

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 22, 2012

11 3:26 p.m.

12
13
14 REGULAR SESSION

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18 SENATOR JOSEPH A. GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

9 ACTING PRESIDENT GRIFFO:
10 Today's invocation will be offered by the
11 Reverend Mark Pierce, the pastor of the Lake
12 and River Parish of the United Methodist
13 Church in Cape Vincent.

14 Pastor.

15 REVEREND PIERCE: Thank you.

16 Will you pray with me?

17 Holy God, we are held in the
18 curve of Your fingers, and Your eyes are fixed
19 upon us. Your gaze never falters. Your
20 presence never fades. And we are surrounded
21 by the gentleness of Your grace.

22 Your voice lifts around us as
23 lilac and apple blossoms scent the air and new
24 leaves unfold their green. Your voice speaks
25 to us in the robin's song and seagull cry, in

1 all the rush and rustle of children and all
2 their quiet drowse.

3 Your voice speaks to us in the
4 challenges of human turmoil, in the cries of
5 human need, in the lifting eyes of compassion
6 and the weary labors of service. You speak to
7 us in the vigilance of care, in the courage
8 and readiness to enter the crisis of a
9 stranger, and in the steadiness of presence.

10 You speak to us in the concern
11 and the tending, in the lifting and the
12 bearing, the embracing and the tears.

13 Holy God, Your touch comes from
14 the many hands of care and service. Your gaze
15 lifts from the many eyes of compassion. Your
16 voice rises in the many voices of
17 encouragement.

18 Holy God, encourage us here
19 today, and touch our hearts, that we would
20 know the steadiness of Your presence. Speak
21 deeply to us, that we might listen deeply and
22 know Your grace.

23 Holy God, guide these Senators in
24 the pursuit of their duties. Let Your breath
25 warm their hearts and hold them in the deeper

1 folds of Your purpose. For this we pray in
2 Your holy name.

3 Amen.

4 ACTING PRESIDENT GRIFFO: The
5 reading of the Journal.

6 THE SECRETARY: In Senate,
7 Monday, May 21st. The Senate met pursuant to
8 adjournment. The Journal of Sunday, May 20th,
9 was read and approved. On motion, Senate
10 adjourned.

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

14 Presentation of petitions.

15 Messages from the Assembly.

16 The Secretary will read.

17 THE SECRETARY: On page 33,
18 Senator Griffo moves to discharge, from the
19 Committee on Crime Victims, Crime and
20 Corrections, Assembly Bill Number 8917 and
21 substitute it for the identical Senate Bill
22 Number 6785, Third Reading Calendar 737.

23 ACTING PRESIDENT GRIFFO: The
24 substitution is so ordered.

25 THE SECRETARY: And on page 42,

1 Senator Hannon moves to discharge, from the
2 Committee on Health --

3 ACTING PRESIDENT GRIFFO: Can we
4 have some order, please, in the chamber.

5 Thank you.

6 The Secretary will read.

7 THE SECRETARY: On page 42,
8 Senator Hannon moves to discharge, from the
9 Committee on Health, Assembly Bill Number 9347
10 and substitute it for the identical Senate Bill
11 Number 7035, Third Reading Calendar 820.

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

14 Messages from the Governor.

15 Reports of standing committees.

16 Reports of select committees.

17 Communications and reports from
18 state officers.

19 Motions and resolutions.

20 Senator Libous.

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

23 I'm going to do two motions, and
24 then if you could call on Senator Breslin for
25 motions.

1 But on behalf of Senator
2 Ranzenhofer, I wish to call up Senate Print
3 Number 5198B, recalled from the Assembly, which
4 is now at the desk.

5 ACTING PRESIDENT GRIFFO: The
6 Secretary will read.

7 Excuse me. Again, I'm going to ask
8 everyone present in the chamber to please come to
9 order. I would ask to take conversations outside
10 the Senate chamber so that we can allow the
11 proceedings of the business to take place.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number
14 140, by Senator Ranzenhofer, Senate Print 5198B,
15 an act to repeal certain provisions.

16 SENATOR LIBOUS: Mr. President, I
17 now move to reconsider the vote by which this
18 bill was passed.

19 ACTING PRESIDENT GRIFFO: Call the
20 roll on reconsideration.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 51.

23 SENATOR LIBOUS: Mr. President, I
24 now offer up the following amendments.

25 ACTING PRESIDENT GRIFFO: The

1 amendments are received.

2 SENATOR LIBOUS: On behalf of
3 Senator O'Mara, Mr. President, I move that the
4 following bill be discharged from its respective
5 committee and be recommitted with instructions to
6 strike the enacting clause. That would be Senate
7 Print 7369.

8 ACTING PRESIDENT GRIFFO: So
9 ordered.

10 Senator Breslin.

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

13 On page number 36, I offer the
14 following amendments to Calendar Number 758,
15 Senate Print Number 6849, and ask that the bill
16 retain its place on the Third Reading Calendar.

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

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

22 ACTING PRESIDENT GRIFFO: Thank
23 you, Senator Breslin.

24 Senator Libous.

25 SENATOR LIBOUS: Thank you,

1 Mr. President.

2 At this time may we please adopt
3 the Resolution Calendar, with the exception of
4 Resolutions Number 4705, 4738, 4755, 4751, 4754
5 and 4797.

6 ACTING PRESIDENT GRIFFO: All in
7 favor of adopting the Resolution Calendar with
8 the exception of Resolutions 4705, 4738, 4755,
9 4751, 4754 and 4797, signify by saying aye.

10 (Response of "Aye.")

11 ACTING PRESIDENT GRIFFO:

12 Opposed?

13 (No response.)

14 ACTING PRESIDENT GRIFFO: The
15 Resolution Calendar is adopted.

16 Senator Libous.

17 SENATOR LIBOUS: Thank you,

18 Mr. President.

19 I believe there's a resolution at
20 the desk by Senator Skelos, Number 4797. I'd ask
21 that it be please read in entirety, and call on
22 Senator Skelos and then Senator Breslin before
23 its adoption.

24 ACTING PRESIDENT GRIFFO: The
25 Secretary will read.

1 THE SECRETARY: Legislative
2 Resolution Number 4797, by Senator Skelos,
3 honoring the distinguished veterans from the
4 State of New York upon the occasion of their
5 induction into the New York State Senate Veterans
6 Hall of Fame, to be celebrated on May 22, 2012.

7 "WHEREAS, Members of the Armed
8 Services from the State of New York, who have
9 served so valiantly and honorably in wars in
10 which this country's freedom was at stake, as
11 well as in the preservation of peace in
12 peacetime, deserve a special salute from this
13 Legislative Body; and

14 "WHEREAS, Attendant to such
15 concern, and in full accord with its
16 long-standing traditions, this Legislative Body
17 is justly proud to honor the distinguished
18 veterans from the State of New York upon the
19 occasion of their induction into the New York
20 State Senate Veterans Hall of Fame, to be
21 celebrated on May 22, 2012; and

22 "WHEREAS, The New York State Senate
23 Veterans Hall of Fame inductees are members of
24 any branch of the United States Armed Forces,
25 which include Army, Navy, Coast Guard, Air Force,

1 and Marine Corps. These exceptional men and
2 women are chosen for this prestigious honor based
3 on either service in combat or notable work
4 performed after discharge from the service; and

5 "WHEREAS, The 2012 inductees
6 include: Patrick Abrams, Joseph G. Angelino,
7 Leroy Richard Archible, Robert W. Armenio,
8 LaTanga Blair, James Byler, Alberto Caiella,
9 Ralph Calabrese, Dr. Barry Culhane, Anthony J.
10 D'Arpino, Stephanie E. Dawson, Donald Day,
11 William J. DiNuzzo, Jr., Edward T. Dempsey,
12 Michael Esposito, Jr., Joseph Farina, The Fedele
13 Family, Melvin Garrett, Patrick Gualtieri,
14 Jordan Haerter, Dr. Olivia J. Hooker, David R.
15 Hooks, Jr., Harry Janson, J. Arthur Kieffer,
16 Edward S. Kirkland, Jaroslaw Kril, Harry Kreter,
17 Stacey Latimer, Corine Lombardo, Arthur Maggy,
18 William T. Mahan, Donald Mandel, John J. Maroon,
19 Job Mashariki, Jonathan de Sol Mendes, Matthew
20 Mondoux, Dabney N. Montgomery, Frank S. Naro,
21 Anthony C. Nesci, Eugene Parrotta, George E.
22 Parsons, William H. Payne, Michael Plummer,
23 Debbera M. Ransom, James John Regan, John
24 Ringlehan, Joe Theinert, Michael Tokarz, Kevin
25 Vaughan, George M. Vujnovich, Robert E. Walsh,

1 Jeremy Warneke, Ted N. Wilkinson, and Fang A.
2 Wong; and

3 "WHEREAS, The banner of freedom
4 will always wave over our beloved New York and
5 all of America, the land of the free and the home
6 of the brave; and

7 "WHEREAS, The freedoms and security
8 we cherish as Americans come at a very high price
9 for those serving in the military in times of
10 conflict. It is fitting and proper that we who
11 are the beneficiaries of those who risk their
12 lives, must never forget the courage with which
13 these men and women served their country; and

14 "WHEREAS, Our nation's veterans
15 deserve to be recognized, commended and thanked
16 by the people of the State of New York for their
17 service and for their dedication to their
18 communities, their state and their nation; now,
19 therefore, be it

20 "RESOLVED, That this Legislative
21 Body pause in its deliberations to honor the
22 distinguished veterans from the State of New York
23 upon the occasion of their induction into the
24 New York State Senate Veterans Hall of Fame, to
25 be celebrated on May 22, 2012; and be it further

1 "RESOLVED, That copies of this
2 resolution, suitably engrossed, be transmitted to
3 the 2012 inductees."

