

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 April 5, 2011

11 3:10 p.m.

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14 REGULAR SESSION

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18 LIEUTENANT GOVERNOR ROBERT J. DUFFY, President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

9 THE PRESIDENT: Today's
10 invocation will be given by the Reverend Ana
11 Thomas, who is the pastor of Christ Lives in
12 Me Evangelist Church in Bronx, New York.

13 REVEREND THOMAS: Good evening.
14 God bless each one of you today. It's a
15 privilege to be here before your presence.

16 I have the privilege to start the
17 prayer, the invocation, in three languages:
18 English, Spanish, and my native Garifuna.

19 We thank You, Lord. We give You
20 the glory at this time. We thank You for each
21 one of my brothers and sisters, the Senators
22 that are here present, the men of God that
23 have come to this day, this very special day.

24 And we ask You, God, for Your glory
25 to be seen. And we ask You in a very special

1 way to put Your wisdom, God, to give them the
2 strength, both physical and spiritual, that
3 they need.

4 [In Spanish.]

5 [In Garifuna.]

6 God bless you.

7 (Applause from the gallery.)

8 THE PRESIDENT: Thank you, Pastor
9 Thomas.

10 Next, the reading of the Journal.

11 THE SECRETARY: In Senate,
12 Monday, April 4th, the Senate met pursuant to
13 adjournment. The Journal of Sunday,
14 April 3rd, was read and approved. On motion,
15 Senate adjourned.

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

19 Next, presentation of petitions.

20 Messages from the Assembly.

21 Messages from the Governor.

22 Reports of standing committees.

23 The Secretary will read.

24 THE SECRETARY: Senator
25 DeFrancisco, from the Committee on Finance,

1 offers the following appointments.

2 As director of New York State Urban
3 Development Corporation, Kenneth G. Adams, of
4 Brooklyn.

5 As president and chief executive
6 officer of the Empire State Development
7 Corporation, Kenneth G. Adams, of Brooklyn.

8 And as commissioner of the New York
9 State Department of Economic Development,
10 Kenneth G. Adams, of Brooklyn.

11 THE PRESIDENT: Senator
12 DeFrancisco.

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

15 I'm proud to rise in support of the
16 nomination of Ken G. Adams to the three-hatted
17 position, all for the price of one, I
18 understand. And Mr. Adams is with us today.

19 And this is a wonderful appointment
20 by the Governor. Mr. Adams has the business
21 experience and the practical knowledge of the
22 way government operates to do a wonderful job.

23 The thing that most impressed me in
24 our committee was his statement that, you
25 know, there's a limited number of dollars for

1 special programs for incentives. What's going
2 to take this state to the next level is really
3 dealing with overall economic issues, issues
4 that will help everyone, issues that will make
5 this state more attractive to all businesses
6 to stay here and to come here.

7 And to that I said amen. And I
8 wasn't praying before this body before the
9 session start, I said amen earlier today.

10 So that's the type of individual we
11 need. Another wonderful appointment by the
12 Governor. And I'm just happy that he's
13 willing to take this position at this time in
14 history.

15 I would request that you recognize
16 Senator Alesi to second the nomination.

17 THE PRESIDENT: Thank you,
18 Senator.

19 Senator Alesi.

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

22 As the chairperson of Economic
23 Development, and more importantly as someone
24 who has had the opportunity over the last few
25 years to work directly with Ken Adams, I can

1 speak to his abilities. And I have great
2 admiration for what I think is a gentleman
3 who's going to do a terrific job. The vision
4 of Governor Cuomo is certainly stand-out when
5 it comes to this choice.

6 I know that he will have an active
7 partnership working with the Lieutenant
8 Governor as they pursue the economic
9 development of our state. I completely
10 embrace that partnership under the Governor's
11 vision.

12 Again, I applaud the Governor for
13 this nomination. And I know that when Ken
14 Adams was answering questions at various
15 committee hearings today, he said first and
16 foremost he would like to take his advocacy
17 and turn it into action to create jobs.

18 And I can tell you, my fellow
19 Senators, that he has already done that.
20 Because in just a few short minutes, he will
21 have created three jobs, as the director of
22 the New York State Urban Development
23 Corporation, the president and CEO of Empire
24 State Development Corp., and the commissioner
25 of the New York State Department of Economic

1 Development.

2 I wish Ken Adams all the best in
3 his partnership with the Lieutenant Governor
4 and with all of us. We want this Governor to
5 succeed. We want this state to be the
6 economic Empire State that it was. And I am
7 sure that we have the best person in the job
8 for that in Ken Adams.

9 THE PRESIDENT: Thank you,
10 Senator.

11 Next, Senator Adams.

12 SENATOR ADAMS: Thank you,
13 Lieutenant Governor. It's good to see you
14 back, by the way.

15 THE PRESIDENT: Thank you, sir.
16 Good to be back.

17 SENATOR ADAMS: I want to just
18 say personally how I thank Ken. You know, you
19 can see the resemble -- he's part of the Adams
20 clan.

21 (Laughter.)

22 SENATOR ADAMS: You know, he was
23 in Brooklyn with the Brooklyn Chamber of
24 Commerce and just did great things. He
25 thought outside the box. He was extremely

1 creative. The business community was just
2 blessed to have Ken there. But, you know, I
3 think the borough's loss is the state's gain.
4 And we're still part of the state, so we have
5 retained a great leader in Ken Adams.

6 And his door is open, his ideas are
7 open, he brings a new energy and a new spirit.
8 And most important, he brings a level of
9 creativity that's needed in the state to
10 figure out how do we get the state back to
11 employment.

12 So, Ken, welcome. We appreciate
13 you and your family. And I think this state
14 has a great choice, the Governor made the
15 right decision on bringing you on board.

16 Thank you.

17 THE PRESIDENT: Thank you,
18 Senator.

19 Next, Senator Ranzenhofer.

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

22 I would also like to rise today and
23 commend Governor Cuomo for selecting Ken Adams
24 for these positions. I think it was a very
25 good selection because obviously, with his

1 experience and background with the Chamber of
2 Commerce and most recently with the Business
3 Council, what better way to send a message
4 with economic development that will bring
5 somebody who has experience with private
6 business. I think that was so much needed for
7 this particular appointment.

8 What impressed me today in
9 Corporations, Authorities and Commissions is
10 the fact that this new appointment realizes
11 that we can't afford to be last in tax climate
12 in this community. In order to bring back
13 jobs, whether it's large business or small
14 business -- and Mr. Adams testified about this
15 this morning -- we really have to lower the
16 taxes in this state to make us more
17 competitive with not only the states around
18 us, but the states in the rest of the nation.

19 So I look forward to working with
20 Ken. We had a very good relationship when he
21 was with the Business Council. And I'm sure
22 that he will do great work for the State of
23 New York in his new position. So again,
24 congratulations, and look forward to working
25 with you on a continued basis.

1 THE PRESIDENT: Thank you,
2 Senator.

3 Senator Sampson.

4 SENATOR SAMPSON: Thank you very
5 much, Mr. President.

6 I rise to commend the Governor on
7 his selection of Ken Adams as president and
8 CEO of Empire State Development Corporation.
9 As Senator Adams said, Brooklyn has done well.

10 Ken, I want to commend you on your
11 commitment, your dedication, but most of all
12 the vision that you have. You've done it in
13 Brooklyn, you've done it with the Business
14 Council, and now you will do it throughout the
15 State of New York.

16 Once again, New York will be the
17 true Empire State again. And it's individuals
18 like yourself who understand that the most
19 important things are jobs, jobs, and jobs --
20 but at the same time understanding the people
21 who need these jobs. And this is something
22 that you always had a sixth sense, dealing
23 with individuals irrespective of parties
24 because the most important thing was giving
25 those individuals an opportunity to excel,

1 giving people the opportunity to excel.

2 So I want to commend you on being
3 the person who you are. We are lucky, and the
4 Governor made an excellent appointment by
5 appointing you as president and CEO.
6 Congratulations, and you have done Brooklyn
7 very proud.

8 THE PRESIDENT: Thank you,
9 Senator.

10 Senator Smith.

11 SENATOR SMITH: Thank you very
12 much, Mr. President.

13 I rise to second the nomination of
14 Ken Adams and to tell the Governor that he
15 could not have done any better to pick someone
16 of Ken Adams' caliber. We here in the Senate
17 passed an on-time budget that cut taxes, that
18 cut spending, and the third arm of that
19 process is to create jobs. Ken Adams is the
20 person to do that.

21 He is someone who not only hails
22 from Brooklyn, but remember, he is the head of
23 a 2500-organization group, the Business
24 Council of the State of New York, that
25 required someone to understand the importance

1 of One New York, a state where we have always
2 been the Empire State, we have always led in
3 technology, we've led in creating creative
4 jobs. And I believe Ken is the person who
5 will use his integrity and his intellect to
6 not only create jobs in the State of New York
7 but to use his international relations.

8 Where we now recognize that this
9 world and this globe has become very small,
10 it's going to require one that has the ability
11 to reach beyond the borders of New York or
12 California, but China, India and abroad.

13 So I think the Governor has done
14 well. I congratulate him and look forward to
15 us as a body, Ken, becoming part of your team
16 in creating New York and making it once again
17 the Empire State.

18 THE PRESIDENT: Thank you,
19 Senator.

20 Senator Kennedy.

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

23 I too want to congratulate you,
24 Mr. Adams. I want to thank the Governor for a
25 tremendous choice in nominating Mr. Ken Adams

1 as president and CEO of the Empire State
2 Development Corporation as well as
3 commissioner of Economic Development.

4 I can tell you, as ranking member
5 of the Economic Development Committee, I look
6 forward to working with you, along with the
7 chair, Senator Alesi, and moving New York
8 State forward, creating jobs and opportunity,
9 and giving people an opportunity to stay here
10 in New York State.

11 And unfortunately, we've seen the
12 statistics once again. Even this past week
13 we've seen statistics from the census,
14 particularly from the region that I come from
15 in Western New York, thousands of people have
16 left in the last 10 years, tens of thousands
17 of people from the county where I reside, in
18 Erie County, to find jobs and opportunity
19 elsewhere. We look forward to working with
20 you to reverse those trends.

21 And, you know, your resume speaks
22 for itself. Your expertise is far and beyond
23 what is called for in order to lead this state
24 in the right direction. Your work with
25 business, the Business Council, and small

1 businesses in particular, that we're going to
2 need that expertise to move New York State in
3 the right direction.

4 Again, congratulations, Mr. Adams.
5 I thank the Governor for his choice. And I
6 will say, though, unfortunately the only flaw
7 you bring to the table is that you are a
8 New York Rangers fan.

9 (Laughter.)

10 SENATOR KENNEDY: So we won't
11 hold that against you today.

12 Thank you.

13 THE PRESIDENT: Thank you,
14 Senator.

15 With that, we'll move on to Senator
16 Liz Krueger.

17 SENATOR LIZ KRUEGER: I'll stay
18 out of the sporting disputes between upstate
19 and downstate.

20 I appreciate very much the Governor
21 giving us this fine nominee. It's quite the
22 challenge to take on economic development at
23 this time in our economy, not just in New York
24 State but throughout the country.

25 And I am confident that Mr. Adams

1 will move us forward, recognizing that an even
2 playing field for everyone in the business
3 community is one way to assure that we are
4 expanding and strengthening our opportunities
5 here in New York State.

6 I also particularly appreciated, in
7 my discussions with Mr. Adams, the importance
8 that he puts on quality data and research for
9 planning purposes. Sometimes we forget to do
10 the homework before we move forward.

11 So I am very excited that the
12 Governor and through the budget we have
13 expanded into regional councils. I'm
14 delighted to see you here, Lieutenant
15 Governor, because I know you will also be
16 playing a key role in that assignment, along
17 with Mr. Adams and the economic development
18 organizations in this state. And I look
19 forward to seeing real progress and real
20 movement with new ideas and smart planning for
21 the State of New York.

22 And so, again, I thank the Governor
23 for this fine nominee and I look forward to
24 working with him.

25 Thank you.

1 THE PRESIDENT: Thank you,
2 Senator.

3 Senator Robach.

4 SENATOR ROBACH: Yes,
5 Mr. President. Let me also applaud the
6 Governor on this great choice and congratulate
7 Ken. As my other colleagues have said, he
8 certainly does have a great track record, and
9 a very good choice.

10 Everything we do is important in
11 government. But I would say this one in
12 particular is very important, especially at
13 this point in time when, as my colleague
14 Senator Kennedy said, jobs are critically
15 important.

16 So I am very much looking forward
17 to working with Mr. Adams and others on
18 partnerships, policies that are going to help
19 private-sector job growth. Clearly I don't
20 think -- we use that term "lift all ships."
21 Any job not only impacts an individual family
22 or person who gets that, but makes our whole
23 community stronger and our state stronger.

24 So I'm glad we have a good person
25 at the helm, and I'll pledge my continued

1 support to do all we can to improve the
2 economy here in New York.

3 Thank you, Mr. President.

4 THE PRESIDENT: Thank you,
5 Senator.

6 Next, Senator Farley.

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

9 I rise to compliment the Governor.
10 You know, appointment after appointment has
11 been outstanding. And to get these talented
12 citizens willing to serve our government is
13 really a tremendous accomplishment.

14 And this in particular is a
15 remarkable accomplishment because, Ken, I
16 don't think there's a greater priority of this
17 house, of the Governor, of the Lieutenant
18 Governor than economic development and jobs.
19 It has been a major priority for this state,
20 and there's nobody, there is no one that I
21 know of that has a better view of the entire
22 state from Brooklyn to Niagara. The entire
23 state.

24 You have served the Business
25 Council and the economic community well.

1 You're a fantastic appointment. I look
2 forward to your tenure because you're going to
3 do a great job for us, and we're lucky to have
4 you. And congratulations.

