

1 NEW YORK STATE SENATE

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3  
4 THE STENOGRAPHIC RECORD

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7  
8 ALBANY, NEW YORK

9  
10 May 17, 2011

11 3:18 p.m.

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13  
14 REGULAR SESSION

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18 SENATOR JOSEPH E. ROBACH, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

4 I ask all present to please rise and  
5 join me in the Pledge of Allegiance.

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

8 ACTING PRESIDENT ROBACH: In the  
9 absence of clergy, may we please bow our heads in  
10 a moment of silence.

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

13 ACTING PRESIDENT ROBACH: The  
14 reading of the Journal.

15 THE SECRETARY: In Senate, Monday,  
16 May 16th, the Senate met pursuant to adjournment.  
17 The Journal of Sunday, May 15th, was read and  
18 approved. On motion, Senate adjourned.

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

21 Presentation of petitions.

22 Messages from the Assembly.

23 The Secretary will read.

24 THE SECRETARY: On page 28, Senator  
25 Gallivan moves to discharge, from the Committee

1 on Children and Families, Assembly Bill Number  
2 55A and substitute it for the identical Senate  
3 Bill Number 2551A, Third Reading Calendar 403.

4 On page 44, Senator Ranzenhofer  
5 moves to discharge, from the Committee on  
6 Consumer Protection, Assembly Bill Number 3798  
7 and substitute it for the identical Senate Bill  
8 Number 4485, Third Reading Calendar Number 587.

9 ACTING PRESIDENT ROBACH:  
10 Substitutions ordered.

11 Messages from the Governor.

12 Reports of standing committees.

13 Reports of select committees.

14 Communications and reports from  
15 state officers.

16 Motions and resolutions.

17 Senator Libous.

18 SENATOR LIBOUS: Thank you,  
19 Mr. President. At this time could we please  
20 adopt the Resolution Calendar, with the exception  
21 of Resolution Numbers 1797, 1813, and 1874.

22 ACTING PRESIDENT ROBACH: All in  
23 favor of adopting the Resolution Calendar, with  
24 the exceptions of Resolutions 1797, 1813, and  
25 1874, signify by saying aye.

1 (Response of "Aye.")

2 ACTING PRESIDENT ROBACH: Any

3 opposed, nay.

4 (No response.)

5 ACTING PRESIDENT ROBACH: The

6 Resolution Calendar is adopted.

7 Senator Libous.

8 SENATOR LIBOUS: Thank you,

9 Mr. President.

10 Mr. President, at this time Senator  
11 Griffio has Resolution Number 1076, which was  
12 previously adopted. Could we please have it read  
13 in its entirety and then if you could please call  
14 on Senator Griffio.

15 ACTING PRESIDENT ROBACH: The

16 Secretary will read.

17 THE SECRETARY: Legislative  
18 Resolution Number 1076, by Senator Griffio,  
19 congratulating the 2010-2011 New York Mills High  
20 School Boys' Varsity Basketball Team upon the  
21 occasion of capturing the New York State Public  
22 High School Athletic Association Class D  
23 Championship.

24 "WHEREAS, Excellence and success in  
25 competitive sports can be achieved only through

1 strenuous practice, team play and team spirit,  
2 nurtured by dedicated coaching and strategic  
3 planning; and

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

12 "WHEREAS, On Saturday, March 19,  
13 2011, the Marauders of New York Mills High School  
14 captured the New York State Public High School  
15 Athletic Association Class D Boys' Basketball  
16 Championship by defeating Coleman Catholic of  
17 Section IX 47-42 at the Glens Falls Civic Center  
18 to win their second state championship in school  
19 history; and

20 "WHEREAS, The New York Mills  
21 Marauders advanced to the finals of the New York  
22 State Basketball Championship with a 59-55 win  
23 over Chateaugay of Section X in the state  
24 semifinals; and

25 "WHEREAS, One of the most successful

1 basketball programs in Central New York, the  
2 New York Mills Marauders compiled an outstanding  
3 24-0 record during the 2010-2011 season. In  
4 addition to winning the New York State title, the  
5 Marauders won their third consecutive Center  
6 State Conference Championship and third  
7 consecutive Section III Class D championship; and

8 "WHEREAS, Leading into the  
9 championship game, the Marauders had won 55 of  
10 their last 57 games. Their only losses during  
11 this amazing streak were to the 2009 and 2010  
12 state champions; and

13 "WHEREAS, During the season, Senior  
14 Co-Captain Fred Russ scored his 1,000th point and  
15 Coach Adey recorded his 450th career coaching  
16 victory. In his 13 seasons as New York Mills'  
17 head coach, his record is an outstanding 238-59,  
18 and over his 30-year coaching career his record  
19 is 462-156; and

20 "WHEREAS, The athletic talent  
21 displayed by this team is due in great part to  
22 the efforts of Head Coach Mike Adey and his  
23 talented assistant coaches, Brian Adey, Charlie  
24 Ferguson, Mike Keating and John Stevener, skilled  
25 and inspirational mentors respected for their

1 ability to develop potential into excellence; and

2 "WHEREAS, The 2010-2011 New York  
3 Mills High School Boys' Basketball Team's overall  
4 record is outstanding, and the team members were  
5 loyally and enthusiastically supported by family,  
6 fans, friends and the community at large; and

7 "WHEREAS, The hallmarks of the  
8 2010-2011 New York Mills High School Boys'  
9 Basketball Team, from the opening game of the  
10 season to its participation in league play and in  
11 the New York State Public High School Athletic  
12 Association championship tournaments, were a  
13 brotherhood of athletic ability, of good  
14 sportsmanship, of honor and of scholarship,  
15 demonstrating that these team players are second  
16 to none; and

17 "WHEREAS, Athletically and  
18 academically, the team members have proven  
19 themselves to be an unbeatable combination of  
20 talents reflecting favorably on their school and  
21 community; and

22 "WHEREAS, Sports competition  
23 instills the values of teamwork, pride and  
24 accomplishment, Head Coach Mike Adey, his  
25 coaching staff, and the 2010-2011 New York Mills

1 High School Boys' Basketball Team's outstanding  
2 athletes have clearly made a contribution to the  
3 spirit of excellence which is a tradition of  
4 their school; now, therefore, be it

