

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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7
8 ALBANY, NEW YORK

9
10 June 13, 2011

11 2:17 p.m.

12
13
14 REGULAR SESSION

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17
18 SENATOR JOSEPH A. GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

9 ACTING PRESIDENT GRIFFO: I ask
10 all to extend their heads in a moment of
11 silent prayer.

12 And I would ask all to please
13 keep the memory of a slain police officer in
14 Oneida County, Deputy Sheriff Kurt Wyman.

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

17 ACTING PRESIDENT GRIFFO: The
18 reading of the Journal.

19 THE SECRETARY: In Senate, Sunday,
20 June 12th, the Senate met pursuant to
21 adjournment. The Journal of Saturday, June 11th,
22 was read and approved. On motion, Senate
23 adjourned.

24 ACTING PRESIDENT GRIFFO: Without
25 objection, the Journal stands approved as read.

1 Presentation of petitions.

2 Messages from the Assembly.

3 The Secretary will read.

4 THE SECRETARY: On page 25, Senator
5 Grisanti moves to discharge, from the Committee
6 on Environmental Conservation, Assembly Bill
7 Number 5318A and substitute it for the identical
8 Senate Bill Number 3798, Third Reading Calendar
9 170.

10 ACTING PRESIDENT GRIFFO:

11 Substitution so ordered.

12 THE SECRETARY: On page 27, Senator
13 Klein moves to discharge, from the Committee on
14 Mental Health and Development Disabilities,
15 Assembly Bill Number 2059 and substitute it for
16 the identical Senate Bill Number 3251, Third
17 Reading Calendar 222.

18 ACTING PRESIDENT GRIFFO:

19 Substitution so ordered.

20 THE SECRETARY: On page 31, Senator
21 Martins moves to discharge, from the Committee on
22 Local Government, Assembly Bill Number 6334 and
23 substitute it for the identical Senate Bill
24 Number 4047, Third Reading Calendar 331.

25 ACTING PRESIDENT GRIFFO: The

1 substitution is so ordered.

2 THE SECRETARY: On page 32, Senator
3 DeFrancisco moves to discharge, from the
4 Committee on Judiciary, Assembly Bill Number 5022
5 and substitute it for the identical Senate Bill
6 Number 3179, Third Reading Calendar 356.

7 ACTING PRESIDENT GRIFFO: The
8 substitution is so ordered.

9 THE SECRETARY: On page 32, Senator
10 Marcellino moves to discharge, from the Committee
11 on Investigations and Government Operations,
12 Assembly Bill Number 7262 and substitute it for
13 the identical Senate Bill Number 4030, Third
14 Reading Calendar 362.

15 ACTING PRESIDENT GRIFFO:
16 Substitution is so ordered.

17 THE SECRETARY: On page 38, Senator
18 Young moves to discharge, from the Committee on
19 Investigations and Government Operations,
20 Assembly Bill Number 6967 and substitute it for
21 the identical Senate Bill Number 4022, Third
22 Reading Calendar 480.

23 ACTING PRESIDENT GRIFFO:
24 Substitution so ordered.

25 THE SECRETARY: On page 39, Senator

1 Marcellino moves to discharge, from the Committee
2 on Health, Assembly Bill Number 6902A and
3 substitute it for the identical Senate Bill
4 Number 4622A, Third Reading Calendar 522.

5 ACTING PRESIDENT GRIFFO: The
6 substitution is so ordered.

7 THE SECRETARY: On page 44, Senator
8 Parker moves to discharge, from the Committee on
9 Energy and Telecommunications, Assembly Bill
10 Number 28 and substitute it for the identical
11 Senate Bill Number 1149, Third Reading Calendar
12 608.

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

15 THE SECRETARY: On page 44, Senator
16 Maziarz moves to discharge, from the Committee on
17 Energy and Telecommunications, Assembly Bill
18 Number 5525A and substitute it for the identical
19 Senate Bill Number 4548, Third Reading Calendar
20 609.

21 ACTING PRESIDENT GRIFFO:
22 Substitution so ordered.

23 THE SECRETARY: On page 44, Senator
24 Marcellino moves to discharge, from the Committee
25 on Energy and Telecommunications, Assembly Bill

1 Number 1474 and substitute it for the identical
2 Senate Bill Number 4849, Third Reading Calendar
3 610.

4 ACTING PRESIDENT GRIFFO:
5 Substitution so ordered.

6 THE SECRETARY: On page 49, Senator
7 LaValle moves to discharge, from the Committee on
8 Cultural Affairs and Tourism, Assembly Bill
9 Number 5763 and substitute it for the identical
10 Senate Bill Number 4473, Third Reading Calendar
11 675.

12 ACTING PRESIDENT GRIFFO:
13 Substitution so ordered.

14 THE SECRETARY: On page 49, Senator
15 Seward moves to discharge, from the Committee on
16 Environmental Conservation, Assembly Bill Number
17 4729A and substitute it for the identical Senate
18 Bill Number 2363A, Third Reading Calendar 681.

19 ACTING PRESIDENT GRIFFO:
20 Substitution ordered.

21 THE SECRETARY: On page 55, Senator
22 Golden moves to discharge, from the Committee on
23 Civil Service and Pensions, Assembly Bill Number
24 5738 and substitute it for the identical Senate
25 Bill Number 4131, Third Reading Calendar 788.

1 ACTING PRESIDENT GRIFFO:

2 Substitution ordered.

3 THE SECRETARY: On page 57, Senator
4 Young moves to discharge, from the Committee on
5 Labor, Assembly Bill Number 2129B and substitute
6 it for the identical Senate Bill Number 4940B,
7 Third Reading Calendar 821.

8 ACTING PRESIDENT GRIFFO:

9 Substitution ordered.

10 THE SECRETARY: On page 57, Senator
11 Alesi moves to discharge, from the Committee on
12 Labor, Assembly Bill Number 7268 and substitute
13 it for the identical Senate Bill Number 4953,
14 Third Reading Calendar 822.

15 ACTING PRESIDENT GRIFFO:

16 Substitution is so ordered.

17 THE SECRETARY: On page 58, Senator
18 LaValle moves to discharge, from the Committee on
19 Higher Education, Assembly Bill Number 7073 and
20 substitute it for the identical Senate Bill
21 Number 5376, Third Reading Calendar 827.

22 ACTING PRESIDENT GRIFFO:

23 Substitution ordered.

24 THE SECRETARY: On page 59, Senator
25 Marcellino moves to discharge, from the Committee

1 on Investigations and Government Operations,
2 Assembly Bill Number 7668 and substitute it for
3 the identical Senate Bill Number 5261A, Third
4 Reading Calendar 841.

5 ACTING PRESIDENT GRIFFO:
6 Substitution so ordered.

7 THE SECRETARY: On page 62, Senator
8 Martins moves to discharge, from the Committee on
9 Local Government, Assembly Bill Number 7387A and
10 substitute it for the identical Senate Bill
11 Number 5138A, Third Reading Calendar 875.

12 ACTING PRESIDENT GRIFFO:
13 Substitution so ordered.

14 THE SECRETARY: On page 63, Senator
15 Carlucci moves to discharge, from the Committee
16 on Local Government, Assembly Bill Number 5566
17 and substitute it for the identical Senate Bill
18 Number 4294, Third Reading Calendar 885.

19 ACTING PRESIDENT GRIFFO:
20 Substitution ordered.

21 THE SECRETARY: On page 64, Senator
22 Marcellino moves to discharge, from the Committee
23 on Insurance, Assembly Bill Number 1007 and
24 substitute it for the identical Senate Bill
25 Number 928, Third Reading Calendar 895.

1 ACTING PRESIDENT GRIFFO:

2 Substitution so ordered.

3 THE SECRETARY: On page 65, Senator
4 Young moves to discharge, from the Committee on
5 Judiciary, Assembly Bill Number 408 and
6 substitute it for the identical Senate Bill
7 Number 2779, Third Reading Calendar 908.

8 ACTING PRESIDENT GRIFFO:

9 Substitution so ordered.

10 THE SECRETARY: On page 68, Senator
11 Saland moves to discharge, from the Committee on
12 Agriculture, Assembly Bill Number 20 and
13 substitute it for the identical Senate Bill
14 Number 3626, Third Reading Calendar 933.

15 ACTING PRESIDENT GRIFFO:

16 Substitution so ordered.

17 THE SECRETARY: And on page 71,
18 Senator DeFrancisco moves to discharge, from the
19 Committee on Investigations and Government
20 Operations, Assembly Bill Number 7238 and
21 substitute it for the identical Senate Bill
22 Number 3946, Third Reading Calendar 962.

23 ACTING PRESIDENT GRIFFO:

24 Substitution so ordered.

25 Messages from the Governor.

1 Reports of standing committees.

2 Reports of select committees.

3 Communications and reports from
4 state officers.

5 Motions and resolutions.

6 Senator Breslin.

7 SENATOR BRESLIN: Thank you,
8 Mr. President.

9 On behalf of Senator Kennedy, on
10 page number 36 I offer the following amendments
11 to Calendar Number 424, Print Number 3109, and
12 ask that the said bill retain its place on the
13 Third Reading Calendar.

14 ACTING PRESIDENT GRIFFO: The
15 amendments are received, and the bill will retain
16 its place on third reading.

17 SENATOR BRESLIN: Thank you,
18 Mr. President.

19 On behalf of Senator Dilan, on page
20 number 69 I offer the following amendments to
21 Calendar Number 945, Senate Print Number 1357A,
22 and ask that the bill retain its place on the
23 Third Reading Calendar.

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

1 its place on third reading.

2 Senator Breslin.

3 SENATOR BRESLIN: Mr. President, on
4 behalf of Senator Espaillat, I wish to call up
5 his bill, Senate Print Number 1880, recalled from
6 the Assembly, which is now at the desk.

7 ACTING PRESIDENT GRIFFO: The
8 Secretary will read.

9 THE SECRETARY: Calendar Number
10 220, by Senator Espaillat, Senate Print 1880, an
11 act to amend the General Business Law.

12 SENATOR BRESLIN: Mr. President, I
13 now move to reconsider the vote by which this
14 bill was passed.

15 ACTING PRESIDENT GRIFFO: Call the
16 roll on reconsideration.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 50.

19 SENATOR BRESLIN: Mr. President, I
20 now offer the following amendments.

21 ACTING PRESIDENT GRIFFO: The
22 amendments are received.

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

25 ACTING PRESIDENT GRIFFO: Thank

1 you, Senator Breslin.

2 Senator Valesky.

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

5 On behalf of myself, on page 52 I
6 offer the following amendments to Calendar Number
7 752, Senate Bill 4796A, and ask that said bill
8 retain its place on the Third Reading Calendar.

9 ACTING PRESIDENT GRIFFO: The
10 amendments are received, and the bill will retain
11 its place on third reading.

12 SENATOR VALESKY: On page 66, I
13 offer the following amendments to Calendar Number
14 913 -- this is on behalf of Senator Savino --
15 Senate Bill Number 4091A, and ask that said bill
16 retain its place on the Third Reading Calendar.

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

20 SENATOR VALESKY: And also on
21 behalf of Senator Savino, on page 54 I offer the
22 following amendments to Calendar Number 781,
23 Senate Bill 4038A, and ask that that bill retain
24 its place on the Third Reading Calendar.

25 ACTING PRESIDENT GRIFFO: The

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

3 Thank you, Senator Valesky.

4 Senator Libous.

5 SENATOR LIBOUS: Thank you,
6 Mr. President. I have a number of housekeeping
7 items here.

8 So, Mr. President, on behalf of
9 Senator Ritchie, I move to commit Senate Print
10 Number 4340, Calendar Number 934 on the order of
11 third reading, to the Committee on Finance.

12 ACTING PRESIDENT GRIFFO: So
13 ordered.

14 SENATOR LIBOUS: Mr. President, I
15 move the following bill be discharged from its
16 respective committee and be recommitted with
17 instructions to strike the enacting clause:
18 5708. That's on behalf of Senator Skelos.

19 ACTING PRESIDENT GRIFFO: So
20 ordered.

21 SENATOR LIBOUS: On behalf of
22 Senator Zeldin, I wish to call up his print,
23 3901, recalled from the Assembly, which is now at
24 the desk.

25 ACTING PRESIDENT GRIFFO: The

1 Secretary will read.

2 THE SECRETARY: Calendar Number
3 206, by Senator Zeldin, Senate Print 3901, an act
4 to amend the Military Law.

5 SENATOR LIBOUS: Mr. President, I
6 now move to reconsider the vote by which this
7 bill was passed.

8 ACTING PRESIDENT GRIFFO: Call the
9 roll on reconsideration.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 50.

12 SENATOR LIBOUS: Mr. President, I
13 now offer up the following amendments.

14 ACTING PRESIDENT GRIFFO: The
15 amendments are received.

16 SENATOR LIBOUS: Mr. President, on
17 behalf of Senator Lanza, please call up Print
18 Number 4377, recalled from the Assembly, which is
19 now at the desk.

20 ACTING PRESIDENT GRIFFO: The
21 Secretary will read.

22 THE SECRETARY: Calendar Number
23 315, by Senator Lanza, Senate Print 4377, an act
24 to amend the General City Law.

25 SENATOR LIBOUS: I now move to

1 reconsider the vote by which this bill was
2 passed.

3 ACTING PRESIDENT GRIFFO: Call the
4 roll on reconsideration.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 50.

7 SENATOR LIBOUS: Mr. President, I
8 now offer up the following amendments.

9 ACTING PRESIDENT GRIFFO: The
10 amendments are received.

11 SENATOR LIBOUS: Mr. President, on
12 behalf of Senator LaValle, I wish to call up
13 Senate Print 1457, recalled from the Assembly,
14 which is now at the desk.

15 ACTING PRESIDENT GRIFFO: The
16 Secretary will read.

17 THE SECRETARY: Calendar Number
18 521, by Senator LaValle, Senate Print 1457, an
19 act to amend the Public Health Law.

20 SENATOR LIBOUS: I now move to
21 reconsider the vote by which this bill was
22 passed.

23 ACTING PRESIDENT GRIFFO: Call the
24 roll on reconsideration.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 50.

2 SENATOR LIBOUS: Mr. President, I
3 offer up the following amendments.

4 ACTING PRESIDENT GRIFFO: The
5 amendments are received.

6 SENATOR LIBOUS: Mr. President, I
7 have amendments that I want to offer up to the
8 following Third Reading Calendar bills.

9 And I'll start with my own. Senator
10 Libous, on page 23, Calendar Number 106, Senate
11 Print 2462A.

12 Senator Bonacic, on page 27,
13 Calendar Number 225, Senate Print 2143C.

14 Senator Larkin, page 29, Calendar
15 Number 279, Senate Print 3111A.

16 Senator DeFrancisco, page 35,
17 Calendar Number 420, Senate Print 3293A.

18 Senator Maziarz, on page 42,
19 Calendar Number 526, Senate Print 519B.

20 Senator Skelos, on page 46, Calendar
21 Number 637, Senate Print 4264A.

22 Again, Senator Skelos, on page 47,
23 Calendar Number 644, Senate Print 4893A.

24 On behalf of Senator Zeldin, page
25 51, Calendar Number 730, Senate Print 4723A.

1 On behalf of Senator LaValle,
2 page 60, Calendar Number 855, Senate Print 3834.

3 We have Senator Farley, on page 60,
4 Calendar Number 857, Senate Print 4053.

5 On behalf of Senator Golden, page
6 41, Calendar Number 553, Senate Print 4507.

7 On behalf of Senator McDonald, on
8 page 44, Calendar Number 602, Senate Print
9 2153A.

10 On behalf of Senator McDonald, on
11 page 57, Calendar Number 811, Senate Print 2160.

12 On behalf of Senator Saland, on
13 page 29, Calendar Number 292, Senate Print
14 4244B.

15 On behalf of Senator Saland, on
16 page 41, Calendar Number 564, Senate Print 5170.

17 On behalf of Senator Zeldin, on
18 page 47, Calendar Number 640, Senate Print 4601.

19 On behalf of Senator Zeldin, on
20 page 66, Calendar Number 921, Senate Print 5477.

21 Mr. President, on behalf of you,
22 Senator Griffo, on page 71, Calendar Number 967,
23 Senate Print 3322.

24 On behalf of Senator Marcellino, on
25 page 32, Calendar Number 361, Senate Print 4014.

1 On behalf of Senator Maziarz,
2 page 29, Calendar Number 276, Senate Print 3914.

3 On behalf of Senator Zeldin,
4 page 47, Calendar Number 641, Senate Print 4607.

5 On behalf of Senator Zeldin,
6 page 62, Calendar Number 873, Senate Print 4545.

7 On behalf of Senator Maziarz,
8 page 33, Calendar Number 384, Senate Print 3755.

9 On behalf of Senator Zeldin,
10 page 47, Calendar Number 639, Senate Print
11 4600A.

12 And, Mr. President, on behalf of
13 Senator Skelos, on page 47, Calendar Number 646,
14 Senate Print 4941A.

15 Mr. President, I now move that these
16 bills retain their place on the Third Reading
17 Calendar.

18 ACTING PRESIDENT GRIFFO: All in
19 one breath. Very impressive.

20 All the amendments are received, and
21 the bills shall retain their place on the Third
22 Reading Calendar.

23 Senator Libous.

24 SENATOR LIBOUS: Mr. President,
25 there's a resolution at the desk by Senator

1 Lanza. Could we read the title and then move for
2 its immediate adoption.

3 ACTING PRESIDENT GRIFFO: The
4 Secretary will read.

5 THE SECRETARY: Legislative
6 Resolution Number 2402, by Senator Lanza,
7 recognizing that the Citizens Stamp Advisory
8 Committee is contemplating a recommendation to
9 issue a commemorative postage stamp honoring
10 civil rights workers Andrew Goodman, James
11 Chaney, and Michael Schwerner, and the "Freedom
12 Summer" of 1964.

