

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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7
8 ALBANY, NEW YORK

9 April 17, 2013

10 11:06 a.m.

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13
14 REGULAR SESSION

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18 SENATOR DAVID CARLUCCI, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

4 I ask everyone present to please
5 rise and repeat with me the Pledge of
6 Allegiance.

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

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

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

14 ACTING PRESIDENT CARLUCCI:
15 Reading of the Journal.

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

21 ACTING PRESIDENT CARLUCCI:
22 Without objection, the Journal stands approved
23 as read.

24 Presentation of petitions.

25 Messages from the Assembly.

1 Messages from the Governor.
2 Reports of standing committees.
3 Reports of select committees.
4 Communications and reports from
5 state officers.

6 Motions and resolutions.
7 Senator Fuschillo.

8 SENATOR FUSCHILLO: Mr. President,
9 please recognize Senator Valesky.

10 ACTING PRESIDENT CARLUCCI:
11 Senator Valesky.

12 SENATOR VALESKY: Thank you,
13 Senator Fuschillo. Thank you, Mr. President.

14 I move that the following bills be
15 discharged from their respective committees and
16 be recommitted with instructions to strike the
17 enacting clause: Senate Bill Numbers 1208A,
18 1211, 3043, and 3842.

19 ACTING PRESIDENT CARLUCCI: So
20 ordered.

21 Senator Fuschillo.

22 SENATOR FUSCHILLO: Mr. President,
23 may we please adopt the Resolution Calendar,
24 with the exception of Resolutions 1185, 1261,
25 and 1262.

1 ACTING PRESIDENT CARLUCCI: All in
2 favor of adopting the Resolution Calendar, with
3 the exception of Resolutions 1185, 1261, and
4 1262, signify by saying aye.

5 (Response of "Aye.")

6 ACTING PRESIDENT CARLUCCI:
7 Opposed, nay.

8 (No response.)

9 ACTING PRESIDENT CARLUCCI: The
10 Resolution Calendar is adopted.

11 Senator Fuschillo.

12 SENATOR FUSCHILLO: Mr. President,
13 there's a resolution at the desk by Senator
14 Parker, Number 1185. I ask that the title be
15 read and ask for its immediate adoption.

16 ACTING PRESIDENT CARLUCCI: The
17 Secretary will read.

18 THE SECRETARY: Legislative
19 Resolution Number 1185, by Senator Parker,
20 memorializing Governor Andrew M. Cuomo to
21 proclaim April 2, 2013, as Autism Awareness Day
22 in the State of New York.

23 ACTING PRESIDENT CARLUCCI:
24 Senator Rivera.

25 SENATOR RIVERA: Thank you,

1 Mr. President.

2 As I have stood on this floor many
3 times, I am glad to do so today to speak just a
4 little bit about autism and the impact that it
5 can have on families, and certainly the impact
6 that it's had on my mine.

7 My older brother, José Mañuel
8 Rivera -- Papotín, as we call him
9 affectionately -- who turns 44 years old this
10 year, was diagnosed with autism very early on in
11 his life, which changed my parents' life
12 forever. And it definitely changed mine as
13 well. It taught me a level of patience that many
14 times has been tested.

15 But overall, what the experience
16 with my brother has demonstrated is that when
17 these folks are given the opportunity, when they
18 are provided with access to services so that
19 their needs can be met, when they are surrounded
20 by family members who are patient and loving,
21 they can be successful individuals.

22 And so today I stand to just once
23 again say that anytime that we can bring
24 attention to this issue, anytime that we can talk
25 about those members of our families and our

1 communities which are impacted by this, it is to
2 remind ourselves that we are not talking about
3 folks that can't be productive members of our
4 society, but the total opposite is true. They
5 are absolutely productive members of our
6 society.

7 My brother, as I've mentioned many
8 times, his job right now is to translate books
9 into Braille down in Puerto Rico, where he lives
10 with my family. And I am proud of him every
11 single day. And I know that there's many
12 members of our body who have family members or
13 friends who they are also proud of.

14 So I stand to say to my colleagues
15 that this is exactly the type of resolution that
16 we should adopt, since it is a way to bring,
17 ourselves, a little bit more attention to this
18 issue as it is necessary to make sure that we
19 know that these folks are part of our families,
20 part of our communities, and should be valued.

21 So thank you, Mr. President.

22 ACTING PRESIDENT CARLUCCI: Thank
23 you, Senator Rivera.

24 Are there other Senators wishing to
25 be heard on the resolution?

1 Seeing none, the question is on the
2 resolution. All in favor signify by saying aye.

3 (Response of "Aye.")

4 ACTING PRESIDENT CARLUCCI:

5 Opposed, nay.

6 (No response.)

7 ACTING PRESIDENT CARLUCCI: The
8 resolution is adopted.

9 Senator Fuschillo.

10 SENATOR FUSCHILLO: Mr. President,
11 we'd like to open that up for cosponsorship by
12 other members.

13 ACTING PRESIDENT CARLUCCI: The
14 resolution is open for cosponsorship. If you do
15 not wish to be a cosponsor, please notify the
16 desk.

17 Senator Fuschillo.

18 SENATOR FUSCHILLO: Mr. President,
19 there's a resolution at the desk by
20 Senator Addabbo, Number 1261. I ask that the
21 title be read and ask for its immediate adoption.

