NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 23, 2012

10:38 a.m.

REGULAR SESSION

SENATOR LEE ZELDIN, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT ZELDIN: The Senate will come to order.

I ask everyone present to please rise.

(Whereupon, the assemblage rose as the 10th Mountain Division Honor Guard entered the chamber and presented colors.)

ACTING PRESIDENT ZELDIN: Please repeat with me the Pledge of Allegiance.

(Whereupon, the assemblage recited the Pledge of Allegiance to the Flag, and the Honor Guard exited the chamber.)

ACTING PRESIDENT ZELDIN: In the absence of clergy, I ask everyone to bow their heads for a moment of silence.

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

ACTING PRESIDENT ZELDIN: The reading of the Journal.

THE SECRETARY: In Senate, Tuesday, May 22nd, the Senate met pursuant to adjournment. The Journal of Monday, May 21st, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 39, Senator Saland moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 9791 and substitute it for the identical Senate Bill Number 7106, Third Reading Calendar 762.

And on page 46, Senator Martins moves to discharge, from the Committee on Local Government, Assembly Bill Number 4982 and substitute it for the identical Senate Bill Number 7213, Third Reading Calendar 837.

ACTING PRESIDENT ZELDIN: Substitutions 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.

Mr. President, I believe there's a resolution at the desk by Senator Ritchie. It's Resolution Number 4734. It was previously adopted by the house on May 22nd. May we please have the resolution read in its entirety, and then if you could please call on Senator Ritchie.

ACTING PRESIDENT ZELDIN: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 4734, by Senator Ritchie, memorializing Governor Andrew M. Cuomo to proclaim May 23, 2012, as 10th Mountain Division and Fort Drum Day in the State of New York.

"WHEREAS, It is the sense of this Legislative Body to support and promote the historic and significant achievements of Fort Drum and the United States Army 10th Mountain Division; and

"WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, this Legislative

Body is justly proud to memorialize Governor Andrew M. Cuomo to proclaim May 23, 2012, as 10th Mountain Division and Fort Drum Day in the State of New York; and

"WHEREAS, Fort Drum is the largest United States Army post in the Northeastern United States, with 19,987 soldiers and 4,614 civilian workers; and

"WHEREAS, Fort Drum is the largest employer in Northern New York, with an economic impact on the North Country and the State of New York of $1.6 billion; and

"WHEREAS, Fort Drum traces its roots to 1907, when the post was known as Camp Hughes, after New York Governor Charles Hughes, and later as Pine Camp, and was founded in 1951 as Camp Drum, in honor of Lieutenant General Hugh A. Drum, who commanded the First Army during World War II, and was eventually designated as Fort Drum in 1974; and

"WHEREAS, The 10th Mountain Division, which earned special honor during World War II fighting in the mountains of Italy in some of the roughest terrain in the country, and which was renowned for its expertise in

mountain and winter warfare, was reactivated at Fort Drum in 1985, as a rapid deployment combat light infantry unit, dispatched to trouble spots around the globe; and

"WHEREAS, Fort Drum continues to be home to the United States Army 10th Mountain Division (Light Infantry), which includes the most deployed combat brigade in the United States Army, with deployments to Operation Desert Storm, Saudi Arabia; Operation Restore Hope and Operation Continue Hope, Somalia; Operation Uphold Democracy, Haiti; Operation Joint Forge (Bosnia and Herzegovina); Operation Joint Guardian, Kosovo; as well as hurricane relief efforts inside the United States; and

"WHEREAS, The 10th Mountain Division's three combat brigades at Fort Drum have seen numerous deployments to both Iraq and Afghanistan in support of Operation Iraqi Freedom and Operation Enduring Freedom, in fighting the nation's ongoing war against terrorism since September 11, 2001; and