4 ACTING PRESIDENT GRIFFO: For the
5 purposes of this resolution, before its vote I
6 will recognize Majority Leader Skelos and then
7 Deputy Minority Leader Breslin.

8 Senator Skelos.

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

11 It's truly an honor for me to be
12 able to introduce this resolution as we induct
13 new members into the New York State Senate
14 Veterans Hall of Fame.

15 The Veterans Hall of Fame
16 celebrates members of our communities who have
17 gone above and beyond the call of duty to protect
18 our freedoms -- the freedoms to exercise speech
19 right here on the floor, as we have for
20 generations before us.

21 It acknowledges those veterans who
22 have made extraordinary accomplishments both on
23 and off the battlefield. With Memorial Day
24 approaching, it is especially fitting that we
25 honor distinguished veterans by passing this

1 resolution.

2 This is the time of year when we
3 are reminded of the hardships our current and
4 former service members face and, most
5 importantly, honor those who have made the
6 ultimate sacrifice.

7 I would like to express my sincere
8 gratitude to all the veterans being honored
9 today, and especially to the families of whose
10 who are being honored posthumously. The
11 meritorious service of these veterans have
12 provided us with the freedoms that we celebrate
13 every day, and certainly in our eyes they are our
14 heroes.

15 So it's my pleasure to introduce
16 the resolution, ask for its passage. And,
17 Mr. President, we should open up this resolution
18 to the entire membership. If anybody cares not
19 to sponsor the resolution, they should notify the
20 desk.

21 ACTING PRESIDENT GRIFFO: Thank
22 you, Senator Skelos. So noted.

23 Senator Breslin.

24 SENATOR BRESLIN: Thank you,
25 Mr. President.

1 I first salute Senator Skelos for a
2 wonderful day saluting veterans across New York
3 State.

4 You know, it's a day when we all
5 sit, we each are able to name a particular
6 veteran in our own jurisdiction who we think
7 has accomplished a great deal serving as a
8 veteran. And, you know, as I sat there this
9 morning, I thought that there were many Democrats
10 who I'm sure were choosing Republicans and there
11 were many Republicans who were choosing
12 Democrats. Because it's one of those days where
13 politics did not play a role; we chose people in
14 our districts because of their contributions.

15 I had the chance to nominate Frank
16 DiNuzzo. I have no idea what his political
17 affiliation is. I just know that he was part of
18 the Greatest Generation who served during
19 World War II and then came back and was brought
20 into society and worked, raised a family, and did
21 all the things that you would expect of a true
22 United States citizen.

23 And, you know, it's that one day,
24 too, when we think about we are able here to talk
25 about veterans freely and openly, and we're able

1 to then go on and debate issues that are so
2 critically important to our state.

3 And we have freedoms that we take
4 for granted. We have freedoms that we're able to
5 vote each year -- yet we are so free that less
6 than 50 percent of the people come out to vote.

7 So all of those freedoms are
8 because of our veterans. And the veterans I saw
9 today, really we're truly humbled, all of the
10 Senators that I talked to. And I salute each and
11 every one of you for your contributions for
12 making this, again, the most wonderful country in
13 the world.

14 We salute you. We will continue to
15 salute you. And we thank all of you.

16 Thank you very much, Mr. President.

17 ACTING PRESIDENT GRIFFO: Thank
18 you, Senator Breslin.

19 The question is on the resolution.

20 All in favor signify by saying aye.

21 (Response of "Aye.")

22 ACTING PRESIDENT GRIFFO:

23 Opposed?

24 (No response.)

25 ACTING PRESIDENT GRIFFO: The

1 resolution is adopted.

2 The resolution is open for
3 cosponsorship. If you wish not to be a
4 cosponsor, please notify the desk.

5 Senator Libous.

6 SENATOR LIBOUS: Mr. President,
7 Senator Larkin made note to me that on the
8 Resolution Calendar that passed, Resolution 4796
9 is also a resolution that deals with veterans and
10 the American flag. And he'd like to open that up
11 to all members.

12 If any member wishes not to be on
13 4796, they should let the desk know, please.

14 ACTING PRESIDENT GRIFFO:
15 Resolution 4796 is open for cosponsorship. If
16 you not wish to be a cosponsor, please notify the
17 desk.

18 Senator Libous.

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

21 At this time I believe Senator
22 Saland has, at the desk, Resolution Number 4755.
23 Could we have the title read, and Senator Saland
24 would like to be called on before its adoption.

25 ACTING PRESIDENT GRIFFO: The

1 Secretary will read.

2 THE SECRETARY: Calendar Number
3 4755, by Senator Saland, congratulating the
4 Chatham High School Model Congress Team for their
5 participation in the 72nd Annual Model Congress
6 Event.

7 ACTING PRESIDENT GRIFFO: Senator
8 Saland.

9 SENATOR SALAND: Thank you,
10 Mr. President.

11 Mr. President, to your right -- our
12 left -- in the upper gallery are a group of
13 students from Chatham High School, which is
14 within my Senate district. They are part of the
15 Chatham Model Congress Team that competed in the
16 72nd Annual Model Congress competition in
17 Springfield, Massachusetts, at the American
18 International College.

19 And they are joined by their
20 co-advisors, who are social studies teachers at
21 Chatham, Mark Pearson and Sesame Campbell. And
22 I'd be remiss if I didn't pause long enough to
23 acknowledge particularly the presence of Sesame,
24 who I also knew as Stephanie when she was a
25 member of my staff, and a very valued member,

1 until she aspired to go on to bigger and better
2 things by becoming an educator.

3 These students have been competing
4 now through the high school, not necessarily
5 personally, individually, for some five years.
6 And what they do in the course of their program
7 is they effectively proceed as would members of a
8 legislative body such as our federal House and
9 Senate or this Senate and our Assembly, and they
10 guide bills that they debate through the process.

11 And one of the bills that was of
12 particular interest to them and which they
13 successfully negotiated and navigated through the
14 process was a bill dealing with the regulation of
15 hydrofracking. Perhaps something which I should
16 have asked them about when I met with them
17 earlier on the Million Dollar Staircase, because
18 they might have been able to edify me in ways
19 that I haven't quite been fully edified.

20 They have received special
21 recognition for their participation. And it's
22 truly an enormous pleasure for me, because this
23 is truly what our democracy of ours is about.

24 I believe I commented when I met
25 with them that I was confident that at least one

1 of them would in one way or another, whether it
2 be through advocacy or whether it be through
3 office or whether it be through service, I'm sure
4 become involved in some way in public life.

5 And I would encourage them to do
6 so. I congratulate them on their success. I
7 would ask you, obviously, to welcome them to the
8 chamber and congratulate them on their success as
9 well. And look forward to them enjoying future
10 successes and much opportunity and, hopefully
11 having gained insights into the system, become
12 very much an active part of the system.

13 Good luck, and God bless.

14 ACTING PRESIDENT GRIFFO: Thank
15 you, Senator Saland.

16 We want to congratulate the
17 students and faculty from Chatham. We welcome
18 you to the chamber and extend the courtesies of
19 the house. Please stand and be acknowledged.

20 (Applause.)

21 ACTING PRESIDENT GRIFFO: Senator
22 Libous.

23 SENATOR LIBOUS: I believe
24 Senator Saland would like to open that resolution
25 up for all members. If someone wishes not to go

1 on the resolution as a cosponsor, please notify
2 the desk.

3 ACTING PRESIDENT GRIFFO: The
4 resolution is open for cosponsorship. If you
5 choose not to be a sponsor, please notify the
6 desk.

7 Thank you, Senator Libous.

8 SENATOR LIBOUS: Mr. President, I
9 believe there's a resolution by Senator Little at
10 the desk, 4754. Please have it read in its
11 entirety and then, before its adoption, call on
12 Senator Little.

13 ACTING PRESIDENT GRIFFO: First
14 I'm going to call the question on the previous
15 resolution. All in favor say aye.

16 (Response of "Aye.")

17 ACTING PRESIDENT GRIFFO:
18 Opposed?

19 (No response.)

20 SENATOR LIBOUS: The resolution is
21 adopted.

22 The Secretary will now read Senator
23 Little's resolution.

24 THE SECRETARY: Legislative
25 Resolution Number 4754, by Senator Little,

1 honoring The Quartiers Family upon the occasion
2 of being selected as the 2012 March of Dimes
3 Northeastern New York Division Ambassador
4 Family.

