is  
12 adopted.

13 Senator Libous.

14 SENATOR LIBOUS: Mr. President,  
15 one moment, please. We're conferring with the  
16 Minority on something.

17 (Pause.)

18 THE PRESIDENT: Senator Libous.

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

21 Is there any other business at the  
22 desk?

23 THE PRESIDENT: There is not,  
24 Senator.

25 SENATOR LIBOUS: Thank you,

1 Mr. President.

2 Mr. President, I now hand up the  
3 following committee assignments on behalf of  
4 Senator Skelos and ask that such committee  
5 assignments be filed in the Journal.

6 THE PRESIDENT: So ordered.  
7 Senator Libous.

8 SENATOR LIBOUS: Mr. President,  
9 we are going to -- the Senate is going to  
10 stand at ease, pending Senator Breslin and I  
11 coming back to hand up the Minority committee  
12 assignments shortly. So the Senate will stand  
13 at ease.

14 However, Mr. President, members  
15 should know that there will be session on  
16 Tuesday, January 18th, at 3:00 p.m.

17 And we will officially adjourn  
18 after we hand up the Minority assignments.  
19 Members are free to be dismissed.

20 THE PRESIDENT: The Senate stands  
21 at ease.

22 (Whereupon, the Senate stood at  
23 ease at 11:15 a.m.)

24 (Whereupon, the Senate reconvened  
25 at 12:55 p.m.)

1 THE PRESIDENT: The Senate is  
2 back in session.

3 Senator Libous.

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

6 Mr. President, in consultation with  
7 Senator Sampson, I hand up the following  
8 Minority committee assignments and ask that  
9 such assignments be filed into the Journal.

10 THE PRESIDENT: So ordered.

11 SENATOR LIBOUS: And,  
12 Mr. President, on behalf of Senator Skelos, I  
13 hand up the following appointments and ask  
14 that they be filed into the Journal.

15 THE PRESIDENT: So ordered.

16 SENATOR LIBOUS: Mr. President,  
17 is there any other further business at the  
18 desk?

19 THE PRESIDENT: There is none,  
20 Senator.

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

23 There being no further business, I  
24 move that we adjourn until Tuesday,  
25 January 18th, at 3:00 p.m., intervening days

1 to be legislative days.

2 THE PRESIDENT: On motion, the  
3 Senate stands adjourned until Tuesday,  
4 January 18th, at 3:00 p.m., intervening days  
5 being legislative days.

6 (Whereupon, at 12:56 p.m., the  
7 Senate adjourned.)

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