

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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7
8 ALBANY, NEW YORK

9 May 7, 2013

10 3:36 p.m.

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13
14 REGULAR SESSION

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18 SENATOR CATHARINE M. YOUNG, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

4 I ask that everyone present rise
5 and join with me in reciting the Pledge of
6 Allegiance.

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

9 ACTING PRESIDENT YOUNG: We're
10 very pleased that we are joined today by Dr. Tim
11 Young, who has served with distinction as pastor
12 of the Heritage Baptist Church in Palmyra,
13 New York, for 30 years.

14 Pastor Young.

15 PASTOR YOUNG: Thank you.

16 I'd ask that you bow your heads
17 with me for a word of prayer.

18 Our Gracious Heavenly Father, it is
19 certainly an honor for this man to be in the
20 presence of these people that serve this state.
21 Lord, it's even greater to realize that we can
22 come into Your presence so easily.

23 Lord, we ask that this day be a
24 special day, not only because of the activities
25 of the day, but you've given us life in

1 increments, a day at a time. Lord, help us
2 never to forget that.

3 The Children of Israel received
4 their manna one day at a time. If they
5 accumulated more of it, it became rotten.

6 So, Lord, help us to number our
7 days. Help us to recognize the days that You
8 have in our lives.

9 And, Lord, I pray for this day and
10 each one in this room. They did not leave their
11 respective districts and leave behind them the
12 heartaches, the difficulties, the wayward
13 children, perhaps a strained marriage, perhaps
14 an ill loved one, without bringing it to
15 Albany. And so we pray for those that have
16 special needs in this room as well today, as
17 they do the business of those they serve.

18 Lord Jesus, You said that the
19 greatest among you shall be your servant. And
20 maybe today it's a matter of laying aside the
21 kingly and queenly garments and putting on the
22 vestures of a servant.

23 And so I pray that You'd bless the
24 business of the day. I pray that You'd meet the
25 needs of each and every one under the sound of

1 my voice. And I pray that the people of this
2 great state might know that those they've sent
3 here have done their business and their
4 bidding.

5 Thank You for the privilege of
6 residing in this state. And, Lord, thank You
7 for the privilege we live in the United States
8 and have the privilege of redress.

9 And so I pray that You bless these
10 people that have sacrificed their time and many
11 times their life to serve others, for it's in
12 the precious matchless name of the Lord Jesus
13 Christ we pray.

14 Amen.

15 ACTING PRESIDENT YOUNG: Thank
16 you, Dr. Young.

17 The reading of the Journal.

18 THE SECRETARY: In Senate, Monday,
19 May 6th, the Senate met pursuant to adjournment.
20 The Journal of Friday, May 3rd, was read and
21 approved. On motion, Senate adjourned.

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

24 SENATOR LIBOUS: Madam President.

25 ACTING PRESIDENT YOUNG: Yes,

1 Senator Libous.

2 SENATOR LIBOUS: At this time would
3 you please call on Senator Nozzolio.

4 ACTING PRESIDENT YOUNG: Senator
5 Nozzolio.

6 SENATOR NOZZOLIO: Thank you,
7 Senator Libous.

8 Madam President, may I have some
9 order?

10 ACTING PRESIDENT YOUNG: Can we
11 have some order in the chamber, please.

12 SENATOR NOZZOLIO: Madam President,
13 thank you.

14 I rise with great honor to welcome
15 and thank Pastor Tim Young for his beautiful
16 blessing today.

17 That Tim has been a longtime friend,
18 a wonderful pastor, one who was the founding
19 pastor of the Heritage Baptist Church in Palmyra,
20 New York. 1980 was the year, and he started a
21 very small, little white wood-frame building in
22 East Palmyra that has grown into a ministry where
23 there are a school and a church and a broad group
24 of individuals who look to Pastor Young for their
25 inspiration. He has traveled around the world.

1 He is a genuine pastor's pastor.

2 He is joined today by his son,
3 Pastor Jack Young, who pastors in Senator
4 Ritchie's district near Fort Drum, those soldiers
5 who are part of the military experience. Pastor
6 Young and his son are genuine American patriots.
7 They're men of the Lord. And that I'm deeply
8 honored that they are here today.

9 Thank you, Madam President.

10 ACTING PRESIDENT YOUNG: Thank you,
11 Senator Nozzolio.

12 Senator Libous.

13 SENATOR LIBOUS: Thank you,
14 Madam President. At this time would you please
15 recognize Senator Bonacic.

16 ACTING PRESIDENT YOUNG: Senator
17 Bonacic.

18 SENATOR BONACIC: Thank you,
19 Madam President.

20 I stand today with mixed emotions.
21 Today we've celebrated the wonderful activities
22 of our seniors throughout the State of New York,
23 we're celebrating our Women of Distinction
24 throughout the State of New York.

25 But I want to tell you, on May 4th,

1 three days ago, an American hero died. Staff
2 Sergeant Eric Christian, from Warwick,
3 Orange County, died in Afghanistan while
4 conducting combat operations. He was assigned to
5 the Second Marine Special Operations Battalion
6 based at Camp Lejeune, North Carolina. He was
7 39 years old.

8 Men and women like Sergeant
9 Christian, who reenlisted several times because
10 he felt his unit needed him, are amazing people.
11 I am humbled to represent him, and I know there
12 are others like him in each of your communities
13 who have given, enlisted, reenlisted, and
14 unfortunately made the ultimate sacrifice.

15 I extend my deepest sympathies to
16 Sergeant Christian's family, his friends, and to
17 his fellow Marines, who lost a brother.

18 I ask that we honor his service, his
19 sacrifice, and his unwavering dedication to our
20 nation. The flags on all state buildings will
21 fly at half-staff on Thursday, May 9th, in his
22 honor. And I ask that you take a moment to
23 express your gratitude for this fallen hero,
24 Sergeant Christian, his family, and the sacrifice
25 he made for us all.

1 Thank you, Madam President.

2 ACTING PRESIDENT YOUNG: Thank you,
3 Senator Bonacic.

4 SENATOR LIBOUS: Madam President,
5 could we take a moment of silence for
6 Sergeant Christian, please.

7 ACTING PRESIDENT YOUNG: Please
8 rise and take a moment of silence in honor of our
9 fallen hero, Sergeant Christian.

10 (Whereupon, the assemblage rose and
11 respected a moment of silence.)

12 ACTING PRESIDENT YOUNG:
13 Presentation of petitions.

14 Messages from the Assembly.

15 The Secretary will read.

16 THE SECRETARY: On page 27,
17 Senator Golden moves to discharge, from the
18 Committee on Consumer Protection, Assembly Bill
19 Number 3601 and substitute it for the identical
20 Senate Bill Number 4301, Third Reading Calendar
21 449.

22 On page 28, Senator Martins moves to
23 discharge, from the Committee on Environmental
24 Conservation, Assembly Bill Number 6910 and
25 substitute it for the identical Senate Bill

1 Number 4250, Third Reading Calendar 464.

2 On page 28, Senator Boyle moves to
3 discharge, from the Committee on Environmental
4 Conservation, Assembly Bill Number 6907 and
5 substitute it for the identical Senate Bill
6 Number 4368, Third Reading Calendar 467.

7 On page 28, Senator Boyle moves to
8 discharge, from the Committee on Environmental
9 Conservation, Assembly Bill Number 6909 and
10 substitute it for the identical Senate Bill
11 Number 4369, Third Reading Calendar 468.

12 On page 30, Senator Perkins moves to
13 discharge, from the Committee on Health, Assembly
14 Bill Number 6539 and substitute it for the
15 identical Senate Bill Number 4325A, Third Reading
16 Calendar 478.

17 On page 34, Senator Carlucci moves
18 to discharge, from the Committee on Finance,
19 Assembly Bill Number 1297 and substitute it for
20 the identical Senate Bill Number 1995, Third
21 Reading Calendar 520.

22 On page 35, Senator Hannon moves to
23 discharge, from the Committee on Health, Assembly
24 Bill Number 1935A and substitute it for the
25 identical Senate Bill Number 3768, Third Reading

1 Calendar 558.

2 And on page 35, Senator Little moves
3 to discharge, from the Committee on Finance,
4 Assembly Bill Number 2387 and substitute it for
5 the identical Senate Bill Number 4825, Third
6 Reading Calendar 560.

7 ACTING PRESIDENT YOUNG:

8 Substitutions so ordered.

9 Messages from the Governor.

10 Reports of standing committees.

11 Reports of select committees.

12 Communications and reports from
13 state officers.

14 Motions and resolutions.

15 Senator Libous.

16 SENATOR LIBOUS: Thank you,
17 Madam President.

18 At this time would you please call
19 on Senator Gianaris.

20 ACTING PRESIDENT YOUNG: Thank you,
21 Senator Libous.

22 Senator Gianaris.

23 SENATOR GIANARIS: Thank you,
24 Madam President.

25 On behalf of Senator Addabbo, on

1 page number 13 I offer the following amendments
2 to Calendar Number 199, Senate Print Number
3 3736A, and ask that said bill retain its place on
4 Third Reading Calendar.

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

8 Senator Libous.

9 SENATOR LIBOUS: Thank you,
10 Madam President.

11 On behalf of Senator Maziarz, I'd
12 like to call up his bill, Senate Print 1079,
13 recalled from the Assembly, which is now at the
14 desk.

15 ACTING PRESIDENT YOUNG: The
16 Secretary will read.

17 THE SECRETARY: Calendar Number
18 189, by Senator Maziarz, Senate Print 1079, an
19 act to amend the Penal Law.

20 ACTING PRESIDENT YOUNG: Call the
21 roll on reconsideration.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 61.

24 ACTING PRESIDENT YOUNG: The bill
25 is restored to its place on the Third Reading

1 Calendar.

2 SENATOR LIBOUS: I now offer up the
3 following amendments.

4 ACTING PRESIDENT YOUNG: The
5 amendments are accepted. The bill will retain
6 its place on the Third Reading Calendar.

7 SENATOR LIBOUS: Thank you,
8 Madam President.

9 On behalf of Senator Ball, on
10 page 19 I offer the following amendments to
11 Calendar Number 350, Senate Print 2655, and ask
12 that said bill retain its place on the
13 Third Reading Calendar.