"WHEREAS, Fort Drum and the 10th Mountain Division are commanded by Major General Mark A. Milley and a dedicated cadre of officers

whose commitment to our nation and our troops is exemplary; and

"WHEREAS, The 10th Mountain Division, throughout its operational history, has been awarded six campaign streamers, including two in World War II and four in the War on Terrorism, as well as two unit decorations; and

"WHEREAS, Recipients of the nation's highest military honor for valor, the Medal of Honor, include two members of the 10th Mountain Division: Pfc. John D. Magrath, for his actions at Castel d'Aiano, Italy, during World War II, and Sfc. Jared Monti, who received the honor posthumously in 2009 for his heroism in Kunar Province, Afghanistan, as part of Operation Enduring Freedom, and who is one of just six Medal of Honor recipients since 2001, the start of the global war on terrorism; and

"WHEREAS, Thousands of New York men and women have passed through Fort Drum as members of our armed forces -- the Army, National Guard and Reserves -- showing service, dedication, sacrifice, and commitment and living up to the 10th Mountain Division motto 'Climb to Glory'; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to recognize the men and women here today from the 10th Mountain Division -- Major Todd Clark, Second Lieutenant Philip Cuiffo, Second Lieutenant Kaitlyn Fahsel, Private First Class Kadeem Miller, Sergeant Brandon Paronett, Sergeant Robert Zaccaria, Corporal Ryan McNally, Staff Sergeant Matthew Wilson, Staff Sergeant Michael Houck, Staff Sergeant Christopher Morse, Sergeant Wesley Smith, Specialist Adam Gramegna, Specialist Miguel Campos, Sergeant Christopher Thaxton, Sergeant First Class Renan Martinez, Command Sergeant Major Rick Merritt, Colonel Noel Nicolle, Lieutenant Colonel Webster Wright, Lieutenant Colonel Christopher Bresko, and Captain Ken Elgort -- and to memorialize Governor Andrew M. Cuomo to proclaim May 23, 2012, as 10th Mountain Division and Fort Drum Day in the State of New York; 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, and Major General Mark A. Milley, Commanding General of Fort Drum and the

10th Mountain Division."

ACTING PRESIDENT ZELDIN: Senator Ritchie.

SENATOR RITCHIE: Thank you, Mr. President.

I'm honored to welcome today the commanding general and his representatives, the 10th Mountain Division, that are based out of Fort Drum.

Commanding General Mark Milley and these fine men and women come to educate us today on Fort Drum. It's certainly fitting, since this is Military Appreciation Month and Memorial Day is right around the corner, when all Americans remember the service and sacrifice of all these brave men and women.

They, along with the West Point representatives that were here, represent the highest ideals of honor, service, and duty to their country. I hope my colleagues will take time to stop by the displays and to talk to some of the men and women who are here today to hear about their stories and share our encouragement and support for all they do to defend our fine country and help keep us safe.

I'm proud to honor these men and women. I'm certainly proud to represent them in the 48th District. And I appreciate you coming down today so that all my colleagues can have firsthand knowledge of what wonderful men and women you truly are. So thank you for coming.

And I'd also like to acknowledge the Fort Drum Regional Liaison Organization is here. We have a Gold Star Mother here with us here today. And Senator Wright made the trip down because he previously represented the 48th and is still involved with Fort Drum.

So thank you all. Commanding General Milley, it's truly a great honor to have met you and to work with you to help make sure that Fort Drum is successful and continues to be all that it is.

Thank you.

ACTING PRESIDENT ZELDIN: Senator Skelos.

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

I'd like to join Senator Ritchie in welcoming you, and in particular General Milley, as well as the other members who are here from

Fort Drum.

General Milley has an outgoing military record, 31 years of service including working in the Pentagon and tours of Iraq and Afghanistan. His record of exemplary leadership has resulted in his command of the largest military installation in the Northeast.

We are truly honored by your presence in our historic chamber, and I thank all of you for your cooperation in putting together the display of military equipment in the LOB and in Capitol Park.