5 THE PRESIDENT: Thank you,
6 Senator.

7 Next, Senator Perkins.

8 SENATOR PERKINS: Thank you very
9 much. I rise to join my colleagues in
10 supporting this nomination fully and
11 congratulating the Governor for his choice,
12 including congratulating Ken Adams for his
13 sterling qualifications.

14 And we've had good conversations in
15 terms of what I would like to see, what some
16 of us would like to see, particularly with
17 regard to MWBE and particularly with regard to
18 the community and getting the community
19 involved.

20 We had some conversations about
21 eminent domain, and I shared with him honestly
22 my interest in reforming eminent domain. You
23 know, we're 10 years after the Kelo case and
24 nothing has really transpired in a positive
25 way for those communities. And we're

1 concerned that we might have similar
2 circumstances in New York State, particularly
3 in the area that has come to be known as
4 Atlantic Yards, recently reported in the
5 newspapers -- particularly in the Wall Street
6 Journal and the New York Post -- in terms of
7 how that project is not moving forward as we
8 had hoped it would be.

9 But nevertheless, I think he's the
10 right one for this time, look forward to
11 working with him, and appreciate the
12 conversations that we've had.

13 Congratulations.

14 THE PRESIDENT: Thank you,
15 Senator.

16 Next, Senator Golden.

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

19 There's a lot of expectations down
20 here for you, Mr. Ken Adams. And it's been a
21 privilege working with you for all these
22 years, working in Kings County and working
23 here in the state to try to bring jobs back to
24 this great state.

25 Our prayers go out to you on the

1 loss of your father last week, and our prayers
2 from all of our conference down here. But
3 I'll tell you, your father is shining right
4 now down on you. He's saying his favorite son
5 has proven not only to himself but to his
6 family and to his city and state what a great
7 contribution he's been able to make.

8 And we are very, very proud of you.
9 You've been able to bring thousands of
10 businesses together and tens of thousands of
11 people together. You've been able to improve
12 working environments in the city, especially
13 in Brooklyn and across this state. You worked
14 with the high schools and with the colleges
15 and one of them right next to you, Xaverian
16 High School, in being able to turn around and
17 get those kids the opportunity, get the right
18 training for the future jobs that are coming
19 into our city and into our state.

20 You were the head of many different
21 corporations -- the CUNY Leadership Team, for
22 one. And being able to work with you to put
23 in a health program for small business that is
24 a model of the nation today and up and down
25 the State of New York.

1 You've done a lot of great things,
2 Ken, and we're proud of you. A lot more to be
3 done. And cutting the regulations that we
4 have and the fees and the licenses that are on
5 small businesses. You get it. You understand
6 it. And that's why all of my colleagues here
7 are proud to see you where you are, because we
8 know that you will be able to bring business
9 back and increase business in the city and
10 state of New York.

11 God bless you. Godspeed to you and
12 your family. We know you'll do a great job.
13 I vote aye.

14 THE PRESIDENT: Thank you,
15 Senator.

16 Next, Senator Zeldin.

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

19 I guess I can start off by saying
20 what Senator Golden said. I'm a huge personal
21 fan of you, Ken.

22 And coming off of a week last week
23 where this house, this Legislature passed an
24 on-time budget, we held the line on taxes --
25 in fact, cut taxes, we cut spending. I come

1 from a district, we all come from districts
2 that have employment problems. It's not just
3 unemployment; for many, it's underemployment.
4 And for us to come off of that great success
5 last week, I have to commend the Governor.

6 I have to wish you the best of
7 luck. But what a great way to start this
8 post-budget season, with someone like Ken
9 Adams taking the helm in a role so important
10 at such a critical time in our state.

11 Best of luck. I look forward to
12 working with you.

13 THE PRESIDENT: Thank you,
14 Senator.

15 Next, Senator Marcellino.

16 SENATOR MARCELLINO: Thank you,
17 Mr. President.

18 I also rise to congratulate Ken
19 Adams on his appointment. I congratulate the
20 Governor for bringing us another great
21 nominee.

22 The Governor has stated that
23 New York is open for business. And I hope it
24 is. And I'm here to work with you to see that
25 it is. We talk about jobs. Everybody that

1 has spoken before has talked about jobs, jobs,
2 jobs, creation of jobs, giving employment
3 opportunities for our young people, keeping
4 people here in our state so that we can
5 maintain the great Empire State that this has
6 always been and keep it going and growing.

7 We need businesses. We need to
8 attract businesses to this state that grow
9 things, that will make things, that will do
10 something. It can't be just a slogan. It
11 can't be just "I Love New York" and we go
12 away. It's got to be a real actual campaign
13 where we go out and we compete.

14 We are in an international economy.
15 I don't have to tell you that. And I don't
16 have to repeat it for the people of this
17 state. They know it. We are in competition
18 with everyone around us. Every state around
19 us, every country around us, all looking for
20 the businesses that we have here in New York
21 or we have here in the United States, to come
22 to their country or their state.

23 We need to keep them here in
24 New York. Anything we can do, everything we
25 can do to support you, and everything you can

1 do will be appreciated by the people of this
2 state. Because we want to keep them employed.
3 We want careers -- not just jobs, not just
4 temporary construction jobs, but careers for
5 our people so that they will be here and that
6 our state will flourish.

7 So, Mr. President, I vote aye on
8 this appointment and look forward to working
9 with both of you in the future.

10 THE PRESIDENT: Thank you,
11 Senator.

12 Next, Senator Montgomery.

13 SENATOR MONTGOMERY: Thank you,
14 Mr. President. And I join my colleagues in
15 welcoming you back. We're very happy to you
16 to see you there.

17 And I want to compliment the
18 Governor on this appointment, because it is
19 someone that I'm very familiar with from
20 Brooklyn, my former fellow Brooklynite.

21 And I want to also say this is one
22 of those moments in time when one person who
23 has been nominated is being welcomed by both
24 sides of the aisle, upstate and downstate,
25 Long Island to Buffalo and all in between.

1 And I certainly want to join them.

2 And I am so happy that Mr. Adams
3 knows all about the Brooklyn Navy Yard, the
4 part of Brooklyn that we've worked together
5 on. And Red Hook, the part of the waterfront
6 that he is very familiar with. The Brooklyn
7 Army Terminal and all of those small
8 businesses, light-industry businesses as well
9 as the larger corporations that are
10 multinational and what have you.

11 So I'm really looking forward to
12 it. I'm happy to say welcome and
13 congratulations, because I know that Brooklyn
14 will now be in the house. So thank you.
15 Congratulations.

16 Thank you, Mr. President.

17 THE PRESIDENT: Thank you,
18 Senator.

19 Senator Hassell-Thompson.

20 SENATOR HASSELL-THOMPSON: Thank
21 you, Mr. President.

22 I rise to congratulate the Governor
23 on his appointment of Mr. Adams as well.

24 And while I have the same concern
25 as all of us do about this entire state, I am

1 very concerned about the landmark
2 determinations and decisions that this
3 Legislature has made around MWBE. And I am
4 very hopeful that not only did we do landmark
5 legislation, but that we will do, under your
6 leadership, landmark progress for the women
7 and minorities of the State of New York.

8 So congratulations for accepting
9 this post. And whatever our offices can do to
10 help to support and to spearhead your energy,
11 we're prepared to do so.

12 Thank you, Mr. President.

13 THE PRESIDENT: Thank you,
14 Senator.

15 Any other Senators wishing to
16 speak?

17 Senator Griffo.

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

20 I also want to take this
21 opportunity to commend the Governor and the
22 Lieutenant Governor for their efforts in
23 nominating Mr. Adams. Ken has an excellent
24 resume, and he's had a very successful tenure
25 as the Business Council president.

1 I look forward to working with you.
2 This will require enormous energy and effort
3 in order to ensure that we are familiar with
4 the various concerns and needs across this
5 very diverse state. So I am hopeful that we
6 will continue to communicate, to cooperate.

7 Again, I want to commend the
8 Governor and the Lieutenant Governor, because
9 you've assembled an important team to do what
10 is the most important job, and that is to
11 recruit and retain jobs in this state.

12 So good luck. And thank you,
13 Mr. President.

14 THE PRESIDENT: Thank you,
15 Senator.

16 Senator Libous.

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

19 I too want to be rise and applaud
20 the Governor for this outstanding choice.
21 And, Ken, I'm going to speak last so that I
22 make sure that we get all the jobs in my
23 district when we work on that.

24 But Ken is the right guy for the
25 job, Mr. President, because he does understand

1 the businesses of this state, he understands
2 what it takes to create job opportunities. As
3 Marty Golden said earlier, not only does he
4 understand the needs of the city, but I know
5 he understands the needs of all of New York.
6 And as my friend and colleague Senator Malcolm
7 Smith would often say, he understands the "One
8 New York" concept.

9 And, Ken, I wish you the very best.
10 I look forward to working with you. And I
11 know you'll be successful in helping New York
12 State be the state that is indeed open for
13 business again.

14 THE PRESIDENT: Senator
15 Stewart-Cousins.

16 SENATOR STEWART-COUSINS: I thank
17 you, Mr. President.

18 And Senator Libous, I'm sorry I had
19 to put my name in before you got to make your
20 statements last. But --

21 SENATOR LIBOUS: I'm honored that
22 you would close this.

23 SENATOR STEWART-COUSINS: Well,
24 again, I want to commend the Governor as well.

25 And the reason why I felt it was

1 important to rise is because so much was said
2 about MWBE. And I did have an opportunity to
3 ask those questions, and we were assured by
4 Mr. Adams that not only the commitment is
5 there to promote MWBEs, the certification
6 process continues to go faster, and there's
7 also a commitment for the technical assistance
8 that businesses need in order to be
9 competitive.

10 And so he understands that beyond
11 certification is actually the acquisition of
12 contracts and jobs. We talked about regional
13 councils and we talked about MWBE
14 representation on those councils and how that
15 has to happen.

16 So it is a wonderful, wonderful
17 nominee. We look forward, all of us, to
18 working with Mr. Adams. Because not only does
19 he have a business acumen, but he also started
20 a not-for-profit even before that. So he
21 understands the volunteer service side, lift
22 people up, and understands that jobs are the
23 way to do it.

24 So I wish you the very best and
25 look forward to working with you.

1 THE PRESIDENT: Thank you,
2 Senator.

3 Next, the question is on the
4 nomination of Kenneth G. Adams as commissioner
5 of the New York State Department of Economic
6 Development, director of the New York State
7 Urban Development Corporation, and president
8 and CEO of the Empire State Development
9 Corporation. All those in favor signify by
10 saying aye.

11 (Response of "Aye.")

12 THE PRESIDENT: Nay?

13 (No response.)

14 THE PRESIDENT: Kenneth G. Adams
15 is hereby confirmed as Commissioner of the
16 New York State Department of Economic
17 Development, director of the New York State
18 Urban Development Corporation, and president
19 and CEO of the Empire State Development
20 Corporation.

21 Kenneth, congratulations.

22 (Standing ovation.)

23 THE PRESIDENT: The Secretary
24 will read.

25 THE SECRETARY: As commissioner

1 of the New York State Department of
2 Agriculture and Markets, Darrel J. Aubertine,
3 of Cape Vincent.

4 THE PRESIDENT: Senator
5 DeFrancisco.

6 SENATOR DeFRANCISCO: I'm pleased
7 to rise to move the nomination of Darrel
8 Aubertine as the commissioner of the New York
9 State Department of Agriculture and Markets.

10 We keep repeating this on this side
11 of the aisle, that the appointments by the
12 Governor have truly been excellent
13 appointments. I mean, people that understand
14 the issues in the area to which they are being
15 appointed.

16 And this is no less true of this
17 nominee, Darrel Aubertine, who knows the
18 farming business. He's been a farmer his
19 whole life. And he also knows the political
20 process by which the issues that are important
21 to those in the agricultural community will
22 have to -- that he'll have to advocate for in
23 order to make our number-one industry even
24 better than it is now and even more productive
25 than it is now.

1 And I'm also pleased because
2 Senator Aubertine rose to the gallery and rose
3 to commissioner status because it makes a lot
4 of us happy on this side of the aisle. His
5 success is our success.

6 (Laughter.)

7 SENATOR DeFRANCISCO: And we're
8 very happy for him.

9 (Laughter.)

10 SENATOR DeFRANCISCO: So I'm
11 pleased to move the nomination of Darrel
12 Aubertine.

13 THE PRESIDENT: Thank you,
14 Senator.

15 Next, Senator Ritchie.

16 SENATOR RITCHIE: Mr. President,
17 I am pleased to rise and second the nomination
18 of Darrel J. Aubertine as the commissioner of
19 Agriculture and Markets.

20 I would also like to welcome his
21 wife, who's in the gallery today. It's nice
22 to see you, Margaret.

23 Mr. Aubertine is a lifelong dairy
24 farmer from Cape Vincent and a former member
25 of this chamber. In addition, he has

1 previously served as a member of the Assembly,
2 a Jefferson County legislator, and also a Cape
3 Vincent Town Council member.

4 Over the past several days I've had
5 the opportunity to discuss with Mr. Aubertine
6 issues that will require a coordinated effort
7 between the Legislature and the Governor to
8 resolve successfully, issues that move the
9 agriculture industry forward and recognize the
10 key role that hardworking farmers play in
11 rural upstate economies. I am confident that
12 with the help of Mr. Aubertine as
13 commissioner, we will be able to achieve that
14 goal.

15 As you can imagine, Mr. Aubertine
16 and myself have had a little history between
17 us. This morning was the first time I've had
18 the opportunity to vote for you.

19 (Laughter.)

20 SENATOR RITCHIE: I will say two
21 times in one day, Commissioner, is pushing it,
22 though. Two times in one day.

23 (Laughter.)

24 SENATOR RITCHIE: In all
25 seriousness, though, I look forward to working

1 with you. I'm sure you'll do a great job as
2 commissioner. And I wish all the best to you
3 and your family.

