

1 NEW YORK STATE SENATE

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3  
4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 May 2, 2011

11 3:09 p.m.

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13  
14 REGULAR SESSION

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18 SENATOR JOSEPH A. GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

9 ACTING PRESIDENT GRIFFO: Senator  
10 Skelos.

11 SENATOR SKELOS: Mr. President, I  
12 feel very honored today to have with us a  
13 unique spiritual leader who is truly revered  
14 around the world.

15 His Holiness Brahmurishi founded one  
16 of the largest spiritual institutes in India.  
17 He has devoted his life to improving human  
18 welfare among people of all faiths and  
19 religions. He has inspired millions of people  
20 around the world to dedicate their lives to  
21 helping others.

22 It is an honor and pleasure to have  
23 him join us today and deliver the invocation  
24 for our session.

25 Your Holiness.

1                   ACTING PRESIDENT GRIFFO:     Thank  
2     you.

3                   Your Holiness.

4                   BRAHMRISHI SHRI KUMAR SWAMI JI:  
5     Respected Senators [in Hindi].

6                   MS. BHALLA:     Good afternoon,  
7     Senators.  You have just heard Param Pujya  
8     Shri Kumar Swami Ji, one of the most renowned  
9     spiritual leaders of India, deliver his  
10    invocation prayer in Hindi.

11                  At the outset, His Holiness  
12    expressed his gratitude and said:  "Esteemed  
13    Senators of New York have shown enormous  
14    graciousness by inviting me to this chamber.  
15    Millions of people around the world salute you  
16    and express their gratitude for the great love  
17    and affection you have all shown towards me.  
18    I also express my sincere gratitude to the  
19    government of New York State, its generous  
20    people, its scientists, and the intellectuals  
21    of this great country."

22                  Then His Holiness offered the  
23    following prayer:  "O God, please guard and  
24    guide all members of the Senate of the State  
25    of New York.  Instill in them the wisdom, the

1       courage, and the right spirit so the political  
2       activity in this esteemed Senate can be a  
3       powerful instrument for human transformation  
4       and contribute to the physical and spiritual  
5       well-being of the citizens of this great state  
6       and this great country.

7               "May this body continue to embrace  
8       diversity without resulting in divisiveness.  
9       May this Senate seek and celebrate unity  
10      without imposing uniformity. May these  
11      Senators work to the best of their abilities  
12      without becoming attached to the fruits of  
13      their work. May they promote justice, moral  
14      clarity, ethical living, acts of kindness, and  
15      most of all righteousness. Because where  
16      there is righteousness in the heart, there is  
17      beauty in the character. Where there is  
18      beauty in the character, there is harmony in  
19      the home. Where there is harmony in the home,  
20      there is order in the nation. And where there  
21      is order in the nation, there is peace in the  
22      world."

23               (Applause.)

24               MS. BHALLA:     Thank you.

25               And now, on behalf of the entire

1 Indian-American community across New York  
2 State and the United States, may I please take  
3 this opportunity to thank Majority Leader  
4 Senator Dean Skelos for leading the effort to  
5 honor His Holiness in this august body.

6 I would also like to thank all  
7 other Senators who have supported the  
8 resolution honoring His Holiness. Thank you  
9 very much.

10 (Applause.)

11 ACTING PRESIDENT GRIFFO: Senator  
12 Skelos.

13 SENATOR SKELOS: Mr. President,  
14 we have a few items to run through. But I  
15 would ask His Holiness if he could stay. We  
16 will be adopting a resolution in about  
17 30 seconds honoring him for his visit today.

18 If we could go to the reading of  
19 the Journal, please.

20 ACTING PRESIDENT GRIFFO: Reading  
21 of the Journal.

22 THE SECRETARY: In Senate,  
23 Sunday, May 1st, the Senate met pursuant to  
24 adjournment. The Journal of Saturday,  
25 April 30th, was read and approved. On motion,

1 Senate adjourned.

2 ACTING PRESIDENT GRIFFO: Without  
3 objection, the Journal stands approved as  
4 read.

5 Presentation of petitions.

6 Messages from the Assembly.

7 Messages from the Governor.

8 Reports of standing committees.

9 Reports of select committees.

10 Communications and reports from  
11 state officers.

12 Motions and resolutions.

13 Senator Skelos.

14 SENATOR SKELOS: Mr. President,  
15 there's a Resolution 1165, which I've  
16 sponsored. If we could have it read in its  
17 entirety and move for its immediate adoption.

18 ACTING PRESIDENT GRIFFO: The  
19 Secretary will read.

20 THE SECRETARY: Legislative  
21 Resolution Number 1165, by Senator Skelos,  
22 welcoming and commending His Holiness  
23 Brahmurishi Shri Kumar Swami Ji upon the  
24 occasion of delivering the invocation at the  
25 opening of the session of the New York State

1 Senate on May 2, 2011.

2 "WHEREAS, It is the custom of this  
3 Legislative Body to bring full recognition and  
4 just tribute to those individuals of religious  
5 commitment who accept the responsibility of  
6 moral leadership and render the wisdom of  
7 human understanding; and

8 "WHEREAS, This Legislative Body is  
9 honored to welcome and commend His Holiness  
10 Brahmurishi Shri Kumar Swami Ji upon the  
11 occasion of delivering the invocation at the  
12 opening of the session of the New York State  
13 Senate on May 2, 2011; and

14 "WHEREAS, Brahmurishi Shri Kumar  
15 Swami Ji is the founder of the Bhagwan Shree  
16 Lakshami Narayan Dham, one of the largest  
17 spiritual institutes in India dedicated to the  
18 welfare of people of all faiths and religions,  
19 with an outstanding and inspiring record of  
20 community service; and

21 "WHEREAS, This prominent spiritual  
22 leader is one of the most scholarly figures of  
23 world religions who holds devout lectures  
24 across India, Europe, the United States and  
25 Canada which are attended by tens of thousands

1 of people and are watched by millions on  
2 television; and

3 "WHEREAS, Brahmurishi Shri Kumar  
4 Swami Ji is one of the most renowned scholars  
5 of Ayurveda, India's 5,000-year-old system of  
6 medicine, and is an inspiration behind medical  
7 research being done to bridge the gap between  
8 the Eastern and Western medicine; and

9 "WHEREAS, Brahmurishi Shri Kumar  
10 Swami Ji has been recognized and acclaimed  
11 with honors, awards, and accolades by  
12 organizations and governmental bodies at the  
13 local, state, national and international  
14 level; and

15 "WHEREAS, The spiritual guidance  
16 and nurturing of the citizens of the State of  
17 New York is of great importance to the  
18 vitality and well-being of our communities;  
19 now, therefore, be it

20 "RESOLVED, That this Legislative  
21 Body pause in its deliberations to commend  
22 His Holiness Brahmurishi Shri Kumar Swami Ji  
23 upon the occasion of delivering the invocation  
24 at the opening of the session of the New York  
25 State Senate on May 2, 2011, and be it further



1 "RESOLVED, That a copy of this  
2 resolution, suitably engrossed, be transmitted  
3 to His Holiness Brahmishi Shri Kumar Swami  
4 Ji."

5 ACTING PRESIDENT GRIFFO: On the  
6 resolution, all in favor signify by saying  
7 aye.

8 (Response of "Aye.")

9 ACTING PRESIDENT GRIFFO:  
10 Opposed?

11 (No response.)

12 ACTING PRESIDENT GRIFFO: The  
13 resolution is adopted.

14 Senator Skelos.

15 SENATOR SKELOS: Again, we thank  
16 His Holiness for being here.

17 We will take a five-minute break.  
18 If any members wish to take a picture, we'll  
19 do so right by the clock.

20 So again, thank you very much.

21 (Applause.)

22 ACTING PRESIDENT GRIFFO: The  
23 Senate stands at ease.

24 (Whereupon, the Senate stood at  
25 ease at 3:20 p.m.)

1 (Whereupon, the Senate reconvened  
2 at 3:29 p.m.)