Fort Drum is home to the famous 10th Mountain Division. Sometimes it feels like we have to move mountains to get things done here in Albany, but it pales in comparison to the tremendous work and selfless service that you give to our country.

Seven, seven soldiers from Fort Drum have been awarded the Medal of Honor. This truly exemplifies the tremendous courage and bravery of all who serve to protect our freedoms every day.

So again, we welcome you. And now, with unanimous consent of the Senate, I'd like to

ask the General if he would address the Senate chamber at this time.

ACTING PRESIDENT ZELDIN: Without objection, Major General Milley.

MAJOR GENERAL MILLEY: Well, Mr. President and all the members of the Senate, thanks very much for honoring us.

And thanks also to the Governor for signing off on 23 May being 10th Mountain Division Day in the great State of New York.

And particular thanks to Senator Ritchie and her staff. I know she and several others were the driving force behind this recognition. And for all of us, all 40,000 soldiers and family members and Department of the Army civilians at Fort Drum, we are deeply in your debt for this recognition to us.

Also, to the veterans that are assembled here, you don't have to go to Fort Drum to see heroes and heroism. You can look around in your own chamber. And amongst you are veterans of the Philippines, the New Guinea campaign. Amongst you are veterans of multiple campaigns in the hill fights of Korea. Amongst you are the veterans of the jungle fights along

the Cambodian and Vietnamese border. And amongst you are recent veterans of both Iraq and Afghanistan.

Many of you have served in the Army, the Navy, the Air Force and Marines in the last years since World War II, and you also have a great wealth of service. So we deeply appreciate your service and your support to us.

And to those families and friends and supporters of the Division, thank each and every one of you for your continued support.

To my left are 15 soldiers, all natives of New York, all representative of the Division. And amongst them you'll see that you have twelve deployments, in excess of 12 consecutive years of combat; two Purple Hearts; two Awards for Valor; multiple Bronze Stars. They represent the infantry, the cavalry, intelligence, artillery, logistics, and aviation. Three of them are officers; eight are sergeants, the very backbone of our Army; and four are junior soldiers.

I welcome each of you to get to know your constituents that are in uniform and take a moment to shake their hands.

In addition to these 15, we brought 58 down here that are in a variety of static displays outside, to show you a little taste of what the Division's about. And I welcome you also to shake their hands and get to know them a bit.

A special welcome. In the upper chamber to my right, in the white dress, is Mrs. Dawn Esposito. She's a very special member of our community. She's a Gold Star Mother from Brentwood, New York. Her son, Sergeant Michael Esposito, was killed in action as part of the 10th Mountain Division, Second Battalion, 22nd Infantry, in Afghanistan. And she represents over 295 Gold Star Mothers from the 10th Mountain Division.

And, Dawn, thank you so much for being here to represent everyone.

(Extended standing ovation.)

MAJOR GENERAL MILLEY: As many of you know, and embedded within the resolution, the 10th Mountain Division is in fact the most deployed division in the United States Army for the last 20 years or so, since 1985, since we were reactivated up at Fort Drum. We have in

fact been the tip of the spear on anyone intending to do harm to the United States.

The Division, as mentioned, was originally conceived during World War II in order to fight in the mountains and the snows of Europe. And in fact they did that. And in 1944, they deployed, and in January of '45 they entered the Northern Apennines in Italy and fought against the Nazi Gustav Line and brought the Nazis to their knees and caused the general collapse of the German front-line trace in northern Italy.

Among those veterans were great athletes, many from New York who fought in those fights. At the conclusion of the war, those veterans continued to pursue a variety of endeavors. And if you go to Vail, Colorado, Aspen, Sugarbush, if you go to Crystal Mountain, Whiteface Mountain, if you go to many of the ski resorts around the United States today, you will find that they were founded by 10th Mountain veterans.

And in 1985 we were reactivated again, because the nation saw a need to rapidly deploy with light infantry forces and have the

potential for the president of the United States to put boots on the ground at any crisis point on the earth's surface. So we reactivated the 10th Mountain Division as a light infantry division, and trained it. And we decided to put it at Fort Drum.

