NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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REGULAR SESSION

SENATOR JOSEPH A. GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The Senate will come to order.

I ask all present to please rise and join with us as we recite the Pledge of Allegiance to our Flag.

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

ACTING PRESIDENT GRIFFO: For today's invocation, we are honored to have with us Chaplain Colonel Mike Durham, the United States Military Academy Chaplain, Cadet Chapel, at West Point.

Chaplain.

CHAPLAIN DURHAM: May we pray.

Heavenly Father, we offer today, as our first President did many years ago, this heartfelt prayer for our nation.

"Almighty God, we make our earnest prayer that Thou wilt keep the United States in Thy holy protection, that Thou would incline the hearts of her citizens to cultivate a spirit of obedience to government and to entertain a brotherly affection and love for one another, and Thou wilt most

graciously be pleased to dispose us all to do justice, to love mercy, and to demean ourselves with that charity and humility, the characteristics of the Divine Author of our blessed religion and without whose example in these things we can never hope to be a happy nation."

Father, on this day, and in this place of selfless service, as we pause to honor all that is noble and good at West Point, the Academy, and in this great Empire State, we humbly ask You that You would continue to hear from heaven, heal our land, and fill our hearts with hope, reminding us as You do of Your abundant care and provision.

Guide, encourage, and inspire, O Father, all those who lead and serve in government, beginning with our President, and all those elected to serve the needs of the people. Especially we pray for these, the members of this State Senate.

Bless and keep, O Lord, the young men and women, many from this great state, who have answered a special call to serve in defense of our nation, some of whom at this very moment

are in harm's way while providing for the security and well-being of our people. Keep them and their families, we pray, comforted and safe in Your tender care.

Now grant, O God, that our nation may always be a lighthouse for freedom, faith, and hope, and may our light so shine before men and nations that we may all someday experience peace on earth and goodwill for all mankind.

All this we pray from the heart and in Your most holy name. Amen.

ACTING PRESIDENT GRIFFO: Thank you, Chaplain.

The reading of the Journal.

THE SECRETARY: In Senate, Wednesday, April 25th, the Senate met pursuant to adjournment. The Journal of Tuesday, April 24th, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 18, Senator LaValle moves to discharge, from the Committee on Judiciary, Assembly Bill Number 2088 and substitute it for the identical Senate Bill Number 1311, Third Reading Calendar 389.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

On behalf of Senator Johnson, I move that the following bill be discharged from its respective committee and be recommitted with instructions to strike the enacting clause: Senate Print 4197.

ACTING PRESIDENT GRIFFO: So ordered.

SENATOR LIBOUS: Thank you,

Mr. President.

On behalf of Senator Bonacic, on page 23 I offer the following amendments to Calendar Number 491, Senate Print 6233, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT GRIFFO: The amendments are received, and the bill shall retain its place on third reading.

Senator Libous.

SENATOR LIBOUS: Mr. President, at this time may we please adopt the Resolution Calendar, with the exception of Resolution Number 4191.

ACTING PRESIDENT GRIFFO: At this time we will take up the Resolution Calendar, with the exception of Resolution Number 4191. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed, nay.

(No response.)

ACTING PRESIDENT GRIFFO: The Resolution Calendar is adopted.

Senator Libous.

SENATOR LIBOUS: Mr. President, I believe there's a resolution at the desk by Senator Larkin, Number 4191. I ask that it be read in its entirety and then that you call on Senator Larkin. Thank you.

ACTING PRESIDENT GRIFFO: We will now read Resolution 4191. The Secretary will read.

THE SECRETARY: Legislative Resolution Number 4191, by Senator Larkin, memorializing Governor Andrew M. Cuomo to proclaim April 26, 2012, as West Point Day in New York State.