5 "WHEREAS, It is the sense of this
6 Legislative Body to pay tribute to those
7 exemplary individuals within the State of
8 New York whose personal triumphs serve as an
9 inspiration to all citizens; and

10 "WHEREAS, Attendant to such
11 concern, and in full accord with its
12 long-standing traditions, this Legislative Body
13 is justly proud to honor The Quartiers Family
14 upon the occasion of being selected as the 2012
15 March of Dimes Northeastern New York Division
16 Ambassador Family, to be observed by the March of
17 Dimes on Tuesday, May 22, 2012; and

18 "WHEREAS, During this special
19 occasion, The Quartiers Family of Glens Falls,
20 New York, will be part of the March of Dimes
21 Advocacy Day; and

22 "WHEREAS, A national voluntary
23 health organization, the March of Dimes mission
24 is to improve the health of infants and children
25 by preventing birth defects, premature birth, and

1 infant mortality. The Quartiers Family is to be
2 recognized for their unwavering dedication to
3 educating the public about its mission; and

4 "WHEREAS, Earlier this year, Sara
5 and Jason Quartiers were honored by the March of
6 Dimes Northeastern New York Division and given
7 the Volunteer of the Year Award; and

8 "WHEREAS, Sara and Jason Quartiers'
9 son, Cameron Jace, was born on February 16, 2009,
10 16 weeks premature. They were able to take him
11 home after 213 days in Albany Medical Center's
12 NICU. Unfortunately, Cameron only spent a short
13 time at home and passed away on October 20, 2009;
14 and

15 "WHEREAS, After this long, arduous
16 battle, Sara and Jason Quartiers' story serves to
17 inspire others facing similar circumstances as
18 well as to educate the public on the importance
19 of supporting the March of Dimes and its vital
20 mission; and

21 "WHEREAS, The Quartiers Family
22 started their own foundation called 'Project:
23 Cameron's Story.' The goal of the foundation is
24 to support the bonding of parents with their
25 premature babies in the Neonatal Intensive Care

1 Unit (NICU), through the use of children's
2 literature and storytelling; and

3 "WHEREAS, Sara and Jason Quartiers
4 have been volunteering with March of Dimes since
5 2010. They participate in the Adirondack March
6 for Babies and have raised a significant amount
7 with Project: Cameron's Story; and

8 "WHEREAS, Not only do The Quartiers
9 Family raise funds for the March of Dimes, they
10 also volunteer their time in so many different
11 ways. Sara takes part in the March for Babies
12 committee, participates in Advocacy Day,
13 participates in radio interviews, and both Sara
14 and Jason are spokespersons to assist in carrying
15 the prematurity message forward. Through their
16 outreach in the community, the Quartiers have
17 encouraged many families to become involved with
18 March of Dimes; and

19 "WHEREAS, Predeceased by Cameron,
20 the Quartier family members include Sara, Jason,
21 Schuyler and Liam; and

22 "WHEREAS, In the course of the
23 evolving development of the Empire State, there
24 have emerged certain members of our community who
25 have embodied truly magnanimous conduct and

1 strength, and we call these individuals
2 'distinguished citizens' of the State of
3 New York; now, therefore, be it

4 "RESOLVED, That this Legislative
5 Body pause in its deliberations to honor
6 The Quartiers Family upon the occasion of being
7 selected as the 2012 March of Dimes Northeastern
8 New York Division Ambassador Family; and be it
9 further

10 "RESOLVED, That a copy of this
11 resolution, suitably engrossed, be transmitted to
12 Sara and Jason Quartiers."

13 ACTING PRESIDENT GRIFFO: Senator
14 Little.

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

17 It is my privilege and real honor
18 to welcome Sara and Jason Quartiers to our
19 chamber today. As you have heard, they lost
20 their child Cameron, who was born prematurely and
21 died within that year.

22 But they do have a story. And
23 following a tragedy like that, we always wonder
24 how people have the strength to go on and to do
25 other things. They began what they call

1 Project: Cameron's Story. And not only are they
2 advocating for the March of Dimes, but they have
3 advocated and raised money for this.

4 One of the hardships that people
5 have when they have a premature child is that
6 when they go to the hospital to the NIC Unit,
7 their ability is only to stand and to watch their
8 child as they're in the incubator.

9 Well, Sara is a teacher and she
10 knew how much reading meant through the bonding
11 process of parent and child. So she and Jason
12 and their family members began taking storybooks
13 to the NIC Unit and standing or sitting next to
14 the incubator and reading to Cameron. And there
15 was a difference in Cameron's body temperatures
16 and all of that when this was going on.

17 They were able to take Cameron home
18 for a short period of time before he did pass
19 way. But following their grief, they decided
20 that that meant so much to them and really helped
21 them bond with this child that they wanted to do
22 it for others.

23 So there are 17 NIC Units in
24 New York State, and currently three of those NIC
25 Units have a brand-new book provided to every

1 premature baby that is born in those NIC Units,
2 with the encouragement for those parents to spend
3 time reading to that child, because that's what
4 will help them bond with that child.

5 And I just think that it's so
6 commendable what they have done in their grief
7 and in their journey for healing.

8 So I recognize them for their
9 recognition and awards by the March of Dimes
10 association and for their work for advocating for
11 the March of Dimes, but also for helping other
12 families who have to experience what they have
13 experienced.

14 So thank you very much for being
15 here, and thank you so much for what you have
16 done.

17 ACTING PRESIDENT GRIFFO: Thank
18 you, Senator Little.

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

21 (Response of "Aye.")

22 ACTING PRESIDENT GRIFFO:
23 Opposed?

24 (No response.)

25 ACTING PRESIDENT GRIFFO: The

1 resolution is adopted.

2 We also would like to welcome Sara
3 and Jason, the Quartiers family, for being here.
4 We appreciate your efforts and all that you have
5 done in your advocacy. Thank you.

6 (Applause.)

7 ACTING PRESIDENT GRIFFO: Senator
8 Libous.

9 SENATOR LIBOUS: Mr. President, I
10 believe Senator Little would like to open the
11 resolution up for all members. So all members
12 will become immediate cosponsors, unless they
13 wish not to and they will let the desk know.

14 ACTING PRESIDENT GRIFFO: Please
15 notify the desk if you choose not to be a
16 cosponsor.

17 Senator Libous.

18 SENATOR LIBOUS: There is a
19 resolution at the desk, Mr. President, by Senator
20 Kennedy, Number 4738. I ask that it be read in
21 its entirety and, before we move for its
22 adoption, to please call on Senator Kennedy.

23 ACTING PRESIDENT GRIFFO: Thank
24 you, Senator Libous.

25 The Secretary will read.

1 THE SECRETARY: Legislative
2 Resolution Number 4738, by Senator Kennedy,
3 memorializing Governor Andrew M. Cuomo to
4 proclaim November 16, 2012, as Myocarditis
5 Awareness Day in the State of New York.

6 "WHEREAS, It is the custom of this
7 Legislative Body to recognize official days that
8 are set aside to increase awareness of serious
9 illnesses that affect the lives of citizens of
10 New York State; and

11 "WHEREAS, Attendant to such
12 concern, and in full accord with its
13 long-standing traditions, it is the sense of this
14 Legislative Body to memorialize Governor Andrew
15 M. Cuomo to proclaim November 16, 2012, as
16 Myocarditis Awareness Day in the State of
17 New York; and

18 "WHEREAS, Myocarditis is
19 characterized by inflammation of the myocardium,
20 often with subsequent damage to the heart; and

21 "WHEREAS, The disease can affect
22 the muscle cells of the myocardium or the
23 specialized electrical conduction pathways,
24 leading to irregular rhythms, very fast or slow
25 heart rates, palpitations or sometimes loss of

1 consciousness; and

2 "WHEREAS, The tragedy of this
3 disease is that myocarditis usually occurs in
4 young, otherwise healthy people. However, anyone
5 may be susceptible. In fact, almost 20 percent
6 of all cases of sudden death in young adults are
7 attributed to myocarditis; and

8 "WHEREAS, Such was the case for
9 10-year-old Luke Gould from the Town of
10 West Seneca. Luke showed no signs of any
11 physical conditions. He played hockey, was an
12 active member of the community, and worked hard
13 at school; and

14 "WHEREAS, On November 16, 2011,
15 Luke Gould, a healthy boy, passed away in his
16 sleep. When the autopsy came back, the medical
17 examiner had declared his cause of death
18 'unknown'; and

19 "WHEREAS, Before allowing the case
20 to be closed, Luke's parents worked tirelessly to
21 get the medical examiner to look further into the
22 cause of death; and

23 "WHEREAS, Upon further review and
24 more testing, it was discovered that the cause of
25 Luke Gould's death was myocarditis; and

1 "WHEREAS, There are many causes of
2 myocarditis, including viral infections,
3 autoimmune disorders, environmental toxins and
4 adverse drug reactions; and

5 "WHEREAS, Myocarditis is a poorly
6 understood, often undiagnosed illness which can
7 rapidly progress to heart failure and death.
8 With increased awareness, lives may be saved so
9 other families will not have to feel the pain and
10 suffering felt by the friends and family members
11 of Luke Gould; and

12 "WHEREAS, It is imperative that
13 there be greater public awareness of this serious
14 health crisis, and more must be done to increase
15 activity at the state, local and national levels;
16 now, therefore, be it

17 "RESOLVED, That this Legislative
18 Body pause in its deliberations to memorialize
19 Governor Andrew M. Cuomo to proclaim November 16,
20 2012, as Myocarditis Awareness Day in the State
21 of New York; and be it further

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

1 ACTING PRESIDENT GRIFFO: Senator
2 Kennedy.

3 SENATOR KENNEDY: Thank you,
4 Mr. President.

5 First of all, I would just like to
6 take this opportunity to welcome Amy and Joe
7 Skowronski, who are here today to raise awareness
8 of myocarditis, the rare disease that claimed the
9 life of their son, Luke Gould. Also joining them
10 is their daughter and Luke's sister, Jill.

