NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 18, 2012

4:00 p.m.

REGULAR SESSION

SENATOR THOMAS F. O'MARA, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT O'MARA: The Senate will please come to order.

I ask everyone present to please rise and repeat the Pledge of Allegiance.

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

ACTING PRESIDENT O'MARA: In the absence of clergy, may we bow our heads in a moment of silence.

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

ACTING PRESIDENT O'MARA: Thank you.

The reading of the Journal.

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

ACTING PRESIDENT O'MARA: Without objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 7, Senator Saland moves to discharge, from the Committee on Rules, Assembly Bill Number 8694A and substitute it for the identical Senate Bill Number 6116A, Third Reading Calendar 14.

ACTING PRESIDENT O'MARA: Substitution ordered.

THE SECRETARY: On page 7, Senator Ranzenhofer moves to discharge, from the Committee on Rules, Assembly Bill Number 8692 and substitute it for the identical Senate Bill Number 6117, Third Reading Calendar 15.

ACTING PRESIDENT O'MARA: Substitution ordered.

THE SECRETARY: On page 7, Senator Savino moves to discharge, from the Committee on Rules, Assembly Bill Number 8909 and substitute it for the identical Senate Bill Number 6124, Third Reading Calendar 17.

ACTING PRESIDENT O'MARA: Substitution ordered.

THE SECRETARY: And on page 8, Senator Seward moves to discharge, from the Committee on Rules, Assembly Bill Number 8903

and substitute it for the identical Senate Bill Number 6131, Third Reading Calendar 19.

ACTING PRESIDENT O'MARA: Substitution ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

On behalf of Senator DeFrancisco, I'd like to move that the following bill be discharged from its respective committee and be recommitted with instructions to strike the enacting clause. And that would be Senate Print 4310.

ACTING PRESIDENT O'MARA: So ordered.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

I believe there's a privileged

resolution at the desk by Senator Sampson. May we please have it read in its entirety and then call on Senator Sampson before we move for its adoption.

ACTING PRESIDENT O'MARA: The Secretary will read.

THE SECRETARY: Legislative resolution by Senator Sampson, memorializing the 83rd Birthday of the Reverend Dr. Martin Luther King, Jr. and his tremendous contributions to civil rights and American society, and the 26th Anniversary of the national holiday that honors his birth and achievements.

"WHEREAS, Today we celebrate the life and extraordinary achievements of one of our nation's most beloved and influential leaders, Dr. Martin Luther King, Jr., and the 26th Anniversary of the holiday that honors his birth and achievements; and

"WHEREAS, Martin Luther King, Jr. was born on Tuesday, January 15, 1929, at his family home in Atlanta, Georgia, and was the first son and second child born to the Reverend Martin Luther King, Sr., and Alberta Williams

King; and

"WHEREAS, Martin Luther King, Jr. began his education at the Yonge Street Elementary School in Atlanta, Georgia, attended the Atlanta University Laboratory School and Booker T. Washington High School, and was admitted to Morehouse College at the age of 15; and

"WHEREAS, At the age of 19, Martin Luther King, Jr. graduated from Morehouse College with a Bachelor of Arts degree in sociology, and three years later in 1951 was awarded a Bachelor of Divinity degree from Crozer Theological Seminary in Chester, Pennsylvania, where he also studied at the University of Pennsylvania and won several awards for most outstanding student, among which was the Crozer Fellowship for Graduate Study at a university of his choice; and

"WHEREAS, In 1951, at the age of 22, Martin Luther King, Jr. began doctoral studies in systematic theology at Boston University, and also studied at Harvard University, and at the age of 26 was awarded a Doctor of Philosophy degree from Boston

University in 1955; and

"WHEREAS, During his studies at Boston and Harvard Universities, Dr. King married the former Coretta Scott of Marion, Alabama, in 1953; and

"WHEREAS, Dr. King entered the Christian ministry and was ordained in February of 1948 at the age of 19 at Ebenezer Baptist Church, Atlanta, Georgia, and became pastor of the Dexter Avenue Baptist Church of Montgomery, Alabama, from September of 1954 to November of 1959, when he resigned to move home to Atlanta; and

"WHEREAS, Dr. King was elected president of the Montgomery Improvement Association, the organization which was responsible for the successful Montgomery Bus Boycott, which began in 1955 and lasted 381 days; and