"WHEREAS, This Legislative Body is justly proud to celebrate the establishment of the United States Military Academy at West Point and to call upon Governor Andrew M. Cuomo to proclaim April 26, 2012, as West Point Day in the State of New York; and

"WHEREAS, By an act of Congress, on March 16, 1802, the United States Military Academy was established within the borders of New York State, on the banks of the Hudson River; and

"WHEREAS, The Academy and its

graduates are an integral part of the proud history of this state and nation; and

"WHEREAS, The leadership and sacrifices of the members of the Long Gray Line have helped this country withstand countless threats to our cherished democratic way of life; and

"WHEREAS, The alumni have excelled not only on the battlefield but in many fields of endeavor; and

"WHEREAS, The Academy continues to provide our country with dedicated and future leaders; and

"WHEREAS, Its scenic campus is a mecca each year for thousands of visitors from across our state, continent, and other countries; and

"WHEREAS, The United States Military Academy is in the forefront of our state's outstanding institutions of higher learning; and

"WHEREAS, Sixty years ago, the late James T. McNamara, then a member of the New York State Assembly, and a member of the Academy's Class of 1939, was the author of the State

Legislature's first West Point Day resolution; and

"WHEREAS, For decades, our nation has enjoyed the legacy of freedom, and the United States Military Academy at West Point has played a vitally significant role in the maintenance of peace and freedom; and

"WHEREAS, The members of this Legislative Body are proud to commemorate this event marking April 26, 2012, as West Point Day in New York State; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to celebrate the establishment of the United States Military Academy at West Point and to memorialize Governor Andrew M. Cuomo to proclaim April 26, 2012, as West Point Day in New York State; and be it further

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

ACTING PRESIDENT GRIFFO: Senator Larkin.

SENATOR LARKIN: Thank you,

Mr. President.

It's really an honor and a privilege to welcome the Corps of Cadets, led by their distinguished academic dean, General Trainor. General Trainor has a special guest with him today, his young daughter, who's a cow. We'll tell them later what that means.

I want to also thank the parents that are here, Mr. and Mrs. Amoroso. We've had you here before, Joe. But that wonderful wife that brought these young kids. Joseph, it's good to see you.

We're talking here to the best and the brightest America has, who volunteered "I want to serve my country." And they selected the United States Military Academy, a challenge. Ask the plebes about the first week there. They didn't go like other kids go into college, let's go out and drink beer tonight, because they had special things to do.

It wasn't an easy grab. It was a tremendous challenge from day one till they come to graduation next month. The challenges you make, I -- besides you here today, I have a special: Two grads, four-star generals are in my

Senate district. I don't think anybody's ever seen that before. General Dempsey, General Petraeus, they've never forgot about the Gray Line. They come back frequently to talk about the Academy, what the Academy means.

The Academy isn't just wearing a jacket and a hat and learn how to salute 365 days a year. But it's building something that you can prove to the rest of world that we are the Long Gray Line, we are part of the foundation of this great nation of ours, and we'll never be shortchanged.

In 23 years I never met a member of the Long Gray Line that I was ashamed to serve with, have my peers or my subordinates. Because they always kept in mind those three words: Duty, honor, and country.

Tremendous. A challenge for any young man or woman that want to decide what they're going to do with their future life. The Long Gray Line.

I'd like to introduce you to some of them that are here today, led by our distinguished guest, the academic dean, General Trainor.

We've already heard from our chaplain, Mike Durham. Our Sergeant Major David Brzywczy, from public affairs. And a special guest, Sergeant Robert Frame, from Jack Martins' district. But his also claim to fame, for some of us old-timers, his grandfather-in-law was Senator Joe Pisani. A lot of people know him.

Our first captain, Captain Charles Phelps, from Woodinville, State of Washington.

Cadet Hanna Smith, the brigade executive officer, from Springfield, Virginia. She is a presidential nominee.

Cadet Robert Jacobs, deputy brigade commander, from Houston, Texas.

Cadet Eric Fan, from Queens.

Cadet Lee Wakeman, from the hamlet of Wallkill.

Cadet Daniel Prial, from Warwick, Orange County.

Cadet Brian Peguillan, from Glen Cove.

Cadet Mark Owens, from Pearl River.

Cadet Joseph Amoroso, from the great town of Marlboro.

Cadet Cory Trainor, daughter of our

distinguished guest, West Point, New York. And you know, when you think about that family, we cannot forget the mother, Colonel.

Cadet Patrick Harris, from my town of Cornwall, New York.

But we have some West Point Society members who have been here with us every year.

Barry Hartman, retired brigadier general, Class of '64.

Mike Breslin, who you've already heard a few words from, class of '61, former county exec. Where's Mike? There he is.

Larry Zaenker, Class of '84.

Dina. This lady comes every year since the first year she was with the Parents Club.

And then Mr. and Mrs. Amoroso, who have given this Academy two great sons. Thank you.

