

1 NEW YORK STATE SENATE

2  
3  
4 THE STENOGRAPHIC RECORD

5  
6  
7  
8  
9 ALBANY, NEW YORK

10 May 23, 2012

11 10:38 a.m.

12  
13  
14 REGULAR SESSION

15  
16  
17  
18 SENATOR LEE ZELDIN, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

4 I ask everyone present to please  
5 rise.

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

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

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

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

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

19 ACTING PRESIDENT ZELDIN: The  
20 reading of the Journal.

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

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

3                   Presentation of petitions.

4                   Messages from the Assembly.

5                   The Secretary will read.

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

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

17                   ACTING PRESIDENT ZELDIN:  
18 Substitutions ordered.

19                   Messages from the Governor.

20                   Reports of standing committees.

21                   Reports of select committees.

22                   Communications and reports from  
23 state officers.

24                   Motions and resolutions.

25                   Senator Libous.

1                   SENATOR LIBOUS:    Thank you,  
2   Mr. President.

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

10                  ACTING PRESIDENT ZELDIN:    The  
11   Secretary will read.

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

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

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

1 Body is justly proud to memorialize  
2 Governor Andrew M. Cuomo to proclaim May 23,  
3 2012, as 10th Mountain Division and Fort Drum Day  
4 in the State of New York; and

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

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

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

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

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

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

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

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

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

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

8               "WHEREAS, Recipients of the  
9 nation's highest military honor for valor, the  
10 Medal of Honor, include two members of the  
11 10th Mountain Division: Pfc. John D. Magrath,  
12 for his actions at Castel d'Aiano, Italy, during  
13 World War II, and Sfc. Jared Monti, who received  
14 the honor posthumously in 2009 for his heroism in  
15 Kunar Province, Afghanistan, as part of Operation  
16 Enduring Freedom, and who is one of just six  
17 Medal of Honor recipients since 2001, the start  
18 of the global war on terrorism; and

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

1                   "RESOLVED, That this Legislative  
2 Body pause in its deliberations to recognize the  
3 men and women here today from the 10th Mountain  
4 Division -- Major Todd Clark, Second Lieutenant  
5 Philip Cuiffo, Second Lieutenant Kaitlyn Fahsel,  
6 Private First Class Kadeem Miller, Sergeant  
7 Brandon Paronett, Sergeant Robert Zaccaria,  
8 Corporal Ryan McNally, Staff Sergeant Matthew  
9 Wilson, Staff Sergeant Michael Houck, Staff  
10 Sergeant Christopher Morse, Sergeant Wesley  
11 Smith, Specialist Adam Gramegna, Specialist  
12 Miguel Campos, Sergeant Christopher Thaxton,  
13 Sergeant First Class Renan Martinez, Command  
14 Sergeant Major Rick Merritt, Colonel Noel  
15 Nicolle, Lieutenant Colonel Webster Wright,  
16 Lieutenant Colonel Christopher Bresko, and  
17 Captain Ken Elgort -- and to memorialize  
18 Governor Andrew M. Cuomo to proclaim May 23,  
19 2012, as 10th Mountain Division and Fort Drum Day  
20 in the State of New York; and be it further  
21                   "RESOLVED, That a copy of this  
22 resolution, suitably engrossed, be transmitted to  
23 The Honorable Andrew M. Cuomo, Governor of the  
24 State of New York, and Major General Mark A.  
25 Milley, Commanding General of Fort Drum and the



1 10th Mountain Division."

2                   ACTING PRESIDENT ZELDIN:     Senator  
3 Ritchie.

4                   SENATOR RITCHIE:     Thank you,  
5 Mr. President.

6                   I'm honored to welcome today the  
7 commanding general and his representatives, the  
8 10th Mountain Division, that are based out of  
9 Fort Drum.

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

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

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

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

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

18                  Thank you.

19                  ACTING PRESIDENT ZELDIN:     Senator  
20 Skelos.

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

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

1 Fort Drum.

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

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

13 Fort Drum is home to the famous  
14 10th Mountain Division. Sometimes it feels like  
15 we have to move mountains to get things done here  
16 in Albany, but it pales in comparison to the  
17 tremendous work and selfless service that you  
18 give to our country.