"WHEREAS, Dr. King was incarcerated many times for his participation in civil rights activities, was a founder of the Southern Christian Leadership Conference, which he led from 1957 to 1968, and was the leader of the 1963 March on Washington for

Civil Rights, which is one of the largest peaceful demonstrations in American history and is a defining moment in this nation's civil rights movement; and

"WHEREAS, Dr. King was honored countless times for his leadership of the United States civil rights movement, including his selection by Time magazine as Most Outstanding Personality of 1957 and Man of the Year of 1963, and his selection by Link Magazine of India, the home of Mahatma Gandhi, as one of the 16 world leaders who had contributed the most to the advancement of freedom during 1959; and

"WHEREAS, Dr. King's receipt in 1964 of the Nobel Peace Prize, at the age of 35, made him the youngest recipient of that prestigious award, and one of only three black Americans who have received that award, along with Dr. Ralph Bunche and President Barack Obama, whose journey to become President owes no small debt to the journey Dr. King and the millions of Americans who walked hand in hand with him undertook to end segregation and remind Americans of the great moral

underpinnings of our federal Constitution, which provides that we are all created equal and of the incredible power of the American ideal that we all deserve to live in a free and just society; and

"WHEREAS, Dr. King was murdered in Memphis, Tennessee, on April 4, 1968, by James Earl Ray, and was mourned by millions of Americans of all ages, races, creeds and colors on the national day of mourning declared by President Lyndon Johnson; and

"WHEREAS, Dr. King's birthday was made into a national holiday in 1986, was first celebrated in all 50 states in the year 2000, and is the only federal holiday to honor a private American citizen; and

"WHEREAS, Dr. King stands in a long line of great American leaders and represents the historical culmination and living embodiment of a spirit of united purpose, rooted in Black African culture and the American Dream; and

"WHEREAS, Dr. King taught us that through nonviolence, courage displaces fear, love transforms hate, acceptance dissipates

prejudice, and mutual regard cancels resentment; and

"WHEREAS, Dr. King manifestly contributed to the cause of America's freedom. His commitment to human dignity is visibly mirrored in the spiritual, economic and political dimensions of the civil rights movement; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to honor the life of the Reverend Dr. Martin Luther King, Jr., whose untimely death robbed America of his leadership at too early a date, and whose deeds and words transformed America and live in our homes, schools and public institutions to this day, continuing to inspire the millions of Americans whose lives of purpose and achievement might not have been possible but for Dr. King's leadership and the examples set by the millions of Americans who joined him in one of the great moral crusades of the 20th century; and be it further

"RESOLVED, That this Legislative Body calls upon its members and all New Yorkers to observe the day of Dr. King's birth as a day

of service to our family, friends, neighbors and those less fortunate than ourselves, and to moral causes greater than ourselves, and to the great State of New York, in keeping with the ideals of the national Martin Luther King Day of Service, which was started by former Pennsylvania State Senator Harris Wofford and Congressman John Lewis from Atlanta, Georgia, who coauthored the King Holiday and Service Act, signed into law by President Bill Clinton in 1994; and be it further

"RESOLVED, That copies of this resolution, suitably engrossed, be transmitted to the family of Dr. King and to the King Center in Atlanta."

ACTING PRESIDENT O'MARA: Senator Sampson.

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

Eighty-three years ago Sunday, in Atlanta, Georgia, the world changed forever: Dr. Martin Luther King, Jr. was born. Today we still ask, would this great man have been a Governor, would he have been a Senator, would he have been the President of the United

States? Unfortunately, the "would" always remains.

But what we do know is that none of us would be the same without Dr. King. I know that I would not be standing in front of all of you if not for him.

Dr. Martin Luther King, Jr. was one of the greatest visionaries this world has ever had. He spoke of a time when peace would reign and when compassion and understanding between all races would be a reality.

He was a man who lived in extraordinary times, who saw horrible injustices. Yet this humble preacher rose to the call of his people and his country. By his brave, heroic and selfless actions, Dr. King showed the world what a free, fair just society blind to social and ethnic differences would truly be like.

He taught us that violence never brings permanent peace, hate never brings everlasting change, and only compassion, civility and togetherness will rebuild a broken community. He told us that we must learn to live together as brothers or we shall perish

together as fools. And he called on us as one people to rise above hatred and fulfill the promise of equal opportunity for all.

Never before has his message been so important as today. Dr. King's belief in peaceful social change to create a better life for the poor, for the working class, and for the disenfranchised of all races continues to inspire millions around this world.