5 "RESOLVED, That this Legislative  
6 Body pause in its deliberations to congratulate  
7 the 2010-2011 New York Mills High School Boys'  
8 Basketball Team, its members -- Jonathan Ross,  
9 Shane Joswick, James Fellone, Nicholas Etienne,  
10 Addison Wolanin, Jacob Kehrli, Richard Matrassi,  
11 Cody Mariotti, Justin Stevener, Matthew Welch,  
12 Co-Captain Jeffrey Albright and Co-Captain Fred  
13 Russ -- as well as Head Manager Cameron Jennings,  
14 Assistant Managers George Albert, Nathan Hartman,  
15 Casey Rice, and Joe Topa, Head Coach Mike Adey,  
16 and Assistant Coaches Brian Adey, Charlie  
17 Ferguson, Mike Keating and John Stevener, on  
18 their New York State Public High School Athletic  
19 Association Class D Boys' Basketball  
20 Championship, their League and Section III  
21 championships, and their outstanding season and  
22 overall team record; and be it further

23 "RESOLVED, That copies of this  
24 resolution, suitably engrossed, be transmitted to  
25 the members and coaching staff of the 2010-2011



1 New York Mills High School Boys' Basketball  
2 Team."

3 ACTING PRESIDENT ROBACH: Senator  
4 Griffio on the resolution.

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

7 I think the resolution really gave  
8 all the statistics, and they are quite impressive  
9 statistics. And I want to thank all of the young  
10 men and the family members who have joined them  
11 today -- Superintendent Houghton and the athletic  
12 director, I think Andrea is up there too -- for  
13 being here in the chamber here today.

14 This is quite an accomplishment. In  
15 fact, Senator Little, who represents the Glens  
16 Falls area, had an opportunity to see you. I  
17 didn't get that same opportunity because I didn't  
18 get to a game this year and Coach Adey is  
19 superstitious. So I made sure that we listened.

20 (Laughter.)

21 SENATOR GRIFFO: And what an  
22 impressive run they had, as you saw what took  
23 place throughout the season, as you read and  
24 heard the statistics of what this team  
25 accomplished. Twenty-four and 0 is quite

1     impressive. And to be at this particular place  
2     at Glens Falls two years in a row, for a small  
3     school, shows the great athletic talent that they  
4     have assembled there.

5                 But more importantly, I think -- or  
6     equally as important, I should say, is the way  
7     these young men handled themselves throughout  
8     this season. I think that they really have been  
9     able to achieve great things that they will  
10    remember throughout their entire lives. Great  
11    lessons have been learned. There will be fond  
12    memories of this championship season and the time  
13    that they have spent at New York Mills.

14                But it's the type of learning  
15    environment that has been nurtured by their  
16    coaches and by the administration in that school  
17    that has enabled them not only to be excellent  
18    athletes who can compete and compete so  
19    successfully, but also that they are going to be  
20    positioned to do extraordinary things in their  
21    life. So the lessons they have learned -- the  
22    character, the determination, the competitive  
23    spirit, the resolve to do good things -- will  
24    stay with them throughout their lives.

25                And I want to specifically thank

1 Coach Adey, Coach Mike Adey, who I've known for a  
2 long time. In fact, he had black hair when I  
3 first met him, I think. And he is such an  
4 extraordinary individual. And you heard some of  
5 the things in the resolution today also talk  
6 about his history. This is a Hall of Fame  
7 coach.

8 But he is just a remarkable  
9 influence on these young men. He is an  
10 individual of integrity and character, a great  
11 instructor, also an educator. And he has really  
12 done so much to mold this team, to bring them  
13 together to be a team. And I think a lot of the  
14 success is attributed to him.

15 And as proud as he is of all of you,  
16 I know he's equally as proud of all his coaches,  
17 but particularly one coach who is his son, Brian  
18 Adey, who is also my director of operations, a  
19 fellow Senate employee of all of ours. And he  
20 does a great job each and every day for me, and I  
21 know he did an extraordinary job in helping to  
22 contribute to the championship season that you  
23 all were able to celebrate this year.

24 And to beat Coleman Catholic -- I'll  
25 tell you, that is a great thing. Because the

1 Secretary of the Senate here, Frank Patience, he  
2 is an alumni of Coleman Catholic. Is that true?  
3 I believe he is. So they beat them on  
4 St. Joseph's Day, Frank; I want you to know that  
5 too.

6 So it was a great day in the  
7 school's history, but I think it's an important  
8 day in the lives of each and every one of these  
9 young men.

10 So I want to thank the  
11 administration, the coaches, the parents for what  
12 they gave to these young men in their rearing,  
13 because that is so important that you built young  
14 men of character and integrity who will do great  
15 things.

16 And to all of you, congratulations  
17 on a great accomplishment, as I said, that I  
18 believe that you will take with you throughout  
19 your entire life. But equally as important,  
20 everything that you associated with, everything  
21 that developed during this time period you will  
22 carry with you to make you a great success in  
23 your future. So we look to hear many great  
24 things from all of you.

25 So congratulations. And I sincerely

1 appreciate you being here today. And we're proud  
2 to recognize you.

3 I present to you the New York State  
4 championship team, New York Mills Marauders.

5 You want to stand, please?

6 (Standing ovation.)

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

9 ACTING PRESIDENT ROBACH: Thank  
10 you, Senator Griffo.

11 Senator Libous on the resolution.

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

14 I want to join my colleague Senator  
15 Griffo in congratulating this outstanding team.  
16 And certainly their accomplishments speak for  
17 themselves. I mean, just what you heard in the  
18 resolution is pretty remarkable. And my hat is  
19 off certainly to the players and to the coaches  
20 and to the school district for this outstanding  
21 achievement.

22 But I also want to stand to  
23 recognize someone who I happen to know on the  
24 team, and that's my nephew, Richie Matrassi. So,  
25 Senator Griffo, make sure that they all get in --

1     Richie, there you go, buddy. All right. He's  
2     not shy, by the way. It runs in the family;  
3     we're not shy.

4                     But anyway, to the entire team,  
5     seriously, your accomplishments are incredible.  
6     What you've done on the athletic field and I'm  
7     sure what you do in the classroom is something  
8     that everybody in this chamber is very proud of.

9                     So Senator Griffo, thank you for  
10    bringing these champions here. I'm only jealous  
11    that they're not from Broome County -- but maybe  
12    next time.

13                    ACTING PRESIDENT ROBACH: Thank  
14    you, Senator Libous.

15                    Senator Seward on the resolution.

16                    SENATOR SEWARD: Yes, thank you,  
17    Mr. President. Very briefly.

18                    I do not have any relative on the  
19    team --

20                    (Laughter.)