11 As was stated in the resolution,
12 they're here to bring recognition to Luke's young
13 life that was taken away by a rather unknown
14 disease of the heart called myocarditis.

15 On November 16th of this upcoming
16 year, this resolution calls for this to be
17 Myocarditis Awareness Day across New York State.
18 It's very much an unknown disease, and it took
19 the life of a young boy, a hockey player, someone
20 who was a bright light within the community,
21 within his school, within his family, within the
22 Town of West Seneca.

23 And it was his family that will
24 happened upon Luke in his death but, since his
25 death, has been advocates on ensuring that this

1 disease of the heart becomes better known
2 throughout all of New York State.

3 And through their advocacy, they
4 were able to find closure through advocating for
5 the medical examiner out in Western New York to
6 further review the cause of death that was
7 initially found to be unknown. The fact of the
8 matter is this is found, this cause of death
9 being unknown, in so many instances. Because of
10 their advocacy, there is going to be closure in
11 many families' lives through this, again, very
12 much an unknown disease, myocarditis.

13 I want to thank the family, Luke
14 Gould's family, for being here today. If you
15 could stand up. And I'd like to recognize them,
16 and I would also like to open this resolution up,
17 Mr. President, for cosponsorship.

18 Thank you very much.

19 ACTING PRESIDENT GRIFFO: Thank
20 you, Senator Kennedy.

21 We would first call the question on
22 the resolution. All in favor indicate by saying
23 aye.

24 (Response of "Aye.")

25 ACTING PRESIDENT GRIFFO:

1 Opposed?

2 (No response.)

3 ACTING PRESIDENT GRIFFO: The
4 resolution is adopted.

5 The resolution is open for
6 cosponsorship. If you choose not to, please
7 notify the desk.

8 We want to welcome the Skowronski
9 family. We appreciate your efforts and we
10 appreciate your advocacy. Thank you very much.

11 (Applause.)

12 ACTING PRESIDENT GRIFFO: Senator
13 Fuschillo.

14 SENATOR FUSCHILLO: Mr. President,
15 I believe there's a resolution at the desk by
16 Senator Diaz, Number 4705. I ask that it be read
17 in its entirety and ask for its immediate
18 adoption.

19 ACTING PRESIDENT GRIFFO: The
20 Secretary will read.

21 THE SECRETARY: Legislative
22 Resolution Number 4705, by Senator Diaz,
23 congratulating the people of the Republic of
24 China (Taiwan) for the successful conduct of the
25 fifth direct and democratic presidential election

1 in January, 2012.

2 "WHEREAS, The United States and the
3 Republic of China (Taiwan) share common ideals
4 and a clear vision for the 21st century, where
5 freedom and democracy are the foundations for
6 peace, prosperity, and progress; and

7 "WHEREAS, Taiwan has become a
8 multiparty democracy in which all citizens have
9 the right to participate freely in the political
10 process, as evidenced by four democratic
11 presidential elections of Taiwan which took place
12 in 1996, 2000, 2004 and 2008; and

13 "WHEREAS, Taiwan successfully
14 conducted a presidential election on January 14,
15 2012, and re-elected Dr. Ma Ying-jeou and Mr. Wu
16 Den-yih as the next President and Vice President
17 of the Republic of China (Taiwan); and

18 "WHEREAS, Through cross-Strait
19 dialogues, the establishment of the Economic
20 Cooperation Framework Agreement (ECFA) with
21 Mainland China, and viable diplomacy,
22 President Ma has transformed the Taiwan Strait
23 from a major international flash point into a
24 cornerstone for peace and prosperity for
25 East Asia; and

1 "WHEREAS, Taiwan is one of the
2 strongest democratic allies of the United States
3 in the Asia-Pacific region, and it is
4 United States policy to support and strengthen
5 democracy around the world; and

6 "WHEREAS, The United States and
7 Taiwan share a long-term and close economic
8 relationship, including \$67 billion of bilateral
9 trade in 2011, making Taiwan the 9th largest
10 trading partner and the 10th largest foreign
11 market for the United States; and

12 "WHEREAS, The United States
13 assisted Taiwan in participating in the World
14 Health Assembly (WHA) as an observer in 2009, and
15 will continue supporting Taiwan's meaningful
16 participation in other United Nations-affiliated
17 organizations such as the International Civil
18 Aviation Organization (ICAO) and the United
19 Nations Framework Convention on Climate Change
20 (UNFCCC); and

21 "WHEREAS, The government of the
22 Republic of China (Taiwan) has expressed its hope
23 that the United States will include Taiwanese
24 passport holders into the Visa Waiver Program
25 (VWP), resume negotiation on a Trade and

1 Investment Framework Agreement (TIFA), and sign a
2 Free Trade Agreement (FTA) with Taiwan in the
3 near future; and

4 "WHEREAS, The State of New York
5 exported \$1.3 billion worth of products to Taiwan
6 in 2011, making Taiwan the 15th largest foreign
7 market for New York State in 2011, strengthening
8 bilateral economic ties; and

9 "WHEREAS, Many of the United
10 States' top 500 companies, which have their
11 headquarters located in New York, have invested
12 in Taiwan, including IBM, Pfizer, Corning,
13 Citigroup, AIG, MetLife, J.P. Morgan, Morgan
14 Chase, Merrill Lynch, and New York Life; and

15 "WHEREAS, There are 300 Taiwanese
16 companies that have invested in the State of
17 New York in sectors such as computers, finance,
18 jewelry, and sporting goods, as well as the
19 garment industry; and

20 "WHEREAS, The State of New York is
21 home to a thriving overseas Taiwanese community.
22 Both the government of Taiwan and Taiwanese-
23 Americans devote themselves to the local
24 community service in the State of New York. The
25 State of New York has maintained a friendly and

1 fruitful relationship with Taiwan for many years;
2 now, therefore, be it

3 "RESOLVED, That this Legislative
4 Body pause in its deliberations to congratulate
5 the people of Taiwan and President Ma Ying-jeou
6 for the successful conduct of the fifth
7 democratic presidential election in January 2012,
8 and to reiterate its support of a closer economic
9 and trade partnership between the United States
10 and Taiwan; and be it further

11 "RESOLVED, That a copy of this
12 resolution, suitably engrossed, be transmitted to
13 President Ma Ying-jeou of the Republic of China
14 through the Taipei Economic and Cultural Office
15 in New York."

16 ACTING PRESIDENT GRIFFO: Senator
17 Diaz.

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

20 I'm very honored today, I'm very
21 proud that we in the New York State Senate are
22 congratulating the people of Taiwan on the
23 occasion of the fifth direct and democratic
24 presidential election.

25 While the people of Taiwan

1 certainly have a right to be proud of this event,
2 they are not the only ones celebrating. Any time
3 a country has a fair and democratic election, it
4 is a celebration for democracy throughout the
5 world.

6 Mr. President, and ladies and
7 gentlemen, I want to share a statement regarding
8 Taiwan that aptly describes our celebration
9 today. The people of Taiwan "share a conviction
10 that their future must be based on freedom,
11 democracy, human rights, the rule of law, and
12 that only they have the right to decide their own
13 future."

14 I think, ladies and gentlemen, we
15 can all agree that there is no better way for a
16 country to decide its own future than through a
17 democratic election.

18 On a personal note, ladies and
19 gentlemen and Mr. President, I have been blessed,
20 I happen to be blessed to be associated with the
21 Taipei Economic and Cultural Council for over
22 10 years.

23 I have been especially moved by
24 their commitment to our children's education.
25 This year, as in years past, they have generously

1 donated backpacks filled with school supplies for
2 the Three Kings celebration in my Senate district
3 which I hold every year.

4 We deeply appreciate Ambassador
5 Kao's efforts and the generosity of his
6 associates, who donated more than 700 backpacks
7 filled with school supplies to our underserved
8 children in the South Bronx. As the children in
9 the South Bronx returned to school in January,
10 they had a little extra confidence to succeed,
11 due to this gift and thanks to the Taiwanese
12 people.