4 Thank you.

5 THE PRESIDENT: Thank you,
6 Senator.

7 Next, Senator Sampson.

8 SENATOR SAMPSON: Thank you very
9 much, Mr. President.

10 As Senator DeFrancisco said, on
11 that side of the aisle, on this side of the
12 aisle, the Governor has made tremendous
13 appointments. And this is an excellent
14 appointment to not only a friend, a former
15 colleague, but most of all a true statesman,
16 Senator Darrel Aubertine.

17 Darrel, I want to congratulate you
18 and your wife for the phenomenal job that you
19 have been doing not only as a farmer but, most
20 of all, here in the Legislature when you were
21 here. And your commitment and your dedication
22 and your passion to the agricultural industry
23 is beyond reproach.

24 And it's very important, it's very
25 fitting today we have Ken Adams and we have

1 Darrel Aubertine, agriculture and economic
2 development working together to create jobs,
3 not only here in New York State but also in
4 the global marketplace.

5 So, Darrel, I want to congratulate
6 you. Thank you for always being a friend, a
7 true friend. And nothing but best wishes.
8 And I know you will make a phenomenal
9 agriculture commissioner.

10 Congratulations.

11 THE PRESIDENT: Thank you,
12 Senator.

13 Next, Senator Hassell-Thompson.

14 SENATOR HASSELL-THOMPSON: Thank
15 you.

16 Again, Mr. President, I rise to
17 congratulate the Governor on this appointment.
18 But certainly I want to personally
19 congratulate Darrel Aubertine for just being a
20 good guy.

21 One of the things I continue to
22 hear is that agriculture is about upstate
23 New York. But we having ag and markets down
24 on Hunts Point and some other parts of this
25 state as well. And so we look to continue to

1 develop that relationship between the markets
2 upstate and Hunts Point, which is a part of
3 the Bronx.

4 So don't get lost upstate. We'll
5 help you find your way through the city and
6 through some of our areas.

7 But again, I think Senator Sampson
8 said it best: You've always been a friend to
9 this Legislature. And I know that you will
10 continue to do so and to be so.

11 And I know that your hours will be
12 a lot more regular and stable, which Margaret
13 will love very, very much. And so from that
14 perspective, you'll be home more, with a lot
15 more regularity. Which sometimes up here gets
16 very, very crazy.

17 But thank you, Darrel, for your
18 friendship and for all that you've done for
19 the State of New York thus far, and I know
20 that you will continue to do more in your new
21 position. Congratulations.

22 THE PRESIDENT: Thank you,
23 Senator.

24 Senator Breslin.

25 SENATOR BRESLIN: Thank you,

1 Mr. President.

2 It's my honor to stand and
3 congratulate the Governor for such a wonderful
4 pick.

5 I think Darrel Aubertine is right
6 out of Norman Rockwell. And I had forgotten
7 that the nomination was up today, and then I
8 saw his tractor parked out on State Street.

9 (Laughter.)

10 SENATOR BRESLIN: You know,
11 someone who has been on a dairy farm where his
12 grandfather worked, his father worked, his
13 children worked, and he hopes his
14 grandchildren will work. But coming here to
15 this body after a stint in the county
16 legislature and a stint as a member of the
17 Assembly and as the ranker on -- or, excuse
18 me, with Bill Magee over in the Agriculture
19 Committee over in the Assembly, and then here.

20 And here, his dedication, his
21 honesty, and I really think his nonpartisan
22 ways endeared him to both sides of the aisle.
23 Because on issues, he always did what was best
24 for his district and best for the State of
25 New York. And he's a special friend to all of

1 us.

2 And, you know, I know back in
3 November it was bittersweet when we got the
4 news. But when we thought about it -- and I
5 think I'm not alone -- many of us, when we
6 thought about: Gee, Agriculture, what a
7 perspective commissioner. And wasn't the
8 Governor so correct in choosing the perfect
9 commissioner.

10 So I congratulate you, Darrel. I
11 look forward to working with you and I'm sure
12 seeing and you Margaret together for many,
13 many years to come. Congratulations.

14 THE PRESIDENT: Thank you,
15 Senator.

16 Next, Senator Smith.

17 SENATOR SMITH: Thank you very
18 much, Mr. President.

19 I also rise to join my colleagues
20 in seconding the nomination of Darrel
21 Aubertine to become the commissioner of the
22 Agriculture Department for the State of
23 New York.

24 Mr. President, one of the joys I
25 had when we were in the majority was making

1 the appointment of Darrel Aubertine to chair
2 the Agriculture Committee. That was a
3 decision that required no thought. It didn't
4 require any deliberation, with the exception
5 of Margaret. I had to think about your
6 concern of how it would be in terms of what it
7 would take his time away. But after we got
8 through that, it was clear that Darrel was the
9 right person.

10 What people do not realize and must
11 continue to give Darrel the credit for is that
12 he has raised the profile of agriculture in
13 this state, a multi-billion-dollar industry
14 that most people don't recognize in the State
15 of New York which has become recognized
16 throughout the country.

17 And so the Governor of this state
18 has continued to make wonderful appointments.
19 Senator Ritchie -- Senator Ritchie (laughing).
20 I'll just say thank you in my own special way.
21 Because as Darrel has always been a
22 trailblazer and sacrificing of his time, as he
23 did for this body and for this conference, he
24 once again is sacrificing his time for the
25 greater good in the State of New York.

1 So to my good friend Darrel
2 Aubertine -- and I consider him to be a good
3 friend -- and his wife, thank you for allowing
4 him once again to be a servant to the state.
5 Thank you once again for allowing him to serve
6 the 19 million people of this state. But most
7 importantly, thank you for allowing him to
8 share his most inner person, and that is a
9 person that says if I can do something for
10 someone to make their life better, I will do
11 so. And you have allowed him to continue to
12 do that in his life. Thank you, Margaret.

13 And, Darrel, good luck to you. But
14 your wife deserves most of the credit.

15 Thank you.

16 THE PRESIDENT: Thank you,
17 Senator.

18 Next, Senator Liz Krueger.

19 SENATOR LIZ KRUEGER: Thank you.

20 I also rise to welcome my friend
21 and previous colleague to his new position as
22 the commissioner of Ag and Markets. And some
23 people who go into politics really like the
24 politics, and some people really like the
25 policy. And I feel confident in saying that I

1 know that Darrel Aubertine really likes the
2 policy.

3 And so I think, with this
4 confirmation, we will see that a man who is
5 completely dedicated to agricultural issues in
6 this state really gets to run with it, so to
7 speak, as our commissioner, making sure that
8 we do everything we can to support and
9 strengthen agriculture in New York State.

10 And as I've said to him many times,
11 upstate New York may be growing the food we
12 eat, but my district wants to eat it. So we
13 want it grown, we want it healthy, we want it
14 local, and we want to figure out how we bring
15 more New York State agriculture right down
16 into New York City as a win/win for all of us.

17 So congratulations, Darrel.

18 THE PRESIDENT: Thank you,
19 Senator.

20 Senator Kennedy.

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

23 I too want to rise to congratulate
24 you, Darrel Aubertine, on your nomination and
25 ultimately your confirmation as commissioner

1 of Agriculture and Markets.

2 You know, many of you in this
3 chamber had the opportunity to serve with
4 Commissioner Aubertine. I haven't. Yesterday
5 was the first time we actually got an
6 opportunity to meet. But I'm a pretty good
7 reader of people, typically, and it didn't
8 take me long to figure out what's already been
9 stated.

10 Darrel Aubertine is a good person.
11 But further than that, it takes more than a
12 good person to be a good commissioner. And
13 Darrel Aubertine's resume speaks for itself:
14 A seventh-generation farmer, whose
15 granddaughter will be a ninth-generation
16 farmer, whose family farm was created back in
17 1832 up in Jefferson County.

18 And I first wanted to say that, you
19 know, the family farm might just be the
20 heartbeat of New York State. Perhaps it would
21 be more fitting to refer to it as the stomach
22 of New York State.

23 Commissioner Aubertine, it's an
24 absolute pleasure to stand here in support of
25 what's already been applauded as a tremendous

1 nomination from the Governor of the State of
2 New York as the next commissioner of
3 Agriculture.

4 As the ranker on Agriculture, I
5 look forward to working with you to advance
6 the agriculture industry, to help grow jobs,
7 grow the economy throughout New York State, in
8 Western New York, in my district, from the
9 cornfields of Eden to the farms in Hamburg,
10 West Seneca, into the processing that happens
11 right in the City of Buffalo, the second
12 largest city in this state.

13 We have our work cut out for us.
14 And there's nobody better to lead this state
15 as it pertains to Agriculture and Markets.
16 And furthermore, furthermore, perhaps what is
17 even further compelling and makes it even much
18 easier to support Commissioner Aubertine today
19 is his avid love for the Buffalo Sabres.

20 Congratulations.

21 THE PRESIDENT: Thank you,
22 Senator.

23 Next, Senator Adams.

24 SENATOR ADAMS: Thank you.

25 And I hope, Lieutenant Governor,

1 you let the Governor know that there are a lot
2 more commissioners on that side of the aisle
3 that he could appoint. We would love for them
4 to be appointed as well.

5 (Laughter.)

6 SENATOR ADAMS: Let me say this.
7 I think that Darrel is representative of what
8 this body is about. I mean, we debate, we
9 argue when we're on the floor, and oftentimes
10 people who watch us on TV, YouTube or any
11 other place, they believe that we take our
12 passion outside the chamber. And when in fact
13 that's not the reality.

14 Darrel is representative. And I
15 think he personifies what's great about men
16 and women who decide to serve government, no
17 matter how much they attack us, no matter how
18 much they want to write bad things about us.
19 You don't run for government if you don't like
20 the people of the State of New York.

21 And it doesn't matter if you're a
22 Democrat or a Republican, the mere fact is we
23 spend days away from our families. Darrel
24 knows what he was here there was countless
25 number of days he's not with his family, he's

1 not with his loved ones. And that's
2 representative of what we all are.

3 So our applauding of Darrel really
4 is an acknowledgement of what we feel about
5 each other. And even when someone passes away
6 in this chamber, we mourn the death. When
7 someone rises from this chamber and becomes a
8 commissioner, we celebrate that.

9 And that's what's great about
10 Darrel. When Darrel was here as a State
11 Senator, he was welcomed by all. He served in
12 the Assembly, he served in the Senate, and it
13 was the same tone across the board of what
14 Darrel represented.

15 And we miss you, we believe that
16 the State of New York is better, and we
17 believe that all of us bring our own level of
18 expertise -- if it's social services, like
19 Senator Montgomery, or law enforcement, like
20 myself, or some of the attorneys or some of
21 the others who have other professions. There
22 are a great group of men and women who are in
23 state government. And what we learn here we
24 take out to other areas of state government.

25 And no matter how much individuals

1 attempt to tarnish who and what we represent,
2 you are an indicator of what's great about
3 serving in the state government. I'm happy,
4 after my career, I came to serve in state
5 government, and I'm glad that I had an
6 opportunity to meet you and meet other men and
7 women who are in this chamber, and to say that
8 your heart and soul is to see that the people
9 of State of New York are able to get from one
10 day to the next. And you did that as a State
11 Senator. I'm sure you're going to do it as a
12 Commissioner.

13 And there's a lot of opportunities
14 out there, if we think outside the box, of how
15 do we bring the agricultural community from
16 upstate throughout the state. This is a great
17 farm state, and we can do some great things if
18 the individual thinks outside the box. And I
19 think you're the person for the job. And I
20 thank you for your time in the State Senate,
21 and I look forward to partnering with you as
22 well in your new role as the commissioner.
23 And I'm sure your wife -- you're going to be
24 happy to have him home, you know.

25 So again, thank you, Darrel, so

1 much.

2 THE PRESIDENT: Thank you,
3 Senator.

4 Next, Senator Diaz.

5 SENATOR DIAZ: Thank you,
6 Mr. President. And welcome back. I really
7 missed you.

8 Today we are here confirming Darrel
9 Aubertine as commissioner of the Department of
10 Agriculture. We all know Darrel Aubertine.
11 He served in the Assembly, and in the Assembly
12 he was the chairman of the Agriculture
13 Committee. Then he came here, and he -- he
14 was a member of the committee there, and here
15 he was the chairman of the Agriculture
16 Committee.

17 For the last 10 years, Darrel
18 Aubertine has been involved in every issue
19 that had to do with farmers and with farms.
20 Every commissioner that has been appointed the
21 last 10 years, Darrel had something to do with
22 it. Every law, every regulation, every
23 committee overseeing, Darrel Aubertine has
24 been involved in the agricultural world. Not
25 only because he is a farmer, not only because

1 he owns a farm, not only because his family
2 has been farmers, but as a political -- as an
3 elected official, he has been involved.

4 And he's from upstate. I'm from
5 the City of New York. So what does upstate
6 and the City of New York has in common and
7 with Darrel Aubertine, Mr. President? Darrel
8 Aubertine is a farmer, and the farmers upstate
9 produce the food that we in the city eat. So
10 we need someone that really cares so we in the
11 city could have good food to eat.

12 But the City of New York does not
13 only eat, the City of New York does not only
14 eat what the upstate farmers produce, but we
15 also in the City of New York we have,
16 Mr. President, the biggest transportation
17 market in the nation. It is called the Hunts
18 Point Market.

19 And I hope, I hope that
20 Commissioner Aubertine, when he becomes --
21 after we approve him and he becomes
22 Commissioner of Agriculture, that he does
23 everything possible in his power to protect
24 and to guarantee that the Hunts Point Market
25 and the jobs that it produces stay in the

1 State of New York --

2 (Applause from gallery.)

3 SENATOR DIAZ: -- and don't --
4 and don't allow New Jersey to take it from us.
5 And I hope that the Hunts Point Market
6 receives all the resources and the attention
7 needed from the Commissioner and from the
8 Governor in order to keep being what it has
9 always been, a very big economic and job
10 developer for the State of New York.