Ladies and gentlemen, this is the future of America, these cadets. They've known heartaches. Some of them have already been in combat. Some of their colleagues back at the Academy that aren't here today have also been in combat. They know what the struggles are of this

great country, and we as a legislative body owe a deep gratitude to these fine, distinguished men.

Mr. President, please give them a warm welcome and introduce our Majority Leader.

ACTING PRESIDENT GRIFFO: Senator Larkin, I want to thank you.

And I want to also thank you for allowing me to have the opportunity to introduce the cadet from my district, from the town of Camden in Oneida County, Cadet Kyle Forward.

Cadet Forward, thank you also.

I now call on Senate Majority Leader Dean Skelos.

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

And I'd like to welcome Brigadier General Trainor here, Academy Chaplain Mike Durham, and Sergeant Major David Brzywczy, and of course all the cadets that have joined us. We welcome you.

I also want to thank Colonel Senator -- and he prefers the title Colonel Senator rather than Senator Colonel -- Bill Larkin for his leadership in certainly putting this great day together for all of us for so many

years.

In Bill Larkin you see an American hero. Served our country for so many years, combat, and now is serving his country as he has in the public service for so many years in such a positive way. His whole life has been about the military but also about public service. And that's something that every single one of us in this chamber is so proud of.

So, Colonel Senator Larkin, we thank you and we pay tribute to you for all you've done for our country and this chamber.

Senator, thank you.

(Sustained applause.)

SENATOR SKELOS: In this chamber we talk a lot about freedom and democracy. In our schools, young people are taught about how Americans fought for those values during the Revolutionary War and wrote them down in the Declaration of Independence, because they are the values we hold most dear.

With your presence here today, you not only help us celebrate the fact that New York is home of the U.S. Military Academy, you put a face on freedom. Throughout our history so many

people have fought to protect our freedoms, our democracy, and our way of life. You are the best and the brightest leaders our nation has, and everyone here thanks you for your leadership, dedication, and commitment to preserving those freedoms we cherish so much.

So on behalf of all the Senators, we welcome you to our chamber and we wish you good health and thank you for the service that you will be providing -- you are now, but also providing to our country in years to come.

God bless you all.

(Extended standing ovation.)

ACTING PRESIDENT GRIFFO: Senator Breslin.

SENATOR BRESLIN: Thank you, Mr. President.

I share the remarks of Senator Larkin, and I again commend Senator Larkin for all he does and all he has done. And as Senator Skelos said, he has spent his entire life serving the people.

But it gives us, on this day, just a chance to reflect. In this chamber we have Democrats and Republicans, and we argue every

day, we debate bills and legislation that affect the constituents of the State of New York. And that's being done in the entire 50 states. But we frequently don't think about why we're given the opportunity to do that and how many countries don't have that opportunity. And that they don't have the ability to argue back and forth. And that's called a democracy.

And we are not able to do it unless we have you and the people who have gone before you and have sacrificed their lives to give us freedom and to give us democracy and to allow us to participate in a way that no other country in this world can do.

So, General Trainor, the cadets, this day also gives me an opportunity to mention my older brother, the retired county executive of Albany, who many years ago was fortunate enough to get an appointment to go to West Point. And then went on from West Point to jump school, ranger school, jungle warfare school, air transportation school, jump master school, and became a company commander in Vietnam with the 82nd Airborne. And went on after that to become a 27-year-old major and come back and teach

counterinsurgency.

But he taught me and he taught my younger brother and my younger sisters a value system: That duty, honor, country is important. And it is something that you act out not during your four years at West Point, but you act out through your entire life.

And you carry something beyond what any of us carry, that you will carry that integrity with you for your entire lives. And that's why it's no coincidence that the Pershings and the Eisenhowers and the MacArthurs came from West Point, because they became the leaders of this country. And you will become the leaders of this country, whether you stay in the service or not.

So it's a humble day for all of us, but it's a day that we feel good about being in the Senate. And it's a day that we don't argue with each other. And it's a day that you set a tremendous example for all of us. Congratulations.

ACTING PRESIDENT GRIFFO: Thank you, Senator Breslin.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, I stand here to thank all of you.

When you're in public service, especially in the Senate, you get a lot of people coming through these chambers, coming through your office, most of which are looking for something for themselves. Or most of which are looking for something that will benefit them, their business, their family, whatever it may be. And they come to us seeking some type of legislation, or maybe to intercede on their behalf.