13 ACTING PRESIDENT GRIFFO: The
14 question is on the resolution. All in favor
15 signify by saying aye.

16 (Response of "Aye.")

17 ACTING PRESIDENT GRIFFO: Opposed,
18 nay.

19 (No response.)

20 ACTING PRESIDENT GRIFFO: The
21 resolution is adopted.

22 The chair would like at this point
23 in time to recognize the presence of Mr. David
24 Goodman, the brother of slain civil rights
25 advocate Andrew Goodman, and his wife Sylvia, who

1 are in the chamber. Thank you for honoring us
2 today.

3 Senator Libous.

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

6 There's a resolution at the desk by
7 Senator Adams. We'd like it read in its entirety
8 and then move for its adoption.

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

11 There's a resolution at the desk by
12 Senator Adams. We'd like it read in its entirety
13 and then move for its adoption.

14 ACTING PRESIDENT GRIFFO: The
15 Secretary will read.

16 THE SECRETARY: Legislative
17 resolution by Senator Adams, memorializing
18 Governor Andrew M. Cuomo to proclaim June 13,
19 2011, as Korean American Day in the State of
20 New York.

21 "WHEREAS, It is the sense of this
22 Legislative Body, in keeping with its
23 time-honored traditions, to recognize and pay
24 tribute to those organizations which foster
25 ethnic pride and enhance the profile of cultural

1 diversity which strengthens the fabric of the
2 communities of New York State; and

3 "WHEREAS, When the sons and
4 daughters of other nations move to the United
5 States, the traditions they carry with them
6 greatly enhance and strengthen the American
7 population; and

8 "WHEREAS, Attendant to such concern,
9 and in full accord with its long-standing
10 traditions, this Legislative Body is justly proud
11 to memorialize Governor Andrew M. Cuomo to
12 proclaim Monday, June 13, 2011, as Korean
13 American Day in the State of New York; and

14 "WHEREAS, The following
15 organizations will be participating in this
16 year's Korean American Day: The Korean-American
17 Association of Greater New York, The Korean-
18 American Association of Queens, New York,
19 Korean-American Association of Brooklyn,
20 New York, Korean-American Association of
21 Staten Island, New York, Korean-American
22 Association of Long Island, New York, Mt. Vernon
23 Korean Association of New York, Korean-American
24 Society of Connecticut, Korean-American
25 Association of New Jersey, Korean-American

1 Association of Bergen, New Jersey, Korean Cuisine
2 Globalization Committee USA, and New York
3 Academy; and

4 "WHEREAS, In December 1902, 56 men,
5 21 women, and 25 children left Korea and traveled
6 across the Pacific Ocean on the S.S. Gaelic and
7 landed in Honolulu, Hawaii, on January 13, 1903;
8 and

9 "WHEREAS, In the early 1950s,
10 thousands of Koreans, fleeing from war, poverty,
11 and desolation, came to the United States seeking
12 opportunities; and

13 "WHEREAS, Korean-Americans, like
14 waves of immigrants that came to the United
15 States before them, have taken root and thrived
16 in the United States through strong family ties,
17 community support, and hard work; and

18 "WHEREAS, The partnership of the
19 United States and South Korea helps maintain
20 peace and stability in the Asia-Pacific region
21 and provides economic benefits to the people of
22 both nations and the rest of the world; and

23 "WHEREAS, The contributions of
24 Korean Americans to the United States include the
25 development of the first beating heart operation

1 for coronary artery disease, the development of
2 several varieties of the nectarine, and
3 achievements in engineering, architecture,
4 medicine, acting, singing, sculpture and writing;
5 and

6 "WHEREAS, The State of New York is
7 fortunate to have in its midst a substantial
8 number of citizens who trace their origins to
9 Korea; and

10 "WHEREAS, The unique beauty of
11 Korean culture, and the contribution of its
12 people to literature, the arts and sciences, and
13 to the economy are well-known and
14 well-appreciated around the world. The
15 contributions of Korean-Americans are especially
16 bountiful throughout the Empire State and are
17 distinguished by their excellence; now,
18 therefore, be it

19 "RESOLVED, That this Legislative
20 Body pause in its deliberations to memorialize
21 Governor Andrew M. Cuomo to proclaim Monday,
22 June 13, 2011, as Korean American Day in the
23 State of New York; and be it further

24 "RESOLVED, That copies of this
25 resolution, suitably engrossed, be transmitted to

1 the Honorable Andrew M. Cuomo, Governor of the
2 State of New York, and to the aforementioned
3 organizations."

4 ACTING PRESIDENT GRIFFO: Senator
5 Stavisky on the resolution.

6 SENATOR STAVISKY: Thank you,
7 Mr. President. On the resolution.

8 And I'm delighted to welcome to the
9 chamber representatives of many of the groups
10 today. There are too many to name, but we do
11 recognize the contributions.

12 And the history goes back to 1902,
13 when -- I want to get the numbers correct --
14 56 men, 21 women, and 25 children left Korea on
15 the S.S. Gaelic, which I think is ironic, and
16 landed in Honolulu, Hawaii, on January 13, 1903.
17 And throughout the ensuing years Korean-Americans
18 have come to the United States seeking a better
19 life.

20 And I must say, I am so proud -- I
21 say it all the time, but I am so proud to
22 represent so many Korean-Americans in my Senate
23 district in Queens County, but also really
24 throughout the throughout the state.

25 Flushing was a community in decline

1 in the 1960s and '70s, and the Asian-Americans
2 came and revitalized the entire county. We have
3 businesses that are thriving. We have people
4 involved in the community, in the civic
5 activities. And the new Americans have done so
6 much to make not only Queens County but the
7 entire state an example of what happens with
8 revitalization. We've had almost a renaissance,
9 where new ideas and new traditions and an
10 exchange of cultural traditions has occurred.

11 And we are delighted to welcome so
12 many representatives from the entire state,
13 actually, as well as the neighboring states, to
14 Albany. The Korean-Americans have distinguished
15 themselves in so many areas in the community and
16 in the state. And as I said, I'm delighted to
17 welcome them and recognize their unique
18 contributions.

19 So, Mr. President, I thank you for
20 the opportunity, and I welcome our friends. And
21 I say to you all, "Kamsahamnida."

22 (Applause from the gallery.)

23 SENATOR STAVISKY: And let me just
24 add, Mr. President, that in the audience are the
25 parents, the mother-in-law and father-in-law, of

1 our friend Assemblywoman Grace Meng. The Kye
2 family is up there in the gallery, and we welcome
3 them to Albany as well.

4 Thank you.

5 ACTING PRESIDENT GRIFFO: The
6 question is on the resolution. All in favor
7 signify by saying aye.

8 (Response of "Aye.")

9 ACTING PRESIDENT GRIFFO: Opposed?

10 (No response.)

11 ACTING PRESIDENT GRIFFO: The
12 resolution is adopted.

13 We want to welcome all of our
14 friends visiting us today in celebration of
15 Korean American Day. Congratulations and best
16 wishes.

17 (Applause.)

18 ACTING PRESIDENT GRIFFO: Senator
19 Libous.

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

22 Mr. President, at this time would
23 you please call on Senator O'Mara.

24 ACTING PRESIDENT GRIFFO: Senator
25 O'Mara.

1 SENATOR O'MARA: Yes, thank you,
2 Mr. President.

3 I rise to speak on the loss of one
4 of America's best, Specialist Devin Snyder, who
5 was killed in action on June 4th of this month.
6 She resided in the community of Cohocton, in my
7 district in upstate New York. Her body is being
8 received back home today, and a funeral will take
9 place this coming Saturday.

10 Snyder was serving in Afghanistan as
11 a military police with the 164th MP company of
12 the 793rd Military Police Battalion. She was a
13 2008 graduate of Wayland-Cohocton Central School,
14 a track and soccer star for the school. Her
15 lanky build earned her the nickname "Twiggy."

16 Her ties to Cohocton and to the
17 military run equally deep. Her father Edward is
18 a former mayor and a veteran of the U.S. Navy.
19 Her sister Natasha currently serves in the Navy,
20 and her brother Damien serves in the Army.

21 Snyder and three fellow soldiers
22 were killed June 4th when their vehicle hit a
23 mine near Mehter Lam in the Laghman Province of
24 Afghanistan.

25 If everyone would please rise and

1 join us in a moment of silence for the loss of
2 Specialist Devin Snyder.

3 ACTING PRESIDENT GRIFFO: I would
4 ask all present to please rise in a moment of
5 silent reflection in memory of Sergeant Snyder.

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

8 SENATOR O'MARA: Thank you,
9 Mr. President.

10 ACTING PRESIDENT GRIFFO: Thank
11 you, Senator O'Mara.

12 SENATOR LIBOUS: Mr. President.

13 ACTING PRESIDENT GRIFFO: Senator
14 Libous.

15 SENATOR LIBOUS: At this time the
16 Senate will stand at ease till 3 o'clock, at
17 which time there will be a Rules Committee
18 meeting in Room 332. Three o'clock sharp, and
19 then we will come back on the floor.

20 ACTING PRESIDENT GRIFFO: The
21 Senate will stand at ease until shortly after a
22 meeting of the Rules Committee, which will be
23 held in Room 332 at 3:00 p.m. sharp.

24 The Senate stands at ease.

25 (Whereupon, the Senate stood at ease

1 at 2:42 p.m.)

2 (Whereupon, the Senate reconvened at
3 4:01 p.m.)

4 ACTING PRESIDENT GRIFFO: The
5 Senate will come to order.

6 Senator Libous.

7 SENATOR LIBOUS: Mr. President,
8 before we go to motions and resolutions and we
9 have a reading of the Rules report, members have
10 been asking me about the schedule and I want to
11 make sure that everybody is together on the same
12 page.

13 The schedule will be as follows. It
14 is our intent to take up the ethics bill and then
15 at 5:00 o'clock we would then recess till 7:30.
16 Come back at 7:30, and I would say that we would
17 be here probably till 11:00 or midnight. We have
18 a lot of bills that we would like to take up.

19 And we will try to keep you informed
20 as the week goes on, because we would like to
21 finish up by the end of the week. And members on
22 both sides of the aisle would like certain local
23 bills passed, and certainly other bills passed,
24 so we're going to try to do this in as orderly
25 and open a fashion as possible.

1 So that's today's schedule. We will
2 announce at the end of session what tomorrow's
3 schedule will be. But I would tell members that
4 you should plan on working vigorously this week.
5 And we'll probably be starting early and
6 finishing late, but not to the point where we're
7 too late and we affect the health of our
8 members. We don't want to do that for anybody.

9 So, Mr. President, at this time
10 could we return to motions and resolutions. And
11 I believe Senator Breslin has a motion.

12 ACTING PRESIDENT GRIFFO: Thanks
13 for the notice, Senator Libous, and it is so
14 noted.

15 On motions and resolutions, Senator
16 Breslin.

17 SENATOR BRESLIN: Thank you,
18 Mr. President.

19 On behalf of Senator Parker, I wish
20 to call up Calendar Number 608, Assembly Print
21 28.

22 ACTING PRESIDENT GRIFFO: The
23 Secretary will read.

24 THE SECRETARY: Calendar Number
25 608, by Member of the Assembly Cahill, Assembly

1 Print 28, an act to amend the Public Service Law.

2 SENATOR BRESLIN: I now move to
3 reconsider the vote by which the Assembly bill
4 was substituted for my bill, Senate Print Number
5 1149, on 6/13.

6 ACTING PRESIDENT GRIFFO: The
7 Secretary will call the roll on reconsideration.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 59.

10 SENATOR BRESLIN: I now move that
11 Assembly Bill 28 be recommitted to the Committee
12 on Rules and my Senate Bill be restored to the
13 order of the Third Reading Calendar.

14 ACTING PRESIDENT GRIFFO: So
15 ordered.

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

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

20 Senator Libous.

21 SENATOR LIBOUS: Mr. President, on
22 behalf of Senator Johnson, on page 67 I offer the
23 following amendments to Calendar Number 931,
24 Senate Print 4935, and ask that said bill retain
25 its place on the Third Reading Calendar.

1 ACTING PRESIDENT GRIFFO: The
2 amendments are received, and the bill shall
3 retain its place on third reading.

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

6 On behalf of Senator Flanagan, on
7 page 36 I offer the following amendments to
8 Calendar Number 429, Senate Print 4391, and ask
9 that said bill retain its place on the Third
10 Reading Calendar.

11 ACTING PRESIDENT GRIFFO: The
12 amendments are received, and the bill shall
13 retain its place on third reading.

14 Senator Libous.

15 SENATOR LIBOUS: Mr. President,
16 could we now go to the reports of standing
17 committees. I believe there are two reports from
18 the Rules Committee at the desk. Could we have
19 them read at this time.

20 ACTING PRESIDENT GRIFFO: The
21 Secretary will read.

22 THE SECRETARY: Senator Skelos,
23 from the Committee on Rules, reports the
24 following bills:

25 Senate Print 587A, by Senator Klein,

1 an act to amend the Education Law;

2 1027A, by Senator Klein, an act to
3 amend Chapter 42 of the Laws of 1996;

4 1164, by Senator Breslin, an act to
5 amend the Town Law;

6 1188, by Senator Breslin, an act to
7 amend the Criminal Procedure Law;

8 1303, by Senator Duane, an act to
9 amend the Elder Law;

10 2796A, by Senator Klein, an act
11 authorizing the Commissioner of General Services;

12 3016A, by Senator Huntley, an act to
13 amend the Mental Hygiene Law;

14 3469A, by Senator Oppenheimer, an
15 act to amend the Education Law;

16 4469, by Senator Nozzolio, an act to
17 amend the Criminal Procedure Law;

18 4559B, by Senator Robach, an act to
19 amend the Workers' Compensation Law;

20 4718A, by Senator Ritchie, an act to
21 amend the Agriculture and Markets Law;

22 4726, by Senator Kennedy, an act to
23 amend the Penal Law;

24 4780, by Senator Golden, an act to
25 amend the Local Finance Law;

1 4855, by Senator Montgomery, an act
2 to amend the State Finance Law;

3 5347, by Senator Valesky, an act to
4 authorize the Tully Central School District;

5 5455A, by Senator Nozzolio, an act
6 to amend the Penal Law;

7 5486, by Senator Lanza, an act to
8 amend Chapter 130 of the Laws of 1998;

9 5493, by Senator Gallivan, an act to
10 amend the Social Services Law;

11 5496, by Senator Breslin, an act
12 authorizing Holding Our Own, Inc.;

13 5521, by Senator Klein, an act to
14 amend the County Law;

15 5527, by the Senate Committee on
16 Rules, an act to amend the Tax Law;

17 5542, by Senator Saland, an act to
18 amend the Criminal Procedure Law;

19 5558, by Senator Ball, an act to
20 amend the Retirement and Social Security Law;

21 5564, by the Committee on Rules, an
22 act to amend the Public Authorities Law;

23 5569, by Senator Maziarz, an act to
24 amend Chapter 738 of the Laws of 2005;

25 5571, by Senator Oppenheimer, an act

1 to amend Chapter 851 of the Laws of 1949;

2 5582, by Senator Savino, an act to
3 amend the Domestic Relations Law;

4 5583, by Senator Bonacic, an act to
5 amend the Tax Law;

6 5605, by Senator Griffo, an act to
7 amend the Penal Law;

8 5643, by Senator Marcellino, an act
9 to amend the Vehicle and Traffic Law;

10 5647, by Senator Flanagan, an act to
11 amend the Education Law;

12 5649, by Senator Young, an act to
13 amend the Private Housing Finance Law;

14 5651, by Senator Golden, an act to
15 amend the Retirement and Social Security Law;

16 5656, by Senator Hannon, an act to
17 amend the Public Authorities Law;

18 5679, by Senator Skelos, an act in
19 relation to establishing the Public Integrity
20 Reform Act of 2011;

21 And 5704, by Senator Hannon, an act
22 to amend Chapter 451 of the Laws of 2007.

23 ACTING PRESIDENT GRIFFO: Senator
24 Libous.

25 SENATOR LIBOUS: Mr. President, can

1 we move to accept this first Rules report,
2 please.