13 Mr. President, with us today to
14 celebrate this joyous occasion are Ambassador
15 Andrew J.C. Kao, sitting here to my left;
16 Mr. Arthur Wu, secretary to Ambassador Kao; and
17 Mr. David Chien, director of the Taipei Economic
18 and Cultural Office in New York.

19 In the Senate gallery, over there,
20 we have members from the Taiwanese American
21 Cultural Society of New York. Their leader is
22 Mr. Chungchin Chen.

23 I'm please, Mr. President and
24 ladies and gentlemen, to welcome all of them
25 today to the New York State chamber, and I'm

1 privileged to consider you my friends.

2 Mr. President and ladies and
3 gentlemen, in closing, I want once again to offer
4 my sincerest congratulations to the people of
5 Taiwan as their beloved country celebrates this
6 election. May they have many, many, many more
7 democratic elections.

8 Thank you very much,
9 Mr. President. And thank you very much, ladies
10 and gentlemen. And thank you very much, you in
11 the gallery, thank you very much for being here
12 today.

13 ACTING PRESIDENT GRIFFO: Thank
14 you, Senator Diaz.

15 Senator Stavisky.

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

18 And thank you, Senator Diaz, for
19 your work in putting together this Senate
20 resolution as you have done in years past.

21 To Ambassador Kao and Mr. Wu and
22 Mr. Chien, our friends in the gallery, I say
23 "Ni hao": Welcome, hello.

24 And I must say that the friendship
25 between the United States and Taiwan, the

1 Republic of China, is a long-lasting friendship,
2 and it's built on mutual trust as well as mutual
3 respect.

4 The resolution talked about the
5 close economic ties that exist between not just
6 the United States but the State of New York and
7 the Republic of China.

8 There are many companies doing
9 business in my district in Queens that are based
10 in the Republic of China. You just have to walk
11 down the street and you see the names of these
12 companies. And I marvel at how people have come
13 to the United States, but particularly to my
14 district in Flushing, and have created a new life
15 as new Americans.

16 And I think we in government have
17 an obligation to do everything we can to make
18 life as easy as possible for the new Americans.

19 I have been privileged to visit
20 Taiwan on two occasions with my colleague
21 Senator Duane and other people as well. We have
22 visited your country from Taipei in the north to
23 Kaohsiung in the south -- that is a remarkable
24 train ride, I must tell you. And we have a lot
25 to learn in terms of high-speed rail from the

1 experience that we had.

2 We visited schools in Taiwan. And
3 each and every place I went, we felt very much at
4 home. We were welcomed, we felt a genuine
5 friendship that truly exists, whether we met at
6 the foreign ministry in Taipei or at -- I
7 remember a university, Sun Yat-Sen University in
8 the south. I felt very, very much at home in
9 Taipei.

10 And this friendship is no more
11 apparent than in the community of Flushing. We
12 in Flushing, we call it "the crossroads of the
13 world," because people come from all over the
14 world -- from Asia, from Europe, from South
15 America, Central America, other parts of the
16 United States, and we make people feel at home in
17 Flushing.

18 The diversity is very, very
19 apparent, whether you -- whether it's been the
20 building boom -- the Comptroller did a study
21 recently of the economy, and he focused on
22 Flushing. And in Flushing the economy is
23 booming. There are stores that are empty, there
24 are people out of work, but for the most part
25 Flushing is exploding.

1 And the reason is because of the
2 investment from people in Asia, and that is
3 appreciated, whether it be in the housing that is
4 being built or in the restaurants that are
5 there. With all due respect to my colleague
6 Senator Squadron, our restaurants in Flushing are
7 outstanding. Outstanding.

8 So in conclusion, let me just say
9 that we welcome you here. The mission -- I
10 attended the opening of a mission in Flushing a
11 number of years ago. They have their own
12 business office in Flushing.

13 So I congratulate President Ma and
14 the government for continuing the tradition of
15 democracy in a world that is sorely lacking in
16 democratic traditions.

17 Thank you, Mr. President.

18 ACTING PRESIDENT GRIFFO: Thank
19 you, Senator Stavisky.

20 Senator Squadron, here's your
21 opportunity.

22 SENATOR SQUADRON: Thank you very
23 much. I suppose this is also a point of personal
24 privilege, Mr. President.

25 First of all, I want to thank

1 Senator Diaz for his leadership on this issue
2 this year and in previous years. The partnership
3 and relationship that he has forged with this
4 community, with Taiwan, is extraordinarily
5 important. So thank you, Senator Diaz.

6 To Senator Stavisky, it is a
7 wonderful community that you represent. And in
8 fact your knowledge of the restaurants there is
9 something I have benefited from enormously many
10 times, and so I thank you for your deep knowledge
11 of that area and partnership there.

12 Though the truth is I would say
13 Chinatown in Manhattan is the historic, cultural
14 center of Chinese culture in America and
15 Chinese-American culture. And, Senator Stavisky,
16 with all due respect, we're very proud of that,
17 and I have many restaurants to prove it here on
18 the floor in the future, perhaps.

19 But it really is true, and it's
20 really true that the Republic of China and our
21 partnership is a big part of why Chinatown in
22 Manhattan and the Chinese-American community in
23 this country is so strong and that we have such
24 strong business ties, such strong trade ties.
25 For more than a century now, the partnership and

1 relationship has been of great benefit to our
2 country and to our community and especially to
3 New York City.

4 And, Ambassador, I see you
5 frequently in the community. And it's because
6 your role is so much one of being a partner with
7 the existing community in the city -- not just as
8 a visitor, but as part of it in a real, permanent
9 sense. And that means so much to us. And we are
10 a stronger city and a stronger state because of
11 that partnership.

12 So to the visitors we have here
13 today, thank you very much. Even when you are
14 not in the chamber, you are with us. In New York
15 we simply would not be what we are today without
16 the partnership of the Republic of China, without
17 the permanent population that we have, and
18 without the travel and the business relationships
19 that we continue to have.

20 It is a great, great honor to
21 represent Chinatown and to be partnered with this
22 community, to see the ambassador here today. And
23 I want you to know that every day we honor the
24 relationship and we are grateful for it.

25 So "Doh je," thank you very much

1 for being here today. And thank you, Senator
2 Diaz, for bringing this resolution forward.

3 ACTING PRESIDENT GRIFFO: Senator
4 Montgomery.

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

7 I am very honored to join my
8 colleagues in celebration of people today,
9 peoples both in our state and around the world:
10 Senator Saland, who honored people, young people
11 from his district; Senator Little; Senator
12 Kennedy.

13 And, Senator Diaz, I'm very pleased
14 that we are also here honoring the people of
15 Taiwan today, some of who whom are our guests
16 today.

17 And I just wanted to stand with you
18 and honor someone, a hero from my own district.
19 He is not Chinese. However, he is a person to
20 whom I am very much indebted, as all of us are,
21 because he is one of the veterans of America.
22 His name is Joe Mashariki.

23 And he is -- not only was he a
24 veteran who went to war, fought for us, came
25 home, came back to his community, his hometown,

1 but he was the founder of the Black Veterans for
2 Social Justice, which was the first
3 African-American veterans organization in our
4 state. He's done things like build housing for
5 them. He has a center where they gather and
6 congregate and receive services and receive
7 information. He is certainly a hero.

8 It's a 30-year-old organization,
9 and so this is my honor for today, to celebrate
10 Joe Mashariki and his placement in the Veterans
11 Hall of Fame.

12 So, Senator Diaz, thank you for
13 your celebration of the Taiwan people.

14 I thank you, my colleagues, for
15 offering me an opportunity to celebrate my
16 favorite and distinguished veteran of the year,
17 and that's Joe Mashariki.

18 Thank you, Mr. President.

19 ACTING PRESIDENT GRIFFO: Thank
20 you, Senator Montgomery.

21 Senator Espaillet.

22 SENATOR ESPAILLET: Thank you,
23 Mr. President, and Senator Diaz for this
24 resolution.

25 And I want to welcome the

1 ambassador and the members of the Taiwanese
2 community for your contribution to New York
3 State, not only in your vigorous participation in
4 economic development here and abroad, but the
5 sense that you bring to the U.S. of democracy and
6 your fight to ensure that the Republic of China
7 has a democratic process that's reliable,
8 transparent, and respectful of democratic rights
9 across the world.

10 So we thank you for your presence
11 here and for your contribution to our
12 communities, particularly to Senator Diaz's
13 district that he has eloquently highlighted in
14 his presentation. And we hope to see you here
15 every year with this resolution before us. Thank
16 you so much for coming.

17 Thank you, Mr. President.

18 ACTING PRESIDENT GRIFFO: Senator
19 Perkins.

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

22 First let me thank Senator
23 Montgomery for raising the Black Veterans for
24 Social Justice and Joe Mashariki, especially
25 because I have had the opportunity to work with

1 them.

2 But I really wanted to commend also
3 Senator Diaz for his resolution. You know, I
4 have a Taiwanese brother. His name is John Liu.
5 You might remember him as the Comptroller for the
6 City of New York. He and I -- he took us to
7 Taiwan and introduced us to the Taiwanese
8 community.