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

17 SENATOR LIBOUS: Thank you,
18 Madam President.

19 Madam President, may we now adopt
20 the Resolution Calendar, with the exception of
21 Resolutions 1412, 1608, 1609, 1630, 1686, 1708
22 and 1751.

23 ACTING PRESIDENT YOUNG: Thank you,
24 Senator.

25 All in favor of adopting the

1 Resolution Calendar, with the exception of
2 Resolutions Number 1412, 1608, 1609, 1630, 1686,
3 1708, and 1751, signify by saying aye.

4 (Response of "Aye.")

5 ACTING PRESIDENT YOUNG: Opposed,
6 nay.

7 (No response.)

8 ACTING PRESIDENT YOUNG: The
9 Resolution Calendar is adopted.

10 Floor Leader?

11 SENATOR LIBOUS: Thank you,
12 Madam President.

13 I believe that Senator Stavisky had
14 two resolutions that passed on the calendar that
15 she would like to have opened up for
16 cosponsorship, Resolutions 1610 and 1618.

17 Could we place everyone on as a
18 cosponsor and, as we normally do in the house, if
19 someone chooses not to go on as a cosponsor, let
20 the desk know and we will pleasantly remove your
21 name as a cosponsor.

22 ACTING PRESIDENT YOUNG: Thank you.

23 Resolutions 1610 and 1618 are open
24 for cosponsorship. If you do not wish to be a
25 cosponsor, please notify the desk.

1 Senator Libous.

2 SENATOR LIBOUS: Thank you,
3 Madam President.

4 I believe that there is a resolution
5 at the desk by Senators Skelos, Klein and
6 Stewart-Cousins, Number 1608. I ask that it be
7 read in its entirety and ask for its immediate
8 adoption.

9 ACTING PRESIDENT YOUNG: The
10 Secretary will read.

11 THE SECRETARY: Legislative
12 Resolution Number 1608, by Senators Klein, Skelos
13 and Stewart-Cousins, congratulating the 2013
14 New York State Senate Women of Distinction.

15 "WHEREAS, It is the sense of this
16 Legislative Body to acknowledge and celebrate
17 Women of Distinction who significantly add
18 inspiration and encouragement to the people of
19 this great Empire State; and

20 "WHEREAS, The New York State Senate
21 Women of Distinction program was created in 1998
22 as part of our state celebration of Women's
23 History Month to honor exemplary women from
24 across New York State whose singular professional
25 or personal achievements, commitment to

1 excellence and accomplishments merit special
2 recognition; honorees are selected from
3 nominations submitted from across the state; and

4 "WHEREAS, Women of every economic,
5 ethnic and religious background have made
6 significant contributions that are reflected
7 across all aspects of society; and

8 "WHEREAS, It is the custom of this
9 Legislative Body to pay tribute to individuals of
10 remarkable character, who have shown initiative
11 and commitment in constantly pursuing higher
12 goals for themselves as well as acting as role
13 models to all women in their community; and

14 "WHEREAS, On behalf of the New York
15 State Senate, we take this opportunity to
16 congratulate Karen Acompora, Hazra Joanne Ali,
17 Wanda Beck Antosh, Kwayera Archer-Cunningham,
18 Judy Baron, Donna L. Benson, Kate Bialo,
19 Lea Bishop, Sister Debbie Blow, Dr. Kari W.
20 Bovenzi, Erica Boynton, Beth A. Broadway,
21 Rosalie M. Burgher, Evelyn Cardona, Palmira M.
22 Cataliotti, Mary Chisholm, Honorable Bernadette
23 T. Clark, Josephine Collins, Mildred Collins,
24 Renate DeAngelis, Randi Shubin Dresner, Leah
25 Dunaief, Dr. Saadia J. Fersobe, Meredith Festa,

1 Jacqueline Gordon, Sara Horowitz, Julissa Juarbe,
2 Ellie Kastel, Nancy Kronen, Ginger Lindner,
3 Jennifer Mackie, Shannon Mancuso-Getzel,
4 Karen O'Hara, Theresa Pirraglia, Francie Potter,
5 Mary Alice Price, Vienna Profeta, Ingrid M.
6 Richards, Rhonda Lyn Roethal, Taryn Sacramone,
7 Jackie Schmid, Mary Jane Smith, Beverly Stamp,
8 Susan Steinberg, Elaine E. Stillwell, Denise C.
9 Soares, Sofie Somoroff, Emmlynn L. Taylor,
10 Mary Jo Thorn, Grace Tillinghast, Karen Torrone,
11 Tiphaine Tsang, Marcia Tuohey, Marie Valachovic,
12 Estela Vazquez, Isabel E. Villar, Elaine M.
13 Walsh, Nozomi Hirayama Williams, and
14 Leslie Zemsky as 2013 New York State Senate Women
15 of Distinction, to be celebrated on Tuesday,
16 May 7, 2013, at the Annual Women of Distinction
17 Awards Ceremony in The Well of the Legislative
18 Office Building; and

19 "WHEREAS, Women have become part of
20 New York's lasting heritage by fighting against
21 stereotypes, prejudice, and seemingly
22 insurmountable obstacles; and

23 "WHEREAS, From the women's suffrage
24 movement just over 150 years ago to the present
25 day, women have played and continue to play a

1 crucial role in adding strength, understanding,
2 and inspiration to the diversity and quality of
3 life of the people of the State of New York; and

4 "WHEREAS, New York State has been,
5 and continues to be, the home to many
6 distinguished women who have made their mark in
7 history as pioneers in their field, therefore
8 laying the foundation for women after them to
9 succeed; and

10 "WHEREAS, This Legislative Body
11 recognizes that New York State is the home to
12 countless women who are strong and colorful
13 threads, vital to the fabric of our rich
14 heritage, who have contributed, and continue to
15 add to the advancement of our culture through
16 their traditional and non-traditional roles in
17 society; now, therefore, be it

18 "RESOLVED, It is the sense of this
19 Legislative Body that those who enhance the
20 well-being and vitality of their community and
21 have shown a long and sustained commitment to
22 excellence certainly have earned the recognition
23 and applause of all the citizens of this great
24 Empire State; and be it further

25 "RESOLVED, That copies of this

1 resolution, suitably engrossed, be transmitted to
2 the aforementioned Women of Distinction."

3 ACTING PRESIDENT YOUNG: Senator
4 Savino would like to speak.

5 SENATOR SAVINO: Thank you,
6 Madam President.

7 In just a few short hours, all of
8 the members of this chamber will be gathering
9 across the street in the Legislative Office
10 Building to acknowledge and celebrate some
11 exceptional Women of Distinction from our own
12 districts, as the Senate does every year when we
13 pause to reflect upon the contributions of
14 particular women from our own areas.

15 They will be ordinary women in many
16 ways. They are family members, they are
17 professionals, they're nurses, they're teachers,
18 they're volunteers, all exceptional in many
19 ways.

20 But before we do this, I'd like to
21 take a moment to reflect on this special day and
22 pay tribute to the contributions that female
23 leaders have given us throughout the years.

24 Historically, great achievements
25 have been made by women from every corner of

1 New York State. Susan B. Anthony, who started as
2 a teacher in hardscrabble New York and began her
3 career in social activism in Rochester. Eleanor
4 Roosevelt, born on West 37th Street in New York
5 City, fought for civil rights during her tenure
6 as First Lady, and continues to inspire many
7 young women till today. Ella Fitzgerald, grew up
8 in Yonkers, became the First Lady of Jazz.
9 Lucille Ball, from Senator Young's district, was
10 born and raised in Chautauqua and went on to
11 become a screen legend and a cultural icon and
12 one of the funniest women ever to grace the small
13 screen or the large screen. Harriet Tubman did
14 the majority of her inspiring work in the women's
15 suffrage movement from her home in Auburn.

16 Distinguished women from the worlds
17 of business, academics, civil life as well as
18 those who have performed heroic or selfless acts,
19 have made significant discoveries or persevered
20 with excellence against difficult odds, have been
21 honored at this annual event since 1998.

22 Tonight, when we stop and we
23 celebrate the accomplishments of these fine
24 women, we also pay tribute to those female
25 leaders who came before them and look forward to

1 the future where more women leaders will no doubt
2 emerge.

3 I commend all of the women who are
4 here tonight for their public service as well as
5 their leadership and courage, and I also commend
6 all of my fellow female members of the New York
7 State Senate for being exceptional women in their
8 own right.

9 Thank you, Madam President.

10 ACTING PRESIDENT YOUNG: Thank you,
11 Senator Savino.

12 Next I'd like to call on
13 Senator Little.

14 SENATOR LITTLE: Thank you,
15 Madam President. It's my honor to be able to
16 speak today in recognition of some truly
17 remarkable women from all across New York State.

18 I'm pleased that some of those women
19 are joining us here today in the chamber, and
20 many others will join us later in the Legislative
21 Well for the ceremony and the reception to
22 follow.

23 Each of the women that we honor
24 today has contributed to the betterment of our
25 society in many different ways -- as

1 professionals, volunteers, educators, elected
2 officials, and in so many varied capacities.
3 These women are leaders making a difference in
4 our communities, in the lives of others, and in
5 what they do making better future for all of us.

6 Since I was in about seventh or
7 eighth grade I found inspiration in the life of a
8 very remarkable woman, Amelia Earhart. Her
9 actions alone were enough to inspire. But in her
10 relatively short life, she made some great
11 observations on life, and part of her legacy is
12 the many wonderful quotations that we have from
13 her.

14 My favorite Amelia Earhart quotation
15 is, and I quote: "The most difficult thing is
16 the decision to act. The rest is mere tenacity.
17 The fears are paper tigers. You can do anything
18 you decide to do. You can act to change and
19 control your life. And the procedure, the
20 process, is its own reward."