And if you look at the headlines from 1985 to today, you will see the Fort Drum emblem, the 10th Mountain Division patch, and soldiers from Northern New York deployed. Whether it's hurricanes or earthquakes, whether it's peacekeeping in the Sinai or peacemaking in the Balkans, whether it's an intervention into Haiti or whether it's trying to help the humanitarian assistance and getting embroiled in a fight in Somalia, or whether it's Iraq or Afghanistan, to follow the 10th Mountain since 1985 is to visit every crisis spot that America has been involved in.

In the last 11 years, the Division has deployed five times as a division. And we've deployed 28 deployments amongst our brigades. We were the first conventional force to enter Afghanistan very shortly after the tragic events of 9/11. And that's appropriate, that an

American infantry division led the way against our enemies in Afghanistan. And it's doubly appropriate that a division from New York led the way, given that the enemies of our country attacked this great state and murdered our fellow citizens.

The soldiers of this division are extremely well trained, motivated, and well led by some of the most experienced junior leaders, captains and sergeants and majors, that our nation has ever known since World War II.

The 40,000 soldiers and families of the 10th Mountain appreciate everything that you have done, and we are eager to maintain that relationship. With the important work that you have to do here, we couldn't get you all up to Drum, so we brought today some of Drum to you.

And I do hope that you'll get out there and see them. It's very important that you, the representatives of the people, maintain close contact to we, the people's army. The United States Army since 1775 has fought on behalf of the American people. And it's important that the American people and their elected representatives stay connected to our

force.

Mr. President, and to all the Senators and ladies and gentlemen, thank you again for this great opportunity. We will be forever grateful that 23 May is 10th Mountain Day.

And I ask that all of you keep in your thoughts and prayers the thousand 10th Mountain soldiers that are still serving today in Afghanistan.

Climb to Glory!

(Extended standing ovation.)

ACTING PRESIDENT ZELDIN: Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

Major General Milley, that was an outstanding address.

And I think what I would like to do at this time, Mr. President, is pause for about five minutes, because I think the members would like to meet some of the soldiers that the Major General has brought with him today.

So if the Senate could stand at ease temporarily.

ACTING PRESIDENT ZELDIN: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 10:58 a.m.)

SENATOR LIBOUS: Mr. President.

ACTING PRESIDENT ZELDIN: Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

The Senate will reconvene in two minutes.

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

ACTING PRESIDENT ZELDIN: Senator Libous.

SENATOR LIBOUS: Mr. President, we're still on motions and resolutions, is that correct?

ACTING PRESIDENT ZELDIN: That's correct.

SENATOR LIBOUS: Okay. On the resolution that was passed on May 22nd, I believe that we'd like to open that up, at Senator Ritchie's request.

So if there's any members who wish

not to be on the resolution, let the desk know, please.

ACTING PRESIDENT ZELDIN: I would ask any member who wishes not to be on the resolution to notify the desk.

Senator Libous.

SENATOR LIBOUS: Mr. President, I have a number of motions that I need to go through.

On behalf of Senator Skelos, on page 14 I offer the following amendments to Calendar Number 225, Senate Print 6297A, and I ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT ZELDIN: The amendments are received, and the bill will retain its place on the Third Reading Calendar.

SENATOR LIBOUS: Thank you, Mr. President.

On behalf of Senator Fuschillo, on page 11 I offer the following amendments to Calendar Number 67, Senate Print 525, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT ZELDIN: The

amendments are received, and the bill will retain its place on the Third Reading Calendar.

SENATOR LIBOUS: And on behalf of Senator Hannon, on page 21 I offer the following amendments to Calendar Number 465, Senate Print 6742, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT ZELDIN: The amendments are received, and the bill will retain its place on the Third Reading Calendar.