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

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

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

3                   ACTING PRESIDENT ZELDIN:   Without  
4 objection, Major General Milley.

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

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

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

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

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

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

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

12 To my left are 15 soldiers, all  
13 natives of New York, all representative of the  
14 Division. And amongst them you'll see that you  
15 have twelve deployments, in excess of  
16 12 consecutive years of combat; two  
17 Purple Hearts; two Awards for Valor; multiple  
18 Bronze Stars. They represent the infantry, the  
19 cavalry, intelligence, artillery, logistics, and  
20 aviation. Three of them are officers; eight are  
21 sergeants, the very backbone of our Army; and  
22 four are junior soldiers.

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

1                   In addition to these 15, we brought  
2 58 down here that are in a variety of static  
3 displays outside, to show you a little taste of  
4 what the Division's about. And I welcome you  
5 also to shake their hands and get to know them a  
6 bit.

7                   A special welcome. In the upper  
8 chamber to my right, in the white dress, is  
9 Mrs. Dawn Esposito. She's a very special member  
10 of our community. She's a Gold Star Mother from  
11 Brentwood, New York. Her son, Sergeant Michael  
12 Esposito, was killed in action as part of the  
13 10th Mountain Division, Second Battalion,  
14 22nd Infantry, in Afghanistan. And she  
15 represents over 295 Gold Star Mothers from the  
16 10th Mountain Division.

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

19                   (Extended standing ovation.)

20                   MAJOR GENERAL MILLEY: As many of  
21 you know, and embedded within the resolution, the  
22 10th Mountain Division is in fact the most  
23 deployed division in the United States Army for  
24 the last 20 years or so, since 1985, since we  
25 were reactivated up at Fort Drum. We have in

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

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

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

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

1 potential for the president of the United States  
2 to put boots on the ground at any crisis point on  
3 the earth's surface. So we reactivated the  
4 10th Mountain Division as a light infantry  
5 division, and trained it. And we decided to put  
6 it at Fort Drum.

7                   And if you look at the headlines  
8 from 1985 to today, you will see the Fort Drum  
9 emblem, the 10th Mountain Division patch, and  
10 soldiers from Northern New York deployed.  
11 Whether it's hurricanes or earthquakes, whether  
12 it's peacekeeping in the Sinai or peacemaking in  
13 the Balkans, whether it's an intervention into  
14 Haiti or whether it's trying to help the  
15 humanitarian assistance and getting embroiled in  
16 a fight in Somalia, or whether it's Iraq or  
17 Afghanistan, to follow the 10th Mountain since  
18 1985 is to visit every crisis spot that America  
19 has been involved in.

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



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

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

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

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

1 force.

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

7 And I ask that all of you keep in  
8 your thoughts and prayers the thousand  
9 10th Mountain soldiers that are still serving  
10 today in Afghanistan.

11 Climb to Glory!

12 (Extended standing ovation.)

13 ACTING PRESIDENT ZELDIN: Senator  
14 Libous.

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

17 Major General Milley, that was an  
18 outstanding address.

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

24 So if the Senate could stand at  
25 ease temporarily.

1                   ACTING PRESIDENT ZELDIN:    The  
2   Senate will stand at ease.

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

5                   SENATOR LIBOUS:    Mr. President.

6                   ACTING PRESIDENT ZELDIN:    Senator  
7   Libous.

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

10                  The Senate will reconvene in two  
11   minutes.

12                  (Whereupon, the Senate reconvened at  
13   11:11 a.m.)

14                  ACTING PRESIDENT ZELDIN:    Senator  
15   Libous.

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

19                  ACTING PRESIDENT ZELDIN:    That's  
20   correct.

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

25                  So if there's any members who wish

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

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

6                   Senator Libous.

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

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

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

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

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

25                   ACTING PRESIDENT ZELDIN: The

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

3               SENATOR LIBOUS:   And on behalf of  
4 Senator Hannon, on page 21 I offer the following  
5 amendments to Calendar Number 465, Senate Print  
6 6742, and ask that said bill retain its place on  
7 the Third Reading Calendar.

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

11              SENATOR LIBOUS:   On page 27, I  
12 offer the following amendments, on behalf of  
13 Senator Grisanti, on Calendar 594, Senate Print  
14 6268A, and ask that said bill retain its place on  
15 the Third Reading Calendar.

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

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

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

1 its place on the Third Reading Calendar.