3 ACTING PRESIDENT GRIFFO: The  
4 Senate will come to order.  
5 Senator Skelos.

6 SENATOR SKELOS: Mr. President,  
7 the previously adopted resolution, if we could  
8 open it up for sponsorship. Anybody who  
9 wishes not to sponsor the resolution, they  
10 should notify the desk.

11 ACTING PRESIDENT GRIFFO: The  
12 previous resolution is open to cosponsorship.  
13 If you choose not to be a cosigner, please  
14 notify the desk.

15 SENATOR SKELOS: Mr. President, I  
16 have a resolution at the desk. If we could  
17 have it read in its entirety and move for its  
18 immediate adoption.

19 ACTING PRESIDENT GRIFFO: The  
20 Secretary will read.

21 THE SECRETARY: Legislative  
22 resolution by Senator Skelos, memorializing  
23 Governor Andrew M. Cuomo to proclaim May 2,  
24 2011, as Holocaust Remembrance Day in the  
25 State of New York.

1                   "WHEREAS, from 1933 to 1945,  
2           5.8 million Jews were murdered in the Nazi  
3           Holocaust as part of a systematic program of  
4           genocide, and millions of other people also  
5           perished as victims of Nazism; and

6                   "WHEREAS, Jews who fell under  
7           German control in Eastern and Central Europe  
8           were quickly stripped of their rights and  
9           property; and

10                   "WHEREAS, The Jews who perished at  
11           Nazi hands comprised two-thirds of all  
12           European Jewry, and in countries such as  
13           Poland, which before the Second World War  
14           included parts of the Ukraine and Belarus, the  
15           Jewish death toll surpassed 90 percent; and

16                   "WHEREAS, The people of the State  
17           of New York should always remember the  
18           atrocities committed by the Nazis so that such  
19           horrors are never repeated; and

20                   "WHEREAS, Those who survived the  
21           killing camps tell us that as many people  
22           walked to their deaths, their last words were  
23           'Remember us'; and

24                   "WHEREAS, The year 2011 marks the  
25           78th anniversary of the beginning of the

1 genocide of European Jews, the darkest, most  
2 murderous moment in history; and

3 "WHEREAS, We learn in the aftermath  
4 of the Holocaust that indifference to genocide  
5 cannot be tolerated. Holocaust remembrance  
6 imposes a moral obligation to speak out; and

7 "WHEREAS, The Holocaust represents  
8 the darkest period in the civilization of  
9 mankind and must always be remembered in order  
10 to prevent its reoccurrence anywhere else in  
11 the world; and

12 "WHEREAS, The People of the State  
13 of New York should continually rededicate  
14 themselves to the principle of equal justice  
15 for all people; and

16 "WHEREAS, The People of the State  
17 of New York should remain eternally vigilant  
18 against all tyranny and recognize that bigotry  
19 provides a breeding ground for tyranny to  
20 flourish; and

21 "WHEREAS, Holocaust Remembrance  
22 Day, known in Hebrew as Yom Hashoah, is a day  
23 set aside for remembering the victims of the  
24 Holocaust and for reminding New Yorkers, all  
25 Americans, and people around the world of what

1       can happen to civilized people when bigotry,  
2       hatred and indifference reign; and

3               "WHEREAS, Internationally,  
4       Holocaust Remembrance Day is observed on the  
5       27th day of Nisan according to the Hebrew  
6       calendar, but because it falls on a Sunday,  
7       this year it will be observed on Monday,  
8       May 2, 2011; now, therefore, be it

9               "RESOLVED, That this Legislative  
10       Body pause in its deliberations to memorialize  
11       Governor Andrew M. Cuomo to proclaim May 2,  
12       2011, as Holocaust Remembrance Day in the  
13       State of New York; and be it further

14              "RESOLVED, That a copy of this  
15       resolution, suitably engrossed, be transmitted  
16       to the Honorable Andrew M. Cuomo, Governor of  
17       the State of New York."

18              ACTING PRESIDENT GRIFFO:       Senator  
19       Skelos.

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

22              Of course I would open up the  
23       resolution for sponsorship. Anybody that  
24       wishes not to sponsor the resolution, they  
25       should notify the desk.

1                   My wife and I, when we were driving  
2                   up this morning, we were listening to the  
3                   radio. And the commentator mentioned, in  
4                   connection with the death of Osama bin Laden,  
5                   that on April 30th, so right in that same  
6                   period of time, that Adolf Hitler committed  
7                   suicide.

8                   And we commemorate and we pray for  
9                   the souls of those who lost their lives in the  
10                  Holocaust, and we think about what man's  
11                  inhumanity to man can be. And today we think  
12                  about the thousands of people that lost their  
13                  lives on September 11th, and we say thank you  
14                  to our President, to our intelligence  
15                  community, and to the Navy Seals that finally  
16                  brought Osama bin Laden to justice.

17                  So we think about him being  
18                  executed. He probably deserved more than  
19                  that. But also all of us in this room reflect  
20                  upon the lives -- and I think it's even more  
21                  important -- the lives of our neighbors, our  
22                  friends, our relatives who were brutally  
23                  murdered on September 11th.

24                  Almost ten years have passed by.  
25                  But certainly the leadership in our country --

1       whether it was President Bush, President  
2       Obama, our intelligence community, our  
3       military, and the people of this state and  
4       this country -- at no time wavered from the  
5       prayer and the thought and the wish that this  
6       animal would be brought to justice.

7               So I ask for the adoption of this  
8       resolution. We commemorate and we pray for  
9       the souls, as I said, of those who -- the  
10      lives of 6 million that were destroyed during  
11      the Holocaust, and for those who lost their  
12      lives on 9/11.

13              ACTING PRESIDENT GRIFFO:       Senator  
14      Breslin.

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

17              I join with Senator Skelos on this  
18      day after we learned of the execution of Osama  
19      bin Laden. Osama bin Laden represented  
20      everything that we oppose. And he opposed  
21      everything that we stood for -- for freedom,  
22      for justice. And September 11, 2001, will  
23      always be emblazoned in the hearts and minds  
24      of all citizens in the United States, but  
25      particularly those in New York.

1                   And this is not the end. We will  
2                   always treasure the memories of those lost on  
3                   9/11. But at least it takes a step towards  
4                   closure for those men and women we lost and  
5                   the families who lost loved ones. And it's a  
6                   giant step, because Osama bin Laden  
7                   represented everything that's evil in this  
8                   world. And as I said, he opposed everything  
9                   that we stand for, and most of all our  
10                  freedoms.

11                 What it shows the rest of the world  
12                 and Osama bin Laden and his people is that the  
13                 United States does not forget its obligations.  
14                 When it strives for peace, it still must  
15                 oppose those who strive for war.

16                 So justice in the Holocaust, when  
17                 so many innocent lives were lost, and that we  
18                 stand today to honor those lives that were  
19                 lost, we also stand for those lives that were  
20                 lost on 9/11, 2001, and praise the fact that  
21                 we no longer have to deal with an enemy that  
22                 was led by Osama bin Laden.

23                 Thank you, Mr. President.

24                 ACTING PRESIDENT GRIFFO:       Thank  
25                 you, Senator Breslin.



1 Senator Robach.

2 SENATOR ROBACH: Yes,  
3 Mr. President. Let me too join to support  
4 this resolution.

5 Clearly it's very important that we  
6 remind ourselves of all the horrors of the  
7 Holocaust and when evil goes unchecked. And  
8 that the slaughter of innocent people, no  
9 matter where and when, should never be  
10 acceptable -- not only then, but as a world  
11 standard. And we can see in some places of  
12 the world what still goes on. There's much  
13 work to do. And we should use this as a  
14 reminder for that all over the world.

15 So we continue to need to remind  
16 and educate people on this atrocity and  
17 others. Recently, just yesterday, in a suburb  
18 of Rochester, New York -- Brighton, a very  
19 beautiful suburban town, home to many people,  
20 but a large population of Jewish Americans,  
21 two teens were apprehended burning a swastika  
22 that they had made out of wood and material in  
23 a park -- completely insensitive, obviously  
24 not getting the lesson of what people went  
25 through, thinking that it's still okay to do

1       this.

2                   These kind of things are very, very  
3       important for all of us, no matter who we are,  
4       where we come from, to make sure atrocities  
5       never happen again and I think energize us to  
6       ensure, as it says on the wall of the  
7       Holocaust Museum, "Never again anywhere."