21 Being recognized as a New York State
22 Woman of Distinction means, in my opinion, that
23 all of you, these honored women, have these
24 qualities in common, being decisive and being
25 tenacious. It wasn't by chance that you arrived

1 here today; it was truly through many years of
2 hard work, having a vision, and making that
3 vision come true, being decisive and being
4 tenacious.

5 I congratulate all of our honorees
6 today on receiving this wonderful Senate
7 recognition, and I thank you for being you and
8 for making a difference in our communities.

9 Thank you.

10 ACTING PRESIDENT YOUNG: Thank you,
11 Senator Little.

12 I'd like to welcome Senator
13 Stewart-Cousins to make some remarks.

14 SENATOR STEWART-COUSINS: Thank
15 you, Madam President.

16 First of all, I'd like to thank my
17 coleaders Senator Skelos and Senator Klein for
18 putting forth this resolution recognizing these
19 wonderful Women of Distinction and add my voice
20 to those of my colleagues who thank you for being
21 an inspiration, thank you for being the backbone
22 of so much that goes on in the State of
23 New York.

24 There's only been 16 celebrations
25 like this, and so we know that we've missed a lot

1 of women along the way. But the fact that we
2 pause every year to capture just a small, small
3 glimpse of the extraordinary things that women do
4 throughout the state makes us all quite pleased.

5 We are happy to open our hearts and
6 the chamber and hopefully inspire you to keep on
7 keeping on. Because as you know, we still have a
8 long way to go, but with you at the helm, I know
9 that we'll get there sooner than we think.

10 Thank you.

11 ACTING PRESIDENT YOUNG: Thank you,
12 Senator Stewart-Cousins.

13 I'd like to echo the remarks of my
14 distinguished colleagues. We are thrilled that
15 women from across New York State have joined us
16 today to be honored by the New York State
17 Senate. This is something that we truly look
18 forward to each and every year, because it's a
19 celebration. It's a celebration of our
20 communities, but it's a celebration of you and
21 all that you've accomplished. And we are just so
22 grateful for all that you've done.

23 So welcome. We extend to you all
24 the courtesies of the Senate and look forward to
25 the actual ceremony later on this afternoon.

1 The question is on the resolution.

2 All those in favor signify by saying aye.

3 (Response of "Aye.")

4 ACTING PRESIDENT YOUNG: Opposed,
5 nay.

6 (No response.)

7 ACTING PRESIDENT YOUNG: The
8 resolution is adopted.

9 Senator Libous.

10 SENATOR LIBOUS: Madam President,
11 on this resolution too, I would add all the
12 members' names.

13 And if for some crazy reason
14 somebody chooses not to be on the resolution,
15 they have that right, and let the desk know. And
16 then let me know later.

17 (Laughter.)

18 ACTING PRESIDENT YOUNG: Thank you,
19 Senator.

20 The resolution is open for
21 cosponsorship. If you do not wish to be a
22 cosponsor, please notify the desk.

23 Floor Leader?

24 SENATOR LIBOUS: Thank you,
25 Madam President.

1 I believe that there's a resolution
2 by Senator Adams, Number 1609, at the desk. I
3 would ask that you read it in its entirety and
4 then call on Senator Adams before its adoption.

5 ACTING PRESIDENT YOUNG: The
6 Secretary will read.

7 THE SECRETARY: Legislative
8 Resolution Number 1609, by Senator Adams,
9 memorializing Governor Andrew M. Cuomo to
10 proclaim May 7, 2013, as Senior Citizens
11 Awareness Day in the State of New York.

12 "WHEREAS, It is the sense of this
13 Legislative Body to memorialize Governor Andrew
14 M. Cuomo to proclaim May 7, 2013, as Senior
15 Citizens Awareness Day in the State of New York,
16 in conjunction with May being declared as
17 National Older Americans Month; and

18 "WHEREAS, The more than 3 million
19 residents of New York State 60 years of age and
20 older bring a wealth of experience and knowledge
21 to the increasingly active roles they play in
22 today's society; their past contributions and
23 future participation are a vital part of, and
24 valuable asset to, the fabric of community life
25 and activity; and

1 "WHEREAS, These senior citizens have
2 contributed to the State by building and helping
3 preserve the customs, traditions and ideals of
4 the many ethnic groups that make up the mosaic of
5 New York State; and

6 "WHEREAS, The wisdom and experience
7 of senior citizens constantly enrich the lives of
8 the young people of our state through a strong
9 tradition of volunteerism; and

10 "WHEREAS, Since 1962, the month of
11 May has been declared, by presidential
12 proclamation, Older Americans Month in order for
13 communities around the nation to set time aside
14 to celebrate and reflect on the unique role older
15 Americans play in the fabric of our society; and

16 "WHEREAS, The legislative and
17 executive branches of New York State government
18 have as a primary goal the improvement of the
19 quality of life of older New Yorkers and the
20 assurance of their continued dignity; and

21 "WHEREAS, It is the intent of this
22 Legislative Body to recognize and celebrate the
23 legacy of New York's senior citizens who have
24 experienced tumultuous changes in the
25 20th century, including the dawn of the nuclear

1 age, the rise of the computer, and the
2 proliferation of the automobile, television,
3 technology and so many other innovations of the
4 American spirit, and who now represent a vast
5 and willing source of knowledge available to our
6 great State of New York; now, therefore, be it

7 "RESOLVED, That this Legislative
8 Body pause in its deliberations to memorialize
9 Governor Andrew M. Cuomo to proclaim May 7, 2013,
10 as Senior Citizens Awareness Day in the State of
11 New York; and be it further

12 "RESOLVED, That this Legislative
13 Body pause further to urge the residents of
14 New York State to honor all our senior citizens,
15 who are the cornerstone of the strength of our
16 nation and to whom a debt of gratitude is owed;
17 and be it further

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

22 ACTING PRESIDENT YOUNG: Senator
23 Adams.

24 SENATOR ADAMS: Thank you,
25 Mrs. President.

1 First, I want to thank you for the
2 opportunity of recognizing our seniors who are
3 here.

4 And today we did a ceremony in
5 The Egg recognizing our seniors, and part of the
6 conversation talked about the billions of dollars
7 that our seniors provide in volunteer services.
8 We can only imagine what our budget deficit would
9 be if we didn't have our well-trained,
10 well-skilled and professional seniors who have
11 volunteered and have retired and are using their
12 time to continue to bring services to our entire
13 state.

14 This year marks the 50th anniversary
15 of President Kennedy designating the month of May
16 as Senior Citizens Month. President Kennedy
17 wanted us to use this month to increase community
18 awareness of the problems faced by older men and
19 women, strengthening services and opportunities
20 to meet their special needs. He also wanted us
21 to give recognition to their past and present
22 contributions and make this month the beginning
23 of continuing interest in activity on their
24 behalf.

25 This year, the national theme for

1 the month is "Unleash the power of age." And I
2 just want to modify that by saying "Unleash the
3 power of age with dignity." We need to ensure
4 that we treat our seniors with a level of dignity
5 and in a dignified manner.

6 We all saw the awesome destructive
7 power of Hurricane Sandy, and we now have the
8 ability of our seniors, through names like Betty
9 and Mary and Ms. Coleman and so many others who
10 volunteer each year, to see the beauty of nature,
11 the human possibility of allowing our state to
12 flourish and grow by committing ourselves to the
13 cross-pollination of a handshake, of an embrace,
14 a warm smile, or giving back to those who are in
15 great need.

16 And our seniors who are here are the
17 top group that volunteer. Men and women over the
18 age of 60 volunteer more than any other group,
19 and we need to take note of that. They're not a
20 burden on society, they are actually the
21 complement to society for what they do every day.

22 When President Kennedy made the
23 original designation, there was approximately
24 17 million people age 65 and older in the
25 United States. Today there are approximately

1 41 million people in our country age 65 or older,
2 and in New York State approximately 2.5 million
3 people are age 65 or older.

4 Earlier this afternoon, in
5 conjunction with Assemblywoman Joan Millman and
6 the New York State Office for the Aging, I had
7 the pleasure of welcoming many of our older
8 New Yorkers to a luncheon. The purpose of the
9 luncheon was to honor and celebrate seniors from
10 around the state who volunteer their time, their
11 energy, their skill and talents to make our
12 communities stronger.

13 We looked through the biographies of
14 the nominees. And in speaking with them
15 personally, they all stuck out in my mind that
16 they all have passion and commitment that's
17 needed to continue to move this great state
18 forward.

19 So we take a pause from our day and
20 from our time here in the State Capitol to state
21 that we respect you seniors, we admire you, and
22 we will continue to ensure that government does
23 what's necessary to make your senior years a
24 comfortable living environment.

25 So again, on behalf of the New York

1 State Senate and those who are members of the
2 Senate, members of the Aging Committee, as well
3 as those who sponsor much legislation that
4 impacts our seniors, we say thank you, thank you,
5 thank you.

6 ACTING PRESIDENT YOUNG: Thank you,
7 Senator Adams.

8 And we welcome seniors who have
9 traveled from near and far to be recognized for
10 your volunteerism. We thank you for all that you
11 do.

12 And the question is on the
13 resolution. All those in favor signify by saying
14 aye.

15 (Response of "Aye.")

16 ACTING PRESIDENT YOUNG: Opposed,
17 nay.

18 (No response.)

19 ACTING PRESIDENT YOUNG: The
20 resolution is adopted.

21 Senator DeFrancisco.

22 SENATOR DeFRANCISCO: The sponsor
23 would like to open up this resolution for
24 cosponsorship. And all those who do not want to
25 be cosponsors, notify the desk. Otherwise, you

1 will be.

2 ACTING PRESIDENT YOUNG: Thank you,
3 Senator.

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

7 Senator DeFrancisco.

8 SENATOR DeFRANCISCO: There is
9 another resolution at the desk, Number 1708, by
10 Senator Marchione. I ask that it be read in its
11 entirety and ask for its immediate adoption.