SENATOR LIBOUS: On page 27, I offer the following amendments, on behalf of Senator Grisanti, on Calendar 594, Senate Print 6268A, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT ZELDIN: The amendments are received, and the bill will retain its place on the Third Reading Calendar.

SENATOR LIBOUS: On behalf of Senator Seward, Mr. President, on page 12 I offer the following amendments to Calendar Number 134, Senate Print 5040, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT ZELDIN: The amendments are received, and the bill will retain

its place on the Third Reading Calendar.

SENATOR LIBOUS: And, Mr. President, on behalf of Senator Zeldin, on page 41 I offer the following amendments to Calendar Number 781, Senate Print 7322, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT ZELDIN: The amendments are received, and the bill will retain its place on the Third Reading Calendar.

Senator Libous.

SENATOR LIBOUS: Mr. President, at this time I believe there's a resolution at the desk by Senator Hassell-Thompson, Resolution Number 4787. It was previously adopted by the house on May 22nd.

May we have the title read, and I believe Senator Hassell-Thompson would like to make some comments.

ACTING PRESIDENT ZELDIN: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 4787, by Senator Hassell-Thompson, congratulating the Mount Vernon High School Girls Track Team upon the occasion of

capturing the New York State Indoor Track and Field Championship.

ACTING PRESIDENT ZELDIN: Senator Hassell-Thompson.

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

I rise to congratulate our Mount Vernon High School Girls Track Team, who were unable to be with us here today because they're taking final exams.

But I did want to make sure that because of their win, and certainly because of their hard work, I wanted to be sure that they were honored today.

And I'm pleased to congratulate also the team members: Lexus Harney, Robbi Rogers, Shanice Cameron, and Tanaya Yarde. And also to their coach, Head Coach Walter Hall, who is a skilled and inspirational mentor. And we have such great respect for his ability to not only develop potential but also to create excellence in our young women.

Thank you very much for this opportunity to give a shout out for my high school track team.

ACTING PRESIDENT ZELDIN:

Congratulations to the Mount Vernon High School Girls Track Team on capturing the New York State Indoor Track and Field Championship.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

There's another resolution at the desk by Senator Hassell-Thompson, Number 4789. It was previously adopted by the house on May 22nd.

Could you please read the title and call on Senator Hassell-Thompson.

ACTING PRESIDENT ZELDIN: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 4789, by Senator Hassell-Thompson, congratulating the 2011-2012 Mount Vernon High School Boys Basketball Team upon the occasion of capturing the New York State Public High School Athletic Association's Basketball Championship.

ACTING PRESIDENT ZELDIN: Senator Hassell-Thompson.

SENATOR HASSELL-THOMPSON: Again,

thank you, Mr. President.

Today I have the great honor of welcoming and congratulating two state championship teams from Mount Vernon High. And of course you've heard from my track team, and now you're going to hear about my wonderful basketball team.

This state championship has been occurring for the last 40 years. And if my numbers are correct, I think that Mount Vernon has won that championship 27 times. And we are just so honored to have them here with us today, along with their coach, Head Coach Bob Cimmino, and Assistant Head Coach Brian Pritchett, and Assistant Coaches Dwayne Murray, Paul Roland, Patrick Theodule -- I'm going to mess these up, I'm so sorry -- Richard Suozzo, Anthony Pavlacka, as well as Yaccov Williams. I got the Williams part right.

Their athletic trainers, Peter Montpellier and Brian Gardener, and statisticians John Nannariello -- and, you know, it goes on and on and on. And I don't want to take up the time from the congratulatory to the team itself. But suffice it to say that they all came with the

team today.

And the team members, Yhanni Bartley, Isaiah Cousins, Jalen David, Joshua Doughty, Gary Johnson, Givvion Jones, Jamel Knott, Jamal Lewis, Qwadere Lovell, Jarrel Marshall, Brandon Martin, Mark Mitchell, William Robinson, Traquann Scales, and Randy Stephens.