8                   Thank you, Mr. President.

9                   ACTING PRESIDENT GRIFFO:     Thank  
10      you, Senator Robach.

11                   Are there any other Senators who  
12      wish to be heard?

13                   Seeing none, the resolution is open  
14      for cosponsorship. If you choose not to be a  
15      cosponsor, please notify the desk. All in  
16      favor of the resolution signify by saying aye.

17                   (Response of "Aye.")

18                   ACTING PRESIDENT GRIFFO:  
19      Opposed?

20                   (No response.)

21                   ACTING PRESIDENT GRIFFO:     The  
22      resolution is adopted.

23                   Senator Skelos.

24                   SENATOR SKELOS:     Mr. President,  
25      there's a resolution at the desk by Senator

1 Martins. If we could have it read in its  
2 entirety and move for its immediate adoption.

3 ACTING PRESIDENT GRIFFO: The  
4 Secretary will read.

5 THE SECRETARY: Legislative  
6 resolution by Senator Martins, congratulating  
7 boxer champion Herve Duroseau upon the  
8 occasion of capturing the Daily News Golden  
9 Gloves Title.

10 "WHEREAS, It is the sense of this  
11 Legislative Body to recognize and pay tribute  
12 to those exemplary athletes who excel in the  
13 sport of boxing, distinguishing themselves  
14 through their exceptional performance,  
15 attaining unprecedented success and the  
16 highest level of personal achievement; and

17 "WHEREAS, Attendant to such  
18 concern, and in full accord with its  
19 long-standing traditions, this Legislative  
20 Body is justly proud to congratulate boxing  
21 champion Herve Duroseau upon the occasion of  
22 capturing the Daily News Golden Gloves title;  
23 and

24 "WHEREAS, In four previous years of  
25 Daily News Golden Gloves competition,

1 Hempstead, Long Island sanitation employee  
2 Herve Duroseau of the Freeport Police Athletic  
3 League had never made it to the finals; and

4 "WHEREAS, On Friday, April 8, 2011,  
5 with boxing legends Smokin' Joe Frazier, Mark  
6 Breland and Iran Barkley at ringside,  
7 28-year-old Herve Duroseau made the most of  
8 his first appearance at the Theater at Madison  
9 Square Garden to win a 4-1 decision over Raul  
10 Nuncio and take home the 165-pound open crown;  
11 and

12 "WHEREAS, Now with a pair of Golden  
13 Gloves to go along with two Metros crowns and  
14 an Empire State Games Championship, Herve  
15 Duroseau is content to depart from boxing and  
16 walk away a champion. Most special was that  
17 his mother was in attendance at one of his  
18 matches for the first time; and

19 "WHEREAS, It is the sense of this  
20 Legislative Body that when individuals of such  
21 noble aims and accomplishments are brought to  
22 our attention, they should be celebrated and  
23 recognized by all the citizens of the great  
24 State of New York; now, therefore, be it

25 "RESOLVED, That this Legislative

1       Body pause in its deliberations to  
2       congratulate boxing champion Herve Duroseau  
3       upon the occasion of capturing the New York  
4       Daily News Golden Gloves title; and be it  
5       further

6               "RESOLVED, That a copy of this  
7       resolution, suitably engrossed, be transmitted  
8       to Herve Duroseau."

9               ACTING PRESIDENT GRIFFO:       Senator  
10       Martins.

11              SENATOR MARTINS:       Thank you,  
12       Mr. President.

13              I want to welcome Herve Duroseau  
14       and his wife, Natalie, to the chamber here  
15       today. They're here with us this afternoon.  
16       I'm going to ask my colleagues to join with me  
17       in recognizing this achievement.

18              Herve is not only an exemplary  
19       member of our community, of our Elmont  
20       community, but he really is a true gentleman,  
21       husband, father, and a wonderful athlete. Not  
22       only do we get to recognize him for, on  
23       April 8th, having won the 2011 Daily News  
24       Golden Gloves, but he's also won the 2007 and  
25       2010 Metropolitan Championship, the 2010 Long

1       Island Championship, he earned gold at the  
2       2010 Empire State Games. And now, again, the  
3       2011 Daily News Golden Gloves.

4               He and his wife, Natalie, are high  
5       school sweethearts. They're raising their  
6       daughter, Brianna, in the Elmont community.  
7       And just another example of one of these  
8       community members who has given back time and  
9       again to the community. He volunteers in the  
10      community, including he and Natalie  
11      volunteering at St. Boniface Church. He was a  
12      football coach for Elmont football. And he  
13      mentors young people in the community.

14              I have the privilege of calling him  
15      a friend and take this opportunity to  
16      recognize this wonderful achievement.

17              As was said, Herve's mother -- I  
18      mean, he's fought 70 times, won 60 of them,  
19      but this is the first fight that his mother  
20      attended. And by winning the Golden Gloves,  
21      he is now hanging up the gloves and is  
22      formally in retirement. I want to  
23      congratulate him on this wonderful achievement  
24      and ask my colleagues to join me in doing so.

25              Thank you, Mr. President.

1                   ACTING PRESIDENT GRIFFO:     Senator  
2     Skelos.

3                   SENATOR SKELOS:     Thank you very  
4     much, Mr. President.

5                   I too join in support of the  
6     resolution in welcoming you to the chamber  
7     today. You've had an exemplary career as a  
8     fighter. But even more importantly, you've  
9     conducted your own personal life in an  
10    exemplary way, your family and certainly  
11    within your community, our community of  
12    Elmont, which Senator Martins and I share, in  
13    working with future generations of boxers and  
14    leaders within that great community.

15                  So I'm proud to be a cosponsor of  
16    the resolution, proud to have you as a  
17    neighboring almost constituent, but proud for  
18    your accomplishments both in the ring but even  
19    more personally in the home.

20                  So we welcome you today.

21                  ACTING PRESIDENT GRIFFO:     The  
22    question is on the resolution. All in favor  
23    signify by saying aye.

24                  (Response of "Aye.")

25                  ACTING PRESIDENT GRIFFO:

1 Opposed?

2 (No response.)

3 ACTING PRESIDENT GRIFFO: The  
4 resolution is adopted.

5 Welcome and congratulations, champ.

6 (Standing ovation.)

7 SENATOR LIBOUS: Mr. President.

8 ACTING PRESIDENT GRIFFO: Senator  
9 Libous.

10 SENATOR LIBOUS: I believe that  
11 Senator Nozzolio has a privileged resolution  
12 at the desk. He would like it read in its  
13 entirety, and would you call on Senator  
14 Nozzolio, please.

15 ACTING PRESIDENT GRIFFO: The  
16 Secretary will read.

17 THE SECRETARY: Legislative  
18 resolution by Senator Nozzolio, congratulating  
19 the Gananda High School Girls' Varsity  
20 Basketball Team upon the occasion of capturing  
21 the 2011 New York State Class C championship.