21                    SENATOR SEWARD: -- but in  
22    representing a neighboring Senate district and an  
23    avid watcher of Channel 2 Utica and, what is it,  
24    Sports Express every weekend, I followed the  
25    victorious season of this New York Mills

1 Marauders team this past winter.

2                   And I just wanted to stand and say  
3 it's an honor and pleasure to have you in the  
4 chamber today. You're true champions both on and  
5 off the court. I'm delighted to join your  
6 Senator, Senator Griffo, in congratulating you.  
7 And I'm very, very pleased to support this  
8 resolution.

9                   And I heard so much about you and  
10 watched you on television, and it's a great honor  
11 to see you personally. Congratulations.

12                   ACTING PRESIDENT ROBACH: Thank  
13 you, Senator Seward.

14                   Is there any other Senator wishing  
15 to be heard?

16                   This resolution was previously  
17 adopted on March 29th.

18                   But on behalf of all the Senators,  
19 let us applaud you on your victory, welcome you  
20 here to the chamber, and extend to you the  
21 courtesies of the house. Job well done.

22                   (Applause.)

23                   ACTING PRESIDENT ROBACH: Senator  
24 Libous.

25                   SENATOR LIBOUS: Thank you,

1 Mr. President.

2 At this time I believe Senator  
3 Savino has Resolution Number 1813 at the desk.  
4 May we please have it read in its entirety, and  
5 could you please call on Senator Savino.

6 ACTING PRESIDENT ROBACH: The  
7 Secretary will read.

8 THE SECRETARY: Legislative  
9 Resolution Number 1813, by Senator Savino,  
10 welcoming the Staten Island Girl Scouts upon the  
11 occasion of their visit to Albany, New York, on  
12 Tuesday, May 17, 2011.

13 "WHEREAS, It is the sense of this  
14 Legislative Body to act in accord with its  
15 long-standing traditions, honoring the youth of  
16 today, and leaders of tomorrow, whose character  
17 and achievements exemplify the ideals and values  
18 cherished by this great state and nation; and

19 "WHEREAS, Attendant to such concern,  
20 and in full accord with its long-standing  
21 traditions, this Legislative Body is justly proud  
22 to welcome the Staten Island Girl Scouts upon the  
23 occasion of their visit to Albany, New York, on  
24 Tuesday, May 17, 2011; and

25 "WHEREAS, This auspicious visit is



1 part of their biannual trip to the Capitol of  
2 this great Empire State and will include a visit  
3 to the State Museum, a meet-and-greet with  
4 members of the Legislature from Staten Island, a  
5 pizza party, and a grand tour of the Capitol; and

6 "WHEREAS, The Staten Island Girl  
7 Scouts visiting this year are Alexa Ruberti,  
8 Alyssa LaRocca, Amanda Casella, Andrea LaPointe,  
9 Autumn Montanez, Brianna Benjamin, Brianna  
10 Valente, Brigid Fegeley, Caitlin Derbyshire,  
11 Christina Ramos, Christina Tenteromano, Christine  
12 Moog, Danielle Crespo, Danielle Struthers, Deanna  
13 Assad, Elain Minew, Francesa Lamberti, Jennifer  
14 Orlando, Julia Dalessio, Kaycee Barris, Laine  
15 Cialdella, Milena Battaglia, Olivia DeVoti,  
16 Rachel Cook, Rebecca Holzer, Rebecca Renzetti,  
17 Samantha Bergen, Samantha Brandt, Samantha  
18 Ciprut, Shruti Sharma, Stephanie Bergen,  
19 Stephanie Campitiello, Taylor Burgio, Theresa  
20 Figueroa, Toniann Lehmann, Tyler Ramos, and  
21 Victoria Gonzalez. The chaperones include  
22 Christine Battaglia, Aimee Bergen, Connie  
23 Dalessio, Joann Paradiso, Michele Lamberti, Susan  
24 Hogan, and Joan Ventriglia; and

25 "WHEREAS, Girl Scouting in the

1 United States of America, which will celebrate  
2 its 100th anniversary next year, began on  
3 March 12, 1912, when Juliette 'Daisy' Gordon Low  
4 organized the first Girl Scout troop meeting of  
5 18 girls in Savannah, Georgia. Since then, it  
6 has grown to 3.7 million members worldwide; and

7 "WHEREAS, Girl Scouting has  
8 cultivated in our nation's young people the goals  
9 of building solid values of sisterhood and the  
10 importance of working with others, stimulating  
11 both mind and body, instilling pride, and  
12 encouraging community service and success; and

13 "WHEREAS, Girl Scouting has expanded  
14 the horizons of the countless hundreds of  
15 thousands who have participated in scouting  
16 programs which have made scouting an American and  
17 international institution; and

18 "WHEREAS, This Legislative Body is  
19 pleased to recognize the Staten Island Girl  
20 Scouts and to wish them a future of purposeful  
21 success and well-being; now, therefore, be it

22 "RESOLVED, That this Legislative  
23 Body pause in its deliberations to welcome the  
24 Staten Island Girl Scouts upon the occasion of  
25 their visit to Albany, New York, on Tuesday,

1 May 17, 2011; and be it further

2 "RESOLVED, That a copy of this  
3 resolution, suitably engrossed, be transmitted to  
4 the Staten Island Girl Scouts."

5 ACTING PRESIDENT ROBACH: Before we  
6 go to Senator Savino, could we just ask  
7 colleagues to take the conversations outside and  
8 get a little order in the chamber. Thank you.

9 Senator Savino on the resolution.

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

12 It is my distinct pleasure to once  
13 again host the Staten Island Girl Scouts Troop  
14 here in Albany. This is the third time that I've  
15 had the opportunity to do that, along with the  
16 Staten Island delegation -- Senator Lanza, who  
17 I'm sure will be here any moment, and the  
18 Assembly delegation. We have a new member this  
19 year, Assemblywoman Nicole Malliotakis, along  
20 with Assemblyman Matthew Titone, Assemblyman Lou  
21 Tobacco, and Assemblyman Michael Cusick.

22 Everybody has wonderful Girl Scouts  
23 in their communities, but we like to think that  
24 our Girl Scouts from Staten Island are  
25 particularly impressive, and we're always happy

1 to have them here with us. And their troop  
2 leaders: Christine Battaglia, who is really a  
3 tremendous mentor and a role model to these young  
4 girls, along with the other chaperones who have  
5 been mentioned -- Aimee Bergen, Connie Dalessio,  
6 Joann Paradiso, Michele Lamberti, Susan Hogan,  
7 and Joan Ventriglia.

8                   This is the third time the Girl  
9 Scouts have come to visit us from Staten Island,  
10 and it's particularly important this year as the  
11 Girl Scouts International begins to celebrate  
12 their hundredth anniversary. One hundred years  
13 ago in March, Juliette Gordon Low organized the  
14 first Girl Scouts troop, in March 1912, in  
15 Savannah, Georgia.