3 ACTING PRESIDENT GRIFFO: All in
4 favor of accepting the Committee on Rules report
5 signify by saying aye.

6 (Response of "Aye.")

7 ACTING PRESIDENT GRIFFO: Opposed?

8 (No response.)

9 ACTING PRESIDENT GRIFFO: The
10 committee report is accepted.

11 Senator Libous.

12 SENATOR LIBOUS: Can we read the
13 second report of the Rules Committee, please.

14 ACTING PRESIDENT GRIFFO: The
15 Secretary will read.

16 THE SECRETARY: Senate Print 134,
17 by Senator Little, an act to amend the Real
18 Property Tax Law;

19 935, by Senator Marcellino, an act
20 to amend the Vehicle and Traffic Law;

21 1538, by Senator Skelos, an act to
22 amend the Family Court Act and the Domestic
23 Relations Law;

24 2352, by Senator Grisanti, an act to
25 amend the Education Law;

1 2678, by Senator Larkin, an act to
2 amend the Tax Law;

3 3410, by Senator Golden, an act to
4 amend the Tax Law;

5 3420, by Senator Flanagan, an act to
6 authorize the Holy Cross Polish National Church;

7 3994A, by Senator Golden, an act to
8 amend the General Municipal Law;

9 4200, by Senator Hannon, an act to
10 amend the New York State Medical Care Facilities
11 Finance Agency Act;

12 4655, by Senator Skelos, an act to
13 amend the Volunteer Firefighters' Benefit Law;

14 4763, by Senator Farley, an act to
15 amend the Executive Law;

16 4898, by Senator Golden, an act to
17 amend Chapter 929 of the Laws of 1986;

18 5140B, by Senator Farley, an act to
19 amend the Tax Law;

20 5223B, by Senator Libous, an act to
21 amend the Economic Development Law;

22 5326, by Senator Larkin, an act to
23 amend the General Municipal Law;

24 5665, by Senator DeFrancisco, an act
25 to amend Part RR of Chapter 57 of the Laws of

1 2008.

2 All bills reported direct to third
3 reading.

4 ACTING PRESIDENT GRIFFO: Senator
5 Libous.

6 SENATOR LIBOUS: Mr. President, at
7 this time can we move to accept the Rules report.

8 ACTING PRESIDENT GRIFFO: All in
9 favor of accepting the Committee on Rules report
10 signify by saying aye.

11 (Response of "Aye.")

12 ACTING PRESIDENT GRIFFO: Opposed?

13 (No response.)

14 ACTING PRESIDENT GRIFFO: The
15 Committee on Rules report is accepted.

16 Senator Libous.

17 SENATOR LIBOUS: Mr. President, at
18 this time can we go to Supplementary Calendar
19 51A.

20 And could we have the
21 noncontroversial reading of Number 1182, please.

22 ACTING PRESIDENT GRIFFO: The
23 Secretary will read.

24 THE SECRETARY: Calendar Number
25 1182, by Senator Skelos --

1 SENATOR BRESLIN: Lay it aside.

2 ACTING PRESIDENT GRIFFO: Lay it
3 aside.

4 Senator Libous, that completes the
5 reading.

6 SENATOR LIBOUS: Mr. President, at
7 this time could we have the controversial reading
8 of Calendar Number 1182.

9 ACTING PRESIDENT GRIFFO: The
10 Secretary will ring the bell.

11 SENATOR BRESLIN: Explanation,
12 please.

13 ACTING PRESIDENT GRIFFO: The
14 Secretary will read. And an explanation has been
15 requested.

16 SENATOR SKELOS: Mr. President, if
17 I could, earlier this year we passed an on-time
18 budget that eliminated a \$10 billion deficit. We
19 cut spending and we raised taxes --

20 ACTING PRESIDENT GRIFFO: Senator
21 Skelos, the bill has not --

22 SENATOR SKELOS: If we could call
23 up the bill first. We're eager about debating
24 the bill, but --

25 (Laughter.)

1 ACTING PRESIDENT GRIFFO: The
2 Secretary will read.

3 THE SECRETARY: Calendar Number
4 1182, by Senator Skelos, Senate Print 5679, an
5 act in relation to establishing the Public
6 Integrity Reform Act of 2011.

7 ACTING PRESIDENT GRIFFO: Senator
8 Breslin has requested an explanation, Senator
9 Skelos.

10 SENATOR SKELOS: Is somebody asking
11 me for an explanation?

12 SENATOR BRESLIN: Yes, Senator.

13 SENATOR SKELOS: Thank you. Thank
14 you, Senator.

15 Earlier this year, on a bipartisan
16 basis, we passed an on-time budget that
17 eliminated a \$10 billion deficit, we cut spending
18 and didn't raise taxes. We also reached a
19 conceptual agreement to cap property taxes, an
20 issue that Senate Republicans have championed for
21 years. This year I'm confident that we will pass
22 legislation to give certainty to taxpayers and
23 businesses so they finally get the property tax
24 relief they deserve.

25 Last year Senate Republicans refused

1 to participate in an override of Governor
2 Paterson's veto of an ethics bill. I said in
3 this conference at the time that we could do
4 better, and now we have. With the help of
5 Senators Flanagan, Hannon and Lanza, who will be
6 discussing the bill in further detail, we have
7 reached an agreement with the Assembly and the
8 Governor which addresses the deficiencies of last
9 year's bill.

10 This historic ethics reform bill is
11 another step in restoring the public's trust in
12 their government. This bill significantly
13 expands disclosure of outside employment and
14 income of all legislators. Legislators will be
15 required to disclose all clients and customers
16 who have significant business before the state.
17 It also mandates the disclosure of all clients of
18 the firm who have significant business before the
19 state where the legislator played a significant
20 role in referring the clients.

21 The number of income categories has
22 increased from six to over 100. These categories
23 have been narrowly drawn and for the first time
24 will be publicly available.

25 It creates unprecedented

1 transparency by creating an independent
2 bipartisan commission on public ethics with
3 strong enforcement powers to investigate
4 violations of law by members of the executive and
5 legislative branches, as well as it oversees
6 lobbyists.

7 Public officials who commit felonies
8 related to their official duties are subject to
9 forfeiture of their pensions.

10 We have increased Election Law
11 penalties for serial nonfilers. The bill expands
12 lobbying disclosure requirements, including the
13 disclosure by lobbyists of any reportable
14 business relationship of more than \$1,000 with
15 public officials.

16 This bill creates an unprecedented
17 level of oversight and disclosure. With our
18 partners in the Assembly, Speaker Silver, and I
19 thank Governor Cuomo for his partnership, we have
20 made a significant step in restoring the public's
21 trust in their government.

22 At this time, Mr. President, if I
23 could yield to Senator Flanagan.

24 ACTING PRESIDENT GRIFFO: Senator
25 Flanagan, without objection.

1 Senator Flanagan.

2 SENATOR FLANAGAN: Are there any
3 questions?

4 ACTING PRESIDENT GRIFFO: Senator
5 Squadron.

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

8 And I'll direct to whichever Senator
9 is most appropriate to discuss the JCOPE, the
10 Joint Commission on Public Ethics.

11 ACTING PRESIDENT GRIFFO: Senator
12 Flanagan.

13 SENATOR FLANAGAN: Thank you,
14 Mr. President.

15 SENATOR SQUADRON: Thank you very
16 much. And I thank the Majority Leader for his
17 overview of the bill.

18 If Senator Flanagan would be willing
19 to yield, I would just ask him to describe the
20 membership of this so-called JCOPE and who the
21 appointing authorities are.

22 SENATOR FLANAGAN: Thank you,
23 Mr. President.

24 The structure would be 14 members,
25 six appointed by the Governor -- three Democrats,

1 three Republicans -- and eight appointed by each
2 house of the Legislature, three by the majority
3 and one by the minority.

4 SENATOR SQUADRON: And if Senator
5 Flanagan would continue to yield, how does that
6 differ from the current Commission on Public
7 Integrity which oversees the executive branch
8 currently?

9 SENATOR FLANAGAN: Well, it actually
10 differs in a number of different ways. It's an
11 independent commission. It now has oversight on
12 statewide officials -- the attorney general, the
13 comptroller, the executive branch, the
14 legislative branch. So it's much more expansive,
15 more independent, and it has a more balanced
16 representation of all the parties, so to speak.

17 SENATOR SQUADRON: Specifically,
18 the CPI has only appointees from the executive
19 branch, though there are appointees from the
20 comptroller and the attorney general. JCOPE has
21 both legislative and executive branch
22 appointees.

23 If Senator Flanagan would continue
24 to yield.

25 SENATOR FLANAGAN: Yes.

1 SENATOR SQUADRON: Thank you.

2 And the current Legislative Ethics
3 Commission, what's the appointing structure
4 there?

5 SENATOR FLANAGAN: Senator
6 Squadron, I want to make sure you're getting the
7 right answer. I'm going to yield that to Senator
8 Lanza, inasmuch as he chairs that. I want to
9 make sure you're getting accurate information.

10 SENATOR SQUADRON: Thank you,
11 Senator Flanagan.

12 ACTING PRESIDENT GRIFFO: The chair
13 recognizes Senator Lanza without objection.

14 Senator Squadron.

15 SENATOR SQUADRON: If Senator Lanza
16 would be willing to yield to that question.

17 SENATOR LANZA: Through you,
18 Mr. President. The composition of the
19 Legislative Ethics Commission is two members from
20 the Senate, one from each party; two members from
21 the Assembly, one from each party; and then there
22 are civilians who are appointed by the various
23 leaders in both houses. None by the Governor.

24 SENATOR SQUADRON: Thank you.

25 So the Legislative Ethics

1 Commission, eight members, equal appointments
2 majority and minority, members of the Legislature
3 and nonmembers.

4 Let me ask if either Senator
5 Flanagan or Senator Lanza is willing to yield, on
6 both the CPI and the Legislative Ethics
7 Commission -- I'll ask Senator Lanza if he would
8 yield, through you, Mr. President.

9 SENATOR LANZA: Yes, Mr. President.

10 SENATOR SQUADRON: Senator Lanza,
11 do you know of a precedent in which an oversight
12 body of this sort has had an inequity of
13 appointments based on the partisan appointing
14 authority, based on the majority or the
15 minority?

16 SENATOR LANZA: Mr. President,
17 through you, I don't understand the question.

18 SENATOR SQUADRON: If I can restate
19 it.

20 The JCOPE, as Senator Flanagan
21 described, would have three appointees from the
22 current Majority Leader, three appointees from
23 the current Speaker, one appointee from the
24 current Minority Leader in the Senate, one
25 appointee from the current Minority Leader in the

1 Assembly. It's a partisan inequity based on --
2 well, based on partisanship. Are you familiar
3 with that in any other oversight structure?

4 SENATOR LANZA: If you say so,
5 Senator Squadron. Do you mean within New York
6 State, outside of New York State?

7 SENATOR SQUADRON: Through you,
8 Mr. President, I think any precedent for such a
9 partisan structure would be interesting.

10 SENATOR LANZA: Are you talking
11 about the old panel or the new panel envisioned
12 in this litigation?

13 SENATOR SQUADRON: Mr. President,
14 just to clarify, the JCOPE as described by
15 Senator Flanagan has eight legislative
16 appointees, six of whom are appointed by the
17 majority leaders of the respective houses, two of
18 whom are appointed by the minority leaders of the
19 respective houses.

20 The Legislative Ethics Commission,
21 as described by Senator Lanza, has equal
22 representation from the majority and minority in
23 each house.

24 And so I'm wondering if this sort of
25 new model of inequity between the partisan

1 leaders in each house has any precedent in the
2 state.

3 SENATOR LANZA: I understand your
4 question.

5 Yeah, so that is -- I think what
6 makes this so historic is that I'm not sure that
7 this has been done quite in this way before where
8 you have true bipartisan representation on a
9 panel such as this. And the goal here is to make
10 sure that we don't create something that could be
11 unethically used, for instance, in some
12 witch-hunt against a member of either this house
13 or the other or the Governor based on party
14 politics.

15 So I'm not sure if there is a
16 precedent here. I would hope that other states
17 take our lead in truly putting forth a panel that
18 would be able to deal with this very important
19 issue in a nonpartisan way.

20 SENATOR SQUADRON: Through you,
21 Mr. President, if Senator Lanza would continue to
22 yield.

23 SENATOR LANZA: Yes.

24 ACTING PRESIDENT GRIFFO: The
25 Senator yields.

1 SENATOR SQUADRON: If Senator Lanza
2 would be willing to continue to describe just a
3 little more specifically how this structure -- in
4 which the majority leaders are appointing six of
5 the members, the minority leaders are appointing
6 two of the members -- prevents a partisan
7 witch-hunt. In what way does that structure lead
8 to the prevention of a partisan witch-hunt?

9 SENATOR LANZA: Well, through you,
10 Mr. President, Senator Squadron, the idea -- and
11 we all operate in a political world here, and we
12 see that there have been abuses year in, year
13 out, where there are those who seek for political
14 gain, whether it's to keep a majority, get a
15 majority, help a candidate, beat a candidate, are
16 willing to go to all sorts of unethical means to
17 do so.

18 And I think it's quite clear that
19 when you create a panel which has investigative
20 powers over a legislature or over a governor that
21 that's the sort of thing, I think you would
22 agree, that could be very easily abused if it is
23 not structured properly.

24 And the way to make sure that that
25 doesn't happen is to have bipartisan

1 representation so that there would be no
2 incentive for one party or the other to engage in
3 witch-hunts purely for political means, which in
4 my opinion would be more unethical than the types
5 of behaviors that we're trying to or seeking to
6 regulate with this historic legislation.

7 SENATOR SQUADRON: If Senator Lanza
8 would continue to yield.

9 SENATOR LANZA: Yes.

10 ACTING PRESIDENT GRIFFO: The
11 Senator yields.

12 SENATOR SQUADRON: Thank you.

13 So this model, just to confirm,
14 Senator Lanza, you're saying is an improvement
15 over the current Legislative Ethics Commission
16 model?

17 SENATOR LANZA: Yes, I believe it
18 is.

19 SENATOR SQUADRON: Thank you.

20 And if Senator Lanza would continue
21 to yield.

22 ACTING PRESIDENT GRIFFO: The
23 Senator yields.

24 SENATOR LANZA: If I could just
25 expand upon that answer, because this really I

1 think bolsters the work that the Legislative
2 Ethics Commission is doing. And this is
3 consistent with that work, but I think takes it
4 to another level so that there can be greater
5 assurance and that we can provide the confidence
6 that the people back home deserve and should have
7 in their government.

8 SENATOR SQUADRON: Thank you for
9 that clarification.

10 If Senator Lanza would continue to
11 yield.

12 SENATOR LANZA: Yes.

13 SENATOR SQUADRON: Does this bill
14 in fact do away with the Legislative Ethics
15 Commission?

16 SENATOR LANZA: No, it does not.
17 It complements the work that is within the
18 jurisdiction of the Legislative Ethics
19 Commission.

20 SENATOR SQUADRON: If Senator Lanza
21 would continue to yield.

22 SENATOR LANZA: Yes, Mr. President.

23 SENATOR SQUADRON: Does this bill
24 change the appointing authorities of the
25 Legislative Ethics Commission in a way that, as

1 Senator Lanza has said, prevents a partisan
2 witch-hunt by having this, you know, six-to-two,
3 three-to-one majority for the appointees of the
4 Majority Leader?

5 SENATOR LANZA: I believe I answered
6 that, Mr. President. This does not change the
7 composition of the Legislative Ethics Commission.

8 SENATOR SQUADRON: Thank you.

9 If Senator Lanza would continue to
10 yield.

11 ACTING PRESIDENT GRIFFO: The
12 Senator yields.

13 SENATOR SQUADRON: Can I ask, if
14 this new partisan structure -- untested, without
15 precedent -- of the JCOPE has such benefits to
16 prevent any sort of partisan witch-hunts, why are
17 we even maintaining the Legislative Ethics
18 Commission that doesn't have that three-to-one
19 benefit for the majority?

20 SENATOR LANZA: Through you,
21 Mr. President. This -- I think this complements
22 the work that's happening at the Legislative
23 Ethics Commission.

24 I have served on that commission
25 over the last four years. I served with our good

1 colleague Senator Oppenheimer. I now serve with
2 Senator Montgomery. There are two members from
3 the Assembly. There are non-elected officials
4 who serve on that commission.

5 There was a belief in this state
6 that we needed to provide more by way of
7 investigatory powers. There was also a belief at
8 that it was important for the public trust that
9 that investigative power be inclusive of more
10 than the two legislative bodies, the Assembly and
11 the Senate.