22 "WHEREAS, Excellence and success in  
23 competitive sports can be achieved only  
24 through strenuous practice, team play and team  
25 spirit, nurtured by dedicated coaching and



1       strategic planning; and

2               "WHEREAS, Athletic competition  
3       enhances the moral and physical development of  
4       the young people of this state, preparing them  
5       for the future by instilling in them the value  
6       of teamwork, encouraging a standard of healthy  
7       living, imparting a desire for success, and  
8       developing a sense of fair play and  
9       competition; and

10              "WHEREAS, The 2010-2011 Gananda  
11       High School Girls' Varsity Basketball Team won  
12       its first ever New York State basketball title  
13       with a convincing 61-51 over Section IV  
14       Harpursville at the Class C tournament finals  
15       held at Hudson Valley Community College; and

16              "WHEREAS, The Panthers of the  
17       Gananda High School Girls' Varsity Basketball  
18       Team finished their 2010-2011 season  
19       undefeated, with an outstanding 25-0 record;  
20       and

21              "WHEREAS, The athletic talent  
22       displayed by the 2010-2011 Gananda High School  
23       Girls' Varsity Basketball Team is due in great  
24       part to the efforts of its coaching staff:  
25       Head Coach Tony Morabito, Assistant Coach

1 Karin Meuwissen, Assistant Coach Patrick  
2 Muldowny, and Assistant Coach Kim Crowley,  
3 skilled and inspirational tutors respected for  
4 their ability to develop potential into  
5 excellence; and

6 "WHEREAS, The overall record of  
7 2010-2011 Gananda High School Girls' Varsity  
8 Basketball Team was outstanding, and the team  
9 members were loyally and enthusiastically  
10 supported by family, fans, friends and the  
11 community at large; and

12 "WHEREAS, The hallmarks of the  
13 2010-2011 Gananda High School Girls' Varsity  
14 Basketball Team, from the opening game of the  
15 season to capturing the 2011 New York State  
16 Class C Championship, were a sisterhood of  
17 athletic ability, of good sportsmanship, of  
18 honor and of scholarship, demonstrating that  
19 these team players are second to none; and

20 "WHEREAS, Athletically and  
21 academically, the 2010-2011 Gananda High  
22 School Girls' Varsity Basketball Team members  
23 have proven themselves to be an unbeatable  
24 combination of talents, reflecting favorably  
25 on their school and their community; and

1                   "WHEREAS, The coaching staff of the  
2           2010-2011 Gananda High School Girls' Varsity  
3           Basketball Team have done a superb job in  
4           guiding, molding, and inspiring the team  
5           members toward their goals; and

6                   "WHEREAS, Sports competition  
7           instills the values of teamwork, pride and  
8           accomplishment, and the 2010-2011 Gananda High  
9           School Girls' Varsity Basketball Team's  
10          outstanding athletes have clearly made a  
11          contribution to the spirit of excellence which  
12          is a tradition of their school; now,  
13          therefore, be it

14                   "RESOLVED, That this Legislative  
15          Body pause in its deliberations to  
16          congratulate the 2010-2011 Gananda High School  
17          Girls' Varsity Basketball Team, its members --  
18          Julia Pagano, Taylor Goebel, Jamie Cannan,  
19          Shawna Van Etten, Shannon McGinnis, Tiffany  
20          Gregoire, Audrey Allen, Melissa Reeves,  
21          Tiffany Burkes, Devlin Vogt, Kourtney Goebel,  
22          Jessi Butler, Michelle Suchan, Emily Donnan,  
23          Jordyn Ruston, and Lindsey Mason -- and Head  
24          Coach Tony Morabito, Assistant Coach Karin  
25          Meuwissen, Assistant Coach Patrick Muldowny,

1 and Assistant Coach Kim Crowley on their  
2 outstanding season, overall team record, and  
3 capturing the 2011 New York State Class C  
4 Championship; and be it further

5 "RESOLVED, That copies of this  
6 resolution, suitably engrossed, be transmitted  
7 to the members and coaching staff of the  
8 2010-2011 Gananda High School Girls' Varsity  
9 Basketball Team."

10 ACTING PRESIDENT GRIFFO: Senator  
11 Nozzolio.

12 SENATOR NOZZOLIO: Thank you,  
13 Mr. President. On the resolution.

14 Mr. President and my colleagues,  
15 thank you for joining me in welcoming  
16 outstanding athletes, state champions, and  
17 exemplary citizens. The young women who  
18 represent the Gananda High School Girls'  
19 Varsity Basketball Team not only represented  
20 their team but, in so doing, in taking their  
21 team all the way to the state finals and  
22 winning the state championship, the Class C,  
23 they showed that they are certainly class  
24 athletes and class individuals.

25 I'd like to make a couple of

1 special mentions. This is a team that's a  
2 team's team. They work well together. You  
3 can tell they're all close friends. But they  
4 certainly were led by an undeniable talent,  
5 one who worked extremely hard and as a senior  
6 was an outstanding athlete, was chosen the  
7 most outstanding -- not only in Section V, but  
8 was named the tournament MVP -- Shannon  
9 McGinnis.

10 Shannon, congratulations to you for  
11 your sacrifice and hard work and exemplary  
12 example to the entire team. And  
13 congratulations for what I know will be a  
14 wonderful future in whatever you choose to  
15 endeavor.

16 Head Coach Tony Morabito, while he  
17 needs to spend a lot of time being the  
18 basketball coach for the Gananda Women's Team,  
19 he finds time and has found time for many  
20 years to be a volunteer fireman working with  
21 the Walworth Fire Department.

22 Tony, thank you for being such a  
23 great coach and wonderful role model, and for  
24 giving so much to the community.

25 As we commemorate and discuss

1 issues of September 11th, that horrific day  
2 brought about many heroes, and those heroes  
3 are exemplified in all our volunteer firemen  
4 and firewomen from across New York State,  
5 across the nation, who are true heroes in that  
6 endeavor in that each and every day they put  
7 themselves on the line to support their  
8 community and to protect their community.

9 So, Tony, that spirit of public  
10 service is one that you bring into the team as  
11 you coach and mentor and educate these fine  
12 young athletes. And I congratulate you for  
13 what you do.

14 But one person who was not named in  
15 the resolution that I would like to mention is  
16 the official scorer of the team, and that's  
17 Tony's wife, Karen. That she was not  
18 mentioned and that I know Tony couldn't do  
19 what he needs to do without great support from  
20 home. And Karen has taken that support on the  
21 road in working with the coach in this  
22 becoming a family affair.

23 I'd also like to thank the athletic  
24 director of the Gananda Central School  
25 District, John Tichacek, and the

1 superintendent, Shawn Van Scoy, who are here  
2 today to be with the young ladies in  
3 recognizing their contributions, recognizing  
4 their success.

5 Congratulations all for a great day  
6 for Gananda. Congratulations for being  
7 champions of our state and champions in every  
8 sense of the word.

9 Thank you, Mr. President.

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

12 Senator Libous.

13 SENATOR LIBOUS: Mr. President, I  
14 rise in great pain, Senator Nozzolio, because  
15 I happen to represent Harpursville. And not  
16 only do I represent Harpursville, but my  
17 brother-in-law teaches at Harpursville.

18 And I want to congratulate you  
19 ladies for becoming champions. While I am  
20 very proud of my Harpursville school team, and  
21 I know that they worked hard in Section IV,  
22 you obviously beat them. And, Senator  
23 Nozzolio, did you have to put in the  
24 resolution "a convincing victory"? Couldn't  
25 you just say they won?

1 (Laughter.)

2 SENATOR LIBOUS: But my  
3 congratulations. I tip my hat to all of you.  
4 And nice job, well done.

5 ACTING PRESIDENT GRIFFO: The  
6 question is on the resolution. All in favor  
7 signify by saying aye.

8 (Response of "Aye.")

9 ACTING PRESIDENT GRIFFO:  
10 Opposed?

11 (No response.)

12 ACTING PRESIDENT GRIFFO: The  
13 resolution is adopted.

14 And we want to congratulate the  
15 Gananda Panthers for being with us today on  
16 their state championship.

17 (Applause.)

18 ACTING PRESIDENT GRIFFO: Senator  
19 Libous.

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

22 There's another privileged  
23 resolution at the desk, Number 1139, by  
24 Senator Bonacic. Could we have please read in  
25 its entirety and call on Senator Bonacic.



1                   ACTING PRESIDENT GRIFFO:       The  
2       Secretary will read.

3                   THE SECRETARY:       Legislative  
4       Resolution Number 1139, by Senator Bonacic,  
5       congratulating the 2010-2011 Coleman Catholic  
6       Varsity Girls' Basketball Team upon the  
7       occasion of capturing the New York State  
8       Class D Championship.