11 So, Commissioner --

12 (Applause from gallery.)

13 SENATOR DIAZ: So, Commissioner
14 Aubertine, as you all know, me and the
15 Governor have little in common. I don't
16 support the Governor too much. Today, today I
17 am supporting the Governor on this nomination.

18 And I hope, Commissioner Aubertine,
19 to see you and have coffee with you in the
20 Hunts Point Market.

21 (Laughter.)

22 SENATOR DIAZ: Thank you.

23 (Applause from gallery.)

24 THE PRESIDENT: I would ask,
25 while the Senators are speaking, that we hold

1 the applause until our nominee is voted on at
2 the end.

3 Senator Libous.

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

6 I too want to rise and congratulate
7 the Governor on this nomination. Actually,
8 Senator, I was hoping that another Governor
9 would have put this nomination up two years
10 ago, but it didn't happen.

11 (Laughter.)

12 SENATOR LIBOUS: And since you're
13 soon going to be confirmed as Commissioner, I
14 just want to set the record straight. They
15 made me do it. I had nothing to do with any
16 of that.

17 (Laughter.)

18 SENATOR LIBOUS: But,
19 Mr. President, the Governor has indeed picked
20 a former colleague of ours, someone that we
21 respect, someone that is certainly respected
22 back home in his district, and someone who
23 stood on this floor for a number of years to
24 defend the agriculture community of this state
25 and, as has been mentioned by my colleagues,

1 has the passion for the job, has the
2 commitment to the job, and I know that he will
3 not only make the Governor proud, that he'll
4 make all of us proud.

5 And, Senator Ritchie, it's okay to
6 vote a second time for Senator Aubertine
7 today.

8 (Laughter.)

9 SENATOR LIBOUS: It's the right
10 thing to do.

11 And, Darrel, I'm very proud to
12 stand here and say congratulations to you and
13 I look forward to working with you as we move
14 forward.

15 THE PRESIDENT: Thank you,
16 Senator.

17 Senator Maziarz.

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

20 I too want to rise to congratulate
21 Darrel and wish him well. He's done a lot,
22 including making Senator Libous the number-one
23 tourist in Jefferson County the last several
24 years.

25 (Laughter.)

1 SENATOR MAZIARZ: Darrel, you
2 chaired the Senate Energy Committee and we
3 worked on several pieces of legislation. You
4 were always very professional and above board,
5 and I really appreciated that. And I think
6 you'll do a great job. You certainly
7 understand agriculture, and you know how
8 important it is to both upstate and downstate
9 New York.

10 I agree with my colleague Senator
11 Diaz and Senator Adams when he said that it's
12 great to see somebody who's served here who
13 gets a promotion. So congratulations, and
14 good luck to you.

15 THE PRESIDENT: Thank you,
16 Senator.

17 Next, Senator Klein.

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

20 It's truly an honor and a
21 pleasure to second the nomination of Darrel
22 Aubertine as our next Agriculture
23 Commissioner.

24 Over the years of his service in
25 both the Assembly and the Senate, I learned a

1 lot from Darrel. He proved to be a very close
2 friend, someone that really epitomizes public
3 service and his ability to always think of the
4 issues and work in a bipartisan fashion.

5 He taught me important lessons
6 about the importance of agriculture in
7 New York State, taught me about the disconnect
8 sometimes in some of the things that us
9 downstaters want to do that impacts the
10 agriculture industry in this state. He taught
11 me that half-and-half doesn't come out of a
12 specific cow.

13 (Laughter.)

14 SENATOR KLEIN: But he's somebody
15 who truly is a dedicated public servant. And
16 sometimes life has us training for a job all
17 our lives, and that job comes to fruition.
18 Well, I can't think of any better job for
19 Darrel Aubertine than to be the Agriculture
20 Commissioner of the great State of New York.

21 Thank you, Darrel.

22 THE PRESIDENT: Thank you,
23 Senator.

24 Senator Valesky.

25 SENATOR VALESKY: Thank you,

1 Mr. President.

2 I rise to second the nomination of
3 my friend Darrel Aubertine as Commissioner of
4 Agriculture. I also want to join my other
5 colleagues who have commended Governor Cuomo
6 for the latest in a long line of outstanding
7 nominees, Ken Adams as well, and many that
8 we've already confirmed here on the floor of
9 the Senate.

10 You know, many have spoken about
11 Darrel's legislative accomplishments both here
12 in the Senate and down the hall in the
13 Assembly. And one can look at legislative
14 records and read transcripts of his speeches
15 on the floor and look at his votes and look at
16 the laws that have resulted from the bills
17 that he has passed.

18 And while that no doubt will
19 contribute to making him an outstanding
20 commissioner, I think that what really is
21 important about Darrel and what really matters
22 is not so much what he has done here in this
23 city over the last eight or nine years of his
24 life, but what he has done each and every year
25 of his life back in Cape Vincent. And his

1 dairy farm, sixth-generation dairy farmer, and
2 what he has done with his sons, who I
3 understand now are doing far more than he is
4 back in Cape Vincent as a result of the time
5 that he's now spending on this job.

6 But he -- and maybe at this
7 department, at the Department of Agriculture
8 and Markets than any other department in the
9 state, how important it is to have someone who
10 lives that life, so that he understands
11 firsthand the challenges that farmers face,
12 particularly in these difficult economic
13 times. I think that's why Darrel Aubertine
14 will make a tremendous commissioner of the
15 Department of Agriculture and Markets.

16 Darrel, I'm very happy for you,
17 very happy for you, Margaret. But I'm very,
18 very happy for farmers in New York State
19 because of the leadership that you will
20 continue to provide.

21 Thank you.

22 THE PRESIDENT: Thank you,
23 Senator.

24 Senator Alesi.

25 SENATOR ALESI: Thank you,

1 Mr. President.

2 I had the pleasure of sitting in on
3 the Finance Committee meeting earlier today
4 when Senator DeFrancisco, who chairs that
5 committee, asked Darrel Aubertine a little bit
6 about his background.

7 And he talked about his time in
8 local government and his time in the Assembly
9 and his time in the Senate. And he just
10 paused at that point, and then Senator
11 DeFrancisco had to say: "Is there anything
12 else that you want to add to this?" And he
13 said, "Well, I'm a farmer, six generations.
14 My grandfather, my father, myself, my kids."

15 And so it was almost as if he was
16 taking for granted the fact that he was a
17 farmer and almost didn't even bring that to
18 the legislative process, focusing more on his
19 elective office. And at the same time, the
20 minute he said that, it clicked that this is
21 someone who actually brings firsthand
22 experience to the job like very few people do
23 in our world.

24 I can tell you a few years ago we
25 had our difficulties in this chamber, as

1 everybody knows that. And as we've evolved
2 from that, we all have different
3 personalities. I believe that to the extent
4 that you can maybe make a case, this is kind
5 of a family. And so it's great when you see
6 somebody that comes from this body going to
7 such a great level because of the vision of
8 our new and great Governor. Once again, a
9 tremendous pick.

10 With all the different
11 personalities around here assembled, I can say
12 this about Darrel Aubertine. The easiest way
13 for me to describe him, aside from saying that
14 he is the true genuine best pick to be the
15 Commissioner of New York State's number-one
16 industry, is simply this. He is a true
17 absolute gentleman. And I appreciate the time
18 that I've had to spend with him in the Senate
19 and looking forward to working with him as
20 time goes on.

21 And, Darrel, I wish you all the
22 best.

23 THE PRESIDENT: Thank you,
24 Senator.

25 Senator Young.

1 SENATOR YOUNG: Thank you,
2 Mr. President.

3 And I rise in strong support of
4 Darrel Aubertine as the next commissioner of
5 the Department of Agriculture and Markets in
6 New York State.

7 Darrel and I have strongly agreed
8 on some things, and we've strongly disagreed
9 on other things. But whether we strongly
10 agreed or disagreed, I never doubted Darrel
11 Aubertine's commitment to the agricultural
12 community, to the industry, his knowledge and
13 his passion for what he was doing.

14 And we had a good discussion
15 earlier during the Agriculture Committee
16 meeting. And I believe very strongly that
17 Darrel understands the importance of
18 agriculture, not only now, but how critical it
19 is to our future in New York State. That it
20 is an economic engine, it's the largest
21 industry in upstate New York, and we have
22 2 million acres of fallow farmland that we
23 need to get back into production.

24 And there's so many opportunities
25 tied to that, whether it's food processing,

1 whether it's green energy, whether it's the
2 maple industry, aquaculture, wine and grapes.
3 There are so many different opportunities out
4 there. And I know that Darrel Aubertine is
5 very familiar with these opportunities.

6 And I believe that he will work as
7 hard as he can with this body, with the
8 Governor, with the Assembly, and with the
9 farming community in order to accomplish great
10 results for our economy, for our farms, and
11 for the people of this state so that they have
12 fresh, local, and safe food.

13 So we talked a little bit about the
14 "Pride of New York." We are very proud of
15 what we produce in New York State through
16 agriculture. I look forward to continuing to
17 work with you, and I think we're going to get
18 a lot of great things done.

19 So congratulations to you.

20 THE PRESIDENT: Thank you,
21 Senator.

22 Senator Duane.

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

25 I also agree that the Governor has

1 really made a very fine appointment in Darrel
2 Aubertine. First of all, Darrel Aubertine is
3 just a real gentleman, a good person. And I
4 can't imagine saying anything but the best
5 things about him.

6 You know, I was fortunate enough to
7 spend some time with then-Senator Aubertine in
8 his district. And not only did I see his
9 dairy farm and see where his family lived and
10 the church where he and Margaret were married,
11 but whether it was here in Albany or there in
12 the district, he was just really a great
13 educator on agricultural issues. And, you
14 know, he was even willing to use the odd terms
15 that I would bring up that I used about farm
16 policy, like "walking-around cows," as opposed
17 to the cows that aren't walking around.

18 We actually spent time, a couple of
19 hours, actually, speaking with people from
20 Clarkson about cows and methane, of which I'm
21 not going to go into great detail about it,
22 but it's actually -- it is potentially a
23 really terrific both agricultural and policy
24 which I hope that Commissioner Aubertine will
25 follow.

1 And, you know, he's just very
2 generous with his knowledge and just a
3 terrific choice. And no matter what
4 happens -- though I think we will be approving
5 him -- but no matter what happens, I can say
6 that former Senator Darrel Aubertine and
7 hopefully Commissioner Aubertine, we will
8 always have the Canton Dairy Parade together.

9 Thank you, Mr. President.

10 THE PRESIDENT: Thank you,
11 Senator.

12 Senator Perkins.

13 SENATOR PERKINS: Thank you very
14 much.

15 I did want to join my colleagues in
16 expressing my congratulations and appreciation
17 for the time that we spent together. And I'm
18 positive you're going to do a wonderful job.

19 You know, I once had the
20 opportunity to milk a cow thanks to Senator
21 Valesky. I don't think the cow appreciated
22 it.

23 (Laughter.)

24 SENATOR PERKINS: But it was an
25 enlightening experience.

1 But I say that because I understand
2 you're a dairy farmer. And a lot of folks,
3 when they think of places like Harlem, they
4 don't think of the fact that we do have some
5 great appreciation for farming.

6 And in fact, there is an urban
7 farming movement, a very significant urban
8 farming movement that I want to bring to your
9 attention again, because at some point we're
10 going to look forward to you coming down into
11 the community to talk with our urban farmers
12 and see how, through you, they can begin to
13 develop even further their visions for how
14 they can be a part of this farming experience,
15 especially for those of us that are in urban
16 areas where there is this great movement.

17 So congratulations to you. Thank
18 you for your friendship and for the wonderful
19 work you did as a Senator. I'm sure you'll do
20 equally as well, if not much better, as our
21 commissioner, and I look forward to seeing you
22 in our farm in Harlem.

23 THE PRESIDENT: Thank you,
24 Senator.

25 Senator Little.

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

3 I too would like to join my
4 colleagues in offering my congratulations to
5 both of our nominees today. Again, the
6 Governor has picked people who have been in
7 the business to now lead that department. And
8 I think that's important for our constituents.

9 And certainly Darrel Aubertine is
10 going to really be helpful to the North
11 Country. And we all talk about upstate and
12 downstate. I don't think you can get farther
13 upstate than Cape Vincent, other than you go
14 to Rouses Point in my district. But he
15 certainly understands the challenges that
16 North Country farmers and farm families face,
17 and agriculture in the North Country. So
18 we're going to benefit from having a
19 commissioner of Agriculture from the
20 North Country.

21 Congratulations, and thank you.

22 THE PRESIDENT: Thank you,
23 Senator.

24 Next, Senator Griffo.

25 SENATOR GRIFFO: Thank you,

1 Mr. President.

2 I feel very fortunate that the
3 regions that I represent and co-share in
4 representation have been the host communities
5 to the last three commissioners of
6 Agriculture. So we're doing something good in
7 Central and Northern New York.

8 I want to congratulate the Governor
9 on this selection. And I want to congratulate
10 Darrel on his interest in the job, but more
11 importantly on his commitment to doing the
12 job.

13 I had the opportunity to serve with
14 Darrel and to co-represent territory in the
15 North Country, and I sincerely appreciate his
16 passion, his hard work, and his advocacy on
17 behalf of agriculture. So I want to wish him
18 and Margaret well in this new endeavor.

19 And I think the greatest challenge
20 you will face, Darrel -- because Senator
21 Perkins talked about cow milking. And I know
22 that you're a cow-milking champion. But you
23 now have the opportunity to coach Senator Diaz
24 and see if you can bring him to the State Fair
25 and do something to make him become a champion

1 too in that regard.

2 So good luck, and best wishes to
3 you, Darrel, and congratulations to Margaret.

4 THE PRESIDENT: Thank you,
5 Senator.

6 Senator Parker.

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

9 I rise to congratulate both a
10 colleague and good friend, Darrel Aubertine,
11 on his appointment to commissioner of Ag and
12 Markets. I also want to congratulate the
13 Governor on this appointment, which is really
14 one of the most important appointments in the
15 state.