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

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

11           Senator Libous.

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

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

20           ACTING PRESIDENT ZELDIN:   The  
21 Secretary will read.

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

1 capturing the New York State Indoor Track and  
2 Field Championship.

3 ACTING PRESIDENT ZELDIN: Senator  
4 Hassell-Thompson.

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

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

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

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

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

1                   ACTING PRESIDENT ZELDIN:  
2   Congratulations to the Mount Vernon High School  
3   Girls Track Team on capturing the New York State  
4   Indoor Track and Field Championship.

5                   Senator Libous.

6                   SENATOR LIBOUS:   Thank you,  
7   Mr. President.

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

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

14                  ACTING PRESIDENT ZELDIN:   The  
15   Secretary will read.

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

23                  ACTING PRESIDENT ZELDIN:   Senator  
24   Hassell-Thompson.

25                  SENATOR HASSELL-THOMPSON:   Again,



1 thank you, Mr. President.

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

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

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

1 team today.

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

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

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

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

1 Garden Coach of the Year.

2 And Coach Cimmino's Mount Vernon  
3 teams have won the championship for -- these are  
4 all the years that I've been here in the State  
5 Senate -- 2000, 2004, 2006, 2007, 2011, and  
6 2012. Eat your hearts out.

7 (Laughter.)

8 SENATOR HASSELL-THOMPSON: In  
9 2011, Robert Cimmino was head coach at the  
10 McDonald's All-American game in Chicago,  
11 Illinois. And he also served in that capacity  
12 during the 2010 NIKE Hoop Summit in Portland,  
13 Oregon.

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

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

1 their community as well.

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

7                   Thank you, Mr. President.

8                   ACTING PRESIDENT ZELDIN:

9 Congratulations to the Mount Vernon Boys  
10 Basketball Team. Welcome to the State Senate.  
11 Good luck on all your future success.

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

15                   (Applause.)

16                   ACTING PRESIDENT ZELDIN:    Senator  
17 Libous.

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

21                   ACTING PRESIDENT ZELDIN:    Senator  
22 Griffo.

23                   SENATOR GRIFFO:    Thank you,  
24 Mr. President.

25                   I want to speak on a previously

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

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

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

25                   They have had a rich history since

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

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

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

25                   As well as the former Vice

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

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

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

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

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

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

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

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

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

24                   (Sustained applause.)

25                   SENATOR GRIFFO: Thank you,



1 Mr. President.

2 ACTING PRESIDENT ZELDIN:

3 President Joan Hinde Stewart and others from  
4 Hamilton College, thank you for being here, and  
5 please enjoy your day in the State Senate.

6 Senator Libous.

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

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

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

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

20 ACTING PRESIDENT ZELDIN: The  
21 Secretary will read.

22 THE SECRETARY: Calendar Number  
23 584, by Senator Ball, Senate Print 5034A, an act  
24 to amend the Insurance Law.

25 ACTING PRESIDENT ZELDIN: Read the

1 last section.

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

4 ACTING PRESIDENT ZELDIN: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 56.

8 ACTING PRESIDENT ZELDIN: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number  
11 699, by Senator Seward, Senate Print 6313, an act  
12 to amend Chapter 218 of the Laws of 2009.

13 ACTING PRESIDENT ZELDIN: Read the  
14 last section.

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

17 ACTING PRESIDENT ZELDIN: Call the  
18 roll.

19 (The Secretary called the roll.)

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

23 ACTING PRESIDENT ZELDIN: The bill  
24 is passed.

25 THE SECRETARY: Calendar Number

1 702, by Senator Gallivan, Senate Print 6788A, an  
2 act to amend Chapter 185 of the Laws of 2005.

3 ACTING PRESIDENT ZELDIN: Read the  
4 last section.

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

7 ACTING PRESIDENT ZELDIN: Call the  
8 roll.

9 (The Secretary called the roll.)

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

13 ACTING PRESIDENT ZELDIN: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 703, by Senator Seward, Senate Print 6873, an act  
17 to amend Chapter 549 of the laws of 2005.

18 ACTING PRESIDENT ZELDIN: Read the  
19 last section.

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

22 ACTING PRESIDENT ZELDIN: Call the  
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 54. Nays,

1 2. Senators Avella and Ball recorded in the  
2 negative.

3 ACTING PRESIDENT ZELDIN: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number  
6 744, by Senator Griffo, Senate Print 7275, an act  
7 to amend the Public Authorities Law.

