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

P R O C E E D I N G S

THE PRESIDENT: The Senate will come to order.

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

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

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

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

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

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

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

(Applause.)

THE PRESIDENT: The reading of the Journal.

The Secretary will read.

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

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Skelos -- Senator Libous.

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

(Laughter.)

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

THE PRESIDENT: All in favor of

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The Resolution Calendar is adopted.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

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

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

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

THE PRESIDENT: Senator Seward.

SENATOR SEWARD: Yes, thank you,

Mr. President.

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

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

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

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

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

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

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

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

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

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

(Applause.)

THE PRESIDENT: Thank you, Senator.

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

And next, Senator McDonald.

SENATOR McDONALD: Thank you, Mr. President.

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

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

Thank you, Mr. President.

THE PRESIDENT: Thank you, Senator.

And I also want to recognize our

Color Guard again and thank them for their service.

(Applause.)

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

Senator Libous.

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

(Pause.)

THE PRESIDENT: Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

Is there any other business at the desk?

THE PRESIDENT: There is not, Senator.

SENATOR LIBOUS: Thank you,

Mr. President.

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

THE PRESIDENT: So ordered.

Senator Libous.

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

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

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

THE PRESIDENT: The Senate stands at ease.

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

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

THE PRESIDENT: The Senate is back in session.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

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

THE PRESIDENT: So ordered.

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

THE PRESIDENT: So ordered.

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

THE PRESIDENT: There is none, Senator.

SENATOR LIBOUS: Thank you, Mr. President.

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

to be legislative days.

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

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