12 And so this model was devised so
13 that you have two panels who can work in
14 conjunction with each other, complement each
15 other, and at the same time provide the trust
16 that the people need and deserve.

17 SENATOR SQUADRON: If Senator Lanza
18 would continue to yield.

19 SENATOR LANZA: Yes,
20 Mr. President.

21 ACTING PRESIDENT GRIFFO: The
22 Senator yields.

23 SENATOR SQUADRON: In Senator
24 Lanza's time on the Legislative Ethics
25 Commission, has he seen it to be a body that

1 engages in partisan witch-hunts with its two,
2 two, two and two makeup?

3 SENATOR LANZA: Thankfully, because
4 of the members who have been on this commission,
5 that has not occurred. But there is always the
6 fear that any panel that has this type of power
7 can be hijacked in a manner that is not ethical,
8 that is not conducive to the public trust and
9 does not serve the best interests of this body,
10 the other, or the people of this state.

11 And so I believe that this new model
12 will only allow for a better working of the
13 Legislative Ethics Commission as well as
14 expanding the powers to this panel, which
15 includes the executive and also allows for a
16 panel to have jurisdiction not only over the
17 legislative body but, as Senator Flanagan
18 indicated, statewide officers: the governor, the
19 attorney general.

20 SENATOR SQUADRON: It seems to me
21 that if --

22 ACTING PRESIDENT GRIFFO: Senator
23 Squadron, are you on the bill?

24 SENATOR SQUADRON: Actually, no.
25 If Senator Lanza would continue to yield.

1 SENATOR LANZA: Yes.

2 ACTING PRESIDENT GRIFFO: Senator
3 Lanza yields.

4 SENATOR SQUADRON: Thank you very
5 much.

6 It seems to me if we have a body in
7 place now that hasn't been a body that has been
8 notable for partisan witch-hunts -- in fact,
9 doesn't have any examples of them; if anything,
10 the concern has been isn't sufficiently
11 independent -- creating a new body that is less
12 equitable on the basis of the four different
13 conferences in Albany seems to be a solution
14 without a problem. In fact, seems to be a
15 solution that may even exacerbate the problem.

16 And so I think the question has to
17 be asked, does it really seem fairer to have an
18 oversight body in which two of the conferences
19 are underrepresented in a three-to-one ratio
20 versus a body that has been fair in its
21 existence, has sometimes been -- the concern has
22 been it hasn't been sufficiently independent?

23 SENATOR LANZA: Mr. President, I'm
24 just going to have to respectfully disagree with
25 my colleague Senator Squadron's characterization

1 that ethics reform is a solution in search of a
2 problem. If his argument is that we should leave
3 well enough alone and that the status quo is
4 fine, we're just going to have to disagree.

5 This does not up-end anything that
6 is presently in place. This expands upon it. I
7 think this goes further. I think this does
8 justice to a very important subject. I commend
9 the Governor for his leadership. He has talked
10 about the need for ethics reform, he campaigned
11 on it. This chamber I think has worked hard with
12 respect to making sure that the people have the
13 trust in government that they need and deserve to
14 have.

15 Good people came together here in
16 both houses of the Legislature in a bipartisan
17 way, together with the Governor, and we've come
18 forward with what I believe to be historic
19 legislation that I think will become the model
20 for this country.

21 And so I disagree with the notion
22 that we should have left things the way they
23 were. It's important that we show the people
24 back home that we're serious about giving them a
25 government that they deserve. And I think this

1 does that.

2 SENATOR SQUADRON: Thank you,
3 Senator Lanza.

4 On the bill, Mr. President.

5 ACTING PRESIDENT GRIFFO: Senator
6 Squadron on the bill.

7 SENATOR SQUADRON: Thank you very
8 much.

9 It seems -- oh, look, I think we all
10 know how important ethics reform is. In the last
11 term we brought up a bill twice. We've been
12 strongly supportive of Governor Cuomo's push for
13 this. We know that Governor Cuomo for months has
14 made this one of his top priorities and had some
15 real challenge coming to agreement with the
16 leadership in this house.

17 And I think unfortunately what we
18 see here is we see an existing body that
19 continues to exist, that isn't known to be
20 partisan, that has not been sufficiently
21 independent at times, and we are overlaying on
22 that a new body that is no more independent, as I
23 think we'll see over the next few minutes, and is
24 no longer equitable either.

25 So you replace a system that's not

1 independent enough but is equitable in that way,
2 and you replace it with a system that I fear
3 isn't going to be independent enough and on top
4 of that also isn't equitable. And so I think
5 that's an enormous concern.

6 The goal here has been to really
7 increase independence. I think that when you
8 look at some of the structure of the JCOPE, you
9 can see how that does that. I think
10 unfortunately, in the interests of -- there's no
11 other justification other than protecting the
12 interests of one conference out of the four in
13 Albany. You see some other concerns there, and I
14 think we're going to go to that. But just on its
15 face, the idea that we're replacing equitable
16 appointments with inequitable appointments I
17 think is something that does raise a concern.

18 Let me ask that -- I think Senator
19 Flanagan is speaking on the JCOPE, if that's
20 appropriate, to yield for a moment. If Senator
21 Flanagan would be willing to yield.

22 ACTING PRESIDENT GRIFFO: Senator
23 Flanagan.

24 SENATOR FLANAGAN: Yes.

25 SENATOR SQUADRON: Thank you,

1 Mr. President. Through you.

2 Can you just sort of briefly
3 describe what the benefit is of having the
4 majority leader in each house have three
5 appointments and the minority leader have a
6 single appointment? How does that improve on the
7 Legislative Ethics Commission model of two, two,
8 two and two?

9 SENATOR FLANAGAN: Well, I think if
10 you look at the ultimate product, it's a balance
11 of seven and seven, Democrat and Republican.
12 Because the Governor is obligated to appoint
13 three Republicans. Of course, Governor Cuomo
14 being a Democrat. The Senate Majority Leader has
15 three appointments, as does the Assembly Minority
16 Leader.

17 And what we strove to do -- and by
18 the way, when I say "we," it's the collective
19 "we." It's certainly the Assembly, the Executive
20 and the Senate -- was try and find some balance
21 that made it equitable and that made it fair.

22 And you talk about two, two, two and
23 two; ultimately, this is seven and seven. So I
24 can make the argument that it is equitable in its
25 applicability.

1 And, you know, I think it's -- we
2 have to make a distinction, at least I certainly
3 feel it's important to make a distinction that
4 for the first time you have actual overlap. You
5 know, if you look at the separate branches of
6 government, one could make the argument, well,
7 why haven't we now gone into the jurisdiction of
8 the Judiciary? And that certainly was discussed,
9 but there was never anything that was brought
10 forward where there would be interlocking
11 oversight with the Judiciary.

12 So for the first time we now have
13 the Executive having oversight over the
14 Legislature. And in looking at that, the idea
15 was how do you find balance so that you can have
16 some independence -- and I do believe this is an
17 independent entity. There are a couple of
18 factors that also enter that. The selection of
19 an executive director, the fact that the people
20 who will now be on this commission are appointed
21 to five-year terms. The Governor at his press
22 conference said that he certainly believes, and
23 we join him in that idea, that it will make it
24 less political because these folks are appointed
25 for five years.

1 So there's a whole litany of factors
2 that influence the ultimate resolution that we
3 have before us today.

4 SENATOR SQUADRON: Thank you,
5 Senator Flanagan.

6 I don't believe there is a fixed
7 term for the executive director. But there are
8 fixed terms for the appointees.

9 If Senator Flanagan would continue
10 to yield.

11 SENATOR FLANAGAN: Yes.

12 ACTING PRESIDENT GRIFFO: The
13 Senator yields.

14 SENATOR SQUADRON: Thank you.

15 So Senator Flanagan talks about the
16 fact that this is really seven and seven, you
17 shouldn't think of three and one in each house,
18 but seven and seven on a partisan basis. So just
19 to clarify it, does that mean that a majority of
20 the JCOPE can vote to move forward with an
21 investigation, or is there another structure?

22 For example, could a minority of the
23 JCOPE in any situation ever block an
24 investigation? Since we've created a scenario
25 where neither party would have a partisan

1 advantage, presumably a majority of the body
2 would clearly be bipartisan and be able to move
3 forward with an investigation. Is that how the
4 structure works?

5 SENATOR FLANAGAN: The structure
6 requires that there be -- I believe it's eight
7 votes. You need a vote of at least eight
8 commissioners, including two members appointed by
9 the legislative leaders who are of the same major
10 political party as the subject of the
11 investigation. And that cuts both ways for the
12 Executive and the Legislature.

13 And, you know, there are plenty of
14 discussions about how do you make sure that one
15 branch does not have additional or undue
16 influence over another. You know, when this bill
17 originally came out or these concepts were
18 discussed, it wouldn't be a surprise to suggest
19 that the Governor wanted to have more choices.
20 He wanted to be able to appoint more people than
21 he wanted the Legislature to have in that
22 function. So ultimately what you see here, of
23 course, is six and eight, but there were a lot of
24 permutations along the way.

25 To your direct question, it's not a

1 simple majority.

2 SENATOR SQUADRON: Through you,
3 Mr. President, if Senator Flanagan would continue
4 to yield.

5 How many -- what's the minimum
6 number of votes -- there are 14 members of this
7 commission. What's the minimum number needed to
8 block an investigation, let's say just for
9 hypothetical sake, in the Senate Republican
10 conference?

11 SENATOR FLANAGAN: Well, I have to
12 tell you, you were looking at it from the
13 negative; I'm looking at it from the positive.
14 You need a minimum of eight votes to commence an
15 investigation.

16 SENATOR SQUADRON: Sorry, to
17 clarify, to block an investigation was --

18 ACTING PRESIDENT GRIFFO: I believe
19 he answered your question.

20 SENATOR SQUADRON: Would Senator
21 Flanagan continue to yield?

22 SENATOR FLANAGAN: Yes, I continue
23 to yield.

24 ACTING PRESIDENT GRIFFO: Senator
25 Flanagan continues to yield.

1 SENATOR SQUADRON: Thank you. I
2 was trying to get at how many it would take to
3 block an investigation. Since I believe in fact
4 you could have 11 votes in favor of commencing an
5 investigation and still have an investigation
6 blocked.

7 Let's go down the road of that
8 hypothetical briefly. Let's say there are 11
9 appointees voting yes for an investigation, three
10 voting no. Let's say it's the Senate Republican
11 conference. For it to be three appointees
12 overriding the 11, who would the appointing
13 authorities of those appointees have to be?

14 SENATOR FLANAGAN: It could be
15 either majority leader appointments or minority
16 leader appointments.

17 SENATOR SQUADRON: Through you, if
18 Senator Flanagan would continue to yield.

19 ACTING PRESIDENT GRIFFO: The
20 Senator yields.

21 SENATOR FLANAGAN: Yes.

22 SENATOR SQUADRON: There would need
23 to be more than one in that case. So would at
24 least one of those appointments need to be the
25 appointment of the Senate majority leader?

1 Again, we're in the example in which someone, I'm
2 sure a Senator who's not with us now, and
3 wouldn't be, is potentially under investigation.

4 SENATOR FLANAGAN: Yes.

5 SENATOR SQUADRON: So if Senator
6 Flanagan would continue to yield.

7 SENATOR FLANAGAN: Yes, I will.

8 ACTING PRESIDENT GRIFFO: The
9 Senator yields.

10 SENATOR SQUADRON: So there's a
11 structure here where the appointees -- again,
12 hypothetically -- but the appointees of the
13 Senate majority leader would in effect have a
14 veto over investigations of members of the
15 current Senate majority. Is that fair to say?

16 SENATOR FLANAGAN: It's fair, but
17 it's frankly incomplete. Because the same
18 extension of your logic would apply to the
19 Assembly majority as it relates to the Assembly
20 majority members right now, and the same logic
21 would think apply to the executive branch.
22 Because the executive would have the opportunity,
23 based on his appointments, to -- as you used the
24 term, not I -- to block an investigation.

25 SENATOR SQUADRON: If Senator

1 Flanagan would continue to yield.

2 SENATOR FLANAGAN: Yes.

3 ACTING PRESIDENT GRIFFO: The
4 Senator yields.

5 SENATOR SQUADRON: So there's an
6 effective veto -- and the point is well-taken --
7 an effective veto for the current Majority Leader
8 of the Senate as relates to the majority
9 conference, for the Speaker of the Assembly as
10 relates to the majority conference of the
11 Assembly. Does the same sort of effective veto
12 exist for the leaders of the minorities in each
13 house?

14 SENATOR FLANAGAN: Senator
15 Squadron, I don't completely agree. Because the
16 appointees of the minority leader in both houses
17 play an effective role. You can have one of
18 their appointees be part of the vote.

19 SENATOR SQUADRON: To clarify, if
20 Senator Flanagan would continue to yield, would
21 the effective veto that we've just discussed
22 apply to the minority leader's appointees in
23 relationship to minority conferences?

24 SENATOR FLANAGAN: Mr. President,
25 I'm not sure I understand the question. If you

1 would repeat it, please.

2 SENATOR SQUADRON: I'd be happy
3 to.

4 Senator Flanagan and I have just
5 discussed that in effect, for the majority
6 leaders in each house, they would require the
7 affirmative votes of at least one of their
8 appointees in order to commence an investigation
9 on someone in their conference, giving their
10 appointees an effective veto over investigations
11 into members of their conference.

12 And I was simply asking would those
13 effective vetoes, as Senator Flanagan and I have
14 discussed, apply to the appointees of the
15 minority leader in each house.

16 SENATOR FLANAGAN: If I understand
17 your question correctly, it is does the one
18 appointee of the minority leader have the
19 opportunity to block an investigation. My answer
20 would be no.

21 SENATOR SQUADRON: Thank you.

22 And if Senator Flanagan would
23 continue to yield.

24 ACTING PRESIDENT GRIFFO: The
25 Senator yields.

1 SENATOR FLANAGAN: Yes.

2 SENATOR SQUADRON: Thank you.

3 So now let's -- if Senator Flanagan
4 wouldn't mind continuing down the hypothetical
5 road with me, let's say in some future date the
6 majorities in this house flip. I've only been
7 here a couple of years; they've flipped a number
8 of times in that period. Let's say that this
9 bill passes this year and then in 2012 the
10 majorities flip in this house and the Republican
11 conference is in the minority, the Democratic
12 conference is in the majority.

13 Would the effective ability for the
14 minority leader's appointees, for the Republican
15 leader as the minority leader in that case, would
16 the effective veto for his appointees -- I
17 suppose wouldn't exist anymore, right? That
18 would go to the new majority leader relative to
19 his conference.

20 SENATOR FLANAGAN: Well, let me do
21 this, Senator Squadron. Since you're asking the
22 question, I'm going to answer it just by reading
23 what I have.

24 To commence an investigation against
25 a legislator, candidate for the Legislature, or a

1 legislative employee requires a vote of eight
2 commissioners, including two members appointed by
3 the legislative leaders who are of the same major
4 political party as the subject in the
5 investigation. And on a parallel, the same would
6 apply to executive branch employees.

7 ACTING PRESIDENT GRIFFO: Senator
8 Squadron.

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

11 I'm sorry, I know I'm sometimes
12 little unclear. If Senator Flanagan would
13 continue to yield, I'll try to ask more clearly.
14 I appreciated that answer; I'm not sure if it was
15 to the -- it certainly wasn't to the question I
16 was trying to ask. So let me ask it more clearly
17 next time, if the Senator would be willing --

18 SENATOR FLANAGAN: Mr. President,
19 I'd be happy to yield. But I don't want Senator
20 Squadron to think he lacks for clarity. He might
21 not have appreciated the quality or content of my
22 answer, but that happens to be the answer.

23 SENATOR SQUADRON: I appreciated
24 the clarity and the content of Senator Flanagan's
25 answers. I've learned something in these

1 debates. But the question that I'm trying to get
2 at is in a -- if this bill passes, we've
3 discussed how the majority leader of the Senate
4 and the Assembly speaker would have appointees
5 who have an effective veto and the ability to
6 block investigations into their own conferences,
7 that the minority leaders in each house wouldn't
8 have a parallel effective veto ability to block.

9 And so my only question is would
10 that ability to veto, does that move with the
11 majorities if the majorities switch, or is that
12 permanently imbued in the Senate Republican
13 conference if this bill passes while the Senate
14 Republican conference is still in the majority?

15 SENATOR FLANAGAN: Senator
16 Squadron, let me answer your question with
17 somewhat of a hypothetical myself. Senator Lanza
18 spoke to this, Senator Skelos spoke to it, I'll
19 repeat it. What we attempted to achieve here was
20 some type of balance. We've broken new ground
21 here. I truly believe this is an independent
22 commission. There are people who will be
23 appointed for a term of five years, not the
24 executive director for certain.