So that whatever their particular issue is for them, it is taken care of to the best of our ability. And we do that, and we enjoy doing that.

But what's different about today is that you're asking for nothing. In fact, you are giving everything to our country and everything to us so that we can continue in this democracy to do what we're doing in these chambers.

So I'm rising, as an Air Force veteran who probably couldn't have gotten into West Point, to thank you. Thank you for what you do and what you're going to be doing in the

future for us.

It's truly an honor to be in the same room with you, and it's truly gratifying that Senator Larkin, for my 20 years here, has given me the opportunity to thank the West Point people for what they do for our country.

So thank you from the bottom of my heart.

ACTING PRESIDENT GRIFFO: Senator Ball.

SENATOR BALL: I want to -- it's great to have the dean here. As a former cadet at the Air Force Academy, I'm always a little scared when the commandant is here.

Most of the time I was on the dean's good list. I think there was a semester I spent on the dean's other list, that's not such a good list -- but it was only one semester. Electrical engineering. Or, no, it was aeronautical engineering. Imagine that, Air Force Academy and bad-graded in aeronautical engineering. But anyways, had top grades in poli sci.

You know, there's nothing more cherished -- you know a father's love and you

know a mother's love, and there is nothing more cherished than that very special connection. And what we have here before us are leaders who are going to be given the extreme honor, the greatest honor of leading men and women who are the sons and daughters from places like Iowa and New York and Long Island and Texas. And you're in charge of them and their safety. And there's no more special camaraderie, no more special honor that can be bestowed on each and every one of you.

And when we think about West Point or any of the service academies, I think it's fundamentally important to remember that these service academies, and specifically West Point, represent the greatness of America, the greatness of American upward mobility.

The fact when you walk through that door and you're getting yelled at and fingers are being pointed and you're going through your own personal version of that summer in beast or in plebe summer of hell, that when your hair falls off and you have your head shaved and you wear the same uniform and you're told to act the same way, it doesn't matter whether you're Catholic or whether you're Protestant, it doesn't matter

whether you're rich or poor.

In fact, when you look at each other, you look so similar it's amazing. You lose your identity. And from that moment forward, you're judged upon one thing: Your character and your ability.

And West Point is a testament of the greatness of America, that you will be judged upon the content of your character and the weight of your convictions.

And as a guy who just got back from his 10-year reunion, I just want to tell each and every one of you, my heart goes out to you. I hope that we can keep in touch. I ask that once you graduate, that you stay safe. Make sure that you graduate, and enjoy every single moment of the next year or two years for those of you that are seniors and juniors.

My upper classman -- for those of you who are looking for somebody to blame on Greg Ball, Charlie Miles is here. He was my upper classman. And everything that's bad, I blame on him. Here he is. We went through recognition training. He's the one that beat my butt during that recognition training. And I can

tell you that this is my best friend to this very day.

And the relationships that you make now will be the friendships that will endure with you for the rest of your life.

And if we had more men and women from places like West Point and the other service academies in boardrooms and in places like this and all the places where important decisions are made, this country would always continue to be the greatest country that this world has ever known.

So whether it be in that uniform or your future uniform as a commissioned officer, whether it be in a suit and tie -- if you live in my district, I ask that you don't run right away -- but we need your leadership.

We salute you. And God bless each and every one of you.

ACTING PRESIDENT GRIFFO: Senator Addabbo.

SENATOR ADDABBO: Thank you, Mr. President.

Let me first thank Senator Larkin for his efforts on West Point Day and of course

for his service to our country and our state.

Two hundred ten years ago last month, a Long Gray Line formed at the newly founded West Point Academy. And today that Long Gray Line travels all the way here to our Senate chambers. And today we see both the history and the future of our armed forces.

And it's such an honor to have the cadets here, and I thank you for the choice you have chosen to be at West Point, and to all our veterans here today.

Virtually since its inception, the West Point education has been described in this way, and I quote: "Much of the history we teach was made by people we taught." This continues to hold true. And I am confident maybe some of these cadets will create a new chapter in our American history.

These young men and women have pledged to uphold the duties of duty, honor, and country, and follow the footsteps of many named famous West Point graduates: MacArthur, Eisenhower, Aldrin, Sherman, Patton, Grant, Schwarzkopf, Petraeus, and others too many to mention.