16 A lot of people have talked about
17 how Darrel taught them things about
18 agriculture. He certainly taught me
19 something. As many of you know, I represent
20 Borough Park, which is -- you know, I
21 represent probably more orthodox Jews than any
22 other non-Jew in the State of New York. And
23 so it was Darryl Aubertine who kept talking
24 about the Holsteins. And the whole time I was
25 thinking about, what Jews live in the North

1 Country? But he was actually talking about
2 cows.

3 (Laughter.)

4 SENATOR PARKER: So, Darrel,
5 thank you so much. And congratulations to you
6 and your family.

7 But this is the -- really, I say
8 this is the most important appointment in the
9 state, because most of us don't realize day to
10 day, especially those of us in New York City,
11 that agriculture is our largest gross receipts
12 in the state.

13 And people don't understand -- and
14 I learned much of this from Darrel -- that we
15 are the second-largest apple producer in the
16 entire country, the second-largest maple
17 producer, the third-largest producer of
18 onions, the fourth-largest producer of dairy
19 products. You know, sweet corn, snap peas,
20 hog products, you can just go on and on about
21 the agricultural bounty that the State of
22 New York produces.

23 And that agricultural bounty
24 couldn't be in finer hands than in the hands
25 of Senator Aubertine. And so I look forward

1 to a great harvest.

2 But then something him and I have
3 been talking about for a long time is building
4 that connection between, you know, one of the
5 largest agricultural markets, which is the
6 State of New York, and the largest retail
7 market, which is New York City. And to make
8 sure that we actually do more to open up our
9 markets in New York City to buy New York State
10 products so that we all can share in the
11 economic excellence that this state has to the
12 whole.

13 Thank you.

14 THE PRESIDENT: Thank you,
15 Senator.

16 Senator Savino.

17 SENATOR SAVINO: Thank you,
18 Mr. President. I also want to rise and second
19 the nomination of my friend Darrel J.
20 Aubertine.

21 I certainly congratulate the
22 Governor on this appointment. And I want to
23 say there's nobody more qualified to be the
24 Commissioner of Agriculture than Darrel J.
25 Aubertine. I don't think anybody in this room

1 disputes that.

2 And I want to thank Senator Ritchie
3 for moving his nomination through and voting
4 for him today. But I would be lying if I
5 didn't say that I wish it were the other way
6 around.

7 However, sometimes the good Lord
8 has plans for us that we can't see coming.
9 And I think that Darrel is in the right place
10 at the right time, not just for him, not just
11 for this body, but for the people of the State
12 of New York.

13 My experience with Darrel has been
14 so amazing over the past couple of years. You
15 know, when we all come into this chamber, we
16 bring a little piece of New York State with
17 us. And we work best when we share our
18 experiences of where we come from and what
19 that part of New York State is like. And I
20 used to tease Darrel and say that he
21 represented the most northern part of the
22 state, and I represented the most southern
23 part of the state. And that's still true.

24 I found out, when Darrel took me to
25 places I never would have gone, like

1 Ogdensburg and Oswego and Watertown and
2 Jefferson, I found out that there are no
3 Italians in that part of the state. It might
4 be the only part of the state where we don't
5 have Italians. But we did have Amish people.
6 It was an amazing experience to see Darrel
7 Aubertine's part of New York State.

8 But I also know that Darrel
9 Aubertine has made New York State an amazing
10 place for all of us. And you're going to do
11 such great work in Agriculture and Markets.
12 You have been one of the most decent people I
13 have ever met in this business. And I know
14 that the future for you and for Margaret is
15 going to be wonderful, and in exchange it's
16 going to be wonderful for us.

17 Congratulations to both of you.

18 THE PRESIDENT: Thank you,
19 Senator.

20 I'll ask, anybody else like to
21 speak on behalf of this nomination?

22 Senator Montgomery.

23 SENATOR MONTGOMERY: Yes, I just
24 briefly want to say my congratulations to both
25 the Governor for this appointment and to

1 Darrel Aubertine.

2 It was a pleasure to serve with you
3 here in this chamber. And you were certainly
4 the first authentic farmer that I had known as
5 Senator, and I thank you for what you
6 represented.

7 And I am certainly aware of the
8 significance of the farming and agricultural
9 industry in our state. And it's wonderful to
10 know that a person like you who has not only
11 the history and the lineage that relates to
12 farming and respect for the land and history,
13 but I think you also understand that I also
14 have farms in my district. Although they are
15 little small farms, they're very important to
16 us.

17 And I think that you will
18 understand that we want to see you in
19 Brooklyn. I would like for you to come and
20 experience the urban farms with the little
21 farmers, some of them children, some of them
22 adults, and how much they appreciate and how
23 proud they are of their farmers and that we
24 can begin to make the connection that needs to
25 be made between young people and the value of

1 land and agriculture to all of us for this era
2 as well as into the future.

3 So I'm proud that you're there,
4 proud that you know us, and proud that we are
5 going to be able to look forward to your
6 leadership to build a "One New York" in
7 agriculture in our state.

8 So thank you, Mr. President. And
9 congratulations, Darrel.

10 THE PRESIDENT: Thank you,
11 Senator.

12 Senator Stavisky.

13 SENATOR STAVISKY: Thank you,
14 Mr. President. And I too want to add my
15 congratulations.

16 Commissioner, you've taught us that
17 milk doesn't come from a supermarket. It's
18 part of the New York tradition of nurturing
19 and growing our products. And I appreciate
20 especially the comments today about keeping
21 the agricultural and the business community in
22 New York State.

23 But let me add one point. I was
24 particularly pleased with the Commissioner's
25 response today at the Finance Committee to a

1 question that's very significant and people
2 forget about as it pertains to my district,
3 and that's the role that the state plays in
4 inspecting kosher markets. I know you are
5 sensitive to this issue. It's an important
6 issue. And especially since Senator Parker
7 mentioned the Holsteins -- it's pronounced
8 Hol-stine in my district.

9 (Laughter.)

10 SENATOR STAVISKY: But I want to
11 add one aspect. I am particularly sensitive
12 to the role that spouses play.

13 And, Margaret, I want to
14 congratulate you because I know you share
15 Darrel's commitment to service and to helping
16 the people of our state. And we certainly
17 wish you well in the days ahead.

18 Congratulations.

19 THE PRESIDENT: Thank you,
20 Senator.

21 Senator Seward.

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

24 One of the problems of being one of
25 the last speakers on an occasion like this is

1 it's all been said and it's all been said very
2 eloquently by my colleagues.

3 But I would be remiss if I did not
4 also stand to congratulate both the Governor
5 and Senator Aubertine on this appointment and
6 confirmation today of Darrel being our next
7 Commissioner of the Department of Agriculture
8 and Markets.

9 It's very significant that our
10 commissioner walks the walk and talks the talk
11 in terms of agriculture and farming in
12 New York State. And that experience, that
13 life experience is going to serve him and the
14 people of New York State very, very well in
15 this new capacity.

16 And I think it is significant that
17 we are today confirming both Ken Adams, who
18 will head up our economic development arm of
19 state government, and Darrel Aubertine as our
20 Agriculture Commissioner on this very same
21 day. It very clearly demonstrates that
22 agriculture and economic development are so
23 closely aligned in our state. It recognizes
24 that agriculture, even in tough times, is our
25 state's largest industry.

1 And working together, I know that
2 together with the administration and these two
3 new confirmations today, we will in fact
4 create the right environment in New York State
5 where agriculture will do well and our economy
6 will do well. They're so closely aligned.

7 So I'm delighted to stand and
8 support this confirmation.

9 THE PRESIDENT: Thank you,
10 Senator.

11 I think we have effectively covered
12 the chamber, but if no other -- Senator
13 Gallivan.

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

16 I also rise to support the
17 nomination of Darrel Aubertine. I represent a
18 district, largely rural agriculture, the most
19 important industry in the district and of
20 course so important to New York State. And it
21 is good to know that somebody that comes from
22 this background, certainly well qualified,
23 understanding the challenges facing the
24 agricultural industry, is helping to move it
25 forward.

1 I know you did share a special bond
2 with many people here -- my colleague, Senator
3 Ritchie. But I too share a special bond. As
4 I sat in my chair for the first time, I opened
5 my desk and I looked down. Inscribed inside
6 my desk is "Senator Darrel Aubertine, 48th
7 Senate District, 2/26/2008."

8 So as you move to a different
9 chair, and me into this chair, I look forward
10 to work with you and advancing the agriculture
11 industry.

12 Thank you.

13 THE PRESIDENT: Thank you,
14 Senator.

15 Any other Senators before we close?

16 Well, the question is on the
17 nomination of Darrel J. Aubertine as
18 Commissioner of the New York State Department
19 of Agriculture and Markets. All those in
20 favor signify by saying aye.

21 (Response of "Aye.")

22 THE PRESIDENT: Opposed, nay.

23 (No response.)

24 THE PRESIDENT: Therefore Darrel
25 J. Aubertine has been confirmed as the

1 Commissioner of the New York State Department
2 of Agriculture and Markets.

3 Congratulations to Darrel and also
4 to Margaret, his wife. Thank you.

5 (Standing ovation.)

6 THE PRESIDENT: Congratulations.

7 Next, reports of select committees.

8 Communications and reports from
9 state officers.

10 Motions and resolutions.

11 Senator Libous.

12 SENATOR LIBOUS: Mr. President,
13 could we please adopt the Resolution Calendar,
14 with the exception of Resolution Number 1067.

15 THE PRESIDENT: All in favor of
16 adopting the Resolution Calendar, with the
17 exception of Resolution Number 1067, signify
18 by saying aye.

19 (Response of "Aye.")

20 THE PRESIDENT: Opposed, nay.

21 (No response.)

22 THE PRESIDENT: The Resolution
23 Calendar is adopted.

24 Senator Libous.

25 SENATOR LIBOUS: Mr. President, I

1 believe at this time Senator Diaz has
2 Resolution Number 336 at the desk. It is a
3 privileged resolution. I ask that you read it
4 in its entirety and, before we adopt it, to
5 please call on Senator Diaz.

6 THE PRESIDENT: The Secretary
7 will read.

8 THE SECRETARY: Legislative
9 Resolution Number 336, by Senator Diaz,
10 memorializing Governor Andrew M. Cuomo to
11 declare March 11, 2011, to April 12, 2011, as
12 Garifuna-American Heritage Month in the State
13 of New York.

14 "WHEREAS, It is the sense of this
15 Legislative Body to recognize and pay just
16 tribute to the cultural heritage of the ethnic
17 groups which comprise and contribute to the
18 richness and diversity of the community of the
19 State of New York; and

20 "WHEREAS, Attendant to such
21 concern, and in keeping with its time-honored
22 traditions, it is the intent of this
23 Legislative Body to applaud and commemorate
24 events which foster ethnic pride and exemplify
25 the cultural diversity that represents and

1 strengthens the spirit of the people and the
2 State of New York; and

3 "WHEREAS, This Legislative Body is
4 justly proud to memorialize Governor Andrew M.
5 Cuomo to declare March 11, 2011, to April 12,
6 2011, as Garifuna-American Month in the State
7 of New York; and

8 "WHEREAS, Garifuna-American
9 Heritage Month celebrates the great
10 contributions of Garifuna-Americans to the
11 fabric of New York City, and pays tribute to
12 the common culture and bonds of friendship
13 that unite the United States and the Garifuna
14 countries; and

15 "WHEREAS, Garifuna-American
16 Heritage Month affirms the culture, identity
17 and self-esteem of a people. It celebrates a
18 rich heritage and illuminates Garifuna history
19 and tradition, as well as the spirit of an
20 indomitable people; and

21 "WHEREAS, In 1665, two Spanish
22 ships wrecked off the coast of St. Vincent;
23 and

24 "WHEREAS, The West African slaves
25 that escaped to the island eventually

1 intermarried with the Venezuelan Caribs and
2 the Arawaks; and

3 "WHEREAS, The new race of people,
4 known as the Garifuna, grew strong and
5 prosperous on the island; and

6 "WHEREAS, In 1795, the Garifuna
7 began the Second Carib War against the
8 British. Battles raged throughout St. Vincent
9 over the next year, with both sides enduring
10 heavy losses; and

11 "WHEREAS, On June 10, 1796, the
12 final battle commenced with the Garifuna and
13 British, resulting in the Garifuna's
14 surrender; and

15 "WHEREAS, The surviving Caribs were
16 exiled to the neighboring island of
17 Balliceaux; and

18 "WHEREAS, On March 11, 1797, the
19 defeated Garifuna were loaded onto a convoy of
20 eight vessels and transported to Roatan,
21 Honduras, which arrived on April 12th of that
22 year; and

23 "WHEREAS, The Garifuna began to
24 migrate to the United States during the 1930s.
25 Today, New York City is home to the largest

1 Garifuna community outside of Central America;
2 and

3 "WHEREAS, The nurturing and
4 promotion of Garifuna pride is at the center
5 of the Garifuna coalition's community
6 organizing initiative, to create awareness and
7 appreciation of the Garifuna culture and its
8 contribution to the culture and society of
9 New York; and

10 "WHEREAS, On May 18, 2001, the
11 United Nations Educational, Scientific and
12 Cultural Organization (UNESCO) proclaimed the
13 Garifuna language, dance and music as a
14 'masterpiece of the oral and intangible
15 heritage of humanity'; and

16 "WHEREAS, Garifuna-American
17 Heritage Month provides an opportunity to
18 recognize the significance of their
19 contributions to the quality and character of
20 life, and, through many events and activities
21 throughout the month, for all people to gain a
22 greater appreciation of Garifuna history and
23 traditions, and of the role Garifuna-Americans
24 have played and will continue to play in our
25 society; and

1 "WHEREAS, On September 17, 1821,
2 nearly a decade before slavery was completely
3 phased out in New York City, William Henry
4 Brown's African Theater presented its first
5 performance in Greenwich Village. Mr. Brown
6 was the first American playwright of African
7 descent and wrote 'The Drama of King
8 Shotaway,' recognized as the first Black drama
9 of the American theater, which has as its
10 subject the 1795 Black Caribs (Garifunas)
11 defense of the Island of St. Vincent against
12 colonization by the British; and

13 "WHEREAS, Today, New Yorkers of
14 Garifuna heritage such as Sara Logan, Lino
15 Solis, Rosemary Ordonez Jenkins, Eleanor
16 Cecelia Castillo-Bullock, Mirtha Colon, Jose
17 Francisco Avila, and Aurelio Martinez,
18 continue to recognize and honor the cultural
19 practices of their ancestors; now, therefore,
20 be it

21 "RESOLVED, That this Legislative
22 Body pause in its deliberations to memorialize
23 Governor Andrew M. Cuomo to declare March 11,
24 2011, to April 12, 2011, as Garifuna-American
25 Heritage Month in the State of New York; and

1 be it further

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

6 THE PRESIDENT: Senator Diaz.

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

9 Today, ladies and gentlemen, today
10 is a very, very special day. And today I'm
11 honored to be the sponsor of this great
12 resolution and this historic event. This is a
13 historic event today.