25 But I'll offer you a hypothetical.

1 And it's perhaps more important that you pay
2 attention to this one, because it may seem like a
3 real hypothetical to you. Imagine that the
4 Governor was Republican, that the Senate majority
5 was Republican, and that the Assembly majority
6 was Republican. If that hypothetical came true,
7 I have a feeling that you would embrace this
8 quite solemnly. Because the effort here is to
9 make sure that, no matter who is in charge, that
10 ultimately there's some type of balance so we can
11 avoid partisan entanglements and still be able to
12 do the proper business of the people. Because
13 ultimately that's what this is about.

14 SENATOR SQUADRON: Thank you,
15 Senator Flanagan.

16 On the bill, Mr. President.

17 ACTING PRESIDENT GRIFFO: Senator
18 Squadron on the bill.

19 SENATOR SQUADRON: Thank you.

20 I do very much appreciate the time
21 and the courtesy that Senator Flanagan and
22 Senator Lanza gave me. I think unfortunately, at
23 the end of this, we didn't get to an answer on
24 that key question.

25 Of course the answer is yes,

1 regardless of whether the party is in the
2 majority or the minority, there is a permanent
3 effective veto power for the appointments made by
4 whichever leaders are in the majority the day
5 this becomes law, as long as this is law. Which
6 means there's a three-to-one partisan advantage
7 for the majority leaders today in both houses.

8 That three-to-one advantage
9 continues permanently for the majority leaders in
10 each house so that even if, in a hypothetical,
11 the majorities in this house were to flip, you
12 would still have today's minority party with one
13 appointment even if it was tomorrow's majority
14 party. You would still have today's majority
15 party with three appointments even if it was
16 tomorrow's minority party.

17 And the goal that Senator Flanagan
18 talks about of partisan equity is an important
19 one. It's one that Governor Cuomo has talked
20 about. It's one that was a criticism of the
21 ethics bill that passed this house and then
22 unfortunately was not able to override the veto a
23 year and a half ago.

24 The idea of partisan equity is an
25 important one. Unfortunately, I think that that

1 idea has been taken and on top of that, in order
2 to get the support of the current majority
3 conference in this house, has been layered with
4 an effective veto, a permanent effective veto,
5 the ability to protect from investigation or
6 choose not to protect from investigation members
7 of the leader's conference. And I think that is
8 highly, highly concerning.

9 And I understand why Senator
10 Flanagan didn't want to quite go there and answer
11 that. It is unprecedented. Just as the
12 structure Senator Lanza and I talked about, it is
13 concerning. And I can see why it would be hard
14 to explicitly discuss on the floor.

15 Look, there's a whole lot in this
16 bill that's very good. Much of this bill goes
17 farther than the ethics bill that we passed a
18 year and a half ago went. This bill certainly
19 goes a lot farther than the status quo. And we
20 are in Albany; moving the ball down the field is
21 extraordinary hard, especially when you're
22 talking about ethics reform. Improving the
23 situation when you're talking about ethics reform
24 is very, very challenging. We tried in the last
25 term with everything we had, some of us, to do

1 that. We were not successful.

2 Under the leadership of Governor
3 Cuomo, we have now before us an ethics bill that,
4 as I say, in some ways goes farther than any
5 ethics bill we have ever had before us in this
6 house, this house has ever had before it as long
7 as I think any of us have served. And that's a
8 great thing.

9 When you talk about disclosure of
10 outside income, it's going to be a whole new
11 world. The public is going to for the first time
12 know who the people they elected are working for,
13 not just in their official capacity but also in
14 their private business dealings. They will be
15 able to assess for themselves who it is that
16 lobbyists and others before the state are hiring
17 in private business and then make a decision at
18 the ballot box, which is always the best way to
19 do it.

20 When you have this JCOPE structure,
21 the idea of a single independent investigatory
22 structure is a wonderful idea. It's a great
23 structure. And in fact, I'm a strong believer
24 that independent investigation is every bit as
25 important as independent enforcement. And the

1 idea that the Legislative Ethics Commission,
2 which is fair in a partisan way, fair in a
3 majority/minority way, continues to exist, but
4 you also have this very strong investigatory
5 body, is a very good thing.

6 Unfortunately, a couple of
7 provisions of this paragraph undermine that, and
8 it is a real shame. It's a shame that here as we
9 come down to the end of session we have a bill
10 that does so much, does so much on disclosure,
11 does so much on creating justice for those who
12 steal public resources and would collect their
13 pensions, does actually make some really
14 important steps on campaign finance enforcement,
15 and has a structure, a single, unified,
16 independent investigatory structure that is
17 exactly what it is we need. But that a couple of
18 provisions in that structure undermine it,
19 undermine its independence, is a terrible shame.

20 As I said, there are many provisions
21 of this bill that are the single strongest
22 opportunity we're going to have to vote to
23 improve ethics enforcement, to improve
24 transparency in this house probably for many
25 years to come. And the perfect cannot be the

1 enemy of the good. And Governor Cuomo and I know
2 the leaders of both houses have worked long and
3 hard. We do have a bill before us here before
4 session winds down.

5 So I would urge my colleagues on
6 both sides of the aisle to support this
7 compromise, to support this bill because of the
8 extraordinarily positive things that are in it.
9 But I would also say the goal has been greater
10 transparency and greater independence. We have a
11 bill that goes a long, long way with transparency
12 and that has made important steps in
13 independence.

14 But please remember this day. As we
15 move forward, as we look at the effectiveness of
16 this bill, remember this day in which we said we
17 have a good structure and then are putting in a
18 couple of pieces to undermine it. And let's work
19 together to ensure that those pieces don't
20 undermine this bill but in fact allow this
21 structure to serve independently.

22 Let's make sure that we have the
23 appointees of all the leaders publicly say how
24 they voted even if those votes aren't public
25 under the structure of this bill. Because at the

1 end of the day, moving ethics reform forward has
2 to be something that we all believe in -- not
3 just the day we vote for it and the day the press
4 release comes out, but something that we believe
5 in day in and day out for the years to come. So
6 that the public can trust there is a cop on the
7 beat, there is transparency.

8 And so, Mr. President, I urge a yes
9 vote despite the flaws in this bill. I
10 congratulate the Governor on pushing the
11 Legislature and pushing this bill farther than
12 any that we've seen before.

13 Thank you, Mr. President.

14 ACTING PRESIDENT GRIFFO: Senator
15 Oppenheimer. Senator Oppenheimer passes.

16 Senator Rivera.

17 SENATOR RIVERA: Thank you,
18 Mr. President.

19 I stand today to support this bill.
20 Now, while I agree with my colleague about some
21 of the things that we need to make better in this
22 bill, I stand today very proud to support it.

23 The very first bill that I
24 introduced when I came to this body was a bill
25 regarding financial disclosure of outside

1 income. I've always believed that the people
2 that we represent have the right to know that we
3 are working for them, have a right to know that
4 the income that we get is from -- whether it's
5 from the state or from other entities, they
6 should know who are the folks that actually pay
7 our bills.

8 I myself teach part-time at Pace
9 University and will continue to do so. And I
10 know that there are many legislators here who
11 also have other jobs on the side. But we should
12 make sure that people out there know who are the
13 folks that are paying our bills.

14 So I always believed that that is
15 the right of citizens, and that is why I will be
16 supportive of this bill, since the first bill
17 that I introduced was regarding that.

18 As a matter of fact, very much the
19 reason that I am here has to do with ethics --
20 not only because of the concerns of the people in
21 this body, but certainly with the people in my
22 district. The people of the State of New York
23 need to trust this Legislature and this
24 government again. And I believe that this is a
25 great step moving forward in that direction.

1 So I will be supportive of this
2 bill. I will vote in the affirmative. I
3 encourage all my colleagues to do the same. And
4 I thank the Governor for his leadership in
5 bringing us to this moment.

6 Thank you so much, Mr. President.

7 ACTING PRESIDENT GRIFFO: Is there
8 any other Senator wishing to be heard?

9 Senator Oppenheimer.

10 SENATOR OPPENHEIMER: Thank you.

11 I also will be supporting this
12 bill. And like we have heard, I think the
13 purpose of the bill and certainly the underlying
14 objective is one that we have all been supporting
15 for so many years. I was writing ethics bills
16 25 years ago, because it was a keen concern when
17 I came here, like Senator Rivera. I came here
18 also as a past League of Women Voters president,
19 and this was a concern that we had always had.

20 I just wanted to pose the one
21 difficulty I had that was brought up by Senator
22 Squadron. I was for two years chair of the
23 Legislative Ethics Commission. And that was a
24 fine commission and did an excellent job. It was
25 constrained. It was constrained, it was like

1 there was a wire tied around it and it couldn't
2 do the things that it had to do.

3 And the people on it were certainly
4 very objective. We often discussed things for
5 two, three hours at a time, things that were just
6 ethical questions. And it was like nothing else
7 here in Westchester -- pardon me, in Albany,
8 because we were dealing purely from an ethical
9 point of view.

10 The one concern I have, though I
11 will certainly be supporting the bill, because it
12 is certainly that we -- it's the direction we
13 have to move in. But the concern that we are not
14 equal in numbers as we were in the Legislative
15 Ethics Commission, where there was no one side
16 that had advantage over any other side and we all
17 dealt solely with the issue as the issue stood.
18 There was no advantage, there was no talking
19 about was this a Republican or a Democrat,
20 because we were totally equally divided. So we
21 had to have an understanding of what the issue
22 was and the ethical issue was.

23 And so therefore I am concerned
24 about the numbers. I can see something happening
25 like this: Three members of the majority party

1 on the new commission just, you know, not moving
2 ahead on any particular individual that they feel
3 from their political point of view, maybe, is
4 damaging to them. And that was something that
5 could not have happened in the prior commission.

6 Unfortunately, the prior commission
7 was only there for the Legislature. It wasn't
8 there for the Executive, it wasn't there for the
9 agencies, it wasn't there for, you know, all the
10 entities of the state. It was just there for the
11 Legislature. And that was one of the failings.

12 But I think one of its strengths was
13 that everybody there were in equal numbers, and
14 so there couldn't be any majority rule, any three
15 versus one.

16 But now that I've expressed my
17 dissatisfaction with the way the members are
18 going to be appointed, they both share -- at
19 least it was something very valuable, I think, in
20 the Legislative Ethics Commission. It was very
21 valuable that we had four members who came from
22 outside of government. And I think that's an
23 important thing that will hopefully be
24 continued.

25 But I will be supporting this. It

1 certainly is the move that we all have to make.

2 ACTING PRESIDENT GRIFFO: Thank
3 you, Senator Oppenheimer.

4 Senator Avella.

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

7 I join with the comments of my
8 colleagues on the Democratic side about the
9 problems with the bill.

10 But I'm actually honored to be here
11 in the State Senate to vote for this ethics
12 reform. I think we all campaigned upon this, to
13 change the way Albany operates. And this is a
14 huge step forward.

15 And I want to thank the Governor,
16 Speaker Skelos, Senator Skelos, the Minority
17 Leader of the Senate, Senator Sampson, and of
18 course the Speaker of the Assembly. This does
19 move us much further down the road, and I really
20 consider it an honor to vote for this bill.

21 ACTING PRESIDENT GRIFFO: Senator
22 Kennedy.

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

25 I too consider it an honor not only

1 to be in these chambers but to vote on this
2 ethics reform legislation. I want to thank the
3 Governor for demanding that we take up this
4 important legislation.

5 You know, New York State government,
6 starting in Albany, has been the epicenter of
7 dysfunction in the nation. Some have referred to
8 the State Capitol over the years as the most
9 dysfunctional state government in the entire
10 nation.

11 This past November, in unprecedented
12 numbers, there was turnover in this chamber
13 alone. I was one of 13 new members in this
14 chamber. Prior to November of this year,
15 unfortunately for the people of New York State,
16 more individuals in the State Legislature had to
17 resign amid scandal than had lost general
18 election.

19 And we're taking change to Albany
20 today, and we're making change for the future in
21 Albany, strengthening ethics laws that will bring
22 trust in state government back to the State
23 Capitol for the people of all of New York State.
24 This multifaceted approach to uncover and attack
25 corruption should be commended, and this ethics

1 reform package will absolutely instill
2 transparency and accountability back into
3 New York State government. I vote in the
4 affirmative.

5 Thank you.

6 ACTING PRESIDENT GRIFFO: Thank
7 you.

8 Is there any other Senator? Seeing
9 none, debate is closed.

10 You want to speak? Senator Diaz.
11 Senator Diaz, welcome to the chamber.

12 SENATOR DIAZ: Mr. President.

13 ACTING PRESIDENT GRIFFO: Welcome
14 to the chamber.

15 SENATOR DIAZ: Thank you.

16 Mr. President and ladies and
17 gentlemen, last year we, the Democrats, were in
18 the majority of this chamber here. We had
19 control of this chamber last year. And our
20 leader brought to us a bill, an ethics bill. And
21 I was the only -- I was the only Democrat, the
22 only Democrat, ladies and gentlemen and
23 Mr. President, that voted no last year for that
24 bill, for the bill that our leader in the
25 Democratic Party brought to us.

1 And I voted no because that was bill
2 was a flunky one, full of holes, and didn't
3 require everybody to release the names of the
4 people that those guys are doing business with.
5 So that's why I voted no last year. And again,
6 I'm going to say it again, I was the only
7 Democrat that voted no last year.

8 But today Senator Skelos is bringing
9 us a bill that is forcing everyone to require --
10 the bill still has some holes, but this is a
11 different bill than the bill that was brought to
12 us last year. And today Senator Skelos has
13 brought us this bill, and I am supporting it.
14 This year I am voting yes.

15 Last year I voted no, this year I'm
16 voting yes. Thank you.

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

19 Debate is closed. The Secretary
20 will ring the bell.

21 Read the last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT GRIFFO: Senator
3 Lanza to explain his vote.

4 SENATOR LANZA: Mr. President, I
5 rise in support of this legislation, and I'm glad
6 that we're going to have bipartisan support --

7 ACTING PRESIDENT GRIFFO: Excuse
8 me, Senator Lanza.

9 Can we have order, please
10 {gaveling}.

11 Senator Lanza.

12 SENATOR LANZA: And I'm very happy
13 to see that we're going to have bipartisan
14 support here at the end of the day.

15 This is good legislation. This is a
16 day, my colleagues, that we will all look back
17 upon with pride, because we are getting it
18 right. This legislation will invite the trust
19 and confidence of the people across this state
20 who we represent. And as we address the myriad
21 of difficult issues that face this state, we will
22 do so together, in partnership with the people we
23 represent.

24 I'm glad that we were able to
25 partner with Governor Cuomo on this legislation.

1 I commend and thank my leader, Senator Skelos,
2 the Speaker, Shelly Silver, the minority leader
3 in both houses, because this truly is an historic
4 piece of legislation.

5 There was a statement by Senator
6 Squadron which I do not wish to let stand,
7 however. When he says this legislation locks in
8 the game for present leaders, he couldn't be more
9 further from the truth. This legislation does
10 precisely the opposite.

11 Perhaps the disagreement we have is
12 our interpretation of the word "independence."
13 The suggestion and the model that he spoke of
14 that would presently lock in three-quarters of
15 the panel being Democrat and one-quarter being
16 Republican, everyone across the state knows that
17 that's not independence.

18 What this does is ensure that
19 leadership power is not locked in. This
20 legislation means that whomever the governor is,
21 whomever the majority leader is, whomever the
22 speaker of the Assembly is, that there will be a
23 fair representation -- bipartisan, Democrat,
24 Republican. We all understand that witch-hunts
25 don't arise by virtue of one legislative branch

1 going after the other or the executive, that it
2 occurs by and between the parties. This
3 legislation will ensure that this panel will not
4 be exploited, manipulated and abused in a
5 partisan fashion.

6 Mr. Speaker -- Mr. Speaker.
7 Mr. President, I vote in the affirmative.

8 ACTING PRESIDENT GRIFFO: Senator
9 Lanza to be recorded in the affirmative.

10 Senator DeFrancisco to explain his
11 vote.

12 SENATOR DEFRANCISCO: Yes, I'm
13 going to vote in the affirmative as well. But
14 I -- you know, it's been a very tough few years
15 in Albany. And I know that much has been said
16 about the dysfunction of Albany and the need for
17 ethics reform.

18 I just can't let this bill pass
19 without saying that the vast majority of the
20 people that I have dealt with over my 19 years in
21 the Senate, both in the Assembly and in the
22 Senate, are good people with different points of
23 view, maybe, but attempting to do what they think
24 is right for their constituents and everyone in
25 the State of New York.

1 And this concept of a few people
2 that have ruined the reputation of this great
3 body is so disheartening to me that I think that
4 those who have done the right thing, those who
5 have played by the rules, those who have acted
6 ethically, should be recognized. And it's a
7 shame that everyone's been painted with that same
8 broad brush.