12 ACTING PRESIDENT YOUNG: The
13 Secretary will read.

14 THE SECRETARY: Legislative
15 Resolution Number 1708, by Senator Marchione,
16 congratulating the Saratoga Rowing Association's
17 Girls Eight upon the occasion of capturing a
18 gold medal in the Australian World Open Rowing
19 Championships.

20 "WHEREAS, It is the sense of this
21 Legislative Body to recognize and pay tribute to
22 those young people within the State of New York
23 who have inspired and brought pride to their
24 school and community by achieving outstanding
25 success in athletic competition; and

1 "WHEREAS, Attendant to such concern,
2 and in full accord with its long-standing
3 traditions, this Legislative Body is justly proud
4 to congratulate the Saratoga Rowing Association's
5 Girls Eight upon the occasion of capturing a gold
6 medal in the Australian World Open Rowing
7 Championships; and

8 "WHEREAS, The Saratoga Rowing
9 Association's Girls Eight, comprised of Saratoga
10 Springs High School seniors Caroline Murphy,
11 Shannon Merboth, Alexis Georgia, Keni Wegner and
12 Kerri Wegner, juniors Mackenzie Battle,
13 Meghan Hampton and MacKenzie Hart, and sophomore
14 Claire Murphy, won a gold medal at the Australian
15 World Championships in the under-19 age division;
16 and

17 "WHEREAS, The Saratoga Rowing
18 Association's Girls Eight practiced daily in
19 near-freezing temperatures on Fish Creek; the
20 world champions raced the 2,000-meter course in
21 six minutes, 54.76 seconds winning over Swan
22 River Composite by more than six seconds; and

23 "WHEREAS, The team had previously
24 performed admirably in major races in the
25 United States, including a victory on the Charles

1 River and Boston, and was subsequently invited to
2 the Australian World Championships; and

3 "WHEREAS, Loyally and
4 enthusiastically supported by family, fans, and
5 friends, the Saratoga Rowing Association's Girls
6 Eight have proven themselves to be an unbeatable
7 combination of talents, reflecting favorably on
8 their community; now, therefore, be it

9 "RESOLVED, That this Legislative
10 Body pause in its deliberations to congratulate
11 the Saratoga Rowing Association's Girls Eight
12 upon the occasion of capturing a gold medal in
13 the Australian World Open Rowing Championships;
14 and be it further

15 "RESOLVED, That copies of this
16 resolution, suitably engrossed, be transmitted to
17 members of the Saratoga Rowing Association's
18 Girls Eight."

19 ACTING PRESIDENT YOUNG: Senator
20 Marchione.

21 SENATOR MARCHIONE: Madam President
22 and my colleagues, I rise for the purpose of
23 honoring and congratulating the Saratoga Rowing
24 Association's Girls Eight on winning a gold medal
25 in the Australian World Open Rowing

1 championship. And I'm going to repeat that:
2 it's the Australian World Open Rowing
3 Championships.

4 You know, today is the Women of
5 Distinction. I feel so honored to not only have
6 my own wonderful Woman of Distinction, but I have
7 all of these ladies here who are definite ladies
8 of distinction, and I would ask them to stand.

9 These champions and many of their
10 parents -- and I would ask them to stand as well,
11 because without their input and their driving and
12 their efforts, I'm sure these girls would admit
13 that they wouldn't be where they are. I'm
14 thrilled to recognize them and their
15 achievements.

16 They are here today along with their
17 coach, Eric Catalano. They are Saratoga Springs
18 High School girls. We have four that are
19 seniors, we have three that are juniors and one
20 sophomore.

21 You know, rowing is one of the
22 toughest, most physically challenging and
23 mentally demanding of sports. It requires
24 strength, endurance, skill, and most important,
25 for eight individuals to act as one as they row

1 in perfect synchronization under the direction
2 and cadence of their coxswain. I'm learning. I
3 learned as I was learning about you ladies.

4 The Saratoga Rowing Association's
5 Girls Eight road to the Australian championships
6 was not an easy road. Their road was paved in
7 sweat and hours of exhausting hard work. Their
8 road was paved in callused hands and sore
9 muscles. Their road was paved in a conditioning
10 program that would test the mettle of any
11 professional athlete.

12 These champions practiced daily, as
13 what we heard earlier, in near-freezing
14 temperatures on Fish Creek. I believe that this
15 demonstrates their depth of commitment, a
16 champion's work ethic. The world champions raced
17 the 2,000-meter course in 6 minutes and
18 54.76 seconds, winning over Swan River Composite
19 by more than 6 seconds. Six seconds doesn't
20 sound like much to us here, but in rowing,
21 championships are won and world records are
22 shattered by mere seconds.

23 The team had performed well in major
24 domestic races, including a victory on the
25 Charles River, and was invited to the Australian

1 World Championships. Along with hard work, all
2 of this success was fueled by the love, support,
3 and encouragement of loyal and enthusiastic fans,
4 friends, and family members.

5 The Saratoga Rowing Association's
6 Girls Eight have proven themselves to be an
7 unbeatable combination of talent, tenacity,
8 toughness and teamwork. In addition to being
9 champion athletes, these young women are true
10 role models who set a positive example that girls
11 everywhere can aspire to. They have made their
12 families, their school, their Saratoga Springs
13 community and our entire state very proud.

14 Mr. President and my colleagues,
15 please join me as I'm going to raise my
16 Saratoga Springs water to them in congratulating
17 the Saratoga Rowing Association's Girls Eight,
18 our gold medal rowing champions.

19 (Applause.)

20 SENATOR MARCHIONE: Thank you.

21 ACTING PRESIDENT YOUNG: The
22 question is on the resolution. All those in
23 favor signify by saying aye.

24 (Response of "Aye.")

25 ACTING PRESIDENT YOUNG: Opposed,

1 nay.

2 (No response.)

3 ACTING PRESIDENT YOUNG: The
4 resolution is adopted.

5 Senator Libous.

6 SENATOR LIBOUS: Thank you,
7 Madam President.

8 And I believe Senator Marchione
9 would like to open this up for cosponsorship to
10 all the members of the Senate. As our policy
11 goes, if for some reason you choose not to be on
12 it, let the desk know.

13 ACTING PRESIDENT YOUNG: Thank
14 you.

15 The resolution is open for
16 cosponsorship. If anyone does not want to be a
17 cosponsor, please notify the desk.

18 Senator Libous.

19 SENATOR LIBOUS: Madam President, I
20 believe that Senator Carlucci has a previously
21 adopted resolution at the desk, Number 1349. I
22 ask that its title be read and then call on
23 Senator Carlucci.

24 ACTING PRESIDENT YOUNG: The
25 Secretary will read the title.

1 THE SECRETARY: Legislative
2 Resolution Number 1349, by Senator Carlucci,
3 memorializing Governor Andrew M. Cuomo to
4 proclaim May 2013 as Mental Health Month in the
5 State of New York.

6 ACTING PRESIDENT YOUNG: Senator
7 Carlucci.

8 SENATOR CARLUCCI: Madam President,
9 I rise today to proclaim the month of May 2013 as
10 Mental Health Month in the great State of
11 New York.

12 And when we talk about people's
13 well-being, their health, oftentimes we over look
14 their psychological state. And what we really
15 need to do and the purpose of proclaiming May as
16 Mental Health Month is to work towards building
17 awareness, to ending the stigma that's attached
18 to mental illness.

19 In fact, one out of 17 Americans
20 suffer from severe mental illness, whether it's
21 schizophrenia, major depression, or bipolarism.
22 These are issues that face so many people in our
23 community, and we need to stand up and just make
24 sure that we're heard in terms of ending the
25 stigma and talking about these issues.

1 So I'm so proud to serve as the
2 chairman of the Mental Health Committee and
3 working with so many advocates from across this
4 state that really have dedicated their lives to
5 making sure that there are wonderful services
6 available for people that need treatment that are
7 suffering or living with mental illness, but also
8 that that access is there.

9 And that's something that we really
10 need to work on and we can work on together, to
11 make sure that there aren't barriers, that people
12 that need treatment know where to get it and that
13 they have that opportunity.

14 So, Madam President, thank you. And
15 thank my colleagues for supporting this
16 resolution.

17 ACTING PRESIDENT YOUNG: Thank you,
18 Senator Carlucci.

19 Senator Libous.

20 SENATOR LIBOUS: Thank you,
21 Madam President.

22 I believe that Senator Carlucci
23 would like to open this up for cosponsorship.
24 And again, if someone chooses not to be on it, to
25 please let the desk know.

1 ACTING PRESIDENT YOUNG: Thank you,
2 Senator.

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

6 Senator Libous.

7 SENATOR LIBOUS: I believe there's
8 a resolution by Senator Diaz, Number 1630, at the
9 desk. I ask that you read it in its entirety and
10 call on Senator Diaz before its adoption.

11 ACTING PRESIDENT YOUNG: The
12 Secretary will read.

13 THE SECRETARY: Legislative
14 Resolution Number 1630, by Senator Diaz,
15 commemorating the Laogai Research Foundation's
16 Human Rights in China Photo Exhibit.