And I read those names out to you because someday, as we have with many of our players in the past, you may hear their names as MBA players.

And one of the things that makes this team not only extraordinary on the field but off the field and in the classroom, Coach Cimmino demands that they have at least a 3.0 grade point average. And if they don't, he beats them into shape. And we help him.

And I also want to congratulate Coach Cimmino upon the occasion of his induction into the New York State Basketball Hall of Fame. Since 1994, Coach Robert Cimmino has been the Mount Vernon High School basketball coach and was designated as the New York State Coach of the Year for the seasons 2000, 2004, 2006, and 2007. In 2000 he was also the Daily News-Madison Square

Garden Coach of the Year.

And Coach Cimmino's Mount Vernon teams have won the championship for -- these are all the years that I've been here in the State Senate -- 2000, 2004, 2006, 2007, 2011, and 2012. Eat your hearts out.

(Laughter.)

SENATOR HASSELL-THOMPSON: In 2011, Robert Cimmino was head coach at the McDonald's All-American game in Chicago, Illinois. And he also served in that capacity during the 2010 NIKE Hoop Summit in Portland, Oregon.

I could go on bragging about my team forever and ever. But suffice it to say that not only have the coaches come, the trainers come, but also parents and members of our community, including our high school principal, Mr. Richard Gonzalez, and school board member-elect Brenda Crump.

I take great pride in the young men and women who attend Mount Vernon High School. And certainly when they win championships, we always encourage them not only to understand that their own talent is being nurtured, but that of

their community as well.

So again, with great pride I welcome my basketball team from the City of Mount Vernon, and the champions of the State of New York, and congratulations on continuing to outstanding in all the things that you do.

Thank you, Mr. President.

ACTING PRESIDENT ZELDIN: Congratulations to the Mount Vernon Boys Basketball Team. Welcome to the State Senate. Good luck on all your future success.

It's great to have you, and please enjoy the privileges of the house during your visit. Congratulations.

(Applause.)

ACTING PRESIDENT ZELDIN: Senator Libous.

SENATOR LIBOUS: Mr. President, at this time would you call on Senator Griffo for the purposes of a statement.

ACTING PRESIDENT ZELDIN: Senator Griffo.

SENATOR GRIFFO: Thank you, Mr. President.

I want to speak on a previously

adopted resolution that was taken up in our house. And we are very fortunate in our state to have outstanding institutions of higher education. And as a member of the Senate Committee on Higher Education, I am privileged to represent a number of universities in my district.

And today it is an honor to have with me the president of Hamilton College. Hamilton College is celebrating their bicentennial this year. This is truly a remarkable accomplishment, and this is truly an extraordinary university with an exceptional team that runs the university.

Today we just want to pay our respect and recognition to Hamilton, which was really started in 1793 to educate the Oneida Indians in our Central New York area by the missionary Samuel Kirkland. And he presented a proposal to then-President George Washington for consideration and also got the Secretary of the Treasury, Alexander Hamilton, who consented at the time to be a trustee and to lend his name to the school.

They have had a rich history since

then. In fact, the first cornerstone was laid by Baron von Steuben, who was at the time -- today we're talking about and we had the honor of having the Fort Drum and the 10th Mountain Division here. Baron von Steuben was the inspector general of the Continental Army at the time when he laid the cornerstone in Clinton for Hamilton College on July 1, 1794.

On May 26 of 1812, the official charter was signed designating Hamilton College. And since then the school has really been renowned in its reputation. It is known as one of the "Little Ivies." It is always ranked in the top 25 of liberal arts colleges in our country.

It is a college which is really a pioneer in so many different areas and has been the home to some very distinguished alumni. Throughout its history, just a few that we may recognize: Elihu Root, who was a former U.S. Senator, Secretary of War, Secretary of State, and winner of the 1912 Nobel Peace Prize -- who actually was a resident and raised in Clinton, New York, and attended Hamilton College.