9 Lastly, this ethics reform is a good
10 bill. But I'm going to tell all of the people
11 that are listening that the people that got in
12 trouble violated existing criminal laws. And
13 those criminal laws are still on the books. All
14 the disclosure in the world, all the openness in
15 the world isn't going to change someone's
16 character. And it may give people something to
17 read and look at and to study and to say, "Oh, my
18 God, what an income that person has," or "He
19 doesn't make much at all." But what that has to
20 do, I believe, with whether you're acting
21 ethically or not I think is minimal.

22 So the bill is a good bill. It
23 satisfies the good government groups for now; no
24 doubt they'll want more next year. But the fact
25 of the matter is you're ethical if you have good

1 character, and most everyone in this body has
2 been over the years that I have served.

3 So I vote yes. And hopefully this
4 will put an end to some of these discussions
5 about dysfunctional government and everybody's
6 bad.

7 ACTING PRESIDENT GRIFFO: Senator
8 DeFrancisco to be recorded in the affirmative.

9 Senator Breslin to explain his
10 vote.

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

13 First, I applaud Senator Kennedy for
14 speaking out and talking for the 13 new members
15 who come here looking for ethics reform. But at
16 the same time, I applaud Senator DeFrancisco for
17 pointing out that the great majority of both
18 Democrats and Republicans come to this body and
19 they come to this body in an honest way to do the
20 business of the people. And ethics reform for
21 the most part would not have covered the people
22 who have committed heinous acts who have been
23 eliminated from this body.

24 This bill, I applaud the Governor.
25 We are finally going to have independent ethics

1 reform. But I must say I would also like to see
2 it in the future be more open, to have the voting
3 process more open and also more reflective of the
4 structure of the Senate. To assume that it
5 should always be three-to-one, the voting, for
6 Republicans -- not majority-minority, Republicans
7 and one Democrat -- I find to be something less
8 than democratic. So we should keep an eye on
9 it.

10 But this day we've waited for. And
11 this day is a special day. And I know that this
12 Governor is anxious to sign this into law. I
13 vote in the affirmative.

14 ACTING PRESIDENT GRIFFO: Senator
15 Breslin to be recorded in the affirmative.

16 I want to remind members to confine
17 their explanations within two minutes.

18 Senator Robach to explain his vote.

19 SENATOR ROBACH: Yes,
20 Mr. President, I rise to support this bill.

21 And while I agree very much with
22 much that has been said about the character of
23 most people, on the other hand, far too often we
24 pick up the newspaper and find another colleague
25 already down the road violating this.

1 I really believe this bill, with the
2 expanded disclosure, other measures, is going to
3 make it less likely we're going to see that
4 outcome happen. And for that reason alone, we
5 should all support it.

6 I would just point out, too, I,
7 Senator Flanagan, a few other people had
8 cosponsored a bill too that if somebody does, in
9 light of even existing law, but now this expanded
10 law in ethics should violate that, they're going
11 to have additional skin in the game where they
12 would forfeit their pension.

13 And I know in my district a lot of
14 people were shocked to know that members of the
15 Legislature, the very people they trust, could
16 violate that law, quite frankly be convicted of
17 stealing money from the government in some cases,
18 and then still collect a pension on top of that.

19 Besides the other good measures, the
20 disclosure, we're closing that loophole. And I
21 think those are all good things and make me happy
22 to cast my vote in the affirmative.

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

25 Senator Krueger to explain her vote.

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

3 It's a good bill. It's not a
4 perfect bill. My colleagues have articulated
5 well the flaws in it. We'll be back. I'm
6 confident we are going to pass this bill today.
7 We will make real progress.

8 I think perhaps what's the most
9 important part of this legislation and the broad
10 dialogue that has taken place throughout the
11 State of New York is the recognition that
12 sunlight is the best astringent.

13 My colleagues have pointed out the
14 vast majority of people who come through this
15 chamber and the Assembly chamber are good, honest
16 people who come here for the right reasons. And
17 I believe that's true. But it's also critical to
18 have well-drawn lines, to have lines in the sand
19 that you know you can't step over.

20 I do believe that this legislation
21 will help everyone, whether they ever imagined
22 going near a line or whether they think that
23 maybe they've crossed it one or two times, to
24 rethink how they're behaving or to rethink
25 whether they want to stay in the Legislature.

1 So I'm hoping with this law we will
2 see a new discussion among people who plan to
3 come here, and people who may be deciding whether
4 or not to stay here, that they understand very
5 clearly what the rules are, that there will be
6 far more sunlight on all of us.

7 And let's be honest. Let's say,
8 because there's some disagreement about the two
9 or three out of 11 not approving an investigation
10 going forward, we live in a world full of leaks,
11 full of computer information. I suspect very
12 quickly those kinds of decisions will become
13 public as well and the public will be asking us
14 many more questions.

15 I vote yes, Mr. President.

16 ACTING PRESIDENT GRIFFO: Senator
17 Krueger to be recorded in the affirmative.

18 Senator Farley to explain his vote.

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

21 I rise in support of this
22 legislation. For the 35 years that I've served
23 here, it's been unfortunate to see the image of
24 the Senate and the Legislature deteriorate to the
25 point that the public sometimes loses faith with

1 us.

2 No bill or ethics legislation that
3 we pass is going to solve all of the problems of
4 somebody who is dishonest. But I'd like to pay
5 tribute to Senator Flanagan, Senator Lanza, who
6 sits next to me, and Senator Hannon, who
7 negotiated on this bill and made it a better
8 piece of legislation.

9 So many of the little things that
10 were in the ethics legislation that made it
11 almost impossible to serve in this house because
12 you were going to be violating the ethics law if
13 you picked up a cookie or a bun or some other
14 thing at a firemen's dinner. It was absolutely
15 insane, some of the regulations that made it
16 impossible for you to do your job.

17 This is a better piece of
18 legislation. It's one that will have to be tuned
19 up, I'm sure, as the time goes on. But it's a
20 good piece of legislation that my colleagues made
21 it much better than what was originally out
22 there. I vote aye.

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

25 Senator Carlucci to explain his

1 vote.

2 SENATOR CARLUCCI: Thank you,
3 Mr. President.

4 I believe this is a bright day for
5 the State of New York, and I want to thank my
6 colleagues for supporting this bill. I believe
7 we have the opportunity to start to move in a new
8 direction by providing this transparency that the
9 good people of New York deserve in their
10 government.

11 This has many good points, this
12 bill, particularly of stripping public pensions
13 of politicians that violate the public trust
14 using their position.

15 You know, I have the good fortune of
16 going around my district and talking to students
17 and talking to young people, and unfortunately,
18 you talk about a politician and it's seen as a
19 dirty word. I know myself at a young age I knew
20 I wanted to run for office one day, and people
21 would say to me, "Why do you want to do that?
22 You're a nice person."

23 I think this is important that we
24 give teeth to ethics, that we have the
25 transparency, and when people disobey the public

1 trust they are accountable for it.

2 Mr. President, I'll be voting in the
3 affirmative. Thank you.

4 ACTING PRESIDENT GRIFFO: Senator
5 Carlucci to be recorded in the affirmative.

6 Announce the results.

7 THE SECRETARY: In relation to
8 Calendar Number 1182, absent from voting:
9 Senator Parker.

10 Ayes, 61. Nays, 0.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 Senator Libous.

14 SENATOR LIBOUS: Mr. President,
15 before I announce that the Senate will stand at
16 ease, there will be a 7:00 o'clock Republican
17 conference in Room 332. That's a 7:00 o'clock
18 Republican conference.

19 The Senate will stand at ease until
20 7:30 p.m.

21 ACTING PRESIDENT GRIFFO: There
22 will be a Republican conference at 7:00 p.m. in
23 Room 332, and the Senate will stand at ease until
24 7:30 p.m. this evening.

25 (Whereupon, the Senate stood at ease

1 at 5:13 p.m.)

2 (Whereupon, the Senate reconvened at
3 8:15 p.m.)

4 ACTING PRESIDENT GRIFFO: The
5 Senate will come to order.

6 Senator Libous.

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

9 At this time can we just go to
10 motions and resolutions.

11 ACTING PRESIDENT GRIFFO: Motions
12 and resolutions.

13 Senator Libous.

14 SENATOR LIBOUS: On behalf of
15 Senator Hannon, I wish to call up his bill,
16 Senate Print Number 4992, recalled from the
17 Assembly, which is now at the desk.

18 ACTING PRESIDENT GRIFFO: The
19 Secretary will read.

20 THE SECRETARY: Calendar Number
21 599, by Senator Hannon, Senate Print 4992, an act
22 to amend the Public Health Law.

23 SENATOR LIBOUS: Mr. President, I
24 now move to reconsider the vote by which this
25 bill was passed.

1 ACTING PRESIDENT GRIFFO: Call the
2 roll on reconsideration.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 62.

5 SENATOR LIBOUS: Mr. President, I
6 offer up the following amendments.

7 ACTING PRESIDENT GRIFFO:
8 Amendments received.

9 SENATOR LIBOUS: Mr. President, can
10 we go to the regular calendar.

11 Mr. President, before we do that,
12 and as long as we're still on motions, Senator
13 Breslin has one.

14 ACTING PRESIDENT GRIFFO: Senator
15 Breslin.

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

18 On behalf of Senator Andrea
19 Stewart-Cousins, I wish to call up Senate Print
20 Number 2373, recalled from the Assembly, which is
21 now at the desk.

22 ACTING PRESIDENT GRIFFO: The
23 Secretary will read.

24 THE SECRETARY: Calendar Number
25 142, by Senator Stewart-Cousins, Senate Print

1 2373, an act to amend the State Technology Law.

2 SENATOR BRESLIN: Mr. President, I
3 now move to reconsider the vote by which this
4 bill was passed.

5 ACTING PRESIDENT GRIFFO: Call the
6 roll on reconsideration.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 62.

9 SENATOR BRESLIN: Mr. President, I
10 now offer the following amendments.

11 ACTING PRESIDENT GRIFFO: The
12 amendments are received.

13 SENATOR BRESLIN: Thank you,
14 Mr. President.

15 ACTING PRESIDENT GRIFFO: Thank
16 you, Senator Breslin.

17 Senator Libous.

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

20 Can we now go to the regular
21 calendar, the reading of the noncontroversial
22 regular calendar for today.

23 ACTING PRESIDENT GRIFFO: The
24 Secretary will read the noncontroversial original
25 calendar.

1 THE SECRETARY: Calendar Number 14,
2 by Senator Young, Senate Print 801A, an act to
3 amend the Environmental Conservation Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: In relation to
12 Calendar Number 14, those recorded in the
13 negative are Senators Duane, Espaillat, Perkins
14 and Serrano.

15 Ayes, 58. Nays, 4.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 137, by Senator Ritchie, Senate Print 3318, an
20 act to amend the Vehicle and Traffic Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT GRIFFO: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar Number 137, those recorded in the
7 negative are Senators Adams, Addabbo, Avella,
8 Diaz, Espaillat, Gianaris, Hassell-Thompson,
9 L. Krueger, Montgomery, Oppenheimer, Parker,
10 Peralta, Perkins, Rivera, Serrano, and Squadron.
11 Also Senator Duane.

12 Ayes, 45. Nays, 17.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 152, by Senator Maziarz, Senate Print 186, an act
17 to amend the General Municipal Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 170, substituted earlier today by Member of the
5 Assembly Sweeney, Assembly Print 5318A, an act to
6 amend the Environmental Conservation Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

9 THE SECRETARY: Section 11. This
10 act shall --

11 SENATOR LIBOUS: Lay it aside for
12 the day.

13 ACTING PRESIDENT GRIFFO: Lay it
14 aside for the day.

15 THE SECRETARY: Calendar Number
16 172, by Senator Saland, Senate Print 1415B, an
17 act to amend the Penal Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

20 THE SECRETARY: Section 8. This
21 act shall take effect on the 90th day.

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 61. Nays, 1.

1 Senator Duane recorded in the negative.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 218, by Senator Robach, Senate Print 565A, an act
6 to amend the Alcoholic Beverage Control Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 61. Nays,
15 1. Senator Duane recorded in the negative.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 222, substituted earlier today by Member of the
20 Assembly DenDekker, Assembly Print Number 2059,
21 an act to amend the Mental Hygiene Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 280, by Senator Hannon, Senate Print 3953B, an
9 act to amend the Education Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

12 THE SECRETARY: Section 4. This
13 act shall take effect on the first of July.

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT GRIFFO: Senator
18 Squadron to explain his vote.

19 SENATOR SQUADRON: Thank you.

20 I just want to briefly commend
21 Senator Hannon on this bill. This is an issue
22 that seems so simple, protecting young people
23 from the permanent effects of brain injuries, but
24 we know it's quite complex. It's something that
25 we've worked together on in a bipartisan way.

1 He's taken great leadership.

2 I vote aye, Mr. President.

3 ACTING PRESIDENT GRIFFO: Senator
4 Squadron to be recorded in the affirmative.

5 Announce the results.

6 THE SECRETARY: In relation to
7 Calendar 280: Ayes, 61. Nays, 1. Senator
8 DeFrancisco recorded in the negative.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 307, by Senator Gianaris, Senate Print 2510A, an
13 act to amend the Penal Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

16 THE SECRETARY: Section 5. This
17 act shall take effect on the 90th day.

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 331, substituted earlier today by Member of the

1 Assembly Lavine, Assembly Print Number 6334, an
2 act to repeal Section 680-f of the General
3 Municipal Law.

4 ACTING PRESIDENT GRIFFO: There is
5 a home-rule message at the desk.

6 Read the last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 SENATOR LIBOUS: Mr. President.

16 ACTING PRESIDENT GRIFFO: Senator
17 Libous.

18 SENATOR LIBOUS: Was that Senator
19 Gianaris's first bill, I believe, in the Senate?

20 (Applause.)

21 SENATOR LIBOUS: Mr. President, I
22 believe I took the words out of Senator Breslin's
23 mouth. I apologize.

24 ACTING PRESIDENT GRIFFO: Senator
25 Breslin.

1 SENATOR BRESLIN: If I had been
2 recognized --

3 (Laughter.)

4 SENATOR BRESLIN: -- I would have
5 said congratulations to Senator Gianaris on his
6 first bill in the Senate.

7 I will now say that.
8 Congratulations.

9 ACTING PRESIDENT GRIFFO:
10 Congratulations, Senator Gianaris.

11 (Applause.)

12 ACTING PRESIDENT GRIFFO: The
13 Secretary will read.

14 THE SECRETARY: On page 31, Senator
15 Young moves to discharge, from the Committee on
16 Environmental Conservation, Assembly Bill Number
17 3556A and substitute it for the identical Senate
18 Bill Number 2840A, Third Reading Calendar 341.

19 ACTING PRESIDENT GRIFFO: The
20 substitution is ordered.

21 The Secretary will read.

22 THE SECRETARY: Calendar Number
23 341, by Member of the Assembly Magee, Assembly
24 Print 3556A, an act to amend the Environmental
25 Conservation Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 356, substituted earlier today by Member of the
13 Assembly Cusick, Assembly Print 5022, an act to
14 amend the Lien Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 358, by Senator Seward, Senate Print 2378, an act
2 to amend the Alcoholic Beverage Control Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 362, substituted earlier today by Member of the
15 Assembly Glick, Assembly Print 7262, an act to
16 amend Chapter 674 of the Laws of 1993.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 62.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 371, by Senator Dilan, Senate Print 1362, an act
4 to amend the Vehicle and Traffic Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 61. Nays,
13 1. Senator Duane recorded in the negative.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 393, by Senator Young, Senate Print 3499A, an act
18 to amend the Town Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 62.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 395, by Senator Maziarz, Senate Print 510, an act
6 to amend --

7 SENATOR LIBOUS: Lay it aside for
8 the day, please.

9 ACTING PRESIDENT GRIFFO: Lay it
10 aside for the day.

11 THE SECRETARY: Calendar Number
12 439, by Senator Golden, Senate Print 4016, an act
13 to amend the Labor Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

16 THE SECRETARY: Section 3. This
17 act shall take effect 60 days after it shall have
18 become a law.

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 480, substituted earlier today by Member of the
2 Assembly Goodell, Assembly Print 6967, an act to
3 amend Chapter 405 of the Laws of 2007.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 61. Nays,
12 1. Senator Parker recorded in the negative.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 504, by Senator Saland, Senate Print 4711, an act
17 to amend Chapter 556 of the Laws of 2007.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 61. Nays,

1 1. Senator Parker recorded in the negative.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 510, by the Senate Committee on Rules, Senate
6 Print 4871, an act to amend the Tax Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: In relation to
15 Calendar Number 510, those recorded in the
16 negative are Senators Dilan, Espaillat,
17 L. Krueger, Parker, Peralta, Perkins, Rivera,
18 Squadron.

19 ACTING PRESIDENT GRIFFO: Those in
20 the negative please signify by raising your
21 hands.

22 THE SECRETARY: Also Senator
23 Hassell-Thompson.

24 Ayes, 53. Nays, 9.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 Senator Libous.

3 SENATOR LIBOUS: Mr. President,
4 could we go back to Calendar Number 395. And if
5 I could remove the lay-aside, please, without
6 objection, and call up the bill.