16                   Many of the women in this  
17 Legislature that have served have been Girl  
18 Scouts. I am not one of them, I've shared that  
19 with them, although they did make me an honorary  
20 Girl Scout.

21                   These young ladies truly reflect the  
22 Girl Scout mission and motto, which is that Girl  
23 Scouting builds girls of courage, confidence, and  
24 character who make the world a better place. And  
25 like some of the most famous Girl Scouts that

1 have come before them, I know they're going to  
2 accomplish great things. Like Geraldine Ferraro,  
3 like Hillary Clinton, like Sandra Day O'Connor,  
4 like astronauts Christa McAuliffe and Sally Ride,  
5 like Madeleine Albright, like Barbara Walters.  
6 And also some pretty hip ones, like Mariah Carey  
7 and Sheryl Crow and Natalie Merchant and Venus  
8 Williams.

9                   These young ladies here will be able  
10 to accomplish anything they want, and a lot of it  
11 will be built on the foundation of the Girl  
12 Scouts.

13                   So welcome to Albany. Again,  
14 congratulations for everything you've  
15 accomplished and what you're going to do going  
16 forward. And I know that everyone here wishes  
17 you nothing but success in your future  
18 endeavors.

19                   Thank you, Mr. President.

20                   ACTING PRESIDENT ROBACH: Thank  
21 you, Senator Savino.

22                   Are there any other Senators wishing  
23 to be heard on the resolution?

24                   If none, the question is on the  
25 resolution. All in favor signify by saying aye.

1 (Response of "Aye.")

2 ACTING PRESIDENT ROBACH: Any

3 opposed, nay.

4 (No response.)

5 ACTING PRESIDENT ROBACH: The

6 resolution is adopted.

7 Young ladies, it's great to have you  
8 here. We hope you enjoy your visit. And thank  
9 you for all the good things you're doing in  
10 Scouts.

11 (Applause.)

12 ACTING PRESIDENT ROBACH: Senator

13 Libous.

14 SENATOR LIBOUS: Mr. President, at  
15 this time could I have unanimous consent from the  
16 body for Senator Oppenheimer to make a brief  
17 statement.

18 ACTING PRESIDENT ROBACH: Without  
19 objection.

20 SENATOR LIBOUS: Thank you,  
21 Mr. President. Would you call on Senator  
22 Oppenheimer.

23 ACTING PRESIDENT ROBACH: Senator  
24 Oppenheimer.

25 SENATOR OPPENHEIMER: Thank you.

1 And thank you, Senator Libous.

2 This was an unexpected surprise, but  
3 I am very, very delighted and honored to be able  
4 to introduce two very wonderful young ladies.  
5 They're sitting in that corner. Come on, girls,  
6 stand up. Okay. As you can see, they're  
7 gorgeous.

8 We have Miss Westchester, that's  
9 Christina DeLeon, and she's a student teacher in  
10 Yonkers. She's going to graduate, would you  
11 believe summa cum laude, from SUNY Old Westbury  
12 in just a few weeks, and then she's going on to  
13 get her master's in special education at Mercy  
14 College this fall. Here is a woman who is going  
15 to make I think waves. We are going to see a  
16 lot, we expect a lot from Tina. That's what she  
17 calls herself.

18 Tina, we congratulate you on your  
19 great plans for the future, and good luck in the  
20 process you're in right now.

21 And right next to her is Samantha  
22 Gold, otherwise known as Sam, who is Miss  
23 Westchester Teen. And Sam is a senior at Byram  
24 Hills High School, and she's preparing to do an  
25 internship with the Westchester County Police

1 Academy. And she plans to study criminal justice  
2 when she gets to college.

3 And these young women, they  
4 represent all that is good about Westchester's  
5 youth and about the youth of our state. They are  
6 not only gorgeous, as we can see, but they are  
7 intelligent and articulate and compassionate and  
8 they're just charming and a whole lot of fun to  
9 be with.

10 And I thank you so much, girls, for  
11 coming up and joining us today in the Senate.

12 Thank you, Mr. President.

13 ACTING PRESIDENT ROBACH: Thank  
14 you. Thank you, Senator Oppenheimer.

15 We welcome these extraordinary young  
16 women to the chamber. Hope you enjoy your day  
17 here in Albany, and keep up the great work.  
18 Thanks.

19 (Applause.)

20 ACTING PRESIDENT ROBACH: Senator  
21 Libous.

22 SENATOR LIBOUS: Mr. President, at  
23 this time there will be an immediate meeting of  
24 the Finance Committee in Room 332. That's an  
25 immediate meeting of the Finance Committee in



1 Room 332. The Senate will temporarily stand at  
2 ease.

3 ACTING PRESIDENT ROBACH:  
4 Immediate meeting of the Finance Committee in  
5 Room 332, and the Senate will stand at ease  
6 temporarily.

7 (Whereupon, the Senate stood at ease  
8 at 3:42 p.m.)

9 (Whereupon, the Senate reconvened at  
10 4:08 p.m.)

11 ACTING PRESIDENT ROBACH: The  
12 Senate will come to order.

13 Senator Libous.

14 SENATOR LIBOUS: Mr. President,  
15 could we return to reports of standing  
16 committees.

17 ACTING PRESIDENT ROBACH: Reports  
18 of standing committees.

19 The Secretary will read.

20 THE SECRETARY: Senator  
21 DeFrancisco, from the Committee on Finance,  
22 offers the following nomination.

23 As commissioner of the New York  
24 State Department of Motor Vehicles, Barbara  
25 Fiala.

1                   ACTING PRESIDENT ROBACH:    Senator  
2   DeFrancisco on the nomination.

3                   SENATOR DEFRANCISCO:    I would move  
4   the nomination of Barbara Fiala as the  
5   commissioner of the New York State Department of  
6   Motor Vehicles, and request that you recognize  
7   Senator Libous to second the nomination.

8                   ACTING PRESIDENT ROBACH:    Senator  
9   Libous to second the nomination.

10                  SENATOR LIBOUS:    Thank you,  
11   Mr. President.  Thank you, Senator DeFrancisco.

12                  Mr. President and my colleagues, it  
13   is indeed an honor for me to stand before you  
14   today and talk about the nominee who's before  
15   us.  The Governor, Governor Cuomo, has done an  
16   outstanding job in picking someone who will be a  
17   great commissioner of the office of DMV, who  
18   understands the issues as an employee of that  
19   office, as the director of that office, and then  
20   one who went on in her career to be a very  
21   successful county executive in the County of  
22   Broome.