We cannot let this moment pass or his vision go unrealized. We must harness the inspiration through shared responsibilities and united actions and meet the challenges of our time.

We face significant challenges this year, my colleagues. But as we face these challenges, we must let the philosophy and teachings of Dr. King inspire us. We must let the principles of fairness, equity, and compassion guide us. Every year we take a day to remember and pay tribute to Dr. King. But to truly honor his memory and build upon his legacy, we must continue his work today and every day.

Thank you very much,

Mr. President.

ACTING PRESIDENT O'MARA: Senator Smith.

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

And let me thank my colleague Minority Leader Sampson for bringing forth this resolution today.

I want to raise just one small phrase, if you will, that was stated in many of Dr. King's speeches. And it's a quick phrase where he talks about us being judged not by the color of our skin but by the contents of our character. What I want to pull out of that word "character" is the word "courage."

And I would hope, my colleagues, as we face a very challenging year -- not only here in Albany, but in our neighborhoods, in our districts, that we remember that word "courage."

There's going to come a time this year where we're going to have to display courage. There's going to come a time next year we're going to have to display courage. There's going to come a time when you are in

front of young people and you are in front of a group that you have to display courage to them about making a decision.

This year we have a very challenging budget before us. We're going to have to display some courage. Later on this year, I can assure you some of you will be faced with a moment where you will have to represent a position that may not be one that you thought you would have to speak on behalf of. But yet and still, because of what individuals like Martin Luther King has done, what he represented, you will be faced with the decision of do you display courage or do you just go along with the program.

I think what Martin would have said had he stood on this Senate floor at about 4:17 on this day was "Courage is what is going to get us to that Promised Land." And the promised land is one where all of us, each and every one of us, will be able to stand firm and, when somebody says to you "What is it that I can describe is the contents of your character," they'll be able to describe it with one word.

There was Bill Perkins on that day who displayed courage. There was Senator Grisanti, who had to make a statement before a group that he felt was not going to agree with what he had to say, but he displayed courage. There was Senator Fuschillo, when the time came he thought that everybody would be with him, he had to display courage. And there was Senator Andrea Stewart-Cousins: When we all thought we were good and had the right thing to say, she displayed courage.

This is a courage year. And I'd ask all my colleagues, as you begin to search your heart and your spirit, the day you have to make that decision that you rest on your courage blanket, the blanket that will cover you from this day forward as people describe the contents of your character and not the color of your skin: Courage. Dr. Martin Luther King.

Thank you, Mr. President.

ACTING PRESIDENT O'MARA: Senator Espaillat.

SENATOR ESPAILLAT: Thank you, Mr. President.

Every year we celebrate the great legacy of Martin Luther King, and every year we have the opportunity to wonder what would the great Martin Luther King think of some of the current issues, some of the current pressing issues that are affecting us today.

What would he be, as an 82-year-old man, thinking about when he saw the current issues affecting the great State of New York and the great nation? What would he think about working men and women, the working men and women across this state and across the nation that are being assaulted of their benefits, their pay? What would he would think of farmworkers right here in New York State that can easily qualify as modern-day indentured servants?

What would he think of the dropout rate of young men and women of color across this state? What would he think of gun violence and the many measures that we tried to implement -- microstamping and others -- that we failed to implement here in the great State of New York to stop the onslaught against young men and women across this state?

What would he think of immigrants, a group of young men and women called the Dreamers, that have embodied his message because they want to have access to higher education? What would he think about that, our inability to open the doors to those young men and women? What would Dr. King right now, at 82, think about the dreamers?

So I want to follow the lead of my great colleague Malcolm Smith and say that we should try to push for this to be not a drive-by analysis of Dr. King and his legacy but a work in progress. And that we should try to accomplish some of the things that I am sure that he would hold up as great accomplishments for the great State of New York.

ACTING PRESIDENT O'MARA: Senator Grisanti.

SENATOR GRISANTI: Yes, thank you, Mr. President.

And, Senator Smith, I want to thank you for those kind words that you stated earlier.

It's the Reverend Dr. Martin Luther King, as I was corrected a few times

because I forgot the word "Reverend." But nonetheless, a man with a vision that would conquer without violence, as Senator Sampson has stated. And he would use his intellect and his reason to move things forward and in a progressive fashion.

There are certain issues in my area, certain issues where people still have not overcome. And that is not only true of my area but across this state and across this great nation. Now, there has been movement. But this road -- and what I've realized, being here in the New York State Senate -- still has to be traveled. The light at the end of the tunnel is bright, but to some it is not bright enough.