17 "WHEREAS, The Laogai Research
18 Foundation's Human Rights in China Photo Exhibit
19 will be on display in the New York State
20 Legislative Office Building in Albany, New York,
21 from May 6 through May 10, 2013; and

22 "WHEREAS, The exhibition provides a
23 graphic account of human suffering which has
24 occurred and still occurs in China today; and

25 "WHEREAS, The Human Rights in China

1 Photo Exhibit exhibition is especially relevant
2 to New York State, as many Laogai survivors live
3 here and New York State invests in companies
4 which can encourage human rights reform in China;
5 and

6 "WHEREAS, A former Chinese political
7 prisoner, Harry Wu, established the Laogai
8 Research Foundation, a non-profit research and
9 public education organization; the work of the
10 Laogai Research Foundation is recognized as a
11 leading source of information on the human rights
12 situation in China's labor camps; and

13 "WHEREAS, Harry Wu was first
14 arrested as a young student in Beijing for
15 speaking out against the Soviet invasion of
16 Hungary and for criticizing the Chinese Communist
17 Party; in 1960, he was sent to the Laogai,
18 China's Gulag, as a 'counter-revolutionary
19 rightist'; and

20 "WHEREAS, During the next 19 years
21 he was imprisoned in 12 different labor camps
22 manufacturing chemicals, mining coal, building
23 roads, clearing land, and planting and harvesting
24 crops; he was beaten, tortured and nearly starved
25 to death, and he witnessed the deaths of many

1 prisoners from brutality, starvation and suicide;
2 and

3 "WHEREAS, Released in 1979, Harry Wu
4 finally left China and came to the United States
5 in 1985 as a Visiting Professor of Geology at the
6 University of California at Berkeley; and

7 "WHEREAS, Later, he began writing
8 about his experiences in the Laogai, and
9 subsequently he chose to end his academic work
10 and became a human rights activist dedicated to
11 exposing the truth about the Laogai, believed to
12 be the largest forced labor camp system in the
13 world today; and

14 "WHEREAS, In the summer of 1995,
15 Harry Wu was arrested by the Chinese government
16 as he tried to enter China with valid, legal
17 documentation; he was held by the Chinese
18 government for 66 days before he was convicted in
19 a trial for 'stealing state secrets'; and

20 "WHEREAS, He was sentenced to
21 15 years, but was immediately expelled from China
22 as a result of an extensive international
23 campaign launched on his behalf; since his
24 release, he has continued his work in publicizing
25 the fight to condemn the Laogai and document its

1 atrocities; and

2 "WHEREAS, Harry Wu is especially
3 concerned with China's treatment of its
4 prisoners; and

5 "WHEREAS, Harry Wu supports the
6 right to give birth as a fundamental right
7 recognized in Article 16 of the Universal
8 Declaration of Human Rights, a document composed
9 in 1948 by the United Nations; and

10 "WHEREAS, Harry Wu has testified
11 before various United States Congressional
12 committees, as well as the British, German and
13 Australian Parliaments, the European Parliament
14 and the United Nations; and

15 "WHEREAS, Harry Wu is the author of
16 three books; Laogai: The Chinese Gulag, published
17 in 1991, is the first book to address the
18 systematic abuses of the Laogai; Bitter Winds,
19 published in 1994, is his memoir of his time in
20 the Laogai; and

21 "WHEREAS, His latest book,
22 Troublemaker, was published in 1996 and tells of
23 his clandestine trips back into China to gather
24 evidence on the Laogai and his detention by the
25 Chinese government in the summer of 1995; and

1 "WHEREAS, Harry Wu received the
2 Freedom Award from the Hungarian Freedom
3 Fighters' Federation in 1991; in 1994, he
4 received the first Martin Ennals Human Rights
5 Award from the Swiss Martin Ennals Foundation;
6 in 1996, he was awarded the Medal of Freedom,
7 also known as the Beggars' Medal, from the Dutch
8 World War II Resistance Foundation; and he also
9 received honorary degrees from St. Louis
10 University and the American University in Paris
11 in 1996; now, therefore, be it

12 "RESOLVED, That this Legislative
13 Body pause in its deliberations to commemorate
14 the Laogai Research Foundation's Human Rights in
15 China Photo Exhibit on display in the New York
16 State Legislative Office Building in Albany from
17 May 6 through May 10, 2013; and be it further

18 "RESOLVED, That a copy of this
19 resolution, suitably engrossed, be transmitted to
20 the Laogai Research Foundation."

21 ACTING PRESIDENT YOUNG: Senator
22 Diaz.

23 SENATOR DIAZ: Thank you,
24 Madam President.

25 Ladies and gentlemen, the month of

1 May is a very important month. Many things
2 happen during the month of May -- good things,
3 sentimental things, things that make us
4 remember.

5 For example, during the month of May
6 we celebrate Cinco de Mayo. That's for the
7 Mexican liberation people. And during the month
8 of May we celebrate the Workers' Day. In May we
9 celebrate Mother's Day. In May we celebrate the
10 Women of Distinction Day here in the Senate
11 chamber. In May we celebrate the Senior Citizens
12 Month. In May we celebrate the Women's History
13 Month.

14 But in May, this May, I'm honored to
15 have with me in this chamber a hero of human
16 rights, a person that was imprisoned for 19 years
17 in China, fighting for human rights: Mr. Harry
18 Wu.

19 I'm honored to have you in this
20 chamber today, Mr. Wu. You are a real hero. And
21 thank you for accepting my invitation.

22 Ladies and gentlemen, today I have
23 the privilege of being the Senate sponsor of this
24 resolution, which as you just heard commemorates
25 the important work of the Laogai Research

1 Foundation and the bravery of Mr. Harry Wu, its
2 founder.

3 I am honored and indeed this chamber
4 is honored to have with us today Mr. Harry Wu;
5 Mr. Andrew Yang, the Laogai Research Foundation's
6 coordinator in Washington, D.C.; and Ms. Ann
7 Noonan, whose efforts were instrumental in
8 bringing Mr. Wu and the photo exhibit that we are
9 having in the Senate.

10 The word Laogai means "reform
11 through labor" and refers to the most extensive
12 system of forced labor camps in the world. The
13 pictures are a startling and graphic reminder of
14 the suffering not only endured by Mr. Harry Wu,
15 who was imprisoned for 19 years in 12 different
16 labor camps, but by millions of others as well.
17 Each photo and inscription tells an important
18 story about the executions, the persecution of
19 religious and ethnic minorities, the forced labor
20 of those who dared to speak out, and the
21 Tiananmen Square Massacre.

22 This photo exhibit is important to
23 New York State because many Laogai survivors made
24 New York State their home.

25 My fellow Senators, ladies and

1 gentlemen, I implore you to take a few minutes
2 out of your busy schedule to review the photo
3 exhibit, which is located in the Concourse level
4 at the entrance of the Legislative Office
5 Building. Viewing this exhibit will be well
6 worth your time and effort in order to be made
7 more aware of the suffering that has existed and
8 still exists to this day, and of how much we take
9 for granted here in America our freedom.

10 Thank you, Mr. President. Thank
11 you, ladies and gentlemen. And thank you,
12 Mr. Harry Wu, for your bravery and for the years
13 of suffering that we will not be able to repay.
14 But here in this chamber, as a Senator, a member
15 of this prestigious body, I welcome you and am
16 honored and pleased to have met you. Thank you
17 again. And thank you, Ann Noonan, for giving me
18 the privilege to meet Mr. Harry Wu.

19 Ladies and gentlemen, thank you very
20 much, Madam President.

21 ACTING PRESIDENT YOUNG: Thank you,
22 Senator Diaz.

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

25 (Response of "Aye.")

1 ACTING PRESIDENT YOUNG: Opposed,
2 nay.

3 (No response.)

4 ACTING PRESIDENT YOUNG: The
5 resolution is adopted.

6 Senator Libous.

7 SENATOR LIBOUS: Thank you,
8 Madam President.

9 And I believe Senator Diaz would
10 like to open this up for sponsorship to all the
11 members of the house. And again, as our policy
12 goes, if you choose not to be a cosponsor of the
13 resolution, then let the desk know.

14 Thank you.

15 ACTING PRESIDENT YOUNG: Thank you,
16 Senator.

17 The resolution is open for
18 cosponsorship. If you do not wish to be
19 cosponsor, please notify the desk.

20 Senator Libous.

21 SENATOR LIBOUS: Madam President, I
22 believe there's a resolution at the desk by
23 Senator Larkin, Resolution 1751. If you would
24 read its title only and call on Senator Larkin.

25 ACTING PRESIDENT YOUNG: The

1 Secretary will read.

2 THE SECRETARY: Legislative
3 Resolution Number 1751, by Senator Larkin,
4 honoring Chaplain (Captain) Emil J. Kapaun,
5 United States Army, upon the occasion of his
6 posthumous designation as the recipient of the
7 Congressional Medal of Honor.

8 ACTING PRESIDENT YOUNG: Senator
9 Larkin.

10 SENATOR LARKIN: Thank you,
11 Madam President.

12 I rise with pride to honor a
13 dedicated American, an outstanding priest of the
14 Catholic faith, a hero in Korea, and an
15 individual that put his own life before others.

16 Father Kapaun went to Korea in 1950
17 with the 1st Cav Division, the 8th Regiment, the
18 3rd Battalion, one of the first groups to land in
19 Korea in 1950. Father Kapaun was well-liked and
20 well-respected, but there was 200,000 enemy
21 troops coming after 20,000 troops.

22 Father Kapaun realized the necessity
23 for faith and positive attitude by the troops.
24 He went from foxhole to foxhole taking care of
25 the wounded. And at one point a Korean guard

1 took a rifle and put it to the head of a young
2 soldier. Father Kapaun, recognizing that this
3 individual had lost his leg, he pushed the Korean
4 guard away and went over and picked up this
5 soldier and carried him for eight miles.

6 What I'm telling you is all
7 documented. It isn't a story.

8 But Father Kapaun had everything
9 going for him. When there was an escape route,
10 Father Kapaun was told by his leaders: "Get out
11 of here." And he said, "I can't, these are my
12 people. These are the people I was put on earth
13 to take care of."

14 When they were rewriting the rule
15 again of how they could take care of prisoners,
16 Father Kapaun was butted in the head with his
17 rifle more than once. And everybody looked and
18 said "A man of the cloth." He said, "No, a
19 fellow soldier."

20 In the camps that winter, some of us
21 that were there know how cold it was. Many of
22 our troops in the 3rd Battalion froze to death.
23 Father Kapaun offered them clothing. He took
24 clothes off of people that were full of lice,
25 helped to build a pot so that they could put heat

1 under it, and he washed the clothes of these
2 young men that were 18 to 22 years old. He took
3 their clothing, washed it, put it in this hot
4 pan, and then dressed them.

5 At night he went out to place where
6 the Koreans were, and they were asleep. And as
7 someone said, "Father, you're stealing food," he
8 said, "No, we're taking care of the
9 malnourished."