But I will mention one more, and that's retired United States Army Brigadier General Luciano Salamone, Class of 1956, who's here with us today, affectionately known in my family as Uncle Leo. He is my uncle. And as a family, we are so proud of Uncle Leo and the history he has served in our country.

And so to Uncle Leo, to all the cadets, the chaplain, the dean, to all veterans here, thank you. Thank you for your service.

(Applause.)

ACTING PRESIDENT GRIFFO: Senator Nozzolio.

SENATOR NOZZOLIO: Thank you, Mr. President.

To my colleagues, to Uncle Leo, to all the cadets who are here today, it is my honor to be standing among you.

Senator Larkin, thank you very much for, again, your leadership, dedication and focus. And the recognition that West Point is indeed a national treasure that we enjoy to host in New York State.

I wish, Mr. President, just to share with you a personal memoir that afflicts me

every so many months. It's a nightmare that I have where, as a student at Cornell a number of years ago, I had the -- the -- I'd say privilege to compete with West Point on a playing field in the spring football league, Eastern United States.

That nightmare occurs because Cornell was ahead of Army for the entire game but for the last 30 seconds, when their quarterback threw a long pass and beat Cornell by just a point or two. I have a nightmare because I tackled the quarterback just two seconds late, after he delivered that pass. Forever we lost the game, forever we lost the title to Army that year.

But I reflect on that game because there have been many games, many contests since then where West Point has stood tall against many adversaries -- and once in a while those adversaries may take them, like Cornell beats you every so often.

But the fact of the matter is after I left that playing field and after my colleagues from West Point left that playing field, many of those colleagues who graduated in a few short

months after the game were placed in harm's way, were defending the interests of the United States abroad just a few months after fighting for their school on the playing fields.

That is something we should always remember, that these cadets are dedicating themselves to defending the interests of the United States of America. And they as young men and young women are going to be called on to -- as they prepare themselves and have prepared themselves better than any fighting soldier could be prepared, we in fact must always recognize that you have dedicated your life to put your life in harm's way to defend the interests of this great country. For that we will be forever grateful.

Thank you, Mr. President. And thank you, cadets, those of you who are here and those of who are representative of the entire corps. Thank you for your service.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Nozzolio.

Senator Marcellino.

SENATOR MARCELLINO: Thank you,

Mr. President.

One of the cadets is from the city that I represent, Glen Cove. I always refer to it as the small but powerful city of Glen Cove on the North Shore of Long Island. For those of you from Manhattan, this is the other island I'm talking about.

Brian, you do credit to your city and you do credit to your nation. I hope that I can do credit to your last name by not screwing it up too badly.

But, Brian Peguillan, I met your father just the other day at the Little League opening in Glen Cove. He came over to me and said, "Say hello to my son. He's going to be there up in the Senate, and please say hello to him."

I could tell -- we'd never met before, but I could tell with just a few moments that this man was very, very proud of you and of your achievements.

And I can tell by the fact that you're in amongst a very bright group of young men and women that you're going to do honor to your family and honor to this country. Please

keep it up, and I look forward to talking to you a little bit later after our process is over here.

And stay safe. All of you, stay safe. God bless each and every one of you.

ACTING PRESIDENT GRIFFO: Senator Little.

SENATOR LITTLE: Thank you, Mr. President.

Certainly let me begin by thanking Senator Larkin for all he does to bring West Point here, because we as New Yorkers are very proud to host West Point in our state.

And secondly, as the mother of a Naval Academy graduate, you'll forgive me if I acknowledge that I say "Go Navy" almost every morning.

But, you know, I want to thank you for selecting a military career. It's a long road. The application process and the selection is very, very difficult. And really and truly, only the finest are selected to attend or military academies. And you are the finest.

It's a difficult academic career. It's a difficult athletic career. It's difficult

because it's a year-round career. And going home and hearing about your peers, your college friends and all the fun they're having, and the freedom and the flexibility, that it doesn't bother you. Even though it bothers you, you know what you're doing is really worthwhile.

You're going to have a wonderful education after your service to the military, or if you can continue your career in the military, as my son has done.

God bless you and thank you, thank you, thank you for your commitment to the military. I don't know where our country would be without the young men and women who volunteer to serve in our academies and to be the leaders of our military groups.

Thank you.

ACTING PRESIDENT GRIFFO: Senator Stavisky.

SENATOR STAVISKY: Thank you, Mr. President.