23                  As I mentioned in the Finance  
24   Committee, Barbara, I'm going to miss you as  
25   county executive.  As a matter of fact, I got

1 along better with you than I did with Republican  
2 county executives, and we got a lot done  
3 together.

4           And certainly that's the kind of  
5 cooperation that Barbara will show with all of us  
6 and certainly the people of New York State. She  
7 has an outstanding career. I think she said that  
8 this is your 31st year? -- 30th year of public  
9 service. And that goes back, as I said, to the  
10 office of Department of Motor Vehicles.

11           As far as her dedication, her  
12 commitment, her passion, as head of the  
13 department of Motor Vehicles and certainly as the  
14 county clerk and certainly as our county  
15 executive, she has the passion for the job and  
16 she gets what's important. And what's important  
17 is serving the people of New York State.

18           And unfortunately, not all of the  
19 commissioners or those who have served over the  
20 years as commissioners understood that when they  
21 got the job. I know you understand that, because  
22 I've seen you perform, I've seen you in action.

23           And, Mr. President, this is a good  
24 day. The people of Broome County are very, very  
25 proud of her accomplishments and what she has

1     done. I know that she has family members and  
2     friends here today that are extremely proud of  
3     her, as I am.

4                     So, Mr. President, it is a pleasure  
5     and honor to second the nomination of Barbara  
6     Fiala as the commissioner of DMV.

7                     ACTING PRESIDENT ROBACH: Thank  
8     you, Senator Libous.

9                     Senator Fuschillo.

10                    SENATOR FUSCHILLO: Thank you very  
11    much, Mr. President.

12                    I follow on the heels of my  
13    colleague Senator Tom Libous, who even before  
14    Barbara Fiala came to the Transportation  
15    Committee, Barbara, I felt like I knew you  
16    because Tom Libous didn't stop talking about you,  
17    in a very positive way.

18                    And I think in the Finance Committee  
19    you said tomorrow is your 30th anniversary when  
20    you became the supervisor of DMV in your  
21    hometown.

22                    Mr. President, this is -- as Tom  
23    Libous said in the Finance Committee, we've  
24    complimented the Governor on previous  
25    nominations, but this one is outstanding. Her

1 record of public and community service is second  
2 to none.

3 And I know, based on her comments in  
4 the Transportation Committee, where she was  
5 approved unanimously to come and serve as the  
6 commissioner of DMV and get to this point, she  
7 will do an outstanding job.

8 DMV has come a long way. And I  
9 remember as a kid going to Privado Road where it  
10 used to be in Westbury and packing my lunch and  
11 sitting there waiting to just get a renewal of a  
12 driver's license. But it still needs to come  
13 further. And public and community service really  
14 is the basis of getting individuals in and out.

15 And I know that Commissioner Fiala  
16 will serve the residents of State of New York  
17 with great distinction and pride. I proudly  
18 second the nomination.

19 ACTING PRESIDENT ROBACH: Senator  
20 Breslin.

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

23 Barbara, as a fellow upstater, I  
24 commend the Governor for just an outstanding  
25 choice. When you talk to people across the

1 upstate area, you hear words like "professional,"  
2 "honest," "decent," "bright," "consummate person  
3 to work together." That's Barbara Fiala.

4 And I've talked to my much older  
5 brother Michael, who's a fellow county executive,  
6 and he echoes those comments, that when you want  
7 something done you pick Barbara Fiala. And the  
8 Governor has done it with Motor Vehicles.

9 I commend him, and I commend you for  
10 taking on those responsibilities. You'll do a  
11 wonderful job. Congratulations.

12 ACTING PRESIDENT ROBACH: Thank  
13 you, Senator Breslin.

14 Senator Griffo.

15 SENATOR GRIFFO: Thank you,  
16 Mr. President. I also want to congratulate the  
17 Governor on a very excellent choice.

18 As a former county executive, I had  
19 an opportunity to work with Barbara when she was  
20 county executive of Broome and I was county  
21 executive of Oneida. She had great respect  
22 across the state from other county executives,  
23 and she did an extraordinary job during that  
24 tenure.

25 Just getting along with Senator

1 Libous had to be huge. So that is a significant  
2 accomplishment.

3 (Laughter.)

4 SENATOR GRIFFO: But many in the  
5 counties during that time always looked to  
6 Barbara for her creative ideas and solutions.  
7 And I know she talked today about customer  
8 service and the importance of serving the people  
9 of this state and the people of the community  
10 that she has had the opportunity to represent  
11 throughout her tenure.

12 So today I just want to add my voice  
13 to congratulating her. I think it's an excellent  
14 choice. I know that she'll do an extraordinary  
15 job.

16 Congratulations and good luck.

17 ACTING PRESIDENT ROBACH: Thank  
18 you, Senator Griffo.

19 Senator Maziarz.

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

22 I've always said to this governor  
23 and to previous governors, when you're choosing a  
24 commissioner of Motor Vehicles, choose a county  
25 clerk. There is nobody who knows more -- and I

1 think my colleague Senator Ritchie would agree --  
2 knows more about the operations of the Department  
3 of Motor Vehicles than a county clerk.

4 And, Barbara, I know it's a proud  
5 moment for you and your family. You started out  
6 in the Department of Motor Vehicles and, you  
7 know, seeing people that Senator Fuschillo talked  
8 about coming in there, usually with a whole bunch  
9 of problems, and you took care of them and worked  
10 your way up to become the county clerk of Broome  
11 County. And later on you accepted a demotion to  
12 county executive from county clerk. I can't  
13 believe that.

14 (Laughter.)

15 SENATOR MAZIARZ: But as a former  
16 county clerk, I want to congratulate my colleague  
17 and friend Barbara Fiala. She's going to do a  
18 great job as the DMV commissioner.

19 Thank you, Mr. President.

20 ACTING PRESIDENT ROBACH: Senator  
21 DeFrancisco.

22 SENATOR DEFRANCISCO: You know,  
23 we've all had this experience one time or another  
24 that you meet someone and you think you've known  
25 her or him your whole life. And that's the way



1 it felt for me when I first met this nominee last  
2 week and we had a nice chat. And we had so many  
3 things in common, it was just amazing.

4 In fact, her parish priest is coming  
5 to our parish in Syracuse to replace the parish  
6 priest. And I just asked her to please tell him  
7 to keep his sermons short before he came to  
8 Syracuse, because that's the clear sign of a good  
9 parish priest.

10 (Laughter.)