10 Father Kapaun was, on more than one
11 occasion -- he took care of many, many
12 individuals. He put himself on the line, but he
13 never worried about himself. He only worried
14 about the people that he was there to take care
15 of them. He rallied the prisoners.

16 And one day all of a sudden they
17 started ridiculing the priest because he was
18 talking about God, and the North Koreans and
19 Chinese had no idea who he was talking about.
20 But then in the spring he held an Easter service
21 at an old church in North Korea, and he had
22 everybody out there, prisoners themselves going
23 all over, singing Easter songs. And then when
24 they got to singing "God Bless America," they
25 came down and start shooting at all the

1 prisoners. Father Kapaun talked and said, you
2 know, "Forgive them, as the Lord said, for they
3 know not what they do."

4 He always talked about faith to the
5 prisoners. He went from -- officers were in one
6 compound and enlisted men in another, and he'd go
7 from one compound to the other, and he would
8 instill in them faith and respect for their
9 country and the hope that we would get them out
10 of there and bring them back home.

11 One day one of the prisoners came up
12 and smacked one of the officers in the face.
13 This officer was from Brooklyn, New York.
14 Senator, this prisoner was from Brooklyn,
15 New York. His name was Fink. And most of us --
16 some of us remember Stanley Fink. But they're
17 not related. But this priest took the toll for
18 all he did.

19 But the most important thing, he
20 never forgot why he was an individual, why he
21 became a priest, and why, when he had the
22 opportunity to leave, he didn't. And at the end,
23 the North Koreans and the Chinese couldn't take
24 it anymore because the morale was as high as it
25 could ever be.

1 Now, you have to remember some of
2 these men had fleas all over them. And the
3 Chinese said in their reports later on they
4 couldn't find a way how they could stay alive.
5 Well, the Father would go out to the camps and he
6 would find the dysentery medicine and he would
7 find something else.

8 He started learning people how to
9 sleep together. And I mean on a solid basis. He
10 had all of the prisoners that were in their huts
11 sleep so that my arms were open like this, then
12 Tom Libous pushed his feet in mine, and I pushed
13 my feet in his arms. And the number that were
14 saved, people will tell you it was really
15 something great. There was one Air Force, but he
16 was a Marine, John.

17 You know, I read this book last
18 week. It was sent to me by somebody that served
19 in the 1st Cav. And I want to tell you, all of
20 these stories that I'm saying, pick up this
21 book. It's called Father Kapaun. And if you
22 read it without crying, call me and I'll pay you
23 what you paid for the book.

24 This is an individual that was found
25 dead on the 21st of May, 1951. To this day, his

1 remains have never been found. Because he was an
2 inspiration to all of those people in the
3 prisoner of war camp.

4 You know, if you've never been
5 there, you'll never really understand it. But if
6 you read the book that was written about him, you
7 will clearly understand that people said that
8 when they came back from a prisoner of war camp,
9 there were incidents in their town where somebody
10 was dying, somebody had an illness, people
11 prayed -- because they had memorials in his
12 hometown of Pilsen, Kansas, and people said that
13 without the prayers to Father Kapaun -- because
14 they remembered what he said when they took him
15 into this house, which was the last straw. He
16 said, "I'm going where I'm supposed to go. I'm
17 going home. And when I get there, I'll look down
18 and I'll say a prayer for you."

19 And these people that came back out
20 of the prisoner of war camp -- and there's eight
21 or 10 citations in the book where they say "Pray
22 to Father Kapaun." And those that did said a
23 miracle occurred.

24 Ladies and gentlemen, I'd ask you to
25 stand in respect to the late Father Kapaun.

1 ACTING PRESIDENT YOUNG: If
2 everyone could please stand for a moment of
3 silence.

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

6 ACTING PRESIDENT YOUNG: The
7 question is on the resolution. All those in
8 favor signify by saying aye.

9 (Response of "Aye.")

10 ACTING PRESIDENT YOUNG: Opposed,
11 nay.

12 (No response.)

13 ACTING PRESIDENT YOUNG: The
14 resolution is adopted.

15 Senator Libous.

16 SENATOR LIBOUS: Madam President,
17 Senator Larkin would like to open up the
18 resolution to all the members of the Senate. And
19 if there's anyone who chooses not to go on it, to
20 please let the desk know.

21 ACTING PRESIDENT YOUNG: Senator
22 Larkin's resolution is open for cosponsorship.
23 If you do not want to be a cosponsor, please
24 notify the desk.

25 SENATOR LIBOUS: Madam President, I

1 believe there's a resolution by Senator
2 Hassell-Thompson, Number 1412, at the desk. I
3 ask that the title be read and you call on
4 Senator Hassell-Thompson.

5 ACTING PRESIDENT YOUNG: The
6 Secretary will read.

7 THE SECRETARY: Legislative
8 Resolution Number 1412, by Senator
9 Hassell-Thompson, memorializing Governor Andrew
10 M. Cuomo to proclaim June 2013 as Gun Violence
11 Awareness Month in the State of New York.

12 ACTING PRESIDENT YOUNG: Senator
13 Hassell-Thompson.

14 SENATOR HASSELL-THOMPSON: Thank
15 you, Madam President.

16 By designating June as Gun Violence
17 Awareness Month, New York will be the first state
18 in the nation to do so. This idea is not one of
19 partisan politics, upstate versus downstate,
20 rural versus urban, or any other divisive label
21 that we so often use to polarize people. But
22 rather, we are looking to bring together every
23 New Yorker to say "We abhor gun violence. We
24 find it to be a crisis in our communities, and we
25 want to eliminate it."

1 Starting this June, communities all
2 across New York will come together to devise
3 programs, events, activities and working group
4 sessions to change the culture surrounding gun
5 violence.

6 The goals around Gun Violence
7 Awareness Month are threefold. One is to promote
8 greater awareness about gun violence and foster
9 community urgency to eradicate it. Two is to
10 concentrate annual heightened attention to gun
11 violence during the month that it starts to
12 rise. And three is to bring citizens and other
13 leaders together in the months leading up to June
14 to develop ways to end gun violence.

15 Here are just a few alarming
16 statistics. In 2011, there were 419 homicides by
17 firearms in New York State, representing
18 57 percent of all murders in the state. Firearm
19 homicide is the leading cause of death for
20 African-Americans between the ages of 1 to 44
21 nationwide. African-Americans, who represent
22 23 percent of New York City's population, made up
23 60 percent of the murder victims and 70 percent
24 of the shooting victims in 2012.

25 As you can clearly see, gun violence

1 is tearing families apart and devastating the
2 lives of our youth. Now is the time for us to
3 reach out to one another and form a partnership
4 across all lines. We must pull from every
5 segment of our community and find a solution to
6 this crisis. We must involve and collaborate
7 with law enforcement, civic and faith leaders,
8 elected officials, and people of our communities
9 to fight to save the lives of our youth from this
10 senseless gun violence.

11 I hope you will join me and many of
12 my fellow legislators, mayors and county
13 executives from Rochester, Buffalo, Syracuse,
14 Madison County, Oswego, Ulster, Westchester
15 County, Bronx County, New York County and
16 Kings County, who have announced that they have
17 held town hall meetings and leadership councils
18 in conjunction with gun violence awareness for
19 the month of June.

20 Thank you, Madam President.

21 ACTING PRESIDENT YOUNG: Thank you,
22 Senator.

23 The question is on the resolution.

24 All those in favor signify by saying aye.

25 (Response of "Aye.")

1 ACTING PRESIDENT YOUNG: Opposed,
2 nay.

3 (No response.)

4 ACTING PRESIDENT YOUNG: The
5 resolution is adopted.

6 Senator DeFrancisco.

7 SENATOR DeFRANCISCO: Yes, there's
8 a resolution at the desk by Senator Kennedy,
9 Number 1686. Could you please have the title
10 read and ask for its immediate adoption, unless
11 we could do it sooner than immediate.

12 ACTING PRESIDENT YOUNG: Thank you,
13 Senator.

14 The Secretary will read.

15 THE SECRETARY: Legislative
16 Resolution Number 1686, by Senator Kennedy,
17 mourning the death of Dorothy Malczewski,
18 distinguished citizen and devoted member of her
19 community.

20 ACTING PRESIDENT YOUNG: Thank
21 you.

22 Senator Kennedy.

23 SENATOR KENNEDY: Thank you,
24 Madam President.

25 I rise today to recognize the life

1 and legacy of Dorothy Malczewski, who sadly
2 passed away last week.

3 Dorothy turned a proud Polish custom
4 into a successful business in her lifetime.
5 Butter Lambs have long been a traditional symbol
6 in Poland, but it was Dorothy Malczewski who
7 brought this tradition to our Easter dinner
8 tables in Western New York.

9 Dorothy started her business in the
10 City of Buffalo in her East Side kitchen with a
11 wooden mold from Poland. Her business quickly
12 grew as demand surged for her product. So she
13 moved her operation to a family-owned business,
14 Malczewski's Chicken Shop, in order to
15 mass-produce these Butter Lambs. Dorothy became
16 known to young Western New Yorkers who frequented
17 her shop as "the mother of Butter Lambs."

18 Dorothy quickly became a fixture of
19 the Broadway Market, a local landmark in the City
20 of Buffalo, and thousands of Western New Yorkers
21 came to know Dorothy when they made their annual
22 trip to the market during the Easter season to
23 buy one of Dorothy's famous Butter Lambs.

24 Madam President, I cannot think of a
25 more fitting day than today to honor the life and

1 contributions of Dorothy Malczewski. Later
2 today, the Senate will recognize 63 Women of
3 Distinction in New York State. I am proud to
4 celebrate the accomplishments of such
5 distinguished New Yorkers, and I feel so lucky to
6 share in today's celebration.

7 Life during the Easter season will
8 be different in Western New York. Dorothy has
9 long been a part of our Easter traditions and, in
10 turn, our Easter families. Her Butter Lambs will
11 remain set upon dinner tables across Western
12 New York and on family tables all across New York
13 State. And when we place the Butter Lamb on our
14 table, we'll think of Dorothy and appreciate her
15 for having been a part of our Easter celebrations
16 for so many years.