First let me thank Colonel Larkin for not just bringing the cadets to the Senate chamber, but for his long and passionate concern for the servicemen and women. This is something

that is apparent every year, and it reminds us, it's a reminder to remember our past and at the same time look forward to our future.

And to the cadets and their families, you represent 210 years of tradition, of history. Imagine -- how many institutions can we think of that go back 210 years. If those famous walls at West Point could talk, what stories they would have. Some probably should stay in the history books, some should not.

But you represent the future, not just the past. You serve the United States, you serve our country abroad and at home, in peace and in war. And for that, you honor us today with your presence.

I am so proud to have a cadet here from my district, from Bayside, Cadet Eric Fan. I met him earlier. And Eric is just a delightful young man, but also the future. You walk around my district, and you see the future.

And we need more people like Cadet Fan, who's involved in so many activities. He's graduating next year, but he's involved in company athletic events, he is a Chinese major with a civil engineering track, he plays

basketball, and, if I'm not telling tales out of school, is learning to play the ukulele. So let's hope that -- there's got to be a base in Hawaii that's in need of a cadet.

But no matter what happens, no matter where you serve -- and I speak, quite frankly, as a mother -- please come home safely, because you are our future and we respect you and we thank you so much for honoring us today with your presence.

Thank you.

ACTING PRESIDENT GRIFFO: Senator Martins.

SENATOR MARTINS: Thank you, Mr. President.

I want to thank Colonel Larkin for again bringing West Point to this great chamber.

But, Mr. President, I want in particular to recognize a truism. I do have a member here of my community. Sergeant Frame was raised in Albertson, went to Mineola High School, but represents something larger than himself.

His parents are actively involved in the community. His father is involved as a firefighter in Albertson and gives back to the

community. And we find oftentimes that those who serve serve on so many different levels. We've already heard about how his grandfather-in-law was a member of this chamber years ago.

But it is that multigenerational commitment to others, it is that multigenerational commitment to serving others that is the backbone of our communities, is the backbone of our country. And nothing reflects that as much as the great institution of West Point.

So it is an honor to not only recognize West Point but in particular to recognize Robert Frame, Sergeant Frame, here today, and his family and so many other families out there across this country that give to our communities each and every day.

So, Mr. President, thank you very much for the opportunity.

ACTING PRESIDENT GRIFFO: Senator Fuschillo.

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

I too want to join my colleagues in thanking you, Colonel Larkin, for your

leadership. You make us remember what we should never forget.

I recently met a young man in my district, in my hometown, named -- he's a Marine, Corporal Kevin Vaughan, who was injured by a roadside bomb on his second tour in Afghanistan, a young man in his early twenties. He was wounded, he lost his leg and spent many, many months in Walter Reed Hospital, where President Obama personally gave him a Purple Heart.

And I stood on his front lawn with 1500 other people down his street. We gave him a hero's welcome, which everybody should get when they return from combat. And as he came in the driveway -- he thought his father was just picking him up at JFK Airport and bringing him home to his family. He never expected over a thousand people to be standing in the street with signs, and kids were in trees, and people were barbecuing and feeding everybody out there. It was a wonderful time.

But he came in his driveway -- I was standing right there -- with tears in his eyes. I had the opportunity to speak to him

later, and he said, "You know, I really didn't know if anybody cared."

And I thought about what kind of kid, 22, 23 years old, dedicates his or her life to this. And it's a greatness that you have. It's a love and respect and understanding of what freedom truly means in this country.

And Senator Breslin talked about it a little bit -- by the way, you emphasized that your brother is older than you. I do want to mention that also. But you touched upon it a little bit, that many men and women who have graduated long before you have given us something that you're going to give us, to allow us to wake up in a blanket of freedom every single day in our lives. I thank you for that.

And God bless you all of you.

Thank you very much, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Zeldin.

SENATOR ZELDIN: First, I too want to echo the sentiments of my colleagues in thanking Colonel Larkin for -- not just today but every day -- your patriotism, your devotion to our country and to this state and to these cadets

which you very proudly represent.

I also wanted to correct Senator Little and not let her get the last word. I heard her say "Go Navy." I think she meant to say "Sink Navy." So I just wanted to clear that up for the cadets who are here in the chamber.

And for the Air Force brethren that are here that spoke before me, it really is an honor that we have the opportunity here in New York State to represent the greatest service academy that's out there. That is the United States Military Academy, our Army, which we are so very proud of.