9                   "WHEREAS, Excellence and success in  
10      competitive sports can be achieved only  
11      through strenuous practice, team play and team  
12      spirit, nourished by dedicated coaching and  
13      strategic planning; and

14                  "WHEREAS, Athletic competition  
15      enhances the moral and physical development of  
16      the young people of this state, preparing them  
17      for the future by instilling in them the value  
18      of teamwork, encouraging a standard of healthy  
19      living, imparting a desire for success, and  
20      developing a sense of fair play and  
21      competition; and

22                  "WHEREAS, Ranked number one in  
23      New York State all season, the 2010-2011 John  
24      A. Coleman Catholic Varsity Girls' Basketball  
25      Team captured its second Class D Championship

1 title in three years with an impressive 44-26  
2 victory over Chateaugay at Hudson Valley  
3 Community College in the state tournament  
4 final; and

5 "WHEREAS, The Coleman Catholic  
6 Varsity Girls' Basketball Team won the  
7 New York State Class D title in 2009 with a  
8 different starting lineup. The 2010-2011 team  
9 used its trademark pressure defense to defeat  
10 the 19-7 Bulldogs from Chateaugay in this  
11 year's championship game; and

12 "WHEREAS, Known as the  
13 "Stateswomen," or "Lady Statesmen," the  
14 2010-2011 Coleman Catholic Varsity Girls'  
15 Basketball Team finished the season with a  
16 spectacular 20-2 record; and

17 "WHEREAS, The athletic talent  
18 displayed by the 2010-2011 Coleman Catholic  
19 Varsity Girls' Basketball Team is due in great  
20 part to the efforts of Coach Guy Leonard, a  
21 skilled and inspirational tutor, respected for  
22 his ability to develop potential into  
23 excellence; and

24 "WHEREAS, The overall record of the  
25 2010-2011 Coleman Catholic Varsity Girls'

1 Basketball Team was outstanding, and the team  
2 members were loyally and enthusiastically  
3 supported by family, fans, friends and the  
4 community at large; and

5 "WHEREAS, The hallmarks of the  
6 2010-2011 Coleman Catholic Varsity Girls'  
7 Basketball Team, from the opening game of the  
8 season to capturing the Class D New York State  
9 Championship, were a sisterhood of athletic  
10 ability, of good sportsmanship, of honor and  
11 of scholarship, demonstrating that these team  
12 players are second to none; and

13 "WHEREAS, Athletically and  
14 academically, the 2010-2011 Coleman Catholic  
15 Varsity Girls' Basketball Team members have  
16 proven themselves to be an unbeatable  
17 combination of talents, reflecting favorably  
18 on their school and their community; and

19 "WHEREAS Coach Guy Leonard has done  
20 a superb job in guiding, molding and inspiring  
21 the 2010-2011 Coleman Catholic Varsity Girls'  
22 Basketball Team members toward their goals;  
23 and

24 "WHEREAS, Sports competition  
25 instills the values of teamwork, pride and

1 accomplishment, and Coach Guy Leonard and the  
2 Coleman Catholic Varsity Girls' Basketball  
3 Team's outstanding athletes have clearly made  
4 a contribution to the spirit of excellence  
5 which is a tradition of their school; now,  
6 therefore, be it

7 "RESOLVED, That this Legislative  
8 Body pause in its deliberations to  
9 congratulate the 2010-2011 Coleman Catholic  
10 Varsity Girls' Basketball Team, its members,  
11 and Coach Guy Leonard on their outstanding  
12 season, overall team record, and the Class D  
13 New York State Championship; and be it further

14 "RESOLVED, That copies of this  
15 resolution, suitably engrossed, be transmitted  
16 to the members of the 2010-2011 Coleman  
17 Catholic Varsity Girls' Basketball Team, and  
18 to Coach Guy Leonard."

19 ACTING PRESIDENT GRIFFO: Senator  
20 Bonacic.

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

23 It's with great pride that I stand  
24 to congratulate the John S. Coleman High  
25 School Women's Basketball Team, champions of

1 Division D.

2 I don't know what's in the water of  
3 your school, but you were here in 2009, you  
4 were state champions, and you're here again.

5 I want to give a special  
6 congratulations to Guy Leonard, who is your  
7 outstanding coach, who was the Freeman Coach  
8 of the Year. Your record was 20 and 2. You  
9 were known as "the Stateswomen." I don't know  
10 how that title came about. To me, you're the  
11 state champions.

12 But what I liked about your team  
13 when I saw the statistics of the final game,  
14 the score was pretty close in the first half;  
15 then, with a little more than 3 minutes left,  
16 your offense took over. The second half, your  
17 defense took over. And you won in a dramatic  
18 fashion by a score of 44-26.

19 Now, I know basketball is a team  
20 sport. Each and every one of you are the  
21 MVPs. You know teamwork, you know hard work,  
22 you know dedication. And it takes a team to  
23 be champions. But you know, I've seen many  
24 teams come here, like we've just seen the  
25 women from the championship for the

1 Division C. But I have not seen a team where  
2 one scorer outscored the opposing team. That  
3 is highly unusual. Happened to be the Most  
4 Valuable Player of the tournament. And  
5 Mackenzie Burud, a special congratulations.

6 But in addition to Mackenzie, we  
7 had Katie Shults, who was on the  
8 All-Tournament Team. You also had Dana  
9 Callahan, Section 9 Sportsmanship Award. And  
10 of course Emily and Nicole Curley. That  
11 pretty much rounded out the top five. But as  
12 I said, you're all MVP players.

13 I see that your supervisor came,  
14 Jim Quigley. Jim, thanks for being here.  
15 You're accompanied by some of your parents. I  
16 thank them for being here. And I guess Guy's  
17 bride is here. Mrs. Leonard, I thank you.

18 And as an aside, before I conclude,  
19 Frank Patience, our Secretary of the Senate,  
20 is a graduate of this school. I'm not going  
21 to ask Frank whether he played basketball or  
22 not. But I want you to know your school is  
23 very special. Each and every one of you are  
24 very special.

25 I wish you much success as you

1       pursue your careers. I'm sure you'll be  
2       successful in whatever you do. Thank you.

3               Thank you, Mr. President.

4               ACTING PRESIDENT GRIFFO:       Senator  
5       Larkin.

6               SENATOR LARKIN:       Thank you.

7               I'm proud to join Senator Bonacic,  
8       because I know some of these young folks up  
9       here that Mr. Quigley smiles at live in my  
10      district.

11              But, you know, this is a school, by  
12      the way, that you should know that 10 years  
13      ago the archdiocese said: Fold your tent and  
14      go away. They didn't. Some people aren't  
15      with us anymore that were with us that night,  
16      Jim, when we were in the gymnasium and we  
17      said, "Hey, we're not giving up a fight."

18              And you young ladies are proof what  
19      Coleman is all about. Yes, you're here today  
20      and we're here to honor you for your  
21      achievements in a sport. But we're also here  
22      to honor you and your families and friends in  
23      making sure that Coleman kept going. Because  
24      it is a great academic school, and sports  
25      makes it just that much better.

1           To each and every one of you,  
2           congratulations. Don't wear the pride too  
3           hard, because next year for some of you it  
4           will be tougher.

5           ACTING PRESIDENT GRIFFO:     Thank  
6           you, Senator Larkin.

7           This resolution was previously  
8           adopted by the Senate on Tuesday, April 5th,  
9           unanimously.

10          We want to thank the basketball  
11          team for being here. So to all from Coleman  
12          Catholic, congratulations and welcome.

13          (Applause.)

14          ACTING PRESIDENT GRIFFO:     Senator  
15          Libous.

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

18          I believe there's another  
19          resolution by Senator Bonacic at the desk.  
20          May we have its title read, please, and move  
21          for its adoption.

22          ACTING PRESIDENT GRIFFO:     The  
23          Secretary will read.

24          THE SECRETARY:     Legislative  
25          resolution by Senator Bonacic, recognizing



1 Sunday, May 1, 2011, as Law Day USA in the  
2 State of New York.

3 ACTING PRESIDENT GRIFFO: The  
4 question is on the resolution. All those in  
5 favor please signify by saying aye.

6 (Response of "Aye.")

7 ACTING PRESIDENT GRIFFO:  
8 Opposed?

9 (No response.)

10 ACTING PRESIDENT GRIFFO: The  
11 resolution is adopted.

12 Senator Libous.

13 SENATOR LIBOUS: Mr. President,  
14 there's a resolution at the desk by Senator  
15 Grisanti. He would like the title read and  
16 move for its immediate adoption, please.