11 SENATOR DEFRANCISCO: Also, and  
12 much, much more importantly, it's obvious that  
13 she worked hard to get where she is today. Often  
14 in this day and age in our society people jump  
15 over other people for many reasons, not  
16 necessarily by ability and by hard work.

17 You're a great example of someone  
18 who started in the trenches and worked your way  
19 through various positions. And you got the next  
20 position because you deserved it. And you  
21 definitely deserve this position, and we look  
22 forward to meeting and working with you during  
23 the course of your tenure.

24 Congratulations.

25 ACTING PRESIDENT ROBACH: Thank

1       you, Senator DeFrancisco.

2                   Is there any other Senator wishing  
3       to be heard?

4                   Senator Ritchie.

5                   SENATOR RITCHIE:    I would also like  
6       to commend the Governor for such an excellent  
7       pick.

8                   Barbara, we served together as  
9       county clerks and as members of the New York  
10      State Association of County Clerks.  You always  
11      put your county first.  You always worked hard to  
12      make sure that the revenue stayed locally so that  
13      the offices could operate and we could provide  
14      the services that were necessary for our  
15      constituents.

16                  So once again, I congratulate you.  
17      I look forward to working with you.  And I'm sure  
18      you're going to be an excellent commissioner.

19                  ACTING PRESIDENT ROBACH:   Thank  
20      you, Senator Ritchie.

21                  If there are no other Senators to  
22      speak, the question is on the nomination of  
23      Barbara Fiala as the commissioner of the New York  
24      State Department of Motor Vehicles.  All those in  
25      favor signify by saying aye.

1 (Response of "Aye.")

2 ACTING PRESIDENT ROBACH: Any  
3 opposed, nay.

4 (No response.)

5 ACTING PRESIDENT ROBACH: The  
6 nomination is confirmed.

7 Congratulations, Barbara.

8 (Applause.)

9 ACTING PRESIDENT ROBACH: We not  
10 only want to congratulate you, but also welcome  
11 your family. We know you have your husband Tony  
12 with you, your son Tony, your son James and his  
13 wife Mary Lou, their two sons, Nicholas and  
14 Nathan, and also your brother Anthony and his  
15 wife Marge as well as your brother Nick and his  
16 wife Joanne, and Betty, your sister-in-law.

17 We wish you all the best in your new  
18 position and welcome you and your family to the  
19 chamber. God bless.

20 (Applause.)

21 ACTING PRESIDENT ROBACH:  
22 Senator Libous.

23 SENATOR LIBOUS: Thank you,  
24 Mr. President. Now you know how she won her  
25 elections.

1 (Laughter.)

2 SENATOR LIBOUS: Mr. President,  
3 could we at this time return to motions and  
4 resolutions, please.

5 ACTING PRESIDENT ROBACH: Motions  
6 and resolutions.

7 SENATOR LIBOUS: I believe there's  
8 a resolution at the desk by Senator Perkins,  
9 Number 1797. Could we have please have the  
10 resolution title read and then move for its  
11 adoption.

12 ACTING PRESIDENT ROBACH: The  
13 Secretary will read.

14 THE SECRETARY: Legislative  
15 Resolution Number 1797, by Senator Perkins,  
16 celebrating the 86th Birthday of Malcolm X, the  
17 human rights activist and one of the most  
18 influential African-American leaders in history.

19 ACTING PRESIDENT ROBACH: Senator  
20 Perkins.

21 SENATOR PERKINS: Thank you very  
22 much, Mr. President. I just want to be brief and  
23 express my appreciation for the opportunity to  
24 put forward this resolution.

25 As you pointed out, May 19th marks

1 the 86th birthday of Malcolm X, a prominent  
2 figure in African-American and American history,  
3 for that matter, and one of the most outspoken  
4 activists on behalf of the civil rights and human  
5 rights movement. I'm honored to sponsor this  
6 resolution that pays tribute to his life and  
7 accomplishments.

8           Malcolm X was well-known for his  
9 ability to move an audience with a passion and  
10 veracity. He would often say "If you don't stand  
11 for something, you will fall for anything." He  
12 embodied this doctrine, he lived true to this  
13 doctrine. It was his progressive and forthright  
14 advocacy for civil rights and human rights that  
15 unfortunately led to his assassination.

16           As a society we were taught many  
17 lessons from Malcolm X, lessons that will endure  
18 long after his words were spoken. One particular  
19 message echoes in my mind every time I enter this  
20 chamber or I stand ready and willing to defend  
21 the rights of my constituents: "Power in defense  
22 of freedom is greater than power on behalf of  
23 tyranny and oppression, because real power comes  
24 from our conviction, which produces action,  
25 uncompromising action." As legislators, as

1 citizens, and as human beings, we must never  
2 forget these words.

3 Thank you very much. And I ask my  
4 colleagues to join me in supporting this  
5 resolution.

6 ACTING PRESIDENT ROBACH: Thank  
7 you, Senator Perkins.

8 Is there any other Senator wishing  
9 to be heard?

10 The question is on the resolution.  
11 All those in favor signify by saying aye.

12 (Response of "Aye.")

13 ACTING PRESIDENT ROBACH: Any  
14 opposed, nay.

15 (No response.)

16 ACTING PRESIDENT ROBACH: The  
17 resolution is adopted.

18 Senator LaValle.

19 SENATOR LaVALLE: Yes,  
20 Mr. President. May we please take up Resolution  
21 1874, by Senator Smith, and may we have the title  
22 read and move for its immediate adoption.

23 ACTING PRESIDENT ROBACH: The  
24 Secretary will read.

25 THE SECRETARY: Legislative

1 Resolution Number 1874, by Senator Smith,  
2 honoring Southeast Queens, New York,  
3 Actor-Director Arthur French upon the occasion of  
4 his designation as recipient of the Lifetime  
5 Achievement Award by the Coalition of Theatres of  
6 Color.

7 ACTING PRESIDENT ROBACH: The  
8 question is on the resolution. All those in  
9 favor signify by saying aye.

10 (Response of "Aye.")

11 ACTING PRESIDENT ROBACH: Opposed,  
12 nay.

13 (No response.)

14 ACTING PRESIDENT ROBACH: The  
15 resolution is adopted.

16 Senator LaValle.

17 SENATOR LaVALLE: Mr. President, I  
18 understand we have two privileged resolutions by  
19 Senator Young. Would you read the titles,  
20 please.

21 ACTING PRESIDENT ROBACH: The  
22 Secretary will read.

23 THE SECRETARY: Legislative  
24 resolution by Senator Young, honoring Jackson  
25 Watson upon the occasion of competing in the

1 8-to-9-year-old boys division of the 39th Annual  
2 National Elks Hoop Shoot Finals.