8 ACTING PRESIDENT ZELDIN: Read the  
9 last section.

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

12 ACTING PRESIDENT ZELDIN: Call the  
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 55. Nays,

16 1. Senator Ball recorded in the negative.

17 ACTING PRESIDENT ZELDIN: The bill  
18 is passed.

19 THE SECRETARY: Calendar Number  
20 762, substituted earlier by Member of the  
21 Assembly Cahill, Assembly Print Number 9791, an  
22 act to amend Chapter 748 of the Laws of 1991.

23 ACTING PRESIDENT ZELDIN: Read the  
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT ZELDIN: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 56.

6 ACTING PRESIDENT ZELDIN: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 823, by Senator LaValle, Senate Print 806, an act  
10 to amend the Town Law.

11 ACTING PRESIDENT ZELDIN: Read the  
12 last section.

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

15 ACTING PRESIDENT ZELDIN: Call the  
16 roll.

17 (The Secretary called the roll.)

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

23 Ayes, 46. Nays, 10.

24 ACTING PRESIDENT ZELDIN: The bill  
25 is passed.

1                   THE SECRETARY:     Calendar Number  
2     824, by Senator Skelos, Senate Print 4893B, an  
3     act to authorize.

4                   ACTING PRESIDENT ZELDIN:     Read the  
5     last section.

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

8                   ACTING PRESIDENT ZELDIN:     Call the  
9     roll.

10                   (The Secretary called the roll.)

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

13                   ACTING PRESIDENT ZELDIN:     The bill  
14     is passed.

15                   THE SECRETARY:     Calendar Number  
16     828, by Senator Young, Senate Print 6585, an act  
17     to authorize.

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

20                   Read the last section.

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

23                   ACTING PRESIDENT ZELDIN:     Call the  
24     roll.

25                   (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 56.

2 ACTING PRESIDENT ZELDIN: The bill  
3 is passed.

4 THE SECRETARY: Calendar Number  
5 830, by Senator DeFrancisco, Senate Print 6843A,  
6 an act in relation to authorizing.

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

9 Read the last section.

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

12 ACTING PRESIDENT ZELDIN: Call the  
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 56.

16 ACTING PRESIDENT ZELDIN: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 831, by Senator Hannon, Senate Print 6914B, an  
20 act to authorize the assessor.

21 ACTING PRESIDENT ZELDIN: Read the  
22 last section.

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

25 ACTING PRESIDENT ZELDIN: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 55. Nays,

4 1. Senator O'Mara recorded in the negative.

5 ACTING PRESIDENT ZELDIN: The bill  
6 is passed.

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

11 ACTING PRESIDENT ZELDIN: The bill  
12 is passed.

13 THE SECRETARY: Calendar Number  
14 836, by Senator Zeldin, Senate Print 7131, an act  
15 to amend the Real Property Tax Law.

16 ACTING PRESIDENT ZELDIN: Read the  
17 last section.

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

20 ACTING PRESIDENT ZELDIN: Call the  
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 56.

24 ACTING PRESIDENT ZELDIN: The bill  
25 is passed.



1                   THE SECRETARY:     Calendar Number  
2     837, substituted earlier by Member of the  
3     Assembly Galef, Assembly Print Number 4982, an  
4     act to amend the Real Property Tax Law.

5                   ACTING PRESIDENT ZELDIN:     Read the  
6     last section.

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

9                   ACTING PRESIDENT ZELDIN:     Call the  
10    roll.

11                   (The Secretary called the roll.)

12                   THE SECRETARY:     Ayes, 56.

13                   ACTING PRESIDENT ZELDIN:     The bill  
14    is passed.

15                   THE SECRETARY:     Calendar Number  
16    838, by Senator Farley, Senate Print 7242, an act  
17    to authorize.

18                   ACTING PRESIDENT ZELDIN:     Read the  
19    last section.

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

22                   ACTING PRESIDENT ZELDIN:     Call the  
23    roll.

24                   (The Secretary called the roll.)

25                   THE SECRETARY:     Ayes, 53.   Nays,

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

3 ACTING PRESIDENT ZELDIN: The bill  
4 is passed.

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

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

9 ACTING PRESIDENT ZELDIN: No,  
10 there is not.

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

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

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

21  
22  
23  
24  
25