14 Today I'm honored to have the
15 opportunity and privilege granted to me by the
16 distinguished Temporary President, the
17 Honorable Dean Skelos, and the members of this
18 body, to be able to introduce this resolution,
19 and to have many members of the Garifuna
20 community present to witness this historic
21 event.

22 Ladies and gentlemen, the Garifuna
23 community has been an integral part of
24 New York City and especially to the County of
25 the Bronx for more than 70 years. The

1 Garifunas has been migrating to the United
2 States of America in search of a better life
3 since 1930. Their vitality, their talent,
4 andr and their commitment constitute
5 tremendous resources for our state and our
6 city.

7 But, Mr. President and ladies and
8 gentlemen, it took a tragic incident, a fire,
9 that took the life of 87 people for the
10 government institutions to start paying
11 attention to this great community. On
12 March 25, 1990, a social club known as the
13 Happy Land was set on fire, causing the loss
14 of that many people and inflicting pain and
15 suffering to the rest of the Garifuna
16 community throughout the State of New York and
17 throughout the world.

18 Today, as the State Senator
19 representing the 32nd Senatorial District in
20 Bronx County, it is an honor and a privilege
21 for me to have a delegation of Garifuna over
22 there and here.

23 (Applause, cheers from gallery.)

24 SENATOR DIAZ: This delegation,
25 Mr. President, this delegation is led by the

1 Honorable Francisco Quezada Lobo, the general
2 consul of Honduras.

3 (Applause from gallery.)

4 SENATOR DIAZ: Mr. Jose Francisco
5 Avila, president of the Garifuna Coalition
6 USA.

7 (Applause from gallery.)

8 SENATOR DIAZ: The Reverend Marta
9 Chamorro, member of the board of directors of
10 the New York Hispanic Clergy.

11 (Applause from gallery.)

12 SENATOR DIAZ: The Reverend Ana
13 Thomas, member of the Garifuna Evangelical
14 Council.

15 (Applause from gallery.)

16 SENATOR DIAZ: And the Honorable
17 Dr. Hector A. Chiesa, the president of Radio
18 Vision Cristiana Internacional, a radio
19 station that reaches New York, New Jersey,
20 Connecticut, Puerto Rico, Santo Domingo, Cuba,
21 and the Caicos Islands.

22 (Applause from gallery.)

23 SENATOR DIAZ: In closing,
24 Mr. President, again, I would like to thank
25 Senator Skelos and the Secretary of the

1 Senate, Mr. Frank Patience, for allowing me
2 this great honor of celebrating this historic
3 event in the New York State Senate.

4 To the honorable guests, thank you
5 for accepting my invitation. And to the
6 Garifuna community: "Buiti Jachuruluni."

7 (Applause, cheers from gallery.)

8 SENATOR DIAZ: "Ceremei.
9 Binilagu Buingui."

10 (Applause from gallery.)

11 SENATOR DIAZ: And I invite all
12 of you ladies and gentlemen to join us at 5:30
13 in the Albany Room for a very, very Garifuna
14 celebration.

15 Thank you, Mr. President.

16 (Extended applause.)

17 THE PRESIDENT: Thank you,
18 Senator Diaz.

19 Next, Senator Serrano.

20 SENATOR SERRANO: Thank you very
21 much, Mr. President.

22 And I want to congratulate Senator
23 Diaz for not only honoring the Garifuna
24 community here today but also a couple of
25 weeks ago in the Bronx, where many of my

1 colleagues and Senator Sampson attended a
2 wonderful event which celebrated the rich
3 cultural history.

4 And what was so amazing about that
5 event was that we heard many speakers give a
6 historical perspective of the cultural and
7 ethnic contribution that this community has
8 made to the fabric not only of the Bronx but
9 of the entire City of New York.

10 We often talk about celebrating the
11 rich cultural diversity that we have here in
12 the State of New York. And here is a perfect
13 example of that richness. There is such an
14 interesting story and such an educational
15 story behind how the Garifuna came to be here
16 in New York City and how they came to be in
17 Honduras and throughout the Caribbean.

18 And even more important, as a
19 Latino, I think it's really important that we
20 learn about our African heritage and how that
21 plays into who we are and what we are today.

22 So I want to thank, once again,
23 Senator Diaz and all of my colleagues and all
24 of the guests who are here today in
25 celebrating this resolution and also wishing

1 well to this community, that it continues to
2 grow, that it continues to prosper, and that
3 it continues to celebrate the cultural
4 diversity that it brings to the cultural mecca
5 that is New York.

6 Thank you.

7 THE PRESIDENT: Thank you,
8 Senator.

9 (Applause from gallery.)

10 THE PRESIDENT: Thank you,
11 Senator.

12 Next, Senator Espaillat.

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

15 I want to congratulate Senator Diaz
16 for presenting this resolution to this very
17 important community in this our State of
18 New York, which continues to be a state of
19 immigrants. And obviously New York City
20 continues to be a great city of immigrants.

21 And very often this city has the
22 ability to reinvent itself. And perhaps this
23 is one of the great qualities of our state,
24 the ability to reinvent itself. And very
25 often we take notice of the new Americans and

1 the new New Yorkers decades later. That's
2 when we begin to notice that they're around.

3 And in this particular case, the
4 Garifunas have been around since 1930. They
5 have been contributing to the well-being and
6 the welfare of this great state since the
7 1930s. But they are also part of a very
8 important African diaspora in Central America
9 and the Caribbean, an African diaspora which
10 is integrally connected to the United States
11 and the great State of New York.

12 So I want to commend Senator Diaz
13 and to welcome all of the members of the
14 Garifuna community. And I certainly will not
15 challenge Senator Diaz in his command of the
16 Garifuna dialect, but --

17 (Laughter.)

18 SENATOR ESPAILLAT: But I will
19 say "Binilagu Buingui."

20 (Applause from gallery.)

21 THE PRESIDENT: Thank you,
22 Senator. Senator Diaz, our two other
23 Senators, thank you very much.

24 This resolution was previously
25 adopted by the Senate on March 29th.

1 Senator Libous.

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

4 I just want to welcome all of you
5 to the Senate chamber today. And as my
6 colleagues --

7 (Applause from gallery.)

8 SENATOR LIBOUS: I'm not as
9 articulate as some of my colleagues, but they
10 said it for me, and thank you.

11 It's great to have you here. And
12 God bless all of you.

13 Mr. President. Mr. President, may
14 we now -- I believe Senator Stavisky has a
15 resolution at the desk. May we have its title
16 read, and we'll move for its adoption.

17 THE PRESIDENT: The Secretary
18 will read the title only.

19 THE SECRETARY: Legislative
20 Resolution Number 1067, by Senator Stavisky,
21 honoring Jewish chaplains who have died in the
22 line of duty.

23 THE PRESIDENT: Senator Stavisky.

24 SENATOR STAVISKY: Yes, thank
25 you, Mr. President.

1 There's a section of Arlington
2 National Cemetery devoted to chaplains. It's
3 called Chaplains Hill. And there are three
4 sections in this cemetery. The first one was
5 dedicated in May of 1926 to the memory of 23
6 chaplains who were killed during World War I.
7 In October of 1981, a second memorial was
8 dedicated to 134 Protestant chaplains who were
9 killed in World War I and World War II. And
10 the third section, which was dedicated in May
11 of 1989, was to the 83 chaplains who were
12 killed in service in World War II, Korea, and
13 Vietnam. So that makes 242 chaplains killed
14 in the service of our country.

15 However, unfortunately, there's no
16 section that is dedicated to the Jewish
17 chaplains who perished during World War I,
18 World War II, Korea, and Vietnam. And we are
19 commending Congress to add another section for
20 the Jewish chaplains who served overseas and
21 were killed. There are 13 who have been
22 excluded from this Chaplains Hill.

23 And these are men and women who
24 served our Army, Navy, the service people
25 during times of war, providing spiritual and

1 emotional comfort and helping both the service
2 personnel and their families. And
3 unfortunately, they were killed during these
4 wars in service to our country. So this I
5 think is significant because tomorrow we're
6 going to be celebrating West Point Day.

7 So I thank the Lieutenant Governor,
8 Mr. President, and I thank my colleagues for
9 supporting this resolution.

10 THE PRESIDENT: Thank you,
11 Senator.

12 Senator Larkin.

13 SENATOR LARKIN: Thank you,
14 Mr. President. And I thank Senator Stavisky
15 for doing this.

16 Earlier this year we honored the
17 four chaplains who were killed in
18 February 1943 on the Dorchester, when the four
19 chaplains -- Jewish, Catholic priest,
20 Protestant, and Lutheran -- all left and gave
21 their life preservers to the service troopers,
22 and they went down with their ship.

23 I think this is a very important
24 issue. Two months ago when we were doing the
25 celebrations, the Rabbi from West Point -- who

1 may be here to visit us tomorrow -- has seen
2 combat in three or four areas in the Mideast
3 over the last three or four years. And I
4 think it's really important, as you had
5 stated, Senator, that we make sure that when
6 we're talking about combat, combat in World
7 War II, some of us older fellows like Libous
8 and Skelos, you know, we knew that when a jeep
9 pulled up, no matter what faith you were, you
10 were just glad to have somebody there that
11 could give you some expression of hope, thanks
12 for what you were doing.

13 But when we forget -- today we're
14 looking at over 5,000 Americans killed in the
15 Mideast. And those of the cloth who have
16 given service to our men and women in the
17 armed services deserve to be recognized and
18 recognized formally, not just a piece of paper
19 at any county, town, or even state. And I
20 think our federal government is responsible
21 for it.

22 And I thank you very much, Senator,
23 for doing this.

24 Thank you, Mr. President.

25 THE PRESIDENT: Thank you,

1 Senator.

2 Any other Senators wishing to speak
3 on the resolution?

4 Seeing none, the question is on the
5 resolution. All in favor signify by saying
6 aye.

7 (Response of "Aye.")

8 THE PRESIDENT: Opposed, nay.

9 (No response.)

10 THE PRESIDENT: The resolution is
11 adopted.

12 Senator Libous.

13 SENATOR LIBOUS: Mr. President,
14 Senator Perkins has a privileged resolution at
15 the desk. May we have the title read and move
16 for its immediate adoption.

17 THE PRESIDENT: The Secretary
18 will read.

19 THE SECRETARY: Legislative
20 resolution by Senator Perkins, commemorating
21 the 39th anniversary of the death of Adam
22 Clayton Powell, Jr., and paying tribute to his
23 life and accomplishments.

24 THE PRESIDENT: Senator Perkins.

25 SENATOR PERKINS: Thank you very

1 much, Mr. President.

2 You know, yesterday marked the
3 43rd anniversary of the assassination of civil
4 rights activist, leader and hero, Dr. Martin
5 Luther King. Given the magnitude of his
6 iconic legacy, we should take a moment to
7 acknowledge what he accomplished for
8 African-Americans as well as for all
9 Americans.

10 During a time when violence and
11 brutalization were used to enforce Jim Crow
12 laws, racial segregation and discrimination,
13 and to disenfranchise African-American voters
14 in the South, Dr. King espoused the civil
15 disobedience teachings of Mahatma Gandhi
16 instead of responding with violence in kind.
17 He used --

18 Oh, this is the one on Powell? Oh,
19 sorry. Thank you. I'll start over again.

20 (Laughter.)

21 SENATOR PERKINS: Thank you for
22 the opportunity to do it twice.

23 (Laughter.)

24 THE PRESIDENT: Senator Perkins.

25 SENATOR PERKINS: Again, Adam

1 Clayton Powell, Jr.

2 Yesterday marked the anniversary of
3 the death of another great civil rights
4 activist, the first African-American
5 Congressman from New York, Adam Clayton
6 Powell, Jr.

7 Powell's activism was not limited
8 just to African-Americans. Adam Clayton
9 Powell, Jr., made great strides as a civil
10 rights activist in Harlem, most notable as an
11 advocate for affordable housing and for
12 African-American workers denied employment due
13 to racist hiring practices.

14 However, the impact of his activism
15 far exceeds the boundaries of Harlem. As a
16 Congressman for New York, Adam Clayton Powell,
17 Jr., served as chair of the Education and
18 Labor Committee, where he spearheaded numerous
19 federal programs that benefit not only
20 African-Americans but women, the deaf, the
21 poor, students and all workers and laborers.

22 Further, due in large part to his
23 efforts, federal legislation was passed to
24 penalize and remedy many of the racial
25 vestiges that remained in the South, such as

1 racial segregation in schools, voter poll tax,
2 and the horrific and deplorable crime of
3 lynching.