17 ACTING PRESIDENT GRIFFO: The  
18 Secretary will read.

19 THE SECRETARY: Legislative  
20 resolution by Senator Grisanti, commemorating  
21 the 41st Anniversary of Earth Day on April 22,  
22 2011.

23 ACTING PRESIDENT GRIFFO: The  
24 question is on the resolution. All in favor  
25 signify by saying aye.

1 (Response of "Aye.")

2 ACTING PRESIDENT GRIFFO:

3 Opposed?

4 (No response.)

5 ACTING PRESIDENT GRIFFO: The  
6 resolution is adopted.

7 Senator Libous.

8 SENATOR LIBOUS: Mr. President,  
9 would you at this time call on Senator  
10 Breslin, please.

11 ACTING PRESIDENT GRIFFO: Senator  
12 Breslin.

13 SENATOR LIBOUS: Oh, before we do  
14 that, I believe Senator Grisanti, if he were  
15 in the chamber, he would say that if any  
16 members would like to be cosponsor of his  
17 resolution -- please notify the desk if you  
18 would not want to be on it. So he'd like to  
19 open it up for all the members.

20 And now would you please call on  
21 Senator Breslin.

22 ACTING PRESIDENT GRIFFO: The  
23 Senate resolution is open to all members. If  
24 you choose not to, please indicate by visiting  
25 the desk.

1 Senator Breslin.

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

4 On behalf of Senator Avella, I move  
5 that the following bill be discharged from its  
6 respective committee and be recommitted with  
7 instructions to strike the enacting clause:  
8 Bill Number 4835.

9 ACTING PRESIDENT GRIFFO: So  
10 ordered.

11 SENATOR BRESLIN: Further,  
12 Mr. President, I request you call up Calendar  
13 Number 195, Assembly Print Number 570.

14 ACTING PRESIDENT GRIFFO: The  
15 Secretary will read.

16 THE SECRETARY: Calendar Number  
17 195, by Member of the Assembly Wright,  
18 Assembly Print Number 570, an act to amend the  
19 Public Housing Law.

20 SENATOR BRESLIN: Mr. President,  
21 I now move to reconsider the vote by which the  
22 Assembly bill was substituted for my bill.

23 ACTING PRESIDENT GRIFFO: Call  
24 the roll on reconsideration.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 60.

2 SENATOR BRESLIN: I now move that  
3 Assembly Bill 570 be recommitted to the  
4 Committee on Housing, Construction and  
5 Community Development, and my Senate bill be  
6 restored to the order of the Third Reading  
7 Calendar.

8 ACTING PRESIDENT GRIFFO: So  
9 ordered.

10 SENATOR BRESLIN: Finally,  
11 Mr. President, on behalf of Senator Diaz, I  
12 wish to call up Print Number 331, recalled  
13 from the Assembly, which is now at the desk.

14 ACTING PRESIDENT GRIFFO: The  
15 Secretary will read.

16 THE SECRETARY: Calendar Number  
17 7, by Senator Diaz, Senate Print 331, an act  
18 to amend the Elder Law.

19 SENATOR BRESLIN: Mr. President,  
20 I now move to reconsider the vote by which  
21 this bill was passed.

22 ACTING PRESIDENT GRIFFO: Call  
23 the roll on reconsideration.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 60.

1                   SENATOR BRESLIN:     Mr. President,  
2     I now offer the following amendments.

3                   ACTING PRESIDENT GRIFFO:  
4     Amendments received.

5                   SENATOR BRESLIN:     Thank you,  
6     Mr. President.

7                   ACTING PRESIDENT GRIFFO:     Thank  
8     you, Senator Breslin.

9                   Senator Klein.

10                  SENATOR KLEIN:     Thank you,  
11     Mr. President.

12                  On behalf of Senator Carlucci, I  
13     move that the following bill be discharged  
14     from its respective committee and be  
15     recommitted with instructions to strike the  
16     enacting clause:   Senate Number 3746.

17                  ACTING PRESIDENT GRIFFO:     So  
18     ordered.

19                  Senator Libous.

20                  SENATOR LIBOUS:     Thank you,  
21     Mr. President.   I have several motions also,  
22     Mr. President.

23                  On behalf of you, Mr. President,  
24     Senator Griffo, on page 22 I offer the  
25     following amendments to Calendar Number 266,

1 Senate Print 2488A, and ask that said bill  
2 retain its place on the Third Reading  
3 Calendar.

4 ACTING PRESIDENT GRIFFO: The  
5 amendments are received, and the bill will  
6 retain its place on Third Reading.

7 SENATOR LIBOUS: On behalf of  
8 Senator DeFrancisco, Mr. President, on page 16  
9 I offer the following amendments to Calendar  
10 Number 182, Senate Print 2903A, and ask that  
11 said bill retain its place on the Third  
12 Reading Calendar.

13 ACTING PRESIDENT GRIFFO: The  
14 amendments are received, and the bill will  
15 retain its place on the Third Reading  
16 Calendar.

17 SENATOR LIBOUS: On behalf of  
18 Senator Maziarz, Mr. President, on page 15 I  
19 offer the following amendments to Calendar  
20 Number 143, Senate Print Number 3407, and ask  
21 that said bill retain its place on the Third  
22 Reading Calendar.

23 ACTING PRESIDENT GRIFFO: The  
24 amendments are received, and the bill will  
25 retain its place on Third Reading.

1                   SENATOR LIBOUS:     And,  
2     Mr. President, on behalf of Senator Zeldin, I  
3     move the following bill be discharged from its  
4     respective committee and be recommitted with  
5     instructions to strike the enacting clause:  
6     Senate Print Number 4027.

7                   ACTING PRESIDENT GRIFFO:     So  
8     ordered.

9                   Senator Libous.

10                  SENATOR LIBOUS:     Mr. President,  
11     are there any substitutions at the desk?  
12     Could we have them read at this time?

13                  ACTING PRESIDENT GRIFFO:     There  
14     are.

15                  The Secretary will read.

16                  THE SECRETARY:     On page 12,  
17     Senator LaValle moves to discharge, from the  
18     Committee on Higher Education, Assembly Print  
19     Number 4579 and substitute it for the  
20     identical Senate Bill Number 2985, Third  
21     Reading Calendar Number 94.

22                  ACTING PRESIDENT GRIFFO:  
23     Substitution so ordered.

24                  THE SECRETARY:     On page 14,  
25     Senator Lanza moves to discharge, from the

1 Committee on Judiciary, Assembly Bill Number  
2 6534 and substitute it for the identical  
3 Senate Bill Number 3392, Third Reading  
4 Calendar 126.

5 ACTING PRESIDENT GRIFFO:  
6 Substitution so ordered.

7 THE SECRETARY: On page 23,  
8 Senator Saland moves to discharge, from the  
9 Committee on Codes, Assembly Bill Number 6800  
10 and substitute it for the identical Senate  
11 Bill Number 4089, Third Reading Calendar 268.

12 ACTING PRESIDENT GRIFFO: The  
13 substitution is so ordered.

14 THE SECRETARY: And on page 28,  
15 Senator Lanza moves to discharge, from the  
16 Committee on Mental Health and Developmental  
17 Disabilities, Assembly Bill Number 4731 and  
18 substitute it for the identical Senate Bill  
19 Number 3745, Third Reading Calendar 336.

20 ACTING PRESIDENT GRIFFO:  
21 Substitution so ordered.

22 Senator Libous.

23 SENATOR LIBOUS: Thank you,  
24 Mr. President. Could we now move to the  
25 reading of the noncontroversial calendar,



1       please.

2                   ACTING PRESIDENT GRIFFO:       The  
3       Secretary will read.

4                   THE SECRETARY:       Calendar Number  
5       38, by Senator Martins, Senate Print 1824, an  
6       act to amend the General Municipal Law.

7                   ACTING PRESIDENT GRIFFO:       Read  
8       the last section.

9                   THE SECRETARY:       Section 16. This  
10       act shall take effect immediately.

11                   ACTING PRESIDENT GRIFFO:       Call  
12       the roll.

13                   (The Secretary called the roll.)