7 ACTING PRESIDENT GRIFFO: Without
8 objection, the lay-aside is removed.

9 The Secretary will read.

10 THE SECRETARY: Calendar Number
11 395, by Senator Maziarz, Senate Print 510, an act
12 to amend the Labor Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Those recorded in
21 the negative on Calendar 395 are Senators Duane,
22 Peralta and Rivera.

23 Ayes, 59. Nays, 3.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 522, substituted earlier today by Member of the
3 Assembly Hevesi, Assembly Print 6902A, an act to
4 amend the Public Health Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 534, by Senator Zeldin, Senate Print 4026, an act
17 to amend the Correction Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

20 THE SECRETARY: Section 4. This
21 act shall take effect on the first of November.

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Those recorded in

1 the negative on Calendar 534 are Senators Duane,
2 Hassell-Thompson, Montgomery, Parker and Perkins.

3 Ayes, 57. Nays, 5.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 540, by Senator Zeldin, Senate Print 4442, an act
8 to authorize Victims Information Bureau of
9 Suffolk, Inc.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: In relation to
18 Calendar Number 540, those recorded in the
19 negative are Senators Bonacic and Larkin.

20 Ayes, 60. Nays, 2.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 552, by Senator Breslin, Senate Print 3665A, an
25 act to amend the Insurance Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: In relation to
9 Calendar Number 552, those recorded in the
10 negative are Senators Ball, Griffio and Maziarz.

11 Ayes, 59. Nays, 3.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 572, by Senator Little, Senate Print 345, an act
16 to amend the Executive Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: In relation to
25 Calendar 572, those recorded in the negative are

1 Senators Avella, Dilan, Duane, Espaillat,
2 Gianaris, Hassell-Thompson, L. Krueger,
3 Montgomery, Oppenheimer, Parker, Peralta,
4 Perkins, Rivera, Serrano, Squadron, Stavisky, and
5 Stewart-Cousins. Also Senator Adams.

6 Ayes, 44. Nays, 18.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 573, by Senator Montgomery, Senate Print 372A, an
11 act to amend the Executive Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: In relation to
20 Calendar Number 573, those recorded in the
21 negative are Senators Ball and Ranzenhofer.

22 Ayes, 60. Nays, 2.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 577, by Senator Robach, Senate Print 732, an act
2 to amend the Executive Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

5 THE SECRETARY: Section 5. This
6 act shall take effect on the 90th day.

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: On page 44, Senator
14 Gallivan moves to discharge, from the Committee
15 on Rules, Assembly Bill Number 4899A and
16 substitute it for the identical Senate Bill
17 Number 4830A, Third Reading Calendar 597.

18 ACTING PRESIDENT GRIFFO: The
19 substitution is so ordered.

20 The Secretary will read.

21 THE SECRETARY: Calendar Number
22 597, by Member of the Assembly Rosenthal,
23 Assembly Print 4899A, an act to amend the Social
24 Services Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 62.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 603, by Senator Libous, Senate Print 2751, an act
12 to amend the Highway Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: In relation to
21 Calendar 603, those recorded in the negative are
22 Senators Adams, L. Krueger, Parker and Rivera.

23 Ayes, 58. Nays, 4.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 608, by Senator Parker, Senate Print 1149 --

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

5 ACTING PRESIDENT GRIFFO: Lay it
6 aside for the day.

7 THE SECRETARY: Calendar Number
8 609, substituted earlier today by Member of the
9 Assembly Englebright, Assembly Print 5525A, an
10 act to amend the Public Authorities Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 610, substituted earlier today by Member of the
23 Assembly Rosenthal, Assembly Print 1474, an act
24 to amend the Public Authorities Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 62.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 617, by Senator Young, Senate Print 850, an act
12 to amend the Agriculture and Markets Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 62.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 634, by Senator Marcellino, Senate Print 4184, an
25 act to authorize Family Services League, Inc.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 60. Nays,
9 2. Senators Bonacic and Larkin recorded in the
10 negative.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 642, by Senator Zeldin, Senate Print 4722, an act
15 authorizing the assessor of the Town of Islip.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: In relation to
24 Calendar 642, those recorded in the negative are
25 Senators Bonacic, Larkin and O'Mara.

1 Ayes, 59. Nays, 3.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 654, by Senator Marcellino, Senate Print 941, an
6 act in relation to legalizing, validating,
7 ratifying and confirming.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 60. Nays,
16 2. Senators Larkin and O'Mara recorded in the
17 negative.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 659, by Senator Libous, Senate Print 2465, an act
22 to amend the State Finance Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 180th day.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: In relation to
6 Calendar Number 659, those recorded in the
7 negative are Senators Avella, L. Krueger,
8 Peralta, Rivera, Saland and Stavisky.

9 Ayes, 56. Nays, 6.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 660, by Senator Libous, Senate Print 2468, an act
14 to amend the State Finance Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

17 THE SECRETARY: Section 4. This
18 act shall take effect on the first of April.

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 671, by Senator McDonald, Senate Print 4045A, an
2 act to authorize the Town of East Greenbush.

3 ACTING PRESIDENT GRIFFO: There is
4 a home-rule message at the desk.

5 Read the last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 675, substituted earlier today by Member of the
16 Assembly Thiele, Assembly Print Number 5763, an
17 act to amend the Navigation Law.

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

20 Read the last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 62.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: On page 49, Senator
5 Avella moves to discharge, from the Committee on
6 Rules, Assembly Bill Number 4791A and substitute
7 it for the identical Senate Bill Number 4838A,
8 Third Reading Calendar 676.

9 ACTING PRESIDENT GRIFFO: The
10 substitution is so ordered.

11 The Secretary will read.

12 THE SECRETARY: Calendar Number
13 676, by Member of the Assembly Weprin, Assembly
14 Print Number 4791A, an act to amend Chapter 709
15 of the Laws of 2005.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 62.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 681, substituted earlier today by Member of the
3 Assembly Reilly, Assembly Print Number 4729A, an
4 act to amend the Environmental Conservation Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: In relation to
13 Calendar 681, those recorded in the negative are
14 Senators Avella, Ball, Duane and Montgomery.

15 Ayes, 58. Nays, 4.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 682, by Senator McDonald, Senate Print 2500, an
20 act to amend the Environmental Conservation Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: On page 50, Senator
7 Hannon moves to discharge, from the Committee on
8 Social Services, Assembly Print Number 7827 and
9 substitute it for the identical Senate Bill
10 Number 5339, Third Reading Calendar 726.

11 ACTING PRESIDENT GRIFFO:
12 Substitution so ordered.

13 The Secretary will read.

14 THE SECRETARY: Calendar Number
15 726, by Member of the Assembly Titus, Assembly
16 Print 7827, an act to amend Chapter 779 of the
17 Laws of 1986.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 735, by Senator Espaillat, Senate Print 3117, an
5 act to amend the Public Housing Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

8 SENATOR BRESLIN: Lay it aside for
9 the day.

10 ACTING PRESIDENT GRIFFO: Lay it
11 aside for the day.

12 THE SECRETARY: Calendar Number
13 740, by Senator Little, Senate Print 4024, an act
14 to amend the Real Property Tax Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 745, by Senator Stavisky, Senate Print 1789, an
2 act to amend the Education Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 61. Nays,
11 1. Senator Ball recorded in the negative.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 754, by Senator Nozzolio, Senate Print 459, an
16 act to repeal Section 396-ff of the General
17 Business Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

20 SENATOR BRESLIN: Lay it aside.

21 ACTING PRESIDENT GRIFFO: Lay it
22 aside.

23 THE SECRETARY: Calendar Number
24 760, by Senator Ritchie, Senate Print 5231, an
25 act to amend the Real Property Tax Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 769, by Senator Seward, Senate Print 4555A, an
13 act to amend the Public Authorities Law.

14 ACTING PRESIDENT GRIFFO: There is
15 a home-rule message at the desk.

16 Read the last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 61. Nays,
23 1. Senator Farley recorded in the negative.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 771, by Senator Griffo, Senate Print 5019A, an
3 act to amend the Public Authorities Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

6 THE SECRETARY: Section 3. This
7 act shall take effect on December 31, 2012.

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 774, by Senator Little, Senate Print 4151, an act
16 to authorize the Town of Malone.

17 ACTING PRESIDENT GRIFFO: There is
18 a home-rule message at the desk.

19 Read the last section.

20 THE SECRETARY: Section 5. This
21 act shall take effect immediately.

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 775, by Senator LaValle, Senate Print 4404, an
5 act in relation to the conveyance of the land
6 formerly used as an armory for the Town of
7 Riverhead.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 777, by Senator LaValle, Senate Print 4546A, an
20 act to amend Chapter 626 of the Laws of 1996.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 779, by Senator Bonacic, Senate Print 4661A, an
8 act to amend Part NN of Chapter 67 of the Laws of
9 2008.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 61. Nays,
18 1. Senator Zeldin recorded in the negative.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 788, substituted earlier today by Member of the
23 Assembly Abbate, Assembly Print 5738, an act to
24 amend Chapter 695 of the Laws of 1994.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 62.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 The Secretary will read.

11 THE SECRETARY: Calendar Number
12 821, substituted earlier today by Member of the
13 Assembly Lancman, Assembly Print 2129B, an act to
14 amend the Labor Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 822, substituted earlier today by Member of the
2 Assembly Schimminger, Assembly Print Number 7268,
3 an act to amend Chapter 413 of the Laws of 2003.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 823, by Senator Nozzolio, Senate Print 5208, an
16 act to amend the Real Property Tax Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

19 SENATOR STEWART-COUSINS: Lay it
20 aside.

21 ACTING PRESIDENT GRIFFO: Lay it
22 aside.

23 THE SECRETARY: Calendar Number
24 827, substituted earlier today by Member of the
25 Assembly Glick, Assembly Print 7073, an act to

1 amend Chapter 434 of the Laws of 1999.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 841, substituted earlier today by Member of the
14 Assembly Schimminger, Assembly Print 7668, an act
15 to amend Chapter 396 of the Laws of 2010.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 60. Nays,
24 2. Senators Diaz and Duane recorded in the
25 negative.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 851, by Senator Young, Senate Print 2776, an act
5 to validate certain acts of the Fredonia Central
6 School District.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 852, by Senator Klein, Senate Print 3414A, an act
19 to amend the State Finance Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: In relation to
3 Calendar Number 852, those recorded in the
4 negative are Senators Adams, Addabbo, Avella,
5 Diaz, Espaillat, Parker, Rivera, and Stavisky.

6 Ayes, 54. Nays, 8.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 860, by Senator Marcellino, Senate Print 4772, an
11 act to amend the Alcoholic Beverage Control Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: In relation to
20 Calendar Number 860, those recorded in the
21 negative are Senators Bonacic, Diaz, Espaillat,
22 Fuschillo, Gallivan, Hassell-Thompson, Lanza,
23 Larkin, LaValle, Martins, Perkins and Saland.

24 Ayes, 50. Nays, 12.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 865, by Senator Marcellino, Senate Print 932, an
4 act to amend the Penal Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: In relation to
13 Calendar Number 865, those recorded in the
14 negative are Senators Hassell-Thompson,
15 Montgomery, Parker and Perkins.

16 Ayes, 58. Nays, 4.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 870, by Senator Fuschillo, Senate Print 5415A, an
21 act to amend Chapter 549 of the Laws of 1994.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 871, by Senator Zeldin, Senate Print 3844, an act
9 to amend Chapter 397 of the Laws of 1996.

10 ACTING PRESIDENT GRIFFO: There is
11 a home-rule message at the desk.

12 Read the last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 875, substituted earlier today by Member of the
23 Assembly Schimel, Assembly Print 7387A, an act to
24 authorize the Village of North Hills.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: In relation to
8 Calendar Number 875, those recorded in the
9 negative are Senators Bonacic, Larkin and O'Mara.
10 Ayes, 59. Nays, 3.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 885, substituted earlier today by Member of the
15 Assembly Jaffee, Assembly Print Number 5566, an
16 act to authorize the Rock Apostolic Church.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT GRIFFO: I'm going
25 to ask that we please continue to keep some quiet

1 in the chamber so we can facilitate the reading
2 and the stenographer, please.

3 THE SECRETARY: In relation to
4 Calendar 885, those recorded in the negative are
5 Senators Bonacic, Larkin and O'Mara.

6 Ayes, 59. Nays, 3.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 886, by Senator Carlucci, Senate Print 4327, an
11 act to authorize the Village of Montebello.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: In relation to
20 Calendar Number 886, those recorded in the
21 negative are Senators Bonacic, Larkin and O'Mara.

22 Ayes, 59. Nays, 3.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 887, by Senator Carlucci, Senate Print 4330, an
2 act to authorize the Village of Montebello.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: In relation to
11 Calendar Number 887, those recorded in the
12 negative are Senators Bonacic, Larkin and O'Mara.

13 Ayes, 59. Nays, 3.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 892, by Senator Griffio, Senate Print 4928, an act
18 to authorize the Towns of Harrisburg, Montague,
19 and Pinckney.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 895, substituted earlier today by Member of the
7 Assembly Weisenberg, Assembly Print 1007, an act
8 to amend the Insurance Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 896, by Senator Seward, Senate Print 4039, an act
21 to amend the Insurance Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 898, by Senator Seward, Senate Print 4951, an act
9 to amend the Insurance Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 899, by Senator Seward, Senate Print 5028, an act
22 to amend the Insurance Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 180th day.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 62.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 901, by Senator Seward, Senate Print 5213, an act
10 to amend the Insurance Law.

11 ACTING PRESIDENT GRIFFO: Senator
12 Maziarz.

13 SENATOR MAZIARZ: Could we lay this
14 bill aside for the day, please.

15 ACTING PRESIDENT GRIFFO: Lay the
16 bill aside for the day.

17 THE SECRETARY: Calendar Number
18 907, by Senator Griffo, Senate Print 5478, an act
19 to amend Chapter 526 of the Laws of 1998.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 908, substituted earlier today by Member of the
7 Assembly Hoyt, Assembly Print 408, an act to
8 amend the Real Property Tax Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

11 THE SECRETARY: Section 2. this
12 act shall take effect immediately.

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 910, by Senator Seward, Senate Print 2876, an act
21 to amend the New York City Civil Court Act.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

24 THE SECRETARY: Section 5. This
25 act shall take effect immediately.

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 918, by Senator Ranzenhofer, Senate Print 5201,
8 an act to amend the General Obligations Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 60. Nays,
17 2. Senators Duane and Hassell-Thompson recorded
18 in the negative.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 920, by Senator LaValle, Senate Print 4925, an
23 act to amend the General Business Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: On page 67, Senator
10 Gianaris moves to discharge, from the Committee
11 on Rules, Assembly Bill Number 7259 and
12 substitute it for the identical Senate Bill
13 Number 4231, Third Reading Calendar 929.

14 ACTING PRESIDENT GRIFFO:
15 Substitution is so ordered.

16 The Secretary will read.

17 THE SECRETARY: Calendar Number
18 929, by Member of the Assembly Nolan, Assembly
19 Print 7259, an act to amend the Education Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 933, substituted earlier today by Member of the
7 Assembly Cahill, Assembly Print 20, an act to
8 amend the Agriculture and Markets Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 940, by Senator Little, Senate Print 4161, an act
21 to amend the Alcoholic Beverage Control Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

24 THE SECRETARY: Section 9. This
25 act shall take effect immediately.

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 61. Nays,
5 1. Senator Diaz recorded in the negative.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 946, by Senator Klein, Senate Print 3055, an act
10 to amend the Vehicle and Traffic Law.

11 ACTING PRESIDENT GRIFFO: There is
12 a home-rule message at the desk.

13 The Secretary will read the last
14 section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 62.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 952, by Senator Maziarz, Senate Print 151, an act
25 to amend the Energy Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 959, by Senator Ranzenhofer, Senate Print 3336,
13 an act to amend the Penal Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

16 THE SECRETARY: Section 3. This
17 act shall take effect on the 90th day.

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT GRIFFO: Announce
22 the results.

23 THE SECRETARY: In relation to
24 Calendar 959, those recorded in the negative are
25 Senators Adams, Avella, Breslin, Diaz, Dilan,

1 Hassell-Thompson, L. Krueger, Maziarz,
2 Montgomery, Oppenheimer, Parker, Peralta,
3 Perkins, Rivera, Serrano, Squadron, Stavisky,
4 Stewart-Cousins. Also Senator Sampson. Also
5 Senator Espaillat. Also Senator Johnson.