22 ACTING PRESIDENT CARLUCCI: The
23 Secretary will read.

24 THE SECRETARY: Legislative
25 Resolution Number 1261, by Senator Addabbo,

1 mourning the death of Legendary Archbishop Molloy
2 High School Coach Jack Curran.

3 ACTING PRESIDENT CARLUCCI: Senator
4 Addabbo.

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

7 By the time I got to Archbishop
8 Molloy High School in 1978, Coach Jack Curran was
9 already a local legend. Over the last 50 years
10 of coaching at Archbishop Molloy High School,
11 Jack Curran won five New York City championships
12 in basketball and 17 New York City championships
13 in baseball. No other New York City coach won a
14 title in both sports in the same year, yet Jack
15 did it four times in three different decades.

16 He's also the only high school coach
17 in the New York State Hall of Fame for both
18 basketball and baseball. He's the only high
19 school coach to be elected as National Coach of
20 the Year in both baseball and basketball. And
21 with 2,680 victories combined for baseball and
22 basketball, he's the most winningest coach in the
23 country, high school coach.

24 And even when I saw Jack last as he
25 was battling both lung and kidney illnesses, he

1 was still advocating for better ball fields in
2 our local parks and protecting athletic programs
3 throughout the state.

4 Jack passed away this past
5 March 14th at the age of 82 in Rye, New York,
6 where he lived, and he leaves behind an infinite
7 impression of dedication, perseverance, and the
8 will to live a successful life. And he will be
9 missed.

10 Thank you, Mr. President.

11 ACTING PRESIDENT CARLUCCI: Thank
12 you, Senator Addabbo.

13 Senator Latimer on the resolution.

14 SENATOR LATIMER: Thank you,
15 Mr. President.

16 My friend Senator Addabbo pointed
17 out the outstanding contributions that Jack
18 Curran made as a coach. I knew Jack Curran as a
19 person who lived across town from me.

20 And I never really understood what
21 an outstanding record he had until I read about
22 him in the newspaper. Because to see him back
23 home at the local deli, at the bank, if you
24 bumped into him at the hardware store, you saw a
25 man who didn't carry his resume around with him

1 on his sleeve. He was very self-effacing. And
2 then to read about the tremendous accomplishments
3 of this man who was a neighbor was really
4 unbelievable and outstanding.

5 I'm very fortunate in the district
6 that I represent that I might run into, at the
7 local grocery stores where I shop, Jonathan
8 Lippman, Timothy Geithner, people who I see on
9 television. It happens to be one of those types
10 of areas in New York State. But I never met a
11 more outstanding man who was more normal and
12 self-effacing and a wonderful man than I met in
13 Jack Curran.

14 And we mourn his passing.

15 ACTING PRESIDENT CARLUCCI: Thank
16 you, Senator Latimer.

17 Are there other Senators wishing to
18 be heard on the resolution?

19 Seeing none, the question is on the
20 resolution. All in favor signify by saying aye.

21 (Response of "Aye.")

22 ACTING PRESIDENT CARLUCCI:
23 Opposed, nay.

24 (No response.)

25 ACTING PRESIDENT CARLUCCI: The

1 resolution is adopted.

2 May we please pause for a moment of
3 silence to remember the life of Jack Curran.

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

6 ACTING PRESIDENT CARLUCCI: Senator
7 Fuschillo.

8 SENATOR FUSCHILLO: Mr. President,
9 Senator Addabbo would like to open up
10 Resolution 1261 for cosponsorship.

11 ACTING PRESIDENT CARLUCCI: The
12 resolution is open for cosponsorship. If any
13 member does not wish to be a cosponsor, please
14 notify the desk.

15 Senator Fuschillo.

16 SENATOR FUSCHILLO: Mr. President,
17 there's a resolution at the desk by Senator
18 Hassell-Thompson, Number 1262. I ask that the
19 title be read and ask for its immediate adoption.

20 ACTING PRESIDENT CARLUCCI: The
21 Secretary will read.

22 THE SECRETARY: Legislative
23 Resolution 1262, by Senator Hassell-Thompson,
24 honoring Brian Fischer upon the occasion of his
25 retirement after 44 years of distinguished

1 service to the State of New York.

2 ACTING PRESIDENT CARLUCCI: The
3 question is on the resolution. All in favor
4 signify by saying aye.

5 (Response of "Aye.")

6 ACTING PRESIDENT CARLUCCI:
7 Opposed, nay.

8 (No response.)

9 ACTING PRESIDENT CARLUCCI: The
10 resolution is adopted.

11 Senator Fuschillo.

12 SENATOR FUSCHILLO: Senator
13 Hassell-Thompson would like to open up the
14 resolution for cosponsorship.

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

19 Senator Fuschillo.

20 SENATOR FUSCHILLO: Is there any
21 further business at the desk?

22 ACTING PRESIDENT CARLUCCI: There
23 is no further business at the desk, Senator.

24 SENATOR FUSCHILLO: There being no
25 further business, I move that we adjourn until

1 Monday, April 22nd, at 3:00 p.m., intervening
2 days being legislative days.

3 ACTING PRESIDENT CARLUCCI: On
4 motion, the Senate stands adjourned until Monday,
5 April 22nd, at 3:00 p.m., intervening days being
6 legislative days.

7 (Whereupon, at 11:16 a.m., the
8 Senate adjourned.)
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