9 And I want to thank the ambassador
10 and his delegation and the folks from this
11 community for the wonderful experience that I
12 had.

13 In fact, your president and I have
14 something in common. He's a jogger, he's a
15 marathon runner. Yours truly as well. And when
16 he visited New York City, at that time
17 Councilmember John Liu's office, he brought his
18 sneakers in anticipation of us getting -- having
19 an opportunity to run together.

20 So please extend to him my regards
21 and an invitation for the New York City Marathon,
22 where I hope that he will be able to join me and
23 once again renew our relationship from when at
24 that time he was the mayor.

25 So thank you very much, Senator

1 Diaz, for this opportunity to reconnect with our
2 folks from Taiwan, the People's Republic of
3 China -- I mean the Republic of China. Not the
4 People's Republic, the Republic of China.

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

7 Senator Duane.

8 SENATOR DUANE: Thank you,
9 Mr. President.

10 It's a great thrill and honor for
11 us in this chamber to have President Ma with us
12 and other officials and guests.

13 I also want to congratulate the
14 president not just on his reelection but also on
15 the observer status which was conveyed at the
16 World Health Organization. I, when I have been
17 to Taiwan, was extremely impressed by their
18 healthcare provisions, their system, and I think
19 we have a tremendous amount to learn from them.
20 And I have tried to bring that to our country as
21 well.

22 But it was -- it is very impressive
23 as is their high-speed train system. I think we
24 can learn an awful lot from an amazing
25 transportation system, incredibly impressive.

1 And again, they show true leadership in that
2 area.

3 As many of you know -- well, let me
4 say one other thing. And they have an incredibly
5 vibrant democracy. And it is hard to really
6 identify any other nation that has such a vibrant
7 democracy anywhere in the world.

8 I, as many of you know, at one time
9 represented about two-thirds of Chinatown in
10 Manhattan. And as many of you know, certainly I
11 and we over on this side of the aisle had
12 absolutely no control over how the districts were
13 drawn. But I want to assure you that my
14 relationship with the community in Chinatown
15 remains strong, and I will never let go. And I'm
16 also a boy from Flushing.

17 And during some of the most
18 difficult economic times in New York City, it was
19 the Taiwanese community that really invested in
20 Flushing, which meant there was investment in our
21 city. And it was very, very helpful at a time
22 when we really needed it.

23 So it's not just that we are great
24 trading partners, but we are forever linked
25 because of how our countries have helped each

1 other and supported each other through the years
2 in every way. And so I look forward to a
3 continued really wonderful relationship.

4 And it's always wonderful when you
5 come, when you trek here to Albany -- where
6 there's also a very large Taiwanese community.
7 But when you come here and give greetings to us,
8 it means really a tremendous amount to us. And
9 thank you very much for that.

10 ACTING PRESIDENT GRIFFO: The
11 question is on the resolution. All in favor
12 signify by saying aye.

13 (Response of "Aye.")

14 ACTING PRESIDENT GRIFFO:
15 Opposed?

16 (No response.)

17 ACTING PRESIDENT GRIFFO: The
18 resolution is adopted.

19 I want to welcome the ambassador,
20 the officials and visitors from the Republic of
21 China, Taiwan. Thank you.

22 (Standing ovation.)

23 ACTING PRESIDENT GRIFFO: Senator
24 Fuschillo.

25 SENATOR FUSCHILLO: Mr. President,

1 Senator Diaz would like to open his resolution
2 for sponsorship by the entire house. If any
3 Senator wishes not to cosponsor the resolution,
4 they should notify the desk.

5 ACTING PRESIDENT GRIFFO:
6 Resolution 4705, by Senator Diaz, is open for
7 sponsorship by all members. If any member wishes
8 not to be on the resolution, please advise the
9 desk.

10 Senator Fuschillo.

11 SENATOR FUSCHILLO: Mr. President,
12 there's a resolution at the desk by
13 Senator Peralta, Number 4751. I ask that it be
14 read in its entirety and ask for its immediate
15 adoption.

16 ACTING PRESIDENT GRIFFO: The
17 Secretary will read.

18 THE SECRETARY: Legislative
19 Resolution Number 4751, by Senator Peralta,
20 welcoming the students and faculty of the
21 Lexington School for the Deaf/Center for the Deaf
22 as they visit Albany, New York, on May 22, 2012.

23 "WHEREAS, It is the custom of this
24 Legislative Body to recognize and commend those
25 institutions of true purpose and high achievement

1 whose exemplary programs and accomplishments
2 clearly demonstrate an enduring pursuit of
3 excellence in the education of deaf youth in the
4 Empire State; and

5 "WHEREAS, Attendant to such
6 concern, and in full accord with its
7 long-standing traditions, this Legislative Body
8 is justly proud to welcome the students and
9 faculty of the Lexington School for the
10 Deaf/Center for the Deaf as they visit Albany,
11 New York, on Tuesday, May 22, 2012; and

12 "WHEREAS, It is central to the
13 mission of the Lexington School for the
14 Deaf/Center for the Deaf to be an exemplary
15 education, service and research institution for
16 the deaf and hard of hearing in metropolitan
17 New York City and the nation; and

18 "WHEREAS, The Lexington School has
19 helped and continues to facilitate the deaf and
20 hard of hearing in overcoming great barriers to
21 learning, growing, and thriving in a complex
22 world; and

23 "WHEREAS, Lexington School for the
24 Deaf was founded in 1864, when the first class of
25 six children and an instructor convened at the

1 home of Isaac and Hannah Rosenfeld; and

2 "WHEREAS, Due to constantly
3 increasing enrollment, the school moved several
4 times until it settled in 1882 at 904 Lexington
5 Avenue with 161 students. In 1934, it officially
6 became the Lexington School for the Deaf; and

7 "WHEREAS, The Lexington School for
8 the Deaf continued to grow and, in 1968, its new
9 home was inaugurated on a seven-acre site at
10 30th Avenue and 75th Street in Jackson Heights,
11 Queens; and

12 "WHEREAS, Today, the Lexington
13 School for the Deaf is the largest school for the
14 deaf in New York State, with its student body
15 residing throughout the five boroughs of New York
16 City; and

17 "WHEREAS, In addition to its strong
18 academic program, the Lexington School for the
19 Deaf offers a broad range of physical and
20 cultural education programs, including a highly
21 regarded basketball team; and

22 "WHEREAS, In the 1980s, the
23 Lexington School for the Deaf became known as the
24 Lexington School for the Deaf/Center for the Deaf
25 after establishing several affiliate agencies to

1 support the needs of deaf and hard-of-hearing
2 children and adults. This included the Lexington
3 Center for Mental Health Services, the Lexington
4 Hearing and Speech Center, and the Lexington
5 Vocational Services, a New York State Education
6 Department-Vocational Services for Individuals
7 with Disabilities-funded program; and

8 "WHEREAS, The Lexington School for
9 the Deaf/Center for the Deaf developed a new
10 approach to teaching in the mid-1990s. It
11 became the first Mediated Learning educational
12 model in a school for the deaf, which earned it
13 the federal designation of a Most Effective
14 Practices school; and

15 "WHEREAS, It is the sense of this
16 Legislative Body that those who enhance the
17 well-being and vitality of their community and
18 have shown a long and sustained commitment to
19 excellence certainly have earned our recognition
20 and applause; now, therefore, be it

21 "RESOLVED, That this Legislative
22 Body pause in its deliberations to welcome the
23 students and faculty of the Lexington School for
24 the Deaf/Center for the Deaf as they visit
25 Albany, New York, on May 22, 2012, and to wish

1 them well in all their future endeavors; and be
2 it further

3 "RESOLVED, That a copy of this
4 resolution, suitably engrossed, be transmitted to
5 the Lexington School for the Deaf/Center for the
6 Deaf."

7 ACTING PRESIDENT GRIFFO: Senator
8 Peralta.

9 SENATOR PERALTA: Thank you,
10 Mr. President.

11 The Lexington School for the
12 Deaf/Center for the Deaf is a New York
13 institution that has been serving the deaf and
14 hard-of-hearing communities of the New York
15 metropolitan area for nearly 150 years.

16 Its special emphases are helping
17 the deaf and the hard of hearing to realize their
18 full potential in both the deaf and
19 hard-of-hearing worlds, ensuring mastery of
20 expressive and receptive communication skills by
21 individuals at every point along the spectrum of
22 deaf to hard of hearing; designing, constructing
23 and using the evolving information technologies
24 to the best advantage; and being a leading
25 advocate for the deaf and hard-of-hearing

1 communities.

2 The needs of Lexington students and
3 clients increasingly reflect the challenges posed
4 by society, with many living in poverty and
5 facing significant obstacles to accessing
6 healthcare and obtaining decent employment. Many
7 are recently immigrants, for whom the complex
8 adjustment to life in the United States is made
9 more difficult because of deafness.