As well as the former Vice

President of the United States from the great City of Utica, James Sherman, in 1878.

In contemporary times, as I said, there are many, many distinguished alumni. But A.J. Lafley, the former president and CEO of Procter & Gamble and current chairman of the board of trustees of the college, who I believe was the commencement speaker. And then also Carl Hayden, who we're all familiar with, the former chancellor of the SUNY Board of Trustees as well as the Board of Regents.

We are honored to have here today the vice president of communications and development, Richard Tantillo, but really honored to have with us the president, Dr. Joan Hinde Stewart.

She is a Brooklyn native, the 19th president of the college. She's earned her Ph.D. from Yale University. Glad that we brought you to New York. She has been there for 10 years. She is the first female president of the college, so quite a distinguished honor and recognition of her talent and skills.

And during her tenure she has presided over a period of tremendous growth at

this great college. The physical grounds have undergone massive reinvestment; over $150 million has been put into the university.

And even with such growth, President Stewart has been recognized as a great steward of the college's finances and has done many, many great things to continue to enhance and improve the reputation of this exceptional college.

So today I ask the members of this body to join me and rise and acknowledge Dr. Joan Hinde Stewart, and to congratulate you on celebrating 200 years of a rich history and a continued commitment to the highest in education principles and endeavors and really positioning young people to give so much back to the communities in which they go, evidenced by the distinguished alumni that have graduated from that university and that you continue to put forth into our community.

So congratulations. Happy bicentennial. And maybe Dr. Joan Hinde Stewart would rise, please.

(Sustained applause.)

SENATOR GRIFFO: Thank you,

Mr. President.

ACTING PRESIDENT ZELDIN: President Joan Hinde Stewart and others from Hamilton College, thank you for being here, and please enjoy your day in the State Senate.

Senator Libous.

SENATOR LIBOUS: Mr. President, I have a very important motion.

On behalf of Senator Libous, on page 42 I offer the following amendments to Calendar Number 795, Senate Print 3445A, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT ZELDIN: The amendments are received, and the bill will retain its place on the Third Reading Calendar.

SENATOR LIBOUS: Mr. President, at this time may we have the noncontroversial reading of the calendar, please.

ACTING PRESIDENT ZELDIN: The Secretary will read.

THE SECRETARY: Calendar Number 584, by Senator Ball, Senate Print 5034A, an act to amend the Insurance Law.

ACTING PRESIDENT ZELDIN: Read the

last section.

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

ACTING PRESIDENT ZELDIN: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT ZELDIN: The bill is passed.

THE SECRETARY: Calendar Number 699, by Senator Seward, Senate Print 6313, an act to amend Chapter 218 of the Laws of 2009.

ACTING PRESIDENT ZELDIN: Read the last section.

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

ACTING PRESIDENT ZELDIN: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 54. Nays, 2. Senators Avella and Ball recorded in the negative.

ACTING PRESIDENT ZELDIN: The bill is passed.

THE SECRETARY: Calendar Number

702, by Senator Gallivan, Senate Print 6788A, an act to amend Chapter 185 of the Laws of 2005.

ACTING PRESIDENT ZELDIN: Read the last section.

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

ACTING PRESIDENT ZELDIN: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 54. Nays, 2. Senators Avella and Ball recorded in the negative.

ACTING PRESIDENT ZELDIN: The bill is passed.

THE SECRETARY: Calendar Number 703, by Senator Seward, Senate Print 6873, an act to amend Chapter 549 of the laws of 2005.

ACTING PRESIDENT ZELDIN: Read the last section.

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

ACTING PRESIDENT ZELDIN: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 54. Nays,

2. Senators Avella and Ball recorded in the negative.

ACTING PRESIDENT ZELDIN: The bill is passed.

THE SECRETARY: Calendar Number 744, by Senator Griffo, Senate Print 7275, an act to amend the Public Authorities Law.

ACTING PRESIDENT ZELDIN: Read the last section.