I urge all people, as I have been hearing throughout these last few days, to ask just to help one another. Do some community service, say nice words to somebody, help out a neighbor, help out a friend, listen and provide sound advice.

I ask that what we do, not only here today but every day, is keep the vision of this great man alive who asked little except

for equality, economic justice, and hope for all -- and let us not forget a strong statement that he stated, education, which is a strong equalizer.

I'm proud to join in this resolution, Mr. President. Thank you very much.

ACTING PRESIDENT O'MARA: Senator Parker.

SENATOR PARKER: Thank you, Mr. President.

First let me thank Senator Sampson for his leadership in putting forth this important resolution.

On this past Sunday, January 15th, Dr. King would have been 83 years old had he been allowed to live. But as he indicated, longevity has its place. For him, it was more important for him to expand what we see in society.

We are living now 44 years after the death of Dr. King in 1968 and about 18 years after the creation of the holiday. We have high school seniors right now who have lived their whole life with the holiday who

don't remember not just the importance of Dr. King's life and legacy, but don't even recognize how hard it was to get this day. That in fact it took about almost 10 years from the beginning, from the first time that the bill was introduced in Congress in 1986, to 1994 when it was finally signed into law and became the law of our land. And so Dr. King's legacy was being played out even then.

And so to those young high school seniors who don't remember the struggle that it took for Dr. King's day to become a holiday, I want us all to join them in rededicating ourselves to Dr. King's life and legacy, to the things that Dr. King believed in. And we heard a little bit about that today.

Particularly I want to point out what Senator Smith said about courage, which was really important. Because we're quick to talk about the dream, everybody wants to always talk about the dream. Which really, by the way, was just a little catch phrase that he was using at the end of an important speech, where he went to D.C. with -- you know, everybody acts like he was standing there by himself. He

was there with about 250,000 people who were upset and who had come to Washington to look for justice. Who came there with a check that had been marked "Insufficient" in the name of justice and were looking for justice to be done.

The question is, as we stand here today, has that check been cashed yet? We still, many of us, stand at the bank of humanity and the bank of justice and ask, Can we get this check marked "Sufficient"? Can we cash this check and find real justice in the State of New York? That's something that every day we're going to have to deal with.

And I know we're all happy with the notion of King as a nonviolent peacemaker. But let's be clear, that's not who Dr. King was. And I'm not saying he was a violent man. But I'm saying we understand that the man was involved with nonviolent engagement, direct engagement. Dr. King spent more time in jail than me.

(Laughter.)

SENATOR PARKER: So you all know that at the time of his life this was not a

popular man.

(Laughter.)

SENATOR PARKER: I want to invite people to read what I've read during the Dr. King holiday this year, which was "Letter from the Birmingham Jail." And in the "Letter from the Birmingham Jail," Dr. King wrote a letter not to people who he saw as members of the KKK or people that he saw as antagonistic to his goal of racial justice, but he wrote that letter to other colleagues in the ministry who had been critiquing him. That in fact some of his harshest critics were the very people he was fighting for.

That now we all love Dr. King, and we stand here and we've got, you know, billboards and placards and concerts in his name. But at the time Dr. King was not somebody who people wanted to even have in their church, let alone, you know, come to their community and start organizing.

And so we should celebrate his life and legacy, but let's not have revisionist history. Let's understand that that man walked up the rough side of the mountain. And when he

got a chance to look upon -- what did he call it? -- the gleaming city on the top of the hill, he knew that he was not going to get there. Because he knew that there were forces in this country that were not going to allow him to get there and get to that bank to cash that check "Sufficient."

And so today I want to join all my colleagues in recommitting ourselves to Dr. King's message of justice. But not just justice, but direct engagement to the things that are not just in our society. Because only by standing up to injustice in our society can we truly have justice for one and all here in the State of New York.

ACTING PRESIDENT O'MARA: Senator Adams.

SENATOR ADAMS: Thank you. And I too want to add my voice in thanking Senator Sampson for bringing this resolution to the floor.

You know, every year when I think about my brief moment of pausing and thinking of Dr. King, I look at it through the analogy of every year you have the Academy Awards, and

awards are given to those who have the best picture or the best producer. And I think that acknowledgment is done because they realize it's not the individual that makes this real life drama that we call our human existence possible, it's the combination of all those who are involved.