3 And legislative resolution by  
4 Senator Young, commemorating the 50th Anniversary  
5 of Olean Business Institute.

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

9 (Response of "Aye.")

10 ACTING PRESIDENT ROBACH: Opposed,  
11 nay.

12 (No response.)

13 ACTING PRESIDENT ROBACH: The  
14 resolutions are adopted.

15 Senator LaValle.

16 SENATOR LaVALLE: Can we return to  
17 motions, Mr. President.

18 ACTING PRESIDENT ROBACH: Motions  
19 and resolutions.

20 SENATOR LaVALLE: On page 28, I  
21 offer the following amendments to Calendar Number  
22 405, Senate Print Number 3306A, and ask that said  
23 bill retain its place on Third Reading Calendar.

24 ACTING PRESIDENT ROBACH: The  
25 amendments are received and adopted, and the bill



1 will retain its place on the Third Reading  
2 Calendar.

3 SENATOR LaVALLE: Mr. President,  
4 may we please take up the noncontroversial  
5 reading of the calendar.

6 ACTING PRESIDENT ROBACH: The  
7 Secretary will read.

8 THE SECRETARY: Calendar Number  
9 264, by Senator Alesi, Senate Print 3736A, an act  
10 to amend the Economic Development Law.

11 ACTING PRESIDENT ROBACH: Read the  
12 last section.

13 THE SECRETARY: Section 5. This  
14 act shall take effect on the 180th day.

15 ACTING PRESIDENT ROBACH: Call the  
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT ROBACH: The bill  
20 is passed.

21 THE SECRETARY: Calendar Number  
22 344, by Senator Bonacic, Senate Print 3764A, an  
23 act to amend the Environmental Conservation Law.

24 ACTING PRESIDENT ROBACH: Read the  
25 last section.

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

3           ACTING PRESIDENT ROBACH:  Call the  
4 roll.

5           (The Secretary called the roll.)

6           THE SECRETARY:  Ayes, 61.

7           ACTING PRESIDENT ROBACH:  The bill  
8 is passed.

9           THE SECRETARY:  Calendar Number  
10 393, by Senator Young, Senate Print 3499, an act  
11 to amend the Town Law.

12          ACTING PRESIDENT ROBACH:  Read the  
13 last section.

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

16          ACTING PRESIDENT ROBACH:  Call the  
17 roll.

18          (The Secretary called the roll.)

19          THE SECRETARY:  Ayes, 61.

20          ACTING PRESIDENT ROBACH:  The bill  
21 is passed.

22          THE SECRETARY:  Calendar Number  
23 395, by Senator Maziarz, Senate Print 510, an act  
24 to amend the Labor Law.

25          SENATOR LaVALLE:  Will you lay that

1     aside for the day, please.

2                 ACTING PRESIDENT ROBACH:     The bill  
3     is laid aside for the day.

4                 THE SECRETARY:     Calendar Number  
5     403, substituted earlier today by Member of the  
6     Assembly Aubry, Assembly Print Number 55A, an act  
7     to amend the Legislative Law.

8                 ACTING PRESIDENT ROBACH:     Read the  
9     last section.

10                THE SECRETARY:     Section 8.   This  
11     act shall take effect on the 30th day.

12                ACTING PRESIDENT ROBACH:     Call the  
13     roll.

14                         (The Secretary called the roll.)

15                THE SECRETARY:     Ayes, 61.

16                ACTING PRESIDENT ROBACH:     The bill  
17     is passed.

18                THE SECRETARY:     Calendar Number  
19     421, by Senator Griffo, Senate Print 3880A, an  
20     act to amend the Education Law.

21                ACTING PRESIDENT ROBACH:     Read the  
22     last section.

23                THE SECRETARY:     Section 2.   This  
24     act shall take effect July 1, 2013.

25                ACTING PRESIDENT ROBACH:     Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 61.

4 ACTING PRESIDENT ROBACH: The bill  
5 is passed.

6 THE SECRETARY: Calendar Number  
7 583, by Senator Griffo, Senate Print 3645C, an  
8 act to amend the Correction Law.

9 ACTING PRESIDENT ROBACH: Read the  
10 last section.

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

13 ACTING PRESIDENT ROBACH: Call the  
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT ROBACH: Senator  
17 Griffo to explain your vote.

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

20 This is an important piece of  
21 legislation. It's another step in trying to  
22 protect our people that we all serve.

23 We heard today -- we had a family up  
24 here from Senator Nozzolio's district, because a  
25 lot of times we look at statistics but today we

1 had a story behind the statistics. And it's so  
2 important that we understand what can happen when  
3 violent crime is perpetrated upon the communities  
4 that we serve.

5 So today this is another effort to  
6 keep our communities and families safe. It's  
7 another opportunity and tool that will become  
8 invaluable to law enforcement. So I appreciate  
9 the support we've received in the chamber today.  
10 I appreciate Senator Nozzolio's cosponsorship and  
11 for bringing forward a story that is so poignant  
12 and so important and what we all try to do in  
13 making a difference in trying to protect people.

14 So I vote aye.

15 ACTING PRESIDENT ROBACH: Thank  
16 you, Senator Griffo.

17 Senator Nozzolio to explain his  
18 vote.

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

21 Mr. President and my colleagues, can  
22 you just imagine on one afternoon the anguish of  
23 Dale Driscoll in receiving the information that  
24 she lost both her daughter and her  
25 granddaughter. John Edward Brown, with a history

1 of violence, convicted of very violent acts, was,  
2 unbeknownst to Helen Buchel, brought into their  
3 family. And those violent tendencies were such  
4 that he murdered Helen Buchel and Brittany  
5 Passalacqua.

6 This law, known as Brittany's Law in  
7 Brittany Passalacqua's memory, is to provide  
8 notice to those who have brought someone into  
9 their home -- a new employee into their business,  
10 a blind date for their daughter -- a type of  
11 information, and allowing the information age to  
12 help prevent crime.

13 That's why this measure is  
14 important. I want to thank Senator Griffo for  
15 his leadership in pushing this legislation and  
16 seeing it through to this point. With bipartisan  
17 support in the Assembly, we're very hopeful that  
18 it will be passed so that Brittany's life will  
19 not be in vain and her death will have  
20 protections for others so that the Brittany  
21 Passalacquas of the future will not have to  
22 happen.