10 Since its founding as a school,
11 Lexington has evolved to offer vital services in
12 a wide range of important issues. The Lexington
13 School provides education services. There is the
14 Lexington Center for Mental Health Services that
15 includes an outpatient clinic and provides
16 specialized infant, child, adult and family
17 services. The Lexington Vocational Services
18 Center supports employment and independent living
19 skills training for adults.

20 The three Lexington Early
21 Intervention programs provide referrals and
22 service for families with young children who are
23 deaf and hard of hearing. Lexington also
24 operates a licensed childcare and universal pre-K
25 center that provides full daycare for children

1 ages 12 months through pre-kindergarten.

2 The Lexington Hearing and Speech
3 Center offers community-based speech and
4 audiology services. And there is also the Ralph
5 and Ricky Lauren Center for the Performing Arts.

6 For all of the wonderful work over
7 the course of all of these many years, Lexington
8 School for the Deaf/Center for the Deaf, please
9 accept our sincerest thanks for an important job
10 extraordinarily well done.

11 And I understand that there is a
12 basketball game tonight. And as usual, I ask all
13 of the participants, please take it easy on my
14 colleagues. I know it's going to be very hard,
15 but may best team win. Enjoy tonight.

16 ACTING PRESIDENT GRIFFO: Thank
17 you, Senator Peralta.

18 Senator Oppenheimer.

19 SENATOR OPPENHEIMER: Well, I
20 would like to thank the Lexington School for the
21 Deaf.

22 As many of you in the chamber know,
23 I have 11 members of my family who are deaf. And
24 my niece and nephew went through the Lexington
25 School for the Deaf and have become exceedingly

1 productive citizens. My nephew is the head of
2 deaf education for New Mexico. His daughter is
3 the deaf actress that you sometimes see on the
4 television screens. My niece went on to be the
5 assistant head of the Rochester School for the
6 Deaf.

7 They are people who without the
8 background that they had from when they were
9 almost infants, without the background of the
10 Lexington School for the Deaf, they would not be
11 the people that they are today, the productive
12 people reaching out to help others who are deaf.
13 So I could not be more appreciative of what Oscar
14 did back then many years ago for my family.

15 Thank you.

16 ACTING PRESIDENT GRIFFO: Thank
17 you, Senator Oppenheimer.

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

20 (Response of "Aye.")

21 ACTING PRESIDENT GRIFFO:
22 Opposed?

23 (No response.)

24 ACTING PRESIDENT GRIFFO: The
25 resolution is adopted.

1 We would like to extend a warm
2 welcome to the students and faculty from the
3 Lexington School for the Deaf/Center for the
4 Deaf. We thank you for being here, and we
5 appreciate your attendance.

6 Let's give them our recognition.
7 (Applause.)

8 ACTING PRESIDENT GRIFFO: Senator
9 Fuschillo.

10 SENATOR FUSCHILLO: Mr. President,
11 Senator Peralta would like to open up this
12 resolution for cosponsorship. If someone does
13 not wish to be a cosponsor, they should notify
14 the desk.

15 ACTING PRESIDENT GRIFFO: The
16 resolution is open for cosponsorship. If you
17 choose not to be a cosponsor, please notify the
18 desk.

19 Senator Fuschillo.

20 SENATOR FUSCHILLO: On behalf of
21 Senator Nozzolio, on page number 27 I offer the
22 following amendments to Calendar Number 646,
23 Senate Print Number 6171, and ask that said bill
24 retain its place on Third Reading Calendar.

25 ACTING PRESIDENT GRIFFO: The

1 amendments are received, and the bill shall
2 retain its place on third reading.

3 SENATOR FUSCHILLO: On behalf of
4 Senator Young, I move that the following bill be
5 discharged from its respective committee and be
6 recommitted with instructions to strike the
7 enacting clause: Senate Print Number 2450A.

8 ACTING PRESIDENT GRIFFO: So
9 ordered.

10 Senator Fuschillo.

11 SENATOR FUSCHILLO: Mr. President,
12 may we now have the reading of the
13 noncontroversial calendar.

14 ACTING PRESIDENT GRIFFO: The
15 Secretary will read.

16 THE SECRETARY: Calendar Number
17 43, by Senator Grisanti, Senate Print 3133B, an
18 act to amend the Public Housing Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT GRIFFO: Announce
2 the results.

3 THE SECRETARY: In relation to
4 Calendar Number 43, those recorded in the
5 negative are Senators Addabbo, Avella, Dilan,
6 Duane, Espaillat, Gianaris, Hassell-Thompson,
7 Kennedy, Krueger, Montgomery, Oppenheimer,
8 Rivera, Serrano, Squadron and Stewart-Cousins.

9 Ayes, 44. Nays, 15.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 64, by Senator Ritchie, Senate Print 4717B, an
14 act to amend the Penal Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

17 THE SECRETARY: Section 5. This
18 act shall take effect immediately.

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT GRIFFO: Senator
23 Ritchie to explain her vote.

24 SENATOR RITCHIE: Mr. President,
25 on January 30, 2009, 25-year-old volunteer EMT

1 Mark Davis was fatally shot responding to an
2 urgent call. He was one of those people who run
3 into dangerous situations when many of us are
4 running out.

5 This bill increases the penalty of
6 murdering a first responder in the line of duty.

7 We had a petition up. We received
8 over 2,000 signatures on it. We have the support
9 of the state volunteer fire departments and the
10 professional fire departments and the EMTs.

11 Today with us we have the family in
12 the gallery. We have Mark's mother, Marsha; his
13 father, Larry; brother, Brandon; and we also have
14 his sister, Maricia. And Maricia graduated from
15 JCC on Friday night as a paramedic.

16 So, Maricia, I'd like to say that
17 your family's proud of you, I'm proud of you, and
18 I'm sure Mark's proud of you. It's amazing that
19 you continued in this line after what happened to
20 your brother. And I'm sure that Mark is honored
21 that this bill is named after him.

22 And Marsha, thank you for your
23 advocacy on this bill. Thank you for continuing
24 to push and make sure that this came to the floor
25 of the Senate. And we appreciate all you did.

1 And thank you again for coming all the way from
2 Florida today to make sure that this bill
3 passed.

4 And I vote aye on this bill,
5 Mr. President. Thank you.

6 ACTING PRESIDENT GRIFFO: Senator
7 Ritchie to be recorded in the affirmative.

8 We also would like to recognize the
9 presence of the family and thank you for your
10 advocacy.

11 Announce the results.

12 THE SECRETARY: Ayes, 59.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 352, by Senator Fuschillo, Senate Print 6636, an
17 act to amend the Vehicle and Traffic Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

20 THE SECRETARY: Section 18. This
21 act shall take effect on the 90th day.

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT GRIFFO: Senator

1 Fuschillo to explain his vote.

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

4 I want to thank my colleague
5 Senator Dilan for his partnership and leadership
6 with this piece of legislation.

7 What this bill does is it brings
8 back the intended purpose of Leandra's Law to
9 fulfill the wishes and dreams of Lenny Rosado.

10 Since this was enacted in August of
11 2010 till December of 2011, there have been more
12 than 22,000 court-ordered ignition interlock
13 systems. Yet with unintended loopholes, defense
14 attorneys have found, only about 6,000, 7,000
15 individuals have actually had their ignition
16 interlock installed in their car.

17 The intended purpose of Leandra's
18 Law was to require that all first-time offenders
19 have an ignition interlock system in their car.
20 This bill closes the loophole. We have to urge
21 the Assembly to adopt this legislation as well.

22 I vote aye.

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

25 Announce the results.

1 THE SECRETARY: Ayes, 58. Nays,
2 1. Senator Hassell-Thompson recorded in the
3 negative.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 425, by Senator Ball, Senate Print 6090A, an act
8 to amend the Penal Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

11 THE SECRETARY: Section 2. This
12 act shall take effect on the 90th day.

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 57. Nays,
17 2. Senators Duane and Perkins recorded in the
18 negative.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 657, by Senator Griffo, Senate Print 1505A, an
23 act to amend the Tax Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 59.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 675, by Senator Saland, Senate Print 698, an act
11 to amend the Highway Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 58. Nays,
20 1. Senator Perkins recorded in the negative.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 709, by Senator Griffio, Senate Print 6020A, an
25 act to amend the Penal Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

3 THE SECRETARY: Section 5. This
4 act shall take effect immediately.

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Senator Rivera to
9 explain his vote.

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

12 I will be voting in the negative on
13 this piece of legislation. It is one of a few
14 that we are going to be voting on today which I
15 believe follow a pattern that is unfortunate in
16 trying to establish -- introducing pieces of
17 legislation which make certain that people that
18 are incarcerated will never leave incarceration.

19 I certainly believe that we should
20 be very careful about the process of having folks
21 that have served their time -- we should take
22 into consideration what certainly they have done
23 to be incarcerated, but certainly what they have
24 done since being incarcerated.

25 This is only one of two pieces of

1 legislation that we're going to vote on today
2 that in my opinion go in the opposite direction
3 and want to make sure that anyone who is
4 incarcerated remains incarcerated for the rest of
5 their lives.