And if Dr. King was here, he would probably tell us, I may have been the focal point, but there were many people who participated in this great experience that took place in this country.

And that was only the continuation of the sequel. His was not the original show. There were many shows prior to his. There were the Chinese-Americans as they built the American railroads, and their struggle. The Irish-Americans, as they came here to these shores and were treated in a degrading fashion. The Italian-Americans.

And so Dr. King's experience for African-Americans was the continuation of the sequel of humankind being kind as human beings. And if we attempt to just relegate it just to people of darker skin tone looking for

their foothold in America, then I think we're doing a disservice to the spirit of Dr. King and the entire human experience.

The question now that lingers over us that we must change from a question mark to an exclamation point is how are we going to live in our sequel. Because we are living the sequel of all of those great movements that is concluding to this great show that we are experiencing now on the stage of real-life American history.

And that's what I want to be a part of. I don't want to continue to look at the rewinds or look at the old clips, I want to make sure I'm part of the new clips. And the new clips states that it does not matter of ethnicity, it does not matter if you're in a synagogue or mosque or in a Christian church. It's about America pricking the conscience of the globe to state you have a right to be here, worship here, thrive here and live a productive life. That's the America I want to be a part of.

So the greatest contribution we can make to Dr. King and all of the supporting

cast that participated in the civil rights movement, that lived through their sequel, is that we can continue ours and make sure that we have a landmark, a treasure, a great script in this real-life human experience that our children can build upon and make sure that they too can say we have a movie we saw with our dads and our mothers and our Senators and our Assemblypersons and our Governors that made the State of New York a great place to be. And folks will reflect on the dream that we laid for others to live through.

That's what Dr. King was about. That's what I believe we should be about. And that's what I will commit my life to be about.

Thank you, Mr. President.

ACTING PRESIDENT O'MARA: Senator Perkins.

SENATOR PERKINS: Thank you very much.

I just want to first register my appreciation to Senator Sampson for the resolution that he provides us with an opportunity to speak on, and also to register a complaint about all those who spoke before me

and stole my presentation.

(Laughter.)

SENATOR PERKINS: Especially you, Eric Adams.

But nevertheless, nevertheless, I'm going to just be brief in recognizing that, you know, I had the privilege of being a part of the Poor People's Campaign. And it was the last campaign that Dr. King participated in or organized. And just before that, as you know, was Memphis, where he was assassinated.

The workers and the poor people, the people that we all represent. And the dream that he has is what we are trying to embrace and trying to use as we do our work here.

So we need to make sure that this session we have like a report card that is our Dr. King report card that basically measures whether or not it was rhetoric in the record or it was something that we actually did that Dr. King could smile about because we didn't just take the opening session of session to praise him and then deny him when it came time to legislation that reflects the needs of the

poor, that reflects the needs of the working class, the workers in general.

So I'm honored to have the opportunity to have my words plagiarized before me and to be associated with all of you as we travel this path to really fulfill in our legislation the dream of Dr. King in New York State.

Thank you.

ACTING PRESIDENT O'MARA: Senator Savino.

SENATOR SAVINO: Thank you, Mr. President.

I also rise and I want to thank Senator Sampson and Senator Smith for bringing this resolution to the floor.

Every year when this resolution has come forward I feel the need to stand and speak about what Dr. Martin Luther King meant to me.

I think we should always remember where he was on the day that he was killed -- leading a strike of striking sanitation workers in the City of Memphis, workers who were denied equal treatment to their white counterparts,

workers who were denied being treated as human beings at all by the City of Memphis. The sad thing is is some of those workers that were on strike that day to this day still don't have a pension from the City of Memphis.

So you wonder what would Dr. King think about what's happening to working people today. What would he think about the way executives and town supervisors and mayors across this country and editorial boards are looking to attack workers' rights, denigrate the representatives of workers' rights, silence the critics every day.

We should remember where Dr. Martin Luther King was on the day he was killed. We should remember what he was fighting for. We should not allow this economic crisis to turn our backs on the rights of working people.

So we should remember that as we go forward this year and we make hard decisions that will affect workers and workers' rights, that we live up to the promise of Dr. Martin Luther King. That workers should have the right to band together for mutual aid and

protection, that we should have a right to have a say in our workplace, that we are entitled to dignity not just in our everyday work life but in our retirement as well. And that we should not vilify those who stand up to speak for the rights of workers.