6 Ayes, 41. Nays, 21.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 962, substituted earlier today by Member of the
11 Assembly Farrell, Assembly Print 7238, an act to
12 amend the Tax Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 62.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 965, by Senator Carlucci, Senate Print 4820, an
25 act to amend the Executive Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 968, by Senator Oppenheimer, Senate Print 3470,
13 an act to amend the Public Health Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 60. Nays,
22 2. Senators Ball and O'Mara recorded in the
23 negative.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 975, by Senator Skelos, Senate Print 5145, an act
3 to amend the Public Health Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 983, by Senator McDonald, Senate Print 2505, an
16 act to amend the Public Authorities Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 62.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 984, by Senator Adams, Senate Print 3710, an act
4 to amend Chapter 15 of the Laws of 1998.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 Senator Maziarz, that completes the
16 noncontroversial reading of the calendar.

17 SENATOR MAZIARZ: Thank you,
18 Mr. President.

19 At this time can we go to the
20 controversial reading of the calendar, please,
21 and ask all members to report to the chamber.
22 Thank you.

23 ACTING PRESIDENT GRIFFO: The
24 Secretary will ring the bell.

25 The Secretary will read.

1 THE SECRETARY: Calendar Number
2 754, by Senator Nozzolio, Senate Print 459, an
3 act to repeal Section 396-ff of the General
4 Business Law.

5 SENATOR BRESLIN: Explanation.

6 ACTING PRESIDENT GRIFFO: An
7 explanation has been requested, Senator Nozzolio,
8 by Senator Breslin.

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

11 Mr. President and my colleagues, at
12 a time when there is rapid unemployment across
13 this nation, when this state government has been
14 fighting and working hard to stretch every
15 resource, when there has been layoffs in the
16 state system proposed, when there are issues that
17 cry out for fiscal responsibility, it's time to
18 look at this legislation as a way to recognize
19 that a \$40 million failure in state government
20 should end, and it should end by the passage of
21 this legislation.

22 This eliminates the CoBIS system, a
23 system that may have been very well intentioned,
24 a system that was to establish a ballistic
25 database where we have seen now, after 40-plus

1 millions of dollars spent not one crime, not any
2 crime, no crime has been solved, no perpetrator
3 has been brought to justice, not one item of
4 criminality has been found and established by
5 this legislation in New York State.

6 To compound that issue, the states
7 of Maryland and California have been wise enough
8 to eliminate their system. Studies from those
9 states cite the fact that CoBIS has been a
10 colossal waste of time, money, and manpower.

11 This Combined Ballistic
12 Identification System has not produced, as cited
13 by one of these studies, a single hit on
14 establishing a gun crime in New York State.

15 This is a waste of money. It's a
16 waste of manpower. It does not help law
17 enforcement officials. It is time to say enough
18 is enough. Our taxpayers are crying out to us to
19 find ways to save taxpayers' money. This is an
20 excellent way to do it. Mr. President, this
21 measure scraps an ineffective, inefficient,
22 unproductive, expensive program.

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

25 Senator Krueger.

1 SENATOR KRUEGER: Thank you.

2 If the sponsor would please yield.

3 ACTING PRESIDENT GRIFFO: Senator
4 Nozzolio, do you yield?

5 SENATOR NOZZOLIO: Yes,
6 Mr. President.

7 ACTING PRESIDENT GRIFFO: The
8 Senator yields.

9 SENATOR KRUEGER: Thank you.

10 Well, I have to say I don't know a
11 lot about this program, which is why I laid the
12 bill aside, to be able to ask some questions.

13 So we've spent \$40 million since the
14 bill has gone into effect, is that your analysis?

15 SENATOR NOZZOLIO: Mr. President,
16 I'm sure I did not hear Senator Krueger's
17 complete question. She said "We spent
18 \$40 million," and I didn't hear the rest.

19 SENATOR KRUEGER: Have we spent
20 \$40 million since the program has gone into
21 effect here in New York State? So it's been
22 11 years, so approximately \$3 million or
23 \$4 million a year? I'm just wanting to make sure
24 I heard the information correctly.

25 SENATOR NOZZOLIO: Yes,

1 Mr. President, that's approximately correct.

2 SENATOR KRUEGER: Thank you.

3 Mr. President, if through you the
4 sponsor would continue to yield.

5 ACTING PRESIDENT GRIFFO: The
6 Senator yields.

7 SENATOR KRUEGER: Thank you.

8 And I was looking at the bill memo
9 from the original bill, and it was talking about
10 that this program had been very successful in
11 other states. And I just was wondering whether
12 the sponsor has an opinion of why it was
13 successful in other states but it has not been
14 successful here in New York State.

15 SENATOR NOZZOLIO: Mr. President, I
16 don't believe it was successful in any other
17 state.

18 That I believe the State of Maryland
19 had the system when New York decided to adopt
20 it. Maryland has seen the light. The studies
21 commissioned by the State of Maryland have
22 indicated it's time to scrap their program. And
23 that, frankly, I believe that whatever successes
24 were proposed have long since been cast aside by
25 its ineffectiveness.

1 SENATOR KRUEGER: Mr. President, if
2 the sponsor would continue to yield.

3 ACTING PRESIDENT GRIFFO: Senator
4 Nozzolio, do you continue to yield?

5 SENATOR NOZZOLIO: Yes,
6 Mr. President.

7 ACTING PRESIDENT GRIFFO: The
8 Senator yields.

9 SENATOR KRUEGER: Thank you.

10 So Maryland has decided to drop
11 their program. But do the majority of the rest
12 of the states still have this program in effect?

13 SENATOR NOZZOLIO: Mr. President,
14 it's my understanding that just half a handful of
15 states ever were hoodwinked into establishing
16 this program in the first place. New York was
17 one of those. And that that's why this
18 legislation is proffered, to stop the pain and
19 suffering that our constituents are having as a
20 result of wasteful expenditures.

21 SENATOR KRUEGER: Mr. President, if
22 through you the sponsor would continue to yield.

23 ACTING PRESIDENT GRIFFO: Senator
24 Nozzolio, do you yield?

25 SENATOR NOZZOLIO: Yes,

1 Mr. President.

2 ACTING PRESIDENT GRIFFO: The
3 Senator yields.

4 SENATOR KRUEGER: Thank you. Thank
5 you. I appreciate the sponsor's answers to my
6 questions.

7 Who has to implement these laws? Is
8 it the individual gun owner or is it gun sellers,
9 is it -- I mean, who's doing what and how is the
10 \$3 million to \$4 million being spent per year?

11 SENATOR NOZZOLIO: Mr. President, I
12 never thought that I'd actually congratulate
13 Senator Krueger for asking a question. But I
14 want to congratulate her for asking this
15 question, because it's a very good question.

16 It's a question that should be
17 answered, I believe, by "all of the above,"
18 Senator Krueger.

19 Mr. President, this is a
20 time-consuming process where, during the 10-year
21 period, over 317,000 handguns were tested and
22 images of their shell casings were taken. This
23 is an elaborate task. It's a task that requires
24 the manpower of the New York State Police, which
25 diverts their attention and their efforts and

1 their time and their resources from fighting
2 crime. That as well as law-abiding gun dealers,
3 and that that together has been a waste, as well
4 as an infringement, to say the least, of basic
5 Second Amendment rights.

6 SENATOR KRUEGER: Thank you.

7 Mr. President, if the sponsor would
8 continue to yield.

9 ACTING PRESIDENT GRIFFO: The
10 Senator yields?

11 SENATOR NOZZOLIO: Yes,
12 Mr. President.

13 SENATOR KRUEGER: Thank you.

14 So am I correct to understand the
15 sponsor to be saying that the State Police agree
16 and oppose the continuation of the law and would
17 like us to end this section of the 2000 -- I'm
18 just looking for the actual title. So it was
19 part of a larger bill banning assault weapons in
20 2000.

21 So the State Police actually would
22 like us to end this part of the program?

23 SENATOR NOZZOLIO: Mr. President, I
24 don't believe it's within the authority, within
25 the practice, within the tradition or even within

1 the ethical bounds of the New York State Police
2 to opine on policy of this state. They have been
3 entrusted with and have done an outstanding job
4 in enforcing the laws of New York. They're not
5 there to opine on the issues that are presented
6 before them, they're there to enforce the law.

7 And that's what they have done.
8 They have enforced this law. They have
9 tolerated, because they're told to do and because
10 they are an outstanding police force, that they
11 follow the law in spite of the fact it's an
12 ineffective law, in spite of the fact it drains
13 their resources, in spite of the fact it takes
14 time away from their everyday duties.

15 SENATOR KRUEGER: Thank you.

16 Mr. President, if the sponsor would
17 yield for an additional question.

18 ACTING PRESIDENT GRIFFO: Senator
19 Nozzolio, do you yield for an additional
20 question?

21 SENATOR NOZZOLIO: Yes,
22 Mr. President.

23 ACTING PRESIDENT GRIFFO: The
24 Senator yields.

25 SENATOR KRUEGER: Thank you.

1 I have to say I agree with the
2 sponsor if in fact this is a program that's not
3 working, not helping us catch anybody. And we
4 presume the State Police actually don't think
5 it's necessary.

6 Would the sponsor consider
7 substituting the microstamping bill that's
8 carried by Senator Peralta, which the police in
9 many parts of the country and in any number of
10 police forces here in New York State have said
11 would be an enormous help to them in catching
12 people who are illegally using guns or using guns
13 for crimes? So might not the microstamping bill
14 be a better solution than this program?

15 Because I am prepared to accept that
16 this is not a program that has been working, but
17 I think we have an alternative that would work
18 much better.

19 SENATOR NOZZOLIO: Mr. President, I
20 don't totally understand the question. I believe
21 it's a question that is suggesting some political
22 machination, some trading, some placing a quid
23 pro quo, changing one bad law for another bad
24 law. I can't understand the exact question by
25 Senator Krueger.

1 I only know that individual
2 legislation should be decided on its own merits
3 and that this measure is being debated today.
4 It's my hope that my colleagues will support the
5 elimination of this wasteful, costly program.
6 That other measures for law enforcement I
7 certainly believe should be considered. We have
8 a number of them that the Committee on Crime
9 Victims, Crime and Corrections has proffered. We
10 hope that those issues will all be debated in due
11 course.

12 SENATOR KRUEGER: Mr. President, on
13 the bill.

14 ACTING PRESIDENT GRIFFO: Senator
15 Krueger on the bill.

16 SENATOR KRUEGER: I want to thank
17 the sponsor very much for his answers to my
18 questions.

19 I do see a correlation between his
20 analysis that this is an 11-year-old law that is
21 not accomplishing the goal. My understanding and
22 my reading of the law was that it was intended to
23 provide law enforcement a mechanism for ballistic
24 identification of guns used inappropriately in
25 crimes. And yet I am hearing that it has not

1 been used that way, that it's costing the state
2 between \$3 million and \$4 million a year, and
3 that perhaps the State Police and other police
4 forces don't find it valuable.

5 Now, I haven't had a chance to ask
6 them and I don't think at 9:15 tonight I will be
7 able to, but I'm perfectly prepared to keep on
8 open mind in the future that Senator Nozzolio may
9 be absolutely right, this may be a program that
10 was tried and has not proved to be successful.

11 But, and I emphasize the "but," I do
12 understand from reviewing materials from police
13 enforcement and law enforcement specialists, the
14 New York City Police Department, the mayor of the
15 City of New York, legislators for gun control,
16 any number of organizations, that there are real
17 models that can help police track the actual
18 illegal use of guns or the bullets that are used
19 by these guns.

20 And so if in fact the point of this
21 discussion is to have a successful ballistic
22 tracking system in New York State, if it's fair
23 to say that a microstamping system would be a
24 ballistic tracking system, I am completely open
25 to replacing one system that may in fact not be

1 working, as Senator Nozzolio described, with a
2 much newer model -- a much less costly model,
3 from my understanding -- that is being asked for
4 by law enforcement and could work.

5 So I will remain a no for tonight
6 only because I would like the opportunity to
7 review data from the police department that this
8 is not used here in New York State effectively
9 and that it is, as described by the sponsor, an
10 expense without a reward.

11 But I think it's a great discussion
12 for us tonight because it's highlighting that we
13 want to have working systems. We want to be able
14 to track bullets and guns that are used in
15 crimes. We absolutely want the state-of-the-art
16 technology at the lowest cost. And I do believe
17 we have better alternatives available to us.

18 Thank you, Mr. President. I'll
19 remain no for tonight.

20 ACTING PRESIDENT GRIFFO: Are there
21 any other Senators who wish to be heard?

22 Seeing none, hearing none, the
23 debate is closed. The Secretary will ring the
24 bell.

25 Read the last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT GRIFFO: Please
7 keep your hands up if you're reporting your vote
8 in the negative.

9 Announce the results.

10 THE SECRETARY: In relation to
11 Calendar 754, those recorded in the negative are
12 Senators Avella, Carlucci, Diaz, Dilan, Duane,
13 Espaillat, Gianaris, Hassell-Thompson, Klein,
14 L. Krueger, Montgomery, Oppenheimer, Parker,
15 Peralta, Perkins, Rivera, Savino, Serrano, Smith,
16 Squadron, Stavisky, and Stewart-Cousins.

17 Absent from voting: Senators
18 Huntley and C. Kruger.

19 Ayes, 38. Nays, 22.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 823, by Senator Nozzolio --

24 SENATOR LIBOUS: Lay it aside for
25 the day.

1 ACTING PRESIDENT GRIFFO: The bill
2 is laid aside for the day.

3 I'm going to ask that we continue to
4 keep some order in the chamber for some important
5 announcements.

6 Senator Libous.

7 SENATOR LIBOUS: Mr. President, I
8 believe there's a supplemental calendar at the
9 desk. I'd like to lay that calendar aside for
10 the day, please.

11 ACTING PRESIDENT GRIFFO: The
12 supplemental calendar has been laid aside for the
13 day.

14 And that completes the readings.

15 SENATOR LIBOUS: Mr. President,
16 it's very important that members pay attention.

17 Tomorrow morning at 9:15,
18 Mr. President, there will be a Rules Committee
19 meeting in 332, at 9:15. At 10:00 o'clock there
20 will be a Republican majority conference in
21 Room 332.

22 Mr. President, I stand corrected.
23 The Rules Committee meeting will be in Room 124
24 tomorrow. The Rules Committee meeting is in
25 124. The Republican conference at 10:00 will be

1 in Room 332. And then we will all participate at
2 11:00 a.m. in the Veterans Hall of Fame ceremony,
3 and then we will convene in session at 12:00
4 noon.

5 ACTING PRESIDENT GRIFFO: There
6 will be a 9:15 a.m. Rules Committee meeting in
7 Room 124 of the Capitol, a 10:00 a.m. meeting of
8 the Republican conference in Room 332. All will
9 assemble for the vets ceremony.

10 Senator Hassell-Thompson.

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

13 There will be a Democratic
14 conference in Room 314 at 10:00 a.m. in the
15 morning, on time.

16 ACTING PRESIDENT GRIFFO: There
17 will be a Democratic conference in Room 314
18 tomorrow at 10:00 a.m. on time.

19 SENATOR LIBOUS: Mr. President,
20 before I ask you if there's any further business
21 at the desk, could we please return to motions
22 and resolutions, and please call on Senator
23 Breslin.

24 ACTING PRESIDENT GRIFFO: We will
25 return to motions and resolutions.

1 Senator Breslin.

2 Again, I ask that we continue to
3 maintain order in the chamber so that we may be
4 able to hear and facilitate the business
5 {gaveling}.

6 SENATOR BRESLIN: Thank you,
7 Mr. President. I think everybody has been
8 waiting for this.

9 (Laughter.)

10 SENATOR BRESLIN: On behalf of
11 Senator Parker, on page number 44 I offer the
12 following amendments to Calendar Number 608,
13 Senate Print Number 1149, and ask that the bill
14 retain its place on the Third Reading Calendar.

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

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

20 ACTING PRESIDENT GRIFFO: Senator
21 Libous.

22 SENATOR LIBOUS: Mr. President, I
23 believe that Senator Hassell-Thompson would like
24 to be recognized again, I think.

25 ACTING PRESIDENT GRIFFO: Senator

1 Hassell-Thompson, do you choose to be recognized
2 again?

3 SENATOR HASSELL-THOMPSON: Yes,
4 Mr. President. There seems to be some
5 corrections which I'm not sure is correct.

6 (Laughter.)

7 SENATOR HASSELL-THOMPSON: There
8 will be a Democratic conference at 11:00 a.m. in
9 Room 314.

10 ACTING PRESIDENT GRIFFO: Note the
11 change that there will now be a Democrat
12 conference in Room 314 at 11:00 a.m.

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

15 ACTING PRESIDENT GRIFFO: There is
16 no further business before the desk.

17 SENATOR LIBOUS: There being no
18 further business at the desk, I move that the
19 Senate adjourn until Tuesday, June 14th, at
20 12:00 noon.

21 ACTING PRESIDENT GRIFFO: On
22 motion, the Senate stands adjourned until
23 Tuesday, June 14th, at noon. Senate adjourned.

24 (Whereupon, at 9:28 p.m., the Senate
25 adjourned.)