As far as future leaders go, the United States Military Academy and all of our service academies represent the best of the best of the best. A lot of people in our districts understand what you're going through, what it's like to earn a commission and to deploy overseas. Many others don't. And for a lot of the people that do, they often forget.

In the comfort, it's now getting warmer, you might be able to go out on a boat, go fishing, enjoy families -- well, there are a lot of families out there that are without their

loved ones in harms' way. Sometimes they're gone on third or fourth or fifth deployments. They might have two little kids at home which they have missed Christmases and birthdays.

We can never forget their sacrifice. But in this sacrifice and everything that you go through to earn your commission, at the same time you're becoming better leaders. So that after you leave one day, after you leave military service and move on to civilian life, you can impact your communities.

You're not just becoming physically fit, you're becoming tough. You learn how to develop and build. You become tactically smart and technically smart. You know how to assert yourself. You learn from great leaders and poor leaders. You'll see a little bit of everything.

One of the first pieces of advice that I got on becoming a second lieutenant in the Army, advice of how to deal with junior enlisted, one officer said: "Drive a nice car, chew tobacco, and smoke them on their PT tests."

There's all sorts of advice that you get that, you know, some good, some bad. General Petraeus says: "Work hard, play hard,

take care of your people, and love the one you're with." It applies to life in the military but also applies for us here in this chamber.

There are Republicans and Democrats in this chamber, in the Senate and the Assembly. We don't agree on everything. But in order to actually move our state forward, it's important to remember the principle of love the one you're with. Because here we are in the chamber, we have a responsibility to the constituents that we represent.

And I close on this. Our freedoms and liberties are threatened at the hands of enemies that live in far-off places. This is a democracy. There's nothing better that we can do to send a message to our enemy than to vote.

Whether it's a primary election or a general election, whether it's going to vote for your library or your school board, there's nothing more American that we can do than to vote. And those freedoms, our Constitution, which you are getting ready to protect and defend, we are so very grateful to you.

And for anyone that's home that's watching on TV or on the Internet, this is a

chamber that is extremely proud of the sacrifices that you're willing to make, and we'll do absolutely anything that we possibly can to say thank you for your service.

ACTING PRESIDENT GRIFFO: Thank you, Senator Zeldin.

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The resolution is adopted.

Senator Libous.

SENATOR LIBOUS: Mr. President, I believe Senator Larkin would like to open the resolution up to all members. And if anyone for whatever reason wishes not to be on the resolution, please let the desk know.

ACTING PRESIDENT GRIFFO: The resolution is open for cosponsorship. If you choose not to, please notify the desk.

Senator Libous.

SENATOR LIBOUS: Mr. President, at

this time I would like to ask for unanimous consent of the chamber to allow Brigadier General Trainor to address the body this morning.

ACTING PRESIDENT GRIFFO: Without objection, consent is granted.

It is with great honor that I now present Brigadier General Timothy Trainor, dean of academics at the United States Military Academy at West Point.

General?

BRIGADIER GENERAL TRAINOR: Thank you, Mr. President. And good morning, everyone.

I just want to say thank you. I want to say thank you on behalf of Lieutenant General David Huntoon, Jr., our superintendent, and everybody at the United States Military Academy.

Thanks not just for your warm welcome and for today's recognition, but for your unwavering support, day in and day out, as we accomplish our goal of preparing future officers for our Army.

The great State of New York is a wonderful partner, and its help is invaluable as West Point continues to develop the best and

brightest as professionals and officers in service to our nation.

We will also be forever grateful for allowing us the opportunity to prepare your sons and daughters, and those of your constituents, in helping them become our future leaders of tomorrow.

West Point is what it is in great part due to your commitment and your support.

Thank you very much.

(Extended standing ovation.)

ACTING PRESIDENT GRIFFO: On behalf of Leader Skelos and the entire membership of the State Senate, we welcome you, we thank you for your commitment to our country, and we ask God to bless you and to keep you safe.

Senator Libous.

SENATOR LIBOUS: Mr. President, we will continue with the session.

I believe at this time Senator Larkin is going to lead the cadets to the Assembly chamber.

If we could at this time go back to motions and resolutions.

ACTING PRESIDENT GRIFFO: We will

return to motions and resolutions.

Senator Libous.