That is his message to me this year. And I hope it's his message to all of you in this chamber. Because I don't think that Dr. King would be very proud of what's happening across this country. And I wonder what he would think about what happened in Wisconsin earlier this year. He probably would have been very, very disappointed in some of the people out there. But then I think today he might be very proud as a million people signed a petition to start a recall effort of a governor who sought to vilify workers and their rights.

So as we go forward, let's remember that Dr. King believed in the rights of workers and believed in the rights of all humanity.

Thank you, Mr. President.

ACTING PRESIDENT O'MARA: Senator

Huntley.

SENATOR HUNTLEY: Yes, thank you, Mr. President.

I personally knew Dr. Martin Luther King. I was involved with the Poor Folks March, along with him and in those days it was Reverend Jackson. I remember it very well: My husband and I, our youngest child on his back, and a brown bag with lunch. And we went, we worked, we helped the poor people, we passed out food, we gave our clothing. And I also remember the water hose and the dogs.

And when I think of Dr. Martin Luther King, I often wonder how he survived as long as he did. He did not have an easy life. I just heard when Senator Parker talked about how things were tough -- he left his family, he cared about people. And when time came to pass the bill, there were actually people who didn't want to vote to make this a holiday.

And I also think about how we talk about Dr. King once a year, how everybody has great things to say about him, and yet we do not -- now I'm personally speaking for me -- we do not live the dream.

There are a number of young people in our schools who know absolutely nothing about Dr. King because they're a different generation. And we really don't take time in our schools across the state to teach them about Dr. Martin Luther King. And I think that's one thing that we should inform schools they need to know. You know, whether they live the dream or not. But I think he's a person that everyone should know about. I mean, we all know about other top figures. And I think he's made his place in America, and I think we owe him that much.

Thank you.

ACTING PRESIDENT O'MARA: Senator Stewart-Cousins.

SENATOR STEWART-COUSINS: Thank you, Mr. President.

I also want to thank Senator Sampson for bringing forth this resolution.

And as I was listening to all of my distinguished colleagues talk about the past, the present, the future, I thought about what I did this weekend. And I'm sure it mirrored what most of you did this weekend,

going to events given by different groups to rekindle the message of Dr. King.

One of the events that I went to was down in the city, and it was an event called Occupy the Dream. And I looked at this crowd of well over a thousand people who had marched from St. John the Divine to Riverside Church to carry the banner of Dr. King. And it was an Occupy the Dream night.

What an incredible sight to see. Not only the people who knew Dr. King or who organized, but the young, vibrant, energized people who understood, despite the fact that many of them were born long after Dr. King's death, they understood almost on a cellular level how important it was to continue to push forward the ideals that Dr. King represented.

They understood that we still are a nation that has too many people in poverty, that one out of two people are poor or near poor, that one-quarter of our children in this nation are hunger. And they understood that that dream can only be fulfilled when we find a way to make sure that our children are fed, that their minds and bodies are whole and given

what the nourishment is that they need, and that we each have an opportunity to fulfill what we can in life through work that is valued and remunerated properly.

So the dream for those who think that young people don't know, it's alive, it's Occupy, and it's up to us to help fulfill Dr. King's mission.

ACTING PRESIDENT O'MARA: Senator Little.

SENATOR LITTLE: Thank you, Mr. President.

I too would like to thank Senator Sampson for presenting this resolution today.

This past weekend I was privileged to participate in two ceremonies, one in Glens Falls and one in the city of Plattsburgh. And in both of those ceremonies we marched, we had thoughtful remarks by participants, we had musical selections and song as we celebrated and remembered the life and the accomplishments of the Reverend Dr. Martin Luther King.

But last year I read a book, and the book was called Behind the Dream: The

Making of the Speech that Transformed a Nation. It's by Clarence Jones. In 1963, Clarence Jones was in his early 30s. He was counsel to Dr. King. And he also was a draft speech writer.

So as they sat at the Lincoln Memorial waiting for Dr. King to do his speech -- or actually before they sat there, Clarence Jones decided that it might be a good idea, something he had never done before, but he copyrighted Dr. King's speech. And in doing so, it was no longer in the public domain, it became a copyrighted speech.

At the time of the speech that he had presented to Dr. King, it did not have the "I have a dream" words in it, but that speech had been given at another time. But also sitting on the stage was Mahalia Jackson, who had sung in the ceremony. And as Dr. King was speaking, Mahalia Jackson spoke out and said to Dr. King, "Tell them about your dream, Martin." And he began the "I have a dream" talk.