4 Please join me in observing a
5 moment of silence for Adam Clayton Powell,
6 Jr.'s life and great accomplishments.

7 Thank you.

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

10 THE PRESIDENT: Thank you,
11 Senator.

12 Any other Senators wishing to
13 speak?

14 Seeing none, the question is on the
15 resolution. All in favor signify by saying
16 aye.

17 (Response of "Aye.")

18 THE PRESIDENT: Opposed, nay.

19 (No response.)

20 THE PRESIDENT: The resolution is
21 adopted.

22 Senator Libous.

23 SENATOR LIBOUS: Mr. President, I
24 believe that Senator Perkins has another
25 privileged resolution at the desk, and this

1 one he would like read in its entirety. And
2 if you would then call on Senator Perkins.

3 THE PRESIDENT: The Secretary
4 will read the resolution in its entirety.

5 THE SECRETARY: Legislative
6 resolution by Senator Perkins, commemorating
7 the 43rd anniversary of the assassination of
8 the Reverend Dr. Martin Luther King, Jr., and
9 paying tribute to his life and
10 accomplishments.

11 "WHEREAS, From time to time we take
12 note of certain individuals whom we wish to
13 recognize for their valued contributions and
14 to publicly acknowledge their endeavors which
15 have enhanced the basic humanity among us all;
16 and

17 "WHEREAS, Attendant to such
18 concern, and in full accord with its
19 long-standing traditions, it is the intent of
20 this Legislative Body to acknowledge that
21 43 years ago today, the Reverend Dr. Martin
22 Luther King, Jr., was assassinated, and to pay
23 tribute to his life and accomplishments; and

24 "WHEREAS, Martin Luther King, Jr.,
25 was born January 15, 1929, in Atlanta,

1 Georgia, to Alberta and Martin Luther King,
2 Sr., whose maternal grandfather founded the
3 Ebenezer Baptist Church, which the young
4 Dr. King would be associated with for most of
5 his life; and

6 "WHEREAS, Following his graduation
7 from high school at the age of 15, Martin
8 Luther King, Jr., earned a Bachelor of Arts
9 degree from Morehouse College in 1948, a
10 Bachelor of Divinity degree from Crozer
11 Theological Seminary in 1951, and a doctorate
12 from Boston University in 1955; and

13 "WHEREAS, In 1953, Martin Luther
14 King, Jr., married Coretta Scott, who was an
15 accomplished individual in her own right as a
16 talented singer and a graduate of the
17 prestigious New England Conservatory of Music.
18 From this union came four children: Yolanda,
19 Martin III, Dexter, and Bernice; and

20 "WHEREAS, One year later, Martin
21 and Coretta King arrived in Montgomery,
22 Alabama, where he assumed leadership of the
23 Dexter Avenue Baptist Church; and

24 "WHEREAS, Martin Luther King, Jr.'s
25 leadership skills would be tested in early

1 December of 1955, when Rosa Parks' refusal to
2 remove herself from her seat in the "Whites
3 Only" section of the city bus triggered the
4 382-day Montgomery Bus Boycott, the first
5 great Negro nonviolent demonstration of
6 contemporary times in the United States; and

7 "WHEREAS, The bus boycott, which
8 ended on December 21, 1956, when the Supreme
9 Court declared unconstitutional the laws
10 requiring segregation on buses in the South,
11 propelled Martin Luther King, Jr., into the
12 national spotlight; and

13 "WHEREAS, In 1957, Martin Luther
14 King, Jr., was elected president of the
15 Southern Christian Leadership Conference
16 (SCLC), an organization formed to provide new
17 leadership for the burgeoning civil rights
18 movement, drawing their ideals from
19 Christianity and the strategy of nonviolent
20 protest from Mahatma Gandhi; and

21 "WHEREAS, At great danger to
22 themselves, Martin Luther King, Jr., and his
23 allies in the civil rights movement used
24 nonviolence to call attention to the racial
25 inequities that were pervasive throughout the

1 South, as well as to call for full voting
2 rights for African-Americans; and

3 "WHEREAS, Martin Luther King, Jr.'s
4 commitment to racial equality was laid out in
5 dramatic fashion on August 28, 1963, before
6 200,000 Americans of all races and from all
7 corners of the country in his well-known 'I
8 Have a Dream' speech, where he spoke of a
9 nation that would 'rise up and live out the
10 true meaning of its creed: We hold these
11 truths to be self-evident, that all men are
12 created equal,' and where his four little
13 children would 'one day live in a nation where
14 they will not be judged by the color of their
15 skin but by the content of their character';
16 and

17 "WHEREAS, Because of Dr. Martin
18 Luther King, Jr.'s dedication and commitment
19 to racial equality, today, in the
20 21st century, his dream has become a reality
21 with the monumental election of Barack Obama
22 as America's first African-American president;
23 and

24 "WHEREAS, The Nobel Committee
25 recognized both Martin Luther King, Jr.'s work

1 as a civil rights leader and his moral stance
2 against racism with the 1964 Nobel Prize for
3 Peace at the age of 35, making him the
4 youngest recipient of this prestigious honor;
5 and

6 "WHEREAS, Martin Luther King also
7 saw beyond race to address important issues
8 that affected all Americans, regardless of the
9 color of their skin, including the Vietnam
10 War, economic injustice, and labor issues; and

11 "WHEREAS, By 1967, he had plans to
12 initiate a Poor People's Campaign to bring
13 much-needed attention to the issue of poverty.
14 It was on this unforgettable date, April 4,
15 1968, that Martin Luther King, Jr., was in
16 Memphis, Tennessee, to support the black
17 sanitation workers who were on strike, that he
18 was assassinated; and

19 "WHEREAS, Just as Gandhi had
20 inspired Dr. Martin Luther King, Jr., so did
21 his words inspire Nelson Mandela as well as
22 hundreds of thousands of black South Africans
23 to fight against the system of apartheid until
24 it too was destroyed; and

25 "WHEREAS, Today, more than four

1 decades after his death, Dr. King's commitment
2 to racial equality and his tireless efforts to
3 make this country 'one nation ... indivisible,
4 with liberty and justice for all' is still
5 remembered, not just by young and old
6 Americans alike, but by men, women and
7 children around the world who study his work
8 and his words and are moved to action by his
9 declaration that 'injustice anywhere is a
10 threat to justice everywhere'; and

11 "WHEREAS, A moving example of the
12 high regard in which Dr. King is held globally
13 is at London's Westminster Abbey, where his
14 statue, along with those of nine other
15 20th-century martyrs, adorns the west front
16 end of this venerable cathedral; and

17 "WHEREAS, Upon the occasion of the
18 43rd anniversary of the death of the Reverend
19 Dr. Martin Luther King, Jr., this Legislative
20 Body wishes to commemorate the lifelong
21 struggle of the man who gave his life for
22 racial equality; now, therefore, be it

23 "RESOLVED, That this Legislative
24 Body pause in its deliberations to commemorate
25 the 43rd anniversary of the assassination of

1 the Reverend Dr. Martin Luther King, Jr., and
2 to pay tribute to his life and
3 accomplishments, and be it further

4 "RESOLVED, That copies of this
5 resolution, suitably engrossed, be transmitted
6 to the New York State Black, Puerto Rican and
7 Hispanic Legislative Caucus, and to the family
8 of the Reverend Dr. Martin Luther King, Jr."

9 THE PRESIDENT: Senator Perkins.

10 SENATOR PERKINS: Thank you
11 again.

12 You know, this particular
13 resolution is especially important to us at
14 this time because we see not only on the
15 national level, but in even in our own state,
16 efforts that are quite contrary to this dream.
17 We see them, especially concerning to me, as
18 attacks are being made on religious grounds
19 with regard to Muslims, who are being
20 characterized just by virtue of their faith as
21 terrorists, and different actions are being
22 taken against them that I think Dr. King would
23 find, to say the least, very objectionable.

24 And it's very concerning to me
25 because those of us who have this great

1 privilege of being a legislator, on a local
2 level or a state level or a national level,
3 very often are the ones who are in the
4 forefront of these very anti-Martin
5 Luther-King-dream activities.

6 And this is, I think, what is so
7 important to me about this, because we in this
8 legislative body have the opportunity to be
9 leaders in terms of Dr. King's dream and in
10 terms of being embracing of all people
11 regardless of their race, their color, and
12 especially regardless of their religion.

13 And so I'm very concerned when in
14 this period of time we see in New York State,
15 we see in this country, religious prejudice
16 mounting in such a way that families in my
17 district are very concerned about the
18 possibilities, as Muslims, that they may be
19 attacked or that they may be in jeopardy.

20 And so I would urge that we really
21 take this moment not just to be for a moment
22 of silence but, more importantly, for a moment
23 of recommitment to Dr. King's dream, and
24 embrace those of us that may not be exactly
25 like us but nevertheless aspire to the same

1 life, aspire to the same dreams -- including
2 those young people that very often who are
3 undocumented but nevertheless share the dream
4 through something called the Dream Act that
5 will enable them to become the kind of leaders
6 that we all would like to see young people to
7 become.

8 So I ask all my colleagues to
9 reflect on Dr. King from that perspective and,
10 if you will, to join me on this resolution.

11 THE PRESIDENT: Thank you,
12 Senator.

13 Senator Hassell-Thompson.

14 SENATOR HASSELL-THOMPSON: Thank
15 you, Mr. President.

16 I rise to thank my colleague
17 Senator Perkins for bringing the resolution
18 but, more, for helping us to continue to
19 remember a man who gave so very much of
20 himself that the world accepted his
21 leadership. And we could do no less.

22 And I think all of us somewhat
23 remember where we were when we heard the news
24 that Dr. King had been assassinated, but I'm
25 not sure that all of us remember it enough to

1 be committed to the dream.

2 I agree with much that Senator
3 Perkins had said, because on the night of his
4 death he was preparing to lead a march against
5 poverty. And in a country where we have so
6 many resources, we still have so many people
7 below the poverty level. In a country where
8 we have so many resources, we still have
9 people who are hungry, who go to bed hungry
10 every night.

11 And as I have always spoken and I
12 will continue to do so, I don't talk just
13 about the "I Have a Dream" speech, but I talk
14 about the man who was a transformer and who
15 believed that we should not be building
16 institutions for the homeless but should be
17 changing the paradigm to understand why, in a
18 country of wealth, we have homelessness. And
19 in a country where we have so much that we
20 have feeding programs as opposed to changing
21 the paradigm to make sure that there is no
22 hunger.

23 And so if we want to honor
24 Dr. King, I would hope that we would do so in
25 this moment to recommit ourselves to making

1 the realities of his dream come true. And to
2 make sure that the education that he sought
3 for all children should transpire, and that
4 the dream of having true fellowship across
5 races and ethnicity and religion shall
6 transpire. And then we will be doing our part
7 to keep the dream alive.

8 Thank you, Senator Perkins.

9 THE PRESIDENT: Thank you,
10 Senator.

11 Senator Larkin.

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

14 You know, it's 43 years yesterday
15 when Dr. King was killed in Memphis. He was
16 there trying to help strikers, sanitation
17 workers in the City of Memphis. You know, it
18 was a shock to some of us that this happened
19 in the manner that it did. Most of us can
20 remember where we were on certain days. I
21 asked four people today where they were on
22 April the 4th. They couldn't tell me.

23 I was at a nuclear site in Tappan,
24 New York. The next day the father of the
25 New York City district attorney, Mr. Vance,

1 had some of us called back to active duty, and
2 we were sent all over the country. I was sent
3 to Detroit. And we puzzled, in talking with
4 people of different colors, different ideas,
5 different briefs, what happened? What's going
6 on? A young African-American lady turned to
7 me and said, "Colonel, the problem is we
8 forgot what Dr. King was saying."

9 What Dr. King was trying to
10 convince us to understand one another. And we
11 thought more of ourself. And it was easier to
12 say I know Dr. King. I can tell you, in my
13 lifetime, since I first met Dr. King in 1965,
14 I don't think I've met two people who can
15 honestly say "I met and I talked to him."

16 But this was an individual that
17 tried to put something forth. I think we
18 waste a lot of time in talk and not -- he had
19 a vision. He gave it to us. And we talk
20 about this and that and the other thing. He
21 was talking about, when he made that speech,
22 when he said that all children, he was talking
23 about his, mine, yours, Lieutenant Governor,
24 and everybody in this room. He was talking
25 about doing something.

1 And we fail to realize as adults
2 our responsibilities, not just as legislators.
3 But what have we done in our schools? What
4 have we done in groups to encourage young men
5 and women to take a positive approach rather
6 than a negative approach? We don't need
7 gangs.

8 I said this earlier this year, and
9 I say it again. Dr. King was sitting next to
10 the Lord, and he said, "You know, Lord,
11 they're celebrating my birthday." And He
12 said, "Yes, Martin, I understand that." And
13 he said, "But, dear Lord, they're not paying
14 attention to what I said. Can you send me
15 back and let me try again?" He said, "Martin,
16 you did your work. It's now the
17 responsibilities of those who you left behind
18 to sit back and remember what your vision was,
19 what your hopes and dreams were for all
20 people -- not just African-Americans, not
21 brown, not blue, but individuals across the
22 world."

23 Martin Luther King spoke in honesty
24 and sincerity. I only spoke to him for
25 10 minutes, but I got his message very clear.

1 The march from Selma to Montgomery, there was
2 one killed. That person was killed because
3 she didn't obey the rules and went off the
4 beaten path and got into some trouble. The
5 rest of the march was successful.

6 What happened in Memphis and all of
7 the joggling back and forth with the law
8 enforcement people I think was a waste of
9 time. Somebody killed him. We should have
10 got them and done it then. It went on for
11 many, many years.