SENATOR LIBOUS: On behalf of Senator Lanza, Mr. President, on page 15 I offer the following amendments to Calendar Number 333, Senate Print 3549A, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT GRIFFO: The amendments are received, and the bill shall retain its place on third reading.

Senator Libous.

SENATOR LIBOUS: Mr. President, I believe there's a resolution at the desk by Senator DeFrancisco, Number 3953. It was previously adopted by the house on April 19th. Could we please have the title read and then call on Senator DeFrancisco.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 3953, by Senator DeFrancisco, congratulating the Bishop Ludden Boys Basketball Team and Coach Pat Donnelly upon the occasion of winning the New York State Class B Boys Basketball Championship.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Thank you, Mr. President.

We're joined by the Bishop Ludden Boys Basketball Team.

And just to put in this context, you're here on a very, very special day. The young men that are just leaving the chambers presently are cadets from West Point. We have a West Point Day every year to honor them and to honor that institution. Some of the young people, probably a majority of the young people who just left, when they graduate will probably be in harm's way within a year, defending our country and making it possible for all of you to participate in your activities and to have a country that we can debate issues and resolve issues in a democratic way.

But this young group of boys from Bishop Ludden won the New York State Class B Boys Championship. I guess they won it about 1994, one other time -- which is remarkable for one school to have won it so close together in time.

Of course, they're from Central

New York, in the Syracuse area, where we produce, constantly produce winners in every sport and every walk of life.

And they won this year, they won the championship against a team in Watervliet. Who represents Watervliet? Senator Breslin.

Senator Breslin represents Watervliet, and he's in state of depression at this moment. Because it was a game, I guess it was by one point -- the winning game was one point. That really hurts. You know how to hurt a guy.

But in all honesty, I think what we really want to recognize you for is the fact that you worked as team, you were committed to a goal, you achieved that goal.

And the people that you're sitting next to right now are going to be your lifelong friends.

And if you take the principles that you've learned from your coach and use those principles in everyday life, you're going to be successful in whatever you do.

So congratulations. And hopefully you can continue your success in your next step

of your life and continuously through the balance of your life. So thank you for coming, and congratulations.

ACTING PRESIDENT GRIFFO: Senator Little.

SENATOR LITTLE: Thank you, Mr. President.

I would just like to join Senator DeFrancisco in congratulating you on your success in Glens Falls, New York, which I represent, and where we have the New York State High School Basketball Tournaments.

Each year I get to go to the games and watch some fantastic play. And I know that this year many, many of the games were very, very competitive and very close.

But congratulations, and I wish you much success in the future.

ACTING PRESIDENT GRIFFO: On behalf of the Senate and Senator DeFrancisco, we welcome you to the chamber and we extend our congratulations on winning the Class B State Championship in basketball, to the Bishop Ludden Boys Basketball Team.

(Applause.)

ACTING PRESIDENT GRIFFO: Thank you.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

At this time could we have the reading of the noncontroversial calendar.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 82, by Senator Zeldin, Senate Print 4262, an act to amend the Civil Service Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 350, by Senator Ball, Senate Print 2421, an act to amend the Military Law and the Election Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 53. Nays, 2. Senators Gianaris and Rivera recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 389, substituted earlier today by Member of the Assembly Thiele, Assembly Print Number 2088, Concurrent Resolution of the Senate and Assembly proposing an amendment to Section 6 of Article 5 of the Constitution.

ACTING PRESIDENT GRIFFO: Call the roll on the resolution.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT GRIFFO: The concurrent resolution is adopted.

THE SECRETARY: Calendar Number

392, by Senator Larkin, Senate Print 3406, Concurrent Resolution of the Senate and Assembly proposing an amendment to Section 6 of Article 5 of the Constitution.

ACTING PRESIDENT GRIFFO: Call the roll on the resolution.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT GRIFFO: The concurrent resolution is adopted.

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

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

ACTING PRESIDENT GRIFFO: There is no further business.

SENATOR LIBOUS: Thank you, Mr. President.

There being no further business at the desk, I move that we adjourn until Monday, April 30th, at 3:00 p.m., intervening days being legislative days.

ACTING PRESIDENT GRIFFO: On motion, the Senate stands adjourned until Monday, April 30th, at 3:00 p.m., intervening days being

legislative days.

Senate adjourned.

(Whereupon, at 11:58 a.m., the Senate adjourned.)