The copyright to that speech has brought in a revenue stream to the King Center

ever since. Something that maybe no one had ever thought of doing, and Clarence Jones had done it on a whim, just decided that he would do that. And the results have been funding that has continued the spirit and the goals of Dr. Martin Luther King through the years.

So I would recommend the book. It was really very interesting and an inside story as to leading up to the speech and afterwards.

Thank you.

ACTING PRESIDENT O'MARA: Senator Krueger.

SENATOR KRUEGER: Thank you, Mr. President.

I also want to thank John Sampson for bringing this resolution today. But mostly I wanted to thank my colleagues who stood up and spoke so eloquently not just about Dr. Martin Luther King but what it meant to their lives and their communities.

So I'd like to go on the record and point out that I suspect many of my colleagues who spoke here today wouldn't be here if not for Martin Luther King, the work he did, what he represented, the fight he fought,

the fight we all continue and are obligated to continue to fight for the heart and soul of this country.

And so I thank Dr. Martin Luther King for doing the work he did that impacted so many but, for us here in New York State, brought us great legislators like the ones who spoke on his behalf today.

Thank you, Mr. President.

ACTING PRESIDENT O'MARA: Senator Hassell-Thompson.

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

I rise to add my thanks to our leader, John Sampson, and Senator Smith.

I think many of us raced to have the opportunity to put in this resolution because each of us feels very strongly that -- particularly those of us who have people of color believe that were it not for the efforts of Dr. King, none of us would be here. Since the days of Reconstruction, we represent the largest body of elected officials that help to develop policy across this nation. And I don't take any of that lightly.

And so as I celebrated this weekend, as others did, at occasions it gave me an opportunity to pause. Because as we continue to read the writings of this man, we recognize that leadership was not something that he chose.

He did not want to be a leader. He chose to be a pastor who wanted to be the spiritual leader. But somewhere in his orations, people found that he could make people listen. And that's a quality that leaders must have. He could make people come together and at least look at his ideas. That's the quality that a leader must have. And in his ability to do so, he was able to get people to pause in their deliberations, and think. And those are qualities that a leader must have.

And so he excelled in his oration as someone who understood word language and knew how to use the power of that language to say to people, There is good in you and I'm looking for that good to join with me to find the good in each other so that we can make all of these truths that we have avowed to be true that so

that all people, all people can be considered as equal.

And that if we just stop and think with tolerance and think with love, just allow those things that are in all of us to reside, then we can then accept that all people deserve to be free.

So I appreciate every opportunity that we have to celebrate the life of an extraordinary man who I had the pleasure of not only meeting personally but being a part of the Northern movement here, writing letters, collecting money, sending volunteers.

And knowing the volatility of my own personality, I was not a good marcher. I could not be tolerant when people spit on me or when some of the other atrocities happened to them. And so they said, "No, you stay in the North, and there's work for you to do there. Because we need people who can withstand some of the things that will happen." Because they anticipated what was going to happen, and they trained people to be able to be in those marches. That was not accidental, it was very purposeful.

And so that there were some of us

who really understood that our own natures were not to be part of the march, but certainly we all had a role to play.

And I am very grateful as I stand here each year and recognize over and over again the blessings that we had in having him in leadership that allowed me to be here to serve the people of the 36th Senatorial District.

I thank you, Mr. President.

ACTING PRESIDENT O'MARA: Senator Marcellino.

SENATOR MARCELLINO: Thank you, Mr. President.

And I thank Senator Sampson, my brother from another mother, for bringing up this resolution.

The other day, on Sunday, I attended, as many did, sessions and meetings celebrating Dr. King's birth and delivering his message and repeating the speech that Dr. King had given over and over again. And one of the previous speakers -- I don't recall which, I apologize -- had mentioned what would he think looking down. What would he think, what would he say about what's going on here? What would

his opinion be about what is happening in the world today or in our state?

That same afternoon when I left the ceremony from the First Baptist Church in Glen Cove, in my district, I went to a Catholic church in the village of Sea Cliff, not too far away, which had been the day before vandalized and graffitied with racial symbols, swastikas. Homes nearby also defaced with similar types of expressions.

So in our conversations, I would say that Dr. King would be looking down on us and saying, My work isn't done. There is a lot more to do here.

As was pointed out, I think it was by Senator Parker, a whole generation coming along has no idea. To them Martin Luther King is maybe a shopping day, a day to go to the mall.