12 But I think we are the people that
13 better start to think about what he said. Not
14 just think of every year his anniversary for
15 his birthday or the date that he was killed.
16 Unless we're going to go back and try to work
17 with these young people and get them to pull
18 together and do something positive -- not just
19 for us, but for themselves -- we will be
20 wasting what Dr. King had hoped and prayed for
21 and gave us the vision.

22 Thank you, Mr. President.

23 THE PRESIDENT: Thank you,
24 Senator.

25 Senator Parker.

1 SENATOR PARKER: Thank you,
2 Mr. President. On the resolution.

3 Let me first thank Senator Perkins
4 for his leadership on putting this resolution
5 forward and recognizing this important
6 milestone.

7 It's actually easier to talk and to
8 celebrate Dr. King's life and legacy and his
9 birth, as we do in January, than it is to
10 think about his death. Because he died under
11 very different circumstances than which he
12 lived.

13 We like to stand in this chamber
14 and in the halls of academia and talk about
15 the great Prince of Peace, second only to
16 Jesus, as Dr. King led a nonviolent movement
17 for access to public accommodations through
18 this country. But we forget about the context
19 in which he died. That was a man who
20 internationalized the movement for human
21 equality and who in fact put the idea of
22 connecting economic justice with human rights,
23 side by side.

24 And that's what he was killed for.
25 That it was okay when you were just talking

1 about integrating a water fountain or a
2 bathroom or using the same dining room in a
3 restaurant. But the idea of making economic
4 opportunity universal was worth killing a man
5 for.

6 And so I want to associate myself
7 with Senator Perkins' remarks, particularly as
8 we talk about some of the attacks on Islam
9 that we're in fact dealing with right now.
10 But Senator Perkins has spoken about that so
11 eloquently, I need not address that,
12 Mr. President.

13 What I want to talk about that's
14 relevant to what we're dealing with right now
15 is the connection between what Dr. King was
16 doing at the moment of his death -- which was
17 working for those Memphis sanitation
18 workers -- and what we're seeing right now in
19 our America. That in fact when you see that
20 protest around better work environments and
21 better wages, how do we in fact juxtapose that
22 between that and Wisconsin and Indiana and
23 Ohio -- oh, yeah, and New York -- when we
24 every day fight back attempts to roll back
25 protections for workers. Where we go every

1 day and roll back wages for workers and in our
2 attempts to roll back healthcare access for
3 workers. That's the exact thing that Dr. King
4 stood about.

5 So as you sit here today and we
6 vote aye on this resolution, I challenge us
7 all, and I'm taking this step that Senator
8 Perkins asked us to take, which is to recommit
9 ourselves to not just the life and legacy but
10 the real work of Dr. King towards the end of
11 his life, the thing that actually got him
12 killed, which was expanding economic
13 opportunity for working men and women in this
14 country and this state. Because that was the
15 very thing that we had to deal with.

16 That it's interesting that the
17 moment that he was beginning to look
18 internationally and he started his critique of
19 Vietnam -- no one ever says that -- and the
20 impending Korean War, that we find ourselves
21 right now in the midst of war. That our
22 Vietnam may be Iraq. That our Vietnam may be
23 Afghanistan or perhaps Libya in 10 years if we
24 don't get out of there.

25 And so there's much to learn from

1 Dr. King's legacy. And we should all
2 remember, Mr. President, that those who don't
3 learn the lessons of history are doomed to
4 repeat them.

5 THE PRESIDENT: Thank you,
6 Senator.

7 Senator Liz Krueger.

8 SENATOR LIZ KRUEGER: Thank you,
9 Mr. President. I also rise to thank Senator
10 Perkins for his resolution today.

11 And it's interesting how it's
12 circled around in the discussion of my
13 colleagues, because I also was thinking of
14 Dr. King's teachings on ensuring economic
15 access and equal access under our laws. And
16 we started this day confirming someone to run
17 our economic development agencies. And
18 perhaps we don't on a normal day think about
19 ESDC or UDC being responsible for ensuring the
20 dream of Martin Luther King.

21 But in fact I would say yes, that
22 is what as a government we are asking of
23 ourselves. We want to ensure that all
24 New Yorkers have the ability to meet their
25 families' basic needs.

1 And one of my colleagues talked
2 about the realities of poverty, and the
3 numbers are scary. The numbers are scary for
4 American workers, they're scary for New York
5 workers. The wages of workers has been going
6 down over the last decade. But clearly the
7 costs of living have not. The numbers on the
8 average wages received by single mothers or
9 black versus white New Yorkers or Hispanic
10 versus white New Yorkers are
11 disproportionately lower for single mothers,
12 for African-Americans, for Latinos in our
13 state, and we're going the wrong direction.

14 And so in fact when I think about
15 the teachings of Martin Luther King and the
16 importance of his life in our lives as public
17 servants, and I circle back to our earlier
18 discussion about the importance of coming up
19 with an economic development model or models
20 in our state that ensure we're open to
21 business, to make sure that we're open to the
22 goal of all people in New York State being
23 able to go to work, have a living wage, be
24 able to come home and take care of themselves
25 and their children.

1 And unfortunately, we are going
2 backwards for the last decade. And so the
3 lesson for me of today are hopefully to remind
4 all of us on this day is what our assignment
5 is as public servants. Our assignment is to
6 make sure that those workers and families in
7 New York who are not actually participating in
8 Martin Luther King dream or the American dream
9 are provided assistance and a commitment by
10 the government of this state to make sure that
11 they can provide for themselves and their
12 families.

13 Thank you, Mr. President.

14 THE PRESIDENT: Thank you,
15 Senator.

16 Senator Espaillat.

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

19 I also want to join the rest of my
20 colleagues in congratulating Senator Perkins
21 for this very important and historic
22 resolution.

23 And I remember that day as a young
24 immigrant youth that came here to New York
25 State from the Dominican Republic, I remember

1 the day they sent us home from school. And in
2 my broken English I was able to see on TV and
3 read in the papers and understand what had
4 occurred and the magnitude and the historic
5 implications of what had happened 43 years
6 ago.

7 And certainly it would always stay
8 in my mind. And perhaps it may have played a
9 pivotal and important role in why I'm here
10 today.

11 But just the other day I joined
12 Senator Perkins in another forum where we had
13 a number of young people. They called
14 themselves the Dreamers. They are young
15 immigrant kids that, very much like myself,
16 came here with no papers. Although perhaps
17 they came here young enough, maybe at the age
18 of 2, 4, or 5, and they never really -- or
19 their parents never really got around to
20 stabilizing their immigration status.

21 And they went through elementary
22 school here in New York State and they
23 graduated from a New York State high school or
24 they maybe got their general equivalency
25 diploma from the State Department of

1 Education, but once they did that, they found
2 it difficult to enter an institution of higher
3 education. Many roadblocks were put on their
4 way to access higher education because they
5 had not taken care of their status, their
6 immigration status.

7 And they called themselves the
8 Dreamers. Very much, I think so, because they
9 identify with Martin Luther King and his theme
10 of "I Have a Dream."

11 And these folks, these young people
12 who now want to go to college -- and they want
13 to graduate from college and become part of
14 the New York State family and pay their taxes
15 and contribute to this society -- are very
16 much connected to this legacy. Yet the
17 federal government, Congress, has not seen fit
18 to pass the Dream Act and allow them access to
19 higher education.

20 And right here in our state we see
21 folks that want to slam the door shut on them.
22 They want to keep them out. They want to shut
23 down their dream. They don't want them to
24 become New Yorkers. Some may even feel that
25 they should be deported back to a country that

1 perhaps they have very little connection with.
2 They may not even be able to speak their own
3 language. Perhaps they don't speak Spanish
4 anymore. Perhaps they don't speak Russian or
5 Chinese anymore. They may have very little
6 connection with the country that saw them
7 born.

8 And they want to be New Yorkers and
9 they want to have that dream, but we want to
10 shut down the door. And we want to call them
11 names. And we want to point the finger at
12 them and blame them for everything from global
13 warming to the bad state of the economy.

14 So I want to join Senator Perkins
15 in once again lifting the King legacy to
16 another level, and to honor his contribution
17 to this country -- our country -- and to the
18 world. And to say that 43 years later,
19 perhaps when I have a Shakespearian command of
20 the language, I could appreciate more his
21 contribution to my life and to our country.

22 Thank you, Mr. President.

23 THE PRESIDENT: Thank you,
24 Senator.

25 Any other Senators wishing to

1 speak?

2 The question is on the resolution.

3 All in favor signify by saying aye.

4 (Response of "Aye.")

5 THE PRESIDENT: Opposed, nay.

6 (No response.)

7 THE PRESIDENT: The resolution is
8 adopted.

9 Senator Maziarz.

10 SENATOR MAZIARZ: Mr. President,
11 could we at this time have the reading of the
12 noncontroversial calendar.

13 THE PRESIDENT: The Secretary
14 will read.

15 THE SECRETARY: Calendar Number
16 136, by Senator Ranzenhofer, Senate Print
17 3225, an act to amend the Vehicle and Traffic
18 Law.

19 THE PRESIDENT: Read the last
20 section.

21 THE SECRETARY: Section 2. This
22 act shall take effect on the first of
23 November.

24 THE PRESIDENT: Call the roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 56. Nays,
2 2. Senators Duane and Montgomery recorded in
3 the negative.

4 THE PRESIDENT: The bill is
5 passed.

6 THE SECRETARY: Calendar Number
7 173, by Senator Saland, Senate Print 1416, an
8 act to amend the Penal Law.

9 THE PRESIDENT: Read the last
10 section.

11 THE SECRETARY: Section 4. This
12 act shall take effect on the first of
13 November.

14 THE PRESIDENT: Call the roll.
15 (The Secretary called the roll.)

16 THE SECRETARY: In relation to
17 Calendar Number 173, those recorded in the
18 negative are Senators Duane, Hassell-Thompson,
19 Montgomery, Parker and Perkins.

20 Ayes, 53. Nays, 5.

21 THE PRESIDENT: The bill is
22 passed.

23 THE SECRETARY: Calendar Number
24 177, by Senator Flanagan, Senate Print 3207,
25 an act to amend the Penal Law.

1 THE PRESIDENT: Read the last
2 section.

3 THE SECRETARY: Section 4. This
4 act shall take effect on the first of
5 November.

6 THE PRESIDENT: Call the roll.
7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 55. Nays,
9 3. Senators Montgomery, Parker and Perkins
10 recorded in the negative.

11 THE PRESIDENT: The bill is
12 passed.

13 THE SECRETARY: Calendar Number
14 186, by Senator Saland, Senate Print 1418, an
15 act to amend the Correction Law.

16 THE PRESIDENT: Read the last
17 section.

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

20 THE PRESIDENT: Call the roll.
21 (The Secretary called the roll.)

22 THE SECRETARY: In relation to
23 Calendar Number 186, those recorded in the
24 negative are Senators Hassell-Thompson,
25 Montgomery, Parker and Perkins.

1 Ayes, 54. Nays, 4.

2 THE PRESIDENT: The bill is
3 passed.

4 THE SECRETARY: Calendar Number
5 190, by Senator LaValle, Senate Print 3325, an
6 act to amend the Correction Law.

7 THE PRESIDENT: Read the last
8 section.

9 THE SECRETARY: Section 3. This
10 act shall take effect on the 60th day.

11 THE PRESIDENT: Call the roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 55. Nays,
14 3. Senators Montgomery, Parker and Perkins
15 recorded in the negative.

16 THE PRESIDENT: The bill is
17 passed.

18 THE SECRETARY: Calendar Number
19 227, by Senator Flanagan, Senate Print 3205,
20 an act to amend the Penal Law.

21 THE PRESIDENT: Read the last
22 section.

23 THE SECRETARY: Section 2. This
24 act shall take effect on the first of
25 November.

1 THE PRESIDENT: Call the roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 55. Nays,
4 3. Senators Montgomery, Parker and Perkins
5 recorded in the negative.

6 THE PRESIDENT: The bill is
7 passed.

8 THE SECRETARY: Calendar Number
9 283, by Senator Griffo, Senate Print 4194, an
10 act to amend the Banking Law.

11 THE PRESIDENT: Read the last
12 section.

13 THE SECRETARY: Section 4. This
14 act shall take effect on the first of
15 November.

16 THE PRESIDENT: Call the roll.
17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 54. Nays,
19 4. Senators Duane, Montgomery, Parker and
20 Perkins recorded in the negative.

21 THE PRESIDENT: The bill is
22 passed.

23 Senator Maziarz, that completes the
24 noncontroversial reading of the calendar.

25 SENATOR MAZIARZ: Mr. President,

1 at this time can we return to motions and
2 resolutions. And if you would call on
3 Senator Klein, please.

4 THE PRESIDENT: Returning to the
5 order of motions and resolutions.

6 Senator Klein.

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

9 I move that the following bill be
10 discharged from its respective committee and
11 be recommitted with instructions to strike the
12 enacting clause: Senate Number 3231, on
13 behalf of Senator Carlucci.

14 THE PRESIDENT: So ordered.
15 Senator Maziarz.

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

18 THE PRESIDENT: There is none.

19 SENATOR MAZIARZ: All right.

20 Then there being no further business, I move
21 that we adjourn until Wednesday, April 6th, at
22 11:00 a.m.

23 THE PRESIDENT: On motion, the
24 Senate stands adjourned until Wednesday,
25 April 6th, at 11:00 a.m.

1 SENATOR MAZIARZ: Mr. President.

2 THE PRESIDENT: Senator Maziarz.

3 SENATOR MAZIARZ: Mr. President,
4 I'm sorry, I just want to remind all the
5 members -- all the members -- it is mandatory
6 tomorrow that you be in the chamber for
7 West Point Day.

8 Thank you, Mr. President.

9 THE PRESIDENT: Thank you,
10 Senator.

11 Again, on motion, the Senate stands
12 adjourned until Wednesday, April 6th, at
13 11:00 a.m.

14 (Whereupon, at 5:23 p.m., the
15 Senate adjourned.)

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