17 I ask the Senate to join me in
18 honoring and celebrating the life and legacy of
19 Dorothy Malczewski.

20 Thank you, Madam President.

21 ACTING PRESIDENT YOUNG: Thank you.

22 The question is on the resolution.

23 All those in favor signify by saying aye.

24 (Response of "Aye.")

25 ACTING PRESIDENT YOUNG: Opposed,

1 nay.

2 (No response.)

3 ACTING PRESIDENT YOUNG: The
4 resolution is adopted.

5 Senator Libous.

6 SENATOR LIBOUS: Madam President, I
7 believe the Senators would like Number 1686
8 opened for cosponsorship, and Number 1412, the
9 resolutions we just passed.

10 So if anybody wishes not to be on
11 those resolutions, please let the desk know.

12 ACTING PRESIDENT YOUNG: Thank you,
13 Senator.

14 The resolutions are open for
15 cosponsorship. If you do not wish to be on the
16 resolutions, please notify the desk.

17 Senator Libous.

18 SENATOR LIBOUS: Madam President,
19 at this time could we take up the reading of the
20 noncontroversial calendar.

21 ACTING PRESIDENT YOUNG: The
22 Secretary will read.

23 THE SECRETARY: Calendar Number
24 153, by Senator Larkin, Senate Print 267, an act
25 to amend the Alcoholic Beverage Control Law.

1 ACTING PRESIDENT YOUNG: Read the
2 last section.

3 THE SECRETARY: Section 10. This
4 act shall take effect on the 180th day.

5 ACTING PRESIDENT YOUNG: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT YOUNG: Announce
9 the results.

10 THE SECRETARY: Ayes, 59. Nays,
11 2. Senators Diaz and Espaillat recorded in the
12 negative.

13 ACTING PRESIDENT YOUNG: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 208, by Senator Libous, Senate Print --

17 SENATOR LIBOUS: Lay it aside for
18 the day, please.

19 ACTING PRESIDENT YOUNG: The bill
20 is laid aside for the day.

21 THE SECRETARY: Calendar Number
22 337, by Senator Seward, Senate Print 3032, an act
23 to amend the Vehicle and Traffic Law.

24 ACTING PRESIDENT YOUNG: Read the
25 last section.

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

3 ACTING PRESIDENT YOUNG: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT YOUNG: Announce
7 the results.

8 THE SECRETARY: Ayes, 61.

9 ACTING PRESIDENT YOUNG: The bill
10 is passed.

11 Senator Espaillat.

12 SENATOR ESPAILLAT: May I explain
13 my vote on the first bill that was passed?

14 SENATOR LIBOUS: Madam President,
15 could I --

16 ACTING PRESIDENT YOUNG: Sure.

17 SENATOR LIBOUS: Could you repeat
18 yourself, Senator?

19 SENATOR ESPAILLAT: May I explain
20 my vote for Calendar 153, Senate Bill 267? I
21 stood up but I wasn't recognized.

22 SENATOR LIBOUS: If the chair did
23 not see you stand, I would say that it would be
24 permissible to do so in this case.

25 ACTING PRESIDENT YOUNG: Thank you.

1 Senator Espaillat.

2 SENATOR ESPAILLAT: Thank you,
3 Madam President.

4 Again, this is a bill that proposes
5 to bring assistance to the agricultural industry
6 in our state. And as we subsidize this very
7 important industry, this very important market
8 for our state, farmworkers continue to be
9 exploited across the State of New York.

10 And this industry continues to
11 perpetrate, turn a blind eye or ignore the
12 conditions of hundreds of thousands of people
13 that are working on these farms who do not get a
14 day's rest, who do not get paid overtime, who
15 often are children, and who do not have the right
16 to collectively bargain.

17 I will continue to vote against
18 these bills as we subsidize an industry that
19 continues to ignore this horrendous situation
20 that's perhaps one of the worst secrets in
21 New York State.

22 Thank you, Madam President. I will
23 be voting no.

24 ACTING PRESIDENT YOUNG: Thank you.

25 The Secretary will continue to read.

1 THE SECRETARY: Calendar Number
2 339, by Senator Fuschillo, Senate Print 3528, an
3 act to amend the Vehicle and Traffic Law.

4 ACTING PRESIDENT YOUNG: Read the
5 last section.

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

8 ACTING PRESIDENT YOUNG: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT YOUNG: Announce
12 the result.

13 THE SECRETARY: Ayes, 61.

14 ACTING PRESIDENT YOUNG: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 340, by Senator Young, Senate Print 3923A, an act
18 to amend the Highway Law.

19 ACTING PRESIDENT YOUNG: Read the
20 last section.

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

23 ACTING PRESIDENT YOUNG: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT YOUNG: Announce
2 the result.

3 THE SECRETARY: Ayes, 61.

4 ACTING PRESIDENT YOUNG: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 345, by Senator Lanza, Senate Print 4274, an act
8 to amend the Highway Law.

9 ACTING PRESIDENT YOUNG: Read the
10 last section.

11 THE SECRETARY: Section 8. This
12 act shall take effect immediately.

13 ACTING PRESIDENT YOUNG: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT YOUNG: Announce
17 the result.

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT YOUNG: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 401, by Senator Klein, Senate Print 4101, an act
23 to amend the Alcoholic Beverage Control Law.

24 ACTING PRESIDENT YOUNG: Read the
25 last section.

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

3 ACTING PRESIDENT YOUNG: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT YOUNG: Announce
7 the result.

8 THE SECRETARY: Ayes, 59. Nays,
9 2. Senators Hassell-Thompson and Sanders
10 recorded in the negative.

11 ACTING PRESIDENT YOUNG: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 411, by Senator Golden, Senate Print 1975, an act
15 to amend the Executive Law.

16 ACTING PRESIDENT YOUNG: Read the
17 last section.

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

20 ACTING PRESIDENT YOUNG: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 61.

24 ACTING PRESIDENT YOUNG: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 413, by Senator Valesky, Senate Print 2149, an
3 act to amend the Elder Law.

4 ACTING PRESIDENT YOUNG: Read the
5 last section.

6 THE SECRETARY: Section 3. This
7 act shall take effect on the 120th day.

8 ACTING PRESIDENT YOUNG: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT YOUNG: Announce
12 the result.

13 THE SECRETARY: Ayes, 61.

14 ACTING PRESIDENT YOUNG: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 418, by Senator Golden, Senate Print 4422A, an
18 act to amend the Executive Law.

19 ACTING PRESIDENT YOUNG: Read the
20 last section.

21 THE SECRETARY: Section 2. This
22 act shall take effect January 1, 2014.

23 ACTING PRESIDENT YOUNG: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT YOUNG: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 449, substituted earlier by Member of the
6 Assembly Maisel, Assembly Print 3601, an act to
7 amend the General Business Law.

8 ACTING PRESIDENT YOUNG: Read the
9 last section.

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

12 ACTING PRESIDENT YOUNG: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT YOUNG: Announce
16 the results.

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT YOUNG: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 456, by Senator Grisanti, Senate Print 3955A, an
22 act to amend the Agriculture and Markets Law.

23 ACTING PRESIDENT YOUNG: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 120th day.

2 ACTING PRESIDENT YOUNG: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT YOUNG: Announce
6 the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT YOUNG: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 459, by Senator LaValle, Senate Print 765, an act
12 to amend the Environmental Conservation Law.

13 ACTING PRESIDENT YOUNG: Read the
14 last section.

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

17 ACTING PRESIDENT YOUNG: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT YOUNG: Announce
21 the results.

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT YOUNG: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 464, substituted earlier by Member of the
2 Assembly Zebrowski, Assembly Print 6910, an act
3 to amend the Environmental Conservation Law.

4 ACTING PRESIDENT YOUNG: Read the
5 last section.

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

8 ACTING PRESIDENT YOUNG: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT YOUNG: Announce
12 the result.

13 THE SECRETARY: Ayes, 60. Nays,
14 1. Senator LaValle recorded in the negative.

15 ACTING PRESIDENT YOUNG: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 466, by Senator Boyle, Senate Print 4367, an act
19 to amend the Environmental Conservation Law.

20 ACTING PRESIDENT YOUNG: Read the
21 last section.

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

24 ACTING PRESIDENT YOUNG: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT YOUNG: Announce
3 the result.

4 THE SECRETARY: Ayes, 60. Nays,
5 1. Senator LaValle recorded in the negative.

6 ACTING PRESIDENT YOUNG: The bill
7 is passed.

8 SENATOR LIBOUS: Madam President.

9 ACTING PRESIDENT YOUNG: Yes,
10 Senator Libous.

11 SENATOR LIBOUS: I believe that was
12 Senator Boyle's first bill. If we could give him
13 a round of applause.

14 (Applause.)

15 ACTING PRESIDENT YOUNG: Senator,
16 congratulations.

17 SENATOR LIBOUS: Madam President, I
18 should stand corrected; his first bill in the
19 Senate. He has passed many bills in the
20 Assembly.

21 (Laughter.)

22 ACTING PRESIDENT YOUNG: Thank you.

23 The Secretary will continue to read.

24 THE SECRETARY: Calendar Number
25 467, substituted earlier by Member of the

1 Assembly Colton, Assembly Print 6907, an act to
2 amend the Environmental Conservation Law.

3 ACTING PRESIDENT YOUNG: Read the
4 last section.

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

7 ACTING PRESIDENT YOUNG: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT YOUNG: Announce
11 the result.

12 THE SECRETARY: Ayes, 60. Nays,
13 1. Senator LaValle recorded in the negative.

14 ACTING PRESIDENT YOUNG: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 468, substituted earlier by Member of the
18 Assembly Fahy, Assembly Print 6909, an act to
19 amend the Environmental Conservation Law.

20 ACTING PRESIDENT YOUNG: Read the
21 last section.

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

24 ACTING PRESIDENT YOUNG: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 60. Nays,

3 1. Senator LaValle recorded in the negative.