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

ACTING PRESIDENT ZELDIN: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT ZELDIN: The bill is passed.

THE SECRETARY: Calendar Number 762, substituted earlier by Member of the Assembly Cahill, Assembly Print Number 9791, an act to amend Chapter 748 of the Laws of 1991.

ACTING PRESIDENT ZELDIN: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT ZELDIN: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT ZELDIN: The bill is passed.

THE SECRETARY: Calendar Number 823, by Senator LaValle, Senate Print 806, an act to amend the Town Law.

ACTING PRESIDENT ZELDIN: Read the last section.

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

ACTING PRESIDENT ZELDIN: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar Number 823, those recorded in the negative are Senators Addabbo, Avella, Gianaris, Hassell-Thompson, Montgomery, Rivera, Serrano, Squadron, Stavisky and Stewart-Cousins.

Ayes, 46. Nays, 10.

ACTING PRESIDENT ZELDIN: The bill is passed.

THE SECRETARY: Calendar Number 824, by Senator Skelos, Senate Print 4893B, an act to authorize.

ACTING PRESIDENT ZELDIN: Read the last section.

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

ACTING PRESIDENT ZELDIN: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 1. Senator O'Mara recorded in the negative.

ACTING PRESIDENT ZELDIN: The bill is passed.

THE SECRETARY: Calendar Number 828, by Senator Young, Senate Print 6585, an act to authorize.

ACTING PRESIDENT ZELDIN: There is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT ZELDIN: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT ZELDIN: The bill is passed.

THE SECRETARY: Calendar Number 830, by Senator DeFrancisco, Senate Print 6843A, an act in relation to authorizing.

ACTING PRESIDENT ZELDIN: There is a home-rule message at the desk.

Read the last section.

THE SECRETARY: Section 6. This act shall take effect immediately.

ACTING PRESIDENT ZELDIN: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT ZELDIN: The bill is passed.

THE SECRETARY: Calendar Number 831, by Senator Hannon, Senate Print 6914B, an act to authorize the assessor.

ACTING PRESIDENT ZELDIN: Read the last section.

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

ACTING PRESIDENT ZELDIN: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 1. Senator O'Mara recorded in the negative.

ACTING PRESIDENT ZELDIN: The bill is passed.

THE SECRETARY: In relation to Calendar Number 831: Ayes, 54. Nays, 2. Senators Larkin and O'Mara recorded in the negative.

ACTING PRESIDENT ZELDIN: The bill is passed.

THE SECRETARY: Calendar Number 836, by Senator Zeldin, Senate Print 7131, an act to amend the Real Property Tax Law.

ACTING PRESIDENT ZELDIN: Read the last section.

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

ACTING PRESIDENT ZELDIN: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT ZELDIN: The bill is passed.

THE SECRETARY: Calendar Number 837, substituted earlier by Member of the Assembly Galef, Assembly Print Number 4982, an act to amend the Real Property Tax Law.

ACTING PRESIDENT ZELDIN: Read the last section.

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

ACTING PRESIDENT ZELDIN: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT ZELDIN: The bill is passed.

THE SECRETARY: Calendar Number 838, by Senator Farley, Senate Print 7242, an act to authorize.

ACTING PRESIDENT ZELDIN: Read the last section.

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

ACTING PRESIDENT ZELDIN: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 53. Nays,

3. Senators Bonacic, Larkin and O'Mara recorded in the negative.

ACTING PRESIDENT ZELDIN: The bill is passed.

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

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

ACTING PRESIDENT ZELDIN: No, there is not.

SENATOR LIBOUS: There being no further business, I move that we adjourn until Wednesday, May 30th, at 3:00 p.m., intervening days being legislative days.

ACTING PRESIDENT ZELDIN: On motion, the Senate stands adjourned until Wednesday, May 30th, at 3:00 p.m., intervening days being legislative days.

(Whereupon, at 11:33 a.m., the Senate adjourned.)