14                   ACTING PRESIDENT GRIFFO:       Senator  
15       Breslin to explain his vote.

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

18                   You know, this is a bill or an area  
19       that we worked on a great deal. We passed  
20       legislation at the direction of the then  
21       Attorney General, Attorney General Cuomo, and  
22       we all applauded it at that time.

23                   And I'm sure that this bill is  
24       well-intended. However, it increases the  
25       number of votes necessary for a change and,

1       coincidentally, to two beyond what it was  
2       changed from the prior. So on that basis  
3       alone, I think I would disagree with it.

4               In addition, it's now only allowing  
5       60 days to go out and obtain signatures.

6               Also, it appears that the days  
7       involved we could implement, under the  
8       existing legislation, legislation within  
9       180 days. This bill would give 360 days plus  
10      allow increments beyond that of 90 days.

11              And I believe that we all agree  
12      here that it's time, in order to make towns  
13      more efficient, villages, cities more  
14      efficient, that we begin to bring  
15      consolidation together. And we applauded the  
16      Attorney General at the time.

17              I think this does nothing more than  
18      waters it down. And accordingly, I will be  
19      voting in the negative.

20              Thank you, Mr. President.

21              ACTING PRESIDENT GRIFFO:     Senator  
22      Krueger to explain her vote.

23              SENATOR LIZ KRUEGER:     Thank you,  
24      Mr. President. I too rise to explain that I  
25      am voting no on this bill.

1                   When we did pass the legislation in  
2                   2009 to allow local governments to dissolve or  
3                   to merge, the intention was to provide a  
4                   mechanism for communities, recognizing that  
5                   their local costs and their local taxes were  
6                   excessive, to be able to streamline too many  
7                   layers of government at the local level.

8                   As I read this bill, the changes  
9                   being proposed to that law would literally gut  
10                  the bill, the intention of our existing law,  
11                  and make it impossible for communities to  
12                  accomplish this goal.

13                  Given that we constantly hear --  
14                  again, constantly hear, both sides of the  
15                  aisle, that property taxes and other local  
16                  taxes are too high, and that the identified  
17                  key issue is an overproduction of government  
18                  levels, we need to ensure that communities  
19                  have the ability to streamline and decrease  
20                  the number of layers of government at the  
21                  local level to accomplish the public service  
22                  goals of government without an overabundance  
23                  or an overproduction of staff requiring too  
24                  many resources.

25                  So frankly, this bill will put us

1 back in time rather than move us forward. I  
2 vote no.

3 Thank you, Mr. President.

4 ACTING PRESIDENT GRIFFO: Senator  
5 Krueger and Senator Breslin to be recorded in  
6 the negative.

7 Senator Stewart-Cousins to explain  
8 her vote.

9 SENATOR STEWART-COUSINS: Yes,  
10 thank you, Mr. President. I rise also to -- I  
11 will be voting against this bill.

12 And I do want to commend Senator  
13 Martins for dealing with some of the issues.  
14 Because again, when the Attorney General's  
15 bill came forward, I was privileged to be able  
16 to sponsor the bill because we all understand  
17 that we have over 10,000 local taxing  
18 districts, all of which were doing different  
19 things. That bill made it a streamlined  
20 process, and it put the power in the hands of  
21 the citizenry.

22 When we first began this discussion  
23 in January -- with some amendments, because  
24 there are some things that can be done -- I  
25 mentioned in committee at that time that I was

1       concerned that the study commission would  
2       delay the process. I was also concerned that  
3       the study commission did not empower citizens,  
4       because in the study commission are only the  
5       elected people, and many of the people who  
6       might be impacted in consolidation.

7               We need to make sure that this bill  
8       is right so that people can take advantage of  
9       consolidation and dissolution. But it cannot  
10      take power from the citizens, it cannot  
11      prolong a process, it can't make a situation  
12      that is difficult even worse.

13             And that's why I am voting no.

14             ACTING PRESIDENT GRIFFO:     Senator  
15      Stewart-Cousins to be recorded in the  
16      negative.

17             Announce the results.

18             THE SECRETARY:     In relation to  
19      Calendar Number 38, those recorded in the  
20      negative are Senators Adams, Addabbo, Avella,  
21      Breslin, Carlucci, Dilan, Duane, Espaillat,  
22      Gianaris, Hassell-Thompson, Huntley, Klein,  
23      L. Krueger, C. Kruger, Little, Montgomery,  
24      Parker, Peralta, Perkins, Rivera, Sampson,  
25      Serrano, Squadron, Stavisky, Stewart-Cousins,

1 and Valesky.

2 Ayes, 34. Nays, 26.

3 ACTING PRESIDENT GRIFFO: The  
4 bill is passed.

5 The Secretary will read.

6 THE SECRETARY: Calendar Number  
7 91, by Senator Young, Senate Print 770, an act  
8 to amend the Agriculture and Markets Law.

9 ACTING PRESIDENT GRIFFO: Read  
10 the last section.

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

13 ACTING PRESIDENT GRIFFO: Call  
14 the roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 60.

17 ACTING PRESIDENT GRIFFO: The  
18 bill is passed.

19 THE SECRETARY: Calendar Number  
20 94, substituted earlier today by Member of the  
21 Assembly Canestrari, Assembly Print Number  
22 4579, an act to amend the Education Law.

23 ACTING PRESIDENT GRIFFO: Read  
24 the last section.

25 THE SECRETARY: Section 5. This

1 act shall take effect on the 120th day.

2 ACTING PRESIDENT GRIFFO: Call  
3 the roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 60.

6 ACTING PRESIDENT GRIFFO: The  
7 bill is passed.

8 THE SECRETARY: Calendar Number  
9 126, substituted earlier today by Member of  
10 the Assembly Abbate, Assembly Print Number  
11 6534, an act to amend the New York City Civil  
12 Court Act.

13 ACTING PRESIDENT GRIFFO: Read  
14 the last section.

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

17 ACTING PRESIDENT GRIFFO: Call  
18 the roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT GRIFFO:  
21 Announce the results.

22 THE SECRETARY: In relation to  
23 Calendar Number 126, those recorded in the  
24 negative are Senators Addabbo, Duane,  
25 C. Kruger and Montgomery. Also Senator

1 Perkins.

2 Ayes, 55. Nays, 5.

3 ACTING PRESIDENT GRIFFO: The  
4 bill is passed.

5 THE SECRETARY: Calendar Number  
6 154, by Senator LaValle, Senate Print 806, an  
7 act to amend the Town Law.

8 ACTING PRESIDENT GRIFFO: Read  
9 the last section.

10 THE SECRETARY: Section 7. This  
11 act shall take effect immediately.

12 ACTING PRESIDENT GRIFFO: Call  
13 the roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 58. Nays,  
16 2. Senators Rivera and Stewart-Cousins  
17 recorded in the negative.

18 ACTING PRESIDENT GRIFFO: The  
19 bill is passed.

20 THE SECRETARY: Calendar Number  
21 178, by Senator Nozzolio, Senate Print 3463,  
22 an act to amend the Penal Law.

23 ACTING PRESIDENT GRIFFO: Read  
24 the last section.

25 THE SECRETARY: Section 2. This



1 act shall take effect on the 15th day.

2 ACTING PRESIDENT GRIFFO: Call  
3 the roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 56. Nays,  
6 4. Senators Montgomery, Parker, Perkins and  
7 Squadron recorded in the negative.

8 ACTING PRESIDENT GRIFFO: The  
9 bill is passed.

10 THE SECRETARY: Calendar Number  
11 195, by Senator Espaillat, Senate Print 3114,  
12 an act to amend the Public Housing Law.

13 ACTING PRESIDENT GRIFFO: Read  
14 the last section.

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

17 ACTING PRESIDENT GRIFFO: Call  
18 the roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 60.

21 ACTING PRESIDENT GRIFFO: The  
22 bill is passed.

23 THE SECRETARY: Calendar Number  
24 196, by Senator Grisanti, Senate Print 3133A,  
25 an act to amend the Public Housing Law.

1                   ACTING PRESIDENT GRIFFO:     Read  
2     the last section.

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

5                   ACTING PRESIDENT GRIFFO:     Call  
6     the roll.

7                   (The Secretary called the roll.)