4 ACTING PRESIDENT YOUNG: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 470, by Senator LaValle, Senate Print 4419, an
8 act to amend the Environmental Conservation Law.

9 ACTING PRESIDENT YOUNG: Read the
10 last section.

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

13 ACTING PRESIDENT YOUNG: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT YOUNG: Announce
17 the results.

18 THE SECRETARY: Ayes, 59. Nays,
19 2. Senators Perkins and Serrano recorded in the
20 negative.

21 ACTING PRESIDENT YOUNG: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 475, by Senator Young, Senate Print 2190, an act
25 to amend the Public Health Law.

1 ACTING PRESIDENT YOUNG: Read the
2 last section.

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

5 ACTING PRESIDENT YOUNG: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT YOUNG: Senator
9 DeFrancisco.

10 SENATOR DeFRANCISCO: Yes, I just
11 want to explain my vote.

12 I vote no. Not because I don't like
13 dentists, nor because I don't think dentists
14 should have such a program. But it's coming out
15 of a program already existing for doctors, and
16 it's not funded adequately as it is. So that's
17 the reason I'm voting no.

18 ACTING PRESIDENT YOUNG: Announce
19 the results.

20 THE SECRETARY: Ayes, 60. Nays,
21 1. Senator DeFrancisco recorded in the negative.

22 ACTING PRESIDENT YOUNG: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 476, by Senator Golden, Senate Print 2235, an act

1 to amend the Public Health Law.

2 ACTING PRESIDENT YOUNG: Read the
3 last section.

4 THE SECRETARY: Section 2. This
5 act shall take effect on the 120th day.

6 ACTING PRESIDENT YOUNG: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT YOUNG: Announce
10 the results.

11 THE SECRETARY: Ayes, 60. Nays,
12 1. Senator Perkins recorded in the negative.

13 ACTING PRESIDENT YOUNG: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 478, substituted earlier by Member of the
17 Assembly Glick, Assembly Print 6539, an act to
18 amend Chapter 192 of the Laws of 2011.

19 ACTING PRESIDENT YOUNG: Read the
20 last section.

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

23 ACTING PRESIDENT YOUNG: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT YOUNG: Announce
2 the results.

3 THE SECRETARY: Ayes, 61.

4 ACTING PRESIDENT YOUNG: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 481, by Senator Lanza, Senate Print 2483, an act
8 to amend the Public Officers Law.

9 ACTING PRESIDENT YOUNG: Read the
10 last section.

11 THE SECRETARY: Section 2. This
12 act shall take effect on the 60th day.

13 ACTING PRESIDENT YOUNG: Call the
14 roll.

15 SENATOR LIBOUS: Lay it aside for
16 the day, please.

17 ACTING PRESIDENT YOUNG: The bill
18 is laid aside for the day.

19 THE SECRETARY: Calendar Number
20 514, by Senator Martins, Senate Print 4681, an
21 act to amend the Highway Law.

22 ACTING PRESIDENT YOUNG: Read the
23 last section.

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

1 ACTING PRESIDENT YOUNG: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT YOUNG: Senator
5 Martins.

6 SENATOR MARTINS: Thank you,
7 Madam President. To explain my vote.

8 Officer Joseph Olivieri was a
9 15-year veteran of the Nassau County Police
10 Department. On October 18, 2012, as a member of
11 the Highway Patrol Unit for the Nassau County
12 Police Department, he was investigating an
13 accident on the Long Island Expressway near
14 Exit 35 when a car came by, struck him and killed
15 him.

16 Police work is dangerous work.
17 Sometimes we take that for granted. But our
18 brave men and women in the police force take that
19 risk and that danger upon themselves so that we
20 don't have to. And there is literally no aspect
21 of police work that isn't dangerous, as this is
22 testament to.

23 There's nothing routine about police
24 work. And in this case, a valued member of the
25 Nassau County Police Department Highway Patrol

1 gave his life, in the ultimate sacrifice, in
2 performing his duty. So we're going to take the
3 opportunity to memorialize his service by naming
4 a portion of the highway system, a bridge over
5 the Long Island Expressway at New Hyde Park Road,
6 in his honor.

7 Officer Olivieri is survived by two
8 children, Amanda and Daniel. And through this
9 bill we will honor his service. We will remember
10 him. And he'll serve as, again, just a tiny
11 reminder to all of us and to the great citizens
12 of New York of how difficult and how dangerous
13 police work is and how we have to respect and
14 appreciate their efforts each and every day.

15 So, Madam President, I will be
16 voting aye.

17 ACTING PRESIDENT YOUNG: Thank you,
18 Senator Martins. You will be recorded in the
19 affirmative.

20 Announce the results.

21 THE SECRETARY: Ayes, 61.

22 ACTING PRESIDENT YOUNG: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 515, by Senator Martins, Senate Print 4682, an

1 act to amend the Highway Law.

2 ACTING PRESIDENT YOUNG: Read the
3 last section.

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

6 ACTING PRESIDENT YOUNG: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT YOUNG: Senator
10 Martins to explain his vote.

11 SENATOR MARTINS: Madam President,
12 I stand again to explain my vote.

13 Officer Arthur Lopez, a member of
14 the Nassau County Police Department, died on
15 October 23, 2012, less than a week after
16 Officer Olivieri. Officer Lopez was responding
17 to a call. There was a pedestrian hit and run,
18 and he was pulling over a car. And in that
19 exchange, the driver of the car got out and shot
20 him in the chest, and he died.

21 Twenty-nine years old, a nine-year
22 veteran of the Nassau County Police Department,
23 and he's no longer with us.

24 In his time on the force,
25 Officer Lopez earned six Meritorious Service

1 Awards, three Excellent Police Duty Awards, and
2 several other command recognitions.

3 He was a member of the Nassau County
4 Police Department Emergency Services Unit, which
5 is an elite unit in Nassau County and the Nassau
6 County Police Department.

7 And I want to recognize with us
8 today officers from the Nassau County Police
9 Department. And thank you for being here as we
10 recognize these brave men and their ultimate
11 commitment to our service, to our communities, to
12 our county, and to our state. Thank you for
13 being here.

14 But, Madam President, through this
15 act, by passing this bill and hopefully by
16 enacting this law, we will take a portion of
17 Jericho Turnpike in Nassau County, as it extends
18 over the Cross-Island Parkway, and we will name
19 that for Officer Lopez so that, again, we can
20 memorialize a very special person who gave the
21 ultimate sacrifice but also remember the dangers
22 of policing and serve as a reminder to all of us
23 of just how fortunate we are to have our men and
24 women in blue who protect us each and every day.

25 I will be voting aye.

1 ACTING PRESIDENT YOUNG: Thank you,
2 Senator Martins. You will be recorded in the
3 affirmative.

4 Senator Boyle.

5 SENATOR BOYLE: Thank you,
6 Madam President.

7 I'd like to thank Senator Martins
8 for his leadership on this legislation to
9 memorialize Officer Lopez.

10 Officer Lopez was a constituent of
11 the Fourth Senatorial District, and his friends
12 and neighbors in Babylon will always remember him
13 as a tremendous officer but also a neighbor,
14 someone who was involved in his community, was a
15 leader on his street, made friends and was always
16 helpful to the people who he lived near.

17 The highway may be in Nassau County,
18 but in the hearts of Babylon, Officer Lopez will
19 always be with us.

20 I vote in the affirmative.

21 ACTING PRESIDENT YOUNG: Thank you,
22 Senator Boyle.

23 Announce the result.

24 THE SECRETARY: Ayes, 61.

25 ACTING PRESIDENT YOUNG: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 520, substituted earlier by Member of the
4 Assembly Zebrowski, Assembly Print Number 1297,
5 an act enacting the "Rockland Bergen Bi-State
6 Watershed Flood Prevention and Protection Act."

7 ACTING PRESIDENT YOUNG: Read the
8 last section.

9 THE SECRETARY: Section 9. This
10 act shall take effect upon the enactment into
11 law.

12 ACTING PRESIDENT YOUNG: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT YOUNG: Announce
16 the result.

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT YOUNG: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 558, substituted earlier by Member of the
22 Assembly Englebright, Assembly Print 1935A, an
23 act to amend the Public Health Law.

24 ACTING PRESIDENT YOUNG: Read the
25 last section.

1 THE SECRETARY: Section 2. This
2 act shall take effect on the 60th day.

3 ACTING PRESIDENT YOUNG: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT YOUNG: Announce
7 the results.

8 THE SECRETARY: Ayes, 61.

9 ACTING PRESIDENT YOUNG: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 559, by Senator Hannon, Senate Print 3817, an act
13 to amend the Public Health Law.

14 ACTING PRESIDENT YOUNG: Read the
15 last section.

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

18 ACTING PRESIDENT YOUNG: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT YOUNG: Announce
22 the results.

23 THE SECRETARY: Ayes, 61.

24 ACTING PRESIDENT YOUNG: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 560, substituted earlier by Member of the
3 Assembly Rodriguez, Assembly Print 2387 --

4 SENATOR LIBOUS: Lay it aside for
5 the day, please.

6 ACTING PRESIDENT YOUNG: The bill
7 is laid aside for the day.

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

10 SENATOR LIBOUS: Thank you,
11 Madam President.

12 At this time Senator Klein,
13 Senator Skelos hand up the following committee
14 assignments and ask that the assignments be filed
15 in the Journal.

16 ACTING PRESIDENT YOUNG: So
17 ordered.

18 Senator Libous.

19 SENATOR LIBOUS: Thank you,
20 Madam President.

21 Is there any further business at the
22 desk?

23 ACTING PRESIDENT YOUNG: There is
24 no further business before the desk.

25 SENATOR LIBOUS: There being no

1 further business, I move that the Senate adjourn
2 until Wednesday, May 8th, at 11:00 a.m.

3 ACTING PRESIDENT YOUNG: Thank you,
4 Senator Libous.

5 On motion, the Senate stands
6 adjourned until Wednesday, May 8th, at 11:00 a.m.

7 (Whereupon, at 5:00 p.m., the Senate
8 adjourned.)
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