6 And I don't believe that that is
7 the correct way to go in policy overall. It is
8 why I will be voting in the negative on this
9 piece of legislation.

10 Thank you, Mr. President.

11 ACTING PRESIDENT GRIFFO: Senator
12 Rivera to be recorded in the negative.

13 Announce the results.

14 THE SECRETARY: In relation to
15 Calendar Number 709, those recorded in the
16 negative are Senators Dilan, Duane,
17 Hassell-Thompson, Krueger, Montgomery, Parker,
18 Perkins, Rivera and Squadron.

19 Ayes, 50. Nays, 9.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 733, by Senator Fuschillo, Senate Print 5221A, an
24 act to amend the Executive Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 58. Nays,
8 1. Senator Duane recorded in the negative.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 737, substituted earlier by Member of the
13 Assembly Brindisi, Assembly Print 8917, an act to
14 amend the Executive Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

17 THE SECRETARY: Section 2. This
18 act shall take effect on the 30th day.

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 59.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 751, by Senator Young, Senate Print 7136, an
2 act to --

3 SENATOR FUSCHILLO: Lay it aside
4 for the day.

5 ACTING PRESIDENT GRIFFO: The bill
6 is laid aside for the day.

7 THE SECRETARY: Calendar Number
8 754, by Senator Griffo, Senate Print 2418, an act
9 to amend the Environmental Conservation Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

12 THE SECRETARY: Section 2. This
13 act shall take effect on the 180th day.

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 57. Nays,
18 2. Senators Duane and Espaillat recorded in the
19 negative.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 768, by Senator Nozzolio, Senate Print 6844, an
24 act to amend the Penal Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

2 THE SECRETARY: Section 2. This
3 act shall take effect on the 30th day.

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 59.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 791, by Senator O'Mara, Senate Print 6988A, an
12 act to amend the Real Property Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

15 THE SECRETARY: Section 2. This
16 act shall take effect January 1, 2013.

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 793, by Senator Nozzolio, Senate Print 3249A, an
25 act to amend the Executive Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

3 THE SECRETARY: Section 5. This
4 act shall take effect immediately.

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT GRIFFO: Senator
9 Rivera to explain his vote.

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

12 This is the second piece of
13 legislation that we'll be voting on this day that
14 is somewhat similar to the first one, at least in
15 its general intention.

16 What is particularly egregious
17 about this piece of legislation is that it sets a
18 standard of unanimity in a Parole Board hearing.
19 I believe that certainly we should -- and I have
20 spoken to many members of the Parole Board who
21 certainly take their job very seriously and take
22 into consideration what the incarcerated
23 individual has done to be incarcerated to begin
24 with.

25 However, if we believe in

1 rehabilitation -- and I believe that in some
2 cases it absolutely does work -- and we have
3 somebody that has served for a long time, has
4 done everything that he or she needs to do while
5 incarcerated, has proven, at least inside prison,
6 that they have rehabilitated, and we still are
7 allowing for, say, a panel of three people -- for
8 two that believe very strongly that that person
9 should be set free, should be paroled, and then
10 one person says absolutely not because of
11 something that they did 30 years ago.

12 I do believe that this is the type
13 of thing that moves us away from a direction of
14 rehabilitation and more towards, as I said
15 earlier, a model that puts someone that believes
16 that anyone who is incarcerated should remain
17 incarcerated for the rest of their lives.

18 I do not think that this is good
19 for policy, and I certainly don't think it is
20 good for the individuals that are incarcerated.

21 And lest one of my colleagues
22 points it out, I certainly am not forgetting
23 about the victims. But I do believe that in many
24 cases people can be rehabilitated.

25 And when they can be, they should

1 be paroled. This piece of legislation would make
2 that more difficult, and it is why I will be
3 voting in the negative.

4 Thank you, Mr. President.

5 ACTING PRESIDENT GRIFFO: Senator
6 Rivera to be recorded in the negative.

7 Announce the results.

8 THE SECRETARY: In relation to
9 Calendar Number 793, those recorded in the
10 negative are Senators Avella, Dilan, Duane,
11 Gianaris, Hassell-Thompson, Krueger, Montgomery,
12 Parker, Peralta, Perkins, Rivera, Squadron,
13 Stavisky and Stewart-Cousins.

14 Ayes, 45. Nays, 14.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 795, by Senator Libous --

19 SENATOR FUSCHILLO: Lay it aside
20 for the day.

21 ACTING PRESIDENT GRIFFO: Lay it
22 aside for the day.

23 Senator Montgomery, why do you
24 rise?

25 SENATOR MONTGOMERY: Thank you.

1 Mr. President, could you give me the status of
2 Calendar 768?

3 ACTING PRESIDENT GRIFFO: That is
4 a bill that's amended, I believe, Senator
5 Montgomery.

6 SENATOR MONTGOMERY: I'm sorry, I
7 don't understand.

8 ACTING PRESIDENT GRIFFO: That
9 bill was amended at the beginning of session,
10 Senator Montgomery. Therefore, it was not before
11 the body. It's high and it requires three days
12 to age.

13 SENATOR MONTGOMERY: 768?

14 ACTING PRESIDENT GRIFFO:
15 Correct. That is Senator Breslin's bill.

16 SENATOR MONTGOMERY: No, no, no.

17 ACTING PRESIDENT GRIFFO: Time
18 out. Excuse me.

19 SENATOR MONTGOMERY: It was
20 Senator Nozzolio's bill. It's Calendar Number
21 768, Senate Bill 6844.

22 ACTING PRESIDENT GRIFFO: Calendar
23 Number 768, Senate Bill 6844, was passed, Senator
24 Montgomery.

25 SENATOR MONTGOMERY: Okay, I just

1 want to say that it went on a fast roll call.
2 I'm sitting right here, and somehow I'm recorded
3 as a yes on that bill. It is definitely a no
4 vote for me. That was absolutely -- I did not
5 hear that bill called.

6 And I believe there's other no
7 votes that were missed. I'm not sure it was even
8 called.

9 ACTING PRESIDENT GRIFFO: Senator
10 Fuschillo.

11 SENATOR SQUADRON: Mr. President.

12 ACTING PRESIDENT GRIFFO: Senator
13 Squadron.

14 SENATOR SQUADRON: I would request
15 unanimous consent to reopen the roll on 768.

16 ACTING PRESIDENT GRIFFO: Senator
17 Squadron has requested unanimous consent to
18 reopen the roll. Without objection?

19 SENATOR FUSCHILLO: Without
20 objection.

21 ACTING PRESIDENT GRIFFO: There is
22 no objection.

23 SENATOR MONTGOMERY: Thank you,
24 Mr. President. I vote no.

25 ACTING PRESIDENT GRIFFO: One

1 second.

2 SENATOR MONTGOMERY: Oh, okay, I'm
3 sorry.

4 ACTING PRESIDENT GRIFFO: We're
5 reopening up the roll call.

6 The Secretary will call the roll on
7 reconsideration.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 59.

10 ACTING PRESIDENT GRIFFO: All
11 those in the negative please raise your hand.

12 This is Calendar Number 768, by
13 Senator Nozzolio, Senate Bill 6844. Without
14 objection, the vote has been opened and we've
15 called the roll on reconsideration.

16 Announce the results.

17 THE SECRETARY: In relation to
18 Calendar 768, those recorded in the negative are
19 Senators Dilan, Hassell-Thompson, Krueger,
20 Montgomery, Oppenheimer, Parker, Perkins and
21 Squadron.

22 Ayes, 51. Nays, 8.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 Senate Bill 795 has been laid aside

1 for the day by Senator Libous. We're on Calendar
2 798.

3 THE SECRETARY: Calendar Number
4 798, by Senator Griffio, Senate Print 4927, an act
5 to amend the Banking Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 59.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 813, by Senator Golden, Senate Print 2147A, an
18 act to amend the Public Health Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 57. Nays,
2 2. Senators Montgomery and Perkins recorded in
3 the negative.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 815, by Senator Skelos, Senate Print 5145, an act
8 to amend the Public Health Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

11 THE SECRETARY: Section 5. This
12 act shall take effect immediately.

13 ACTING PRESIDENT GRIFFO: May I
14 have some order, please.

15 Call the roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 59.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 820, substituted earlier today by Member of the
22 Assembly Brindisi, Assembly Print Number 9347, an
23 act to amend the Public Health Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 59.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 821, by Senator Hannon, Senate Print 7149, an act
11 to amend the Public Health Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 59.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 Senator Fuschillo, that concludes
23 the noncontroversial reading of the calendar.

24 SENATOR FUSCHILLO: Is there any
25 other business at the desk, Mr. President?

1 ACTING PRESIDENT GRIFFO: There is
2 no further business.

3 SENATOR FUSCHILLO: There being no
4 further business, I move that we adjourn until
5 Wednesday, May 23rd, at 10:30 a.m.

6 ACTING PRESIDENT GRIFFO: On
7 motion, the Senate stands adjourned until
8 Wednesday, May 23rd, at 10:30 a.m.

9 Senate adjourned.

10 (Whereupon, at 4:50 p.m., the Senate
11 adjourned.)

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