8                   ACTING PRESIDENT GRIFFO:     Senator  
9     Breslin, do you wish to explain your vote?

10                  SENATOR BRESLIN:     No, I'll wait.

11                  ACTING PRESIDENT GRIFFO:     Senator  
12     Breslin.

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

15                         After a distinguished and long  
16     career in the New York State Assembly, this is  
17     the first bill for Senator Espaillat to have  
18     passed here in the Senate body.   And I would  
19     respectfully request that that be  
20     acknowledged.

21                         (Applause.)

22                  ACTING PRESIDENT GRIFFO:  
23     Announce the results.

24                         THE SECRETARY:     In relation to  
25     Calendar Number 196, those recorded in the

1 negative are Senators Adams, Addabbo, Avella,  
2 Breslin, Dilan, Espaillat, Gianaris,  
3 Hassell-Thompson, L. Krueger, Montgomery,  
4 Parker, Perkins, Rivera, Serrano, Squadron,  
5 Stavisky, and Stewart-Cousins.

6 Ayes, 43. Nays, 17.

7 ACTING PRESIDENT GRIFFO: The  
8 bill is passed.

9 THE SECRETARY: Calendar Number  
10 198, by Senator Young, Senate Print 847, an  
11 act to amend the Agriculture and Markets Law.

12 ACTING PRESIDENT GRIFFO: Read  
13 the last section.

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

16 ACTING PRESIDENT GRIFFO: Call  
17 the roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 60.

20 ACTING PRESIDENT GRIFFO: The  
21 bill is passed.

22 THE SECRETARY: Calendar Number  
23 257, by Senator Golden, Senate Print 3402, an  
24 act to amend the Retirement and Social  
25 Security Law.

1                   ACTING PRESIDENT GRIFFO:     Read  
2     the last section.

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

5                   ACTING PRESIDENT GRIFFO:     Call  
6     the roll.

7                   (The Secretary called the roll.)

8                   THE SECRETARY:     Ayes, 60.

9                   ACTING PRESIDENT GRIFFO:     The  
10    bill is passed.

11                  THE SECRETARY:     Calendar Number  
12    268, substituted earlier today by Member of  
13    the Assembly Meng, Assembly Print Number 6800,  
14    an act to amend Chapter 74 of the Laws of  
15    2007.

16                  ACTING PRESIDENT GRIFFO:     Read  
17    the last section.

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

20                  ACTING PRESIDENT GRIFFO:     Call  
21    the roll.

22                  (The Secretary called the roll.)

23                  ACTING PRESIDENT GRIFFO:     Senator  
24    Adams.

25                  SENATOR ADAMS:     I just want to

1 explain my vote.

2 And I really want to commend my  
3 colleague Senator Saland on this bill. The  
4 issues around human trafficking is something  
5 that we can't continue to ignore. There was a  
6 report recently in the papers this weekend  
7 where an 11-year-old child was victimized for  
8 several days, and she was a victim of human  
9 trafficking.

10 And we have to do more in  
11 coordinating our efforts to make sure we  
12 identify those who participate in human  
13 trafficking and make sure we have proper care  
14 for the victims of human trafficking.

15 So I'm going to be voting aye on  
16 this bill, and I hope that out of this chamber  
17 we come up with more bills that will  
18 effectively address a market that has remained  
19 undetected. And we need to do more to make  
20 sure that those are brought to justice that  
21 participate in human trafficking.

22 So I'll be voting aye on this bill.

23 ACTING PRESIDENT GRIFFO: Senator  
24 Adams to be recorded in the affirmative.

25 Announce the results.

1 THE SECRETARY: Ayes, 60.

2 ACTING PRESIDENT GRIFFO: The  
3 bill is passed.

4 THE SECRETARY: Calendar Number  
5 272, by Senator Gallivan, Senate Print 4051,  
6 an act to amend the Family Court Act.

7 ACTING PRESIDENT GRIFFO: Read  
8 the last section.

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

11 ACTING PRESIDENT GRIFFO: Call  
12 the roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 60.

15 ACTING PRESIDENT GRIFFO: The  
16 bill is passed.

17 THE SECRETARY: Calendar Number  
18 300, by Senator Gallivan, Senate Print 4050,  
19 an act to amend the Family Court Act.

20 ACTING PRESIDENT GRIFFO: Read  
21 the last section.

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

24 ACTING PRESIDENT GRIFFO: Call  
25 the roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 60.

3 ACTING PRESIDENT GRIFFO: The  
4 bill is passed.

5 THE SECRETARY: Calendar Number  
6 322, by Senator Young, Senate Print 4031, an  
7 act relating to redistributing 2010 bond  
8 volume allocations.

9 ACTING PRESIDENT GRIFFO: Read  
10 the last section.

11 THE SECRETARY: Section 18. This  
12 act shall take effect immediately.

13 ACTING PRESIDENT GRIFFO: Call  
14 the roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 60.

17 ACTING PRESIDENT GRIFFO: The  
18 bill is passed.

19 THE SECRETARY: Calendar Number  
20 323, by Senator Young, Senate Print 4032, an  
21 act to amend the Private Housing Finance Law.

22 ACTING PRESIDENT GRIFFO: Read  
23 the last section.

24 THE SECRETARY: Section 8. This  
25 act shall take effect immediately.

1                   ACTING PRESIDENT GRIFFO:     Call  
2     the roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:     Ayes, 60.

5                   ACTING PRESIDENT GRIFFO:     The  
6     bill is passed.

7                   THE SECRETARY:     Calendar Number  
8     324, by Senator Young, Senate Print 4033, an  
9     act to amend Chapter 199 of the Laws of 2008.

10                  ACTING PRESIDENT GRIFFO:     Read  
11     the last section.

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

14                  ACTING PRESIDENT GRIFFO:     Call  
15     the roll.

16                  (The Secretary called the roll.)

17                  THE SECRETARY:     Ayes, 60.

18                  ACTING PRESIDENT GRIFFO:     The  
19     bill is passed.

20                  THE SECRETARY:     Calendar Number  
21     336, substituted earlier today by Member of  
22     the Assembly Titone, Assembly Print Number  
23     4731, an act to amend the Mental Hygiene Law.

24                  ACTING PRESIDENT GRIFFO:     Read  
25     the last section.



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

3 ACTING PRESIDENT GRIFFO: Call  
4 the roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 60.

7 ACTING PRESIDENT GRIFFO: The  
8 bill is passed.

9 Senator Libous, that completes the  
10 noncontroversial reading of the calendar.

11 SENATOR LIBOUS: Mr. President,  
12 can we return to motions and resolutions,  
13 please.

14 ACTING PRESIDENT GRIFFO: We will  
15 return to motions and resolutions.

16 SENATOR LIBOUS: Mr. President,  
17 on behalf of Senator Young, on page 12 I offer  
18 the following amendments to Calendar Number  
19 77, Senate Print 863, and ask that said bill  
20 retain its place on the Third Reading  
21 Calendar.

22 ACTING PRESIDENT GRIFFO: The  
23 amendments are received, and the bill will  
24 retain its place on the Third Reading  
25 Calendar.

1                   SENATOR LIBOUS:     Mr. President,  
2                   once again on behalf of Senator Young, on  
3                   page 12 I offer the following amendments to  
4                   Calendar Number 74, Senate Print 742, and ask  
5                   that said bill retain its place on the Third  
6                   Reading Calendar.

7                   ACTING PRESIDENT GRIFFO:     The  
8                   amendments are received, and the bill will  
9                   retain its place on the Third Reading  
10                  Calendar.

11                  Senator Libous.

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

14                  ACTING PRESIDENT GRIFFO:     There  
15                  is no further business before the desk.

16                  SENATOR LIBOUS:     Mr. President,  
17                  there being no further business at the desk, I  
18                  move that the Senate adjourn until Tuesday,  
19                  May 3rd, at 3:00 p.m.

20                  ACTING PRESIDENT GRIFFO:     There  
21                  being no further business before the desk, and  
22                  on motion, the Senate stands adjourned until  
23                  Tuesday, May 3rd, at 3:00 p.m.

24                  (Whereupon, at 4:26 p.m., the  
25                  Senate adjourned.)