Those of us who have been around a while, who have the gray hair or those of us who have no hair or those of us who are hiding the gray hair through various ways, perhaps we have to go back and perhaps we have to send a message and deliver that message over and over

again because it's got to be relearned. It can never be forgotten.

We must never let Dr. King's message be forgotten because it's one about peace, love and caring for one another. That's the key. Forget about the individual. He was a flawed person, we all know that. We're all flawed. Everybody's flawed. But the message was pure, the message was real, and the message must be remembered and delivered to generation after generation after generation. We can never let it die. That is our obligation, that is our responsibility as we pass it on to the next generation so that they can carry the message forward.

I suggest Dr. King would be both pleased and displeased. Pleased that he's still being talked about and still being remembered and the message is there, but displeased that there's a heck of a lot of work left to do.

So, Mr. President, I move that we get on with the business of the day and get on with Dr. King's message and keep delivering the message. It's most important to us all.

Thank you.

ACTING PRESIDENT O'MARA: Thank you.

Seeing no other Senator wishing to be heard, the question is on the resolution. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT O'MARA: Any opposed say nay.

(No response.)

ACTING PRESIDENT O'MARA: The resolution is adopted.

Senator Libous.

SENATOR LIBOUS: Mr. President, I believe that Senator Sampson would like to open that resolution up for all members.

And unless for some reason someone wishes not to be on it, every member's name will be on that resolution.

ACTING PRESIDENT O'MARA: The resolution is open for cosponsorship. Should anyone not wish to be a cosponsor, please notify the desk.

Senator Libous.

SENATOR LIBOUS: Mr. President, I

believe there's a resolution at the desk by Senator Perkins. May we have it read in its entirety and move for its adoption after you call on Senator Perkins.

ACTING PRESIDENT O'MARA: The Secretary will read.

THE SECRETARY: Legislative resolution by Senator Perkins, mourning the death of acclaimed civil rights pioneer and federal judge Robert L. Carter.

"WHEREAS, Born on March 11, 1917, in Caryville, Florida, as the youngest of nine children, Robert L. Carter soon after moved to Newark, New Jersey, with his mother, where he was raised; and

"WHEREAS, He graduated from high school at the age of 16 and earned his undergraduate degree in political science from Lincoln University and his law degree from Howard University School of Law in 1940, both on scholarship. The following year he went to earn his LLM from Columbia Law School; and

"WHEREAS, Robert L. Carter joined the United States Army Air Corps just a few months prior to the United States entering

World War II; and

"WHEREAS, Despite repeated antagonisms, he completed officer candidate school and earned the rank of second lieutenant; and

"WHEREAS, At the time he was the only black officer at Harding Field in Baton Rouge, Louisiana. As a result, he continued to face the constant barrage of racial hostility; and

"WHEREAS, Following his military service, Robert L. Carter began to work with the NAACP Legal Defense and Educational Fund; and

"WHEREAS, In 1945, Robert L. Carter was an assistant special counsel at the Legal Defense Fund, and in 1948 he became a legal assistant to Thurgood Marshall; and

"WHEREAS, in 1956, Robert L. Carter succeeded Thurgood Marshall as the general counsel of the NAACP, and over the course of his tenure he argued or coargued and won 21 of 22 cases in the United States Supreme Court; and

"WHEREAS, Robert L. Carter played

an integral role in landmark cases such as Sweatt v. Painter, Sipuel v. Board of Regents of the University of Oklahoma, Brown v. Board of Education, and NAACP v. Alabama; and

"WHEREAS, In 1968, Robert L. Carter resigned from the NAACP, along with his entire legal staff, in protest to the firing of NAACP employee Lewis Steele; and

"WHEREAS, Following his departure from the NAACP, Robert L. Carter cofounded the National Conference of Black Lawyers, an organization formed to serve as the Black Liberation movement's legal arm and aid other black activists. Notable clients were individuals such as Angela Davis, Assata Shakur, the Attica Brothers, Geronimo Pratt, Mumia Abu-Jamal, Ben Chavis and the Wilmington Ten; and

"WHEREAS, The National Conference of Black Lawyers also lobbied against apartheid in South Africa; and

"WHEREAS, In 1972, at the recommendation of U.S. Senator Jacob Javits, President Richard M. Nixon nominated Robert L. Carter to the federal bench for the Southern

District of New York; and

"WHEREAS, On the bench, Robert L. Carter became well-known for his involvement in cases involving professional basketball. He oversaw the merger of the National Basketball