23 I support this measure,  
24 Mr. President, and I urge my colleagues to do  
25 likewise. Thank you very much.

1                   ACTING PRESIDENT ROBACH:    Thank  
2   you, Senator Nozzolio.

3                   Senator Kennedy to explain his vote.

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

6                   First of all, I want to commend  
7   Senator Griffo for bringing this important piece  
8   of legislation to the floor today.

9                   Brittany's Law is important to be  
10  passed in a bipartisan fashion, and I think we're  
11  seeing that today.

12                  Government and law enforcement must  
13  remain vigilant in our efforts to keep  
14  New Yorkers safe.  And as such, we rely on state  
15  and local police agencies to protect our  
16  neighborhoods and maintain the safety of our  
17  roads.  But those police agencies also rely on us  
18  here in the State Legislature to empower them  
19  with the tools that they need to defend our  
20  families and crack down on violence and illegal  
21  behavior.

22                  By creating this registry of violent  
23  felony offenders, this legislation will provide  
24  law enforcement with an important tool in the  
25  fight against violent crime.  It will help

1 prevent innocent New Yorkers from becoming the  
2 victims of repeat offenders, and it will  
3 absolutely improve public safety.

4 New Yorkers want to live, work, and  
5 raise their families in safe neighborhoods. By  
6 passing this legislation today, we are taking  
7 another step toward making New York State safer.  
8 We are helping prevent tragedies caused by  
9 violent crime. Thank you.

10 ACTING PRESIDENT ROBACH: Thank  
11 you, Senator Kennedy.

12 Announce the results.

13 THE SECRETARY: In relation to  
14 Calendar Number 583, those recorded in the  
15 negative are Senators Duane, Parker, Perkins and  
16 Serrano.

17 Ayes, 57. Nays, 4.

18 ACTING PRESIDENT ROBACH: The bill  
19 is passed.

20 THE SECRETARY: Calendar Number  
21 584, by Senator Maziarz, Senate Print 3915, an  
22 act to amend Chapter 410 of the Laws of 2009.

23 ACTING PRESIDENT ROBACH: Read the  
24 last section.

25 THE SECRETARY: Section 2. This



1 act shall take effect immediately.

2 ACTING PRESIDENT ROBACH: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 59. Nays,  
6 2. Senators Hassell-Thompson and Parker recorded  
7 in the negative.

8 ACTING PRESIDENT ROBACH: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number  
11 587, substituted earlier today by Member of the  
12 Assembly Spano, Assembly Print Number 3798, an  
13 act to amend the General Business Law.

14 ACTING PRESIDENT ROBACH: Read the  
15 last section.

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

18 ACTING PRESIDENT ROBACH: Call the  
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 61.

22 ACTING PRESIDENT ROBACH: The bill  
23 is passed.

24 THE SECRETARY: Calendar Number  
25 590, by Senator Ranzenhofer, Senate Print 3188,

1 an act to amend the Alcoholic Beverage Control  
2 Law.

3 ACTING PRESIDENT ROBACH: Read the  
4 last section.

5 THE SECRETARY: Section 5. This  
6 act shall take effect on the first of January.

7 ACTING PRESIDENT ROBACH: Call the  
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 61.

11 ACTING PRESIDENT ROBACH: The bill  
12 is passed.

13 THE SECRETARY: Calendar Number  
14 605, by Senator Zeldin, Senate Print 4385A, an  
15 act to amend the Highway Law.

16 ACTING PRESIDENT ROBACH: Read the  
17 last section.

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

20 ACTING PRESIDENT ROBACH: Call the  
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT ROBACH: Senator  
24 Zeldin to explain his vote.

25 SENATOR ZELDIN: Thank you,

1 Mr. President. And I want to thank all my  
2 colleagues for supporting this piece of  
3 legislation today.

4 I'm joined in the chamber by  
5 Assemblyman Dean Murray, who is carrying this  
6 legislation over in the State Assembly with  
7 Assemblyman Al Graf. And it was Assemblyman  
8 Murray that came to me and told me about Grace's  
9 story.

10 Two years ago today, on May 17,  
11 2009, 7-year-old Grace Catherine Peshkur passed  
12 away from an illness called epidermolysis  
13 bullosa, or EB for short.

14 EB is sometimes known as the  
15 butterfly disease, due to the fragility of the  
16 skin. Any abrasion or friction causes the skin  
17 to blister and slough off. Sufferers resemble  
18 burn victims with bodies wrapped in bandages.  
19 The disease also affects internal organs and  
20 makes sufferers more liable to sepsis and other  
21 infections.

22 EB is one of the so-called orphan  
23 diseases. When Grace was born, there were no  
24 standards of care for newborns with this  
25 illness. Now, due to the awareness that she

1     helped create, there are now protocols in place  
2     for how to care for these children immediately  
3     after birth.

4                 The whole community came together in  
5     a wonderful effort to give Grace the love and  
6     quality of life all children should enjoy. A  
7     first-grader at Chippewa School in Holtsville,  
8     the fellow children in the class treated her just  
9     like every other student. Her perseverance and  
10    fortitude during her short life are an  
11    inspiration to many.

12                On the second anniversary of her  
13    death, our thoughts and prayers go out to Grace's  
14    parents, Michael and Karen Peshkur, and her  
15    little sister Emma Gray, who was born two days  
16    after Grace passed away.

17                Naming this bridge is a small  
18    gesture that will ensure that Grace's memory is a  
19    permanent part of the fabric of our community.  
20    Thank you, everyone, for your support.

21                ACTING PRESIDENT ROBACH:    Thank  
22    you, Senator Zeldin.

23                Announce the results.

24                THE SECRETARY:    Ayes, 61.

25                ACTING PRESIDENT ROBACH:    The bill

1 is passed.

2 THE SECRETARY: Calendar Number  
3 614, by Senator Golden, Senate Print 4778, an act  
4 to amend Chapter 890 of the Laws of 1982.

5 ACTING PRESIDENT ROBACH: Read the  
6 last section.

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

9 ACTING PRESIDENT ROBACH: Call the  
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 61.

13 ACTING PRESIDENT ROBACH: The bill  
14 is passed.

15 Senator LaValle.

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

18 ACTING PRESIDENT ROBACH: There is  
19 none.

20 SENATOR LaVALLE: There being no  
21 further business before the Senate,  
22 Mr. President, I move we adjourn until Wednesday,  
23 May 18th, at 11:00 a.m.

24 ACTING PRESIDENT ROBACH: On  
25 motion, the Senate stands adjourned until

1 tomorrow, Wednesday, May 18th, at 11:00 a.m.

2 (Whereupon, at 4:34 p.m., the Senate  
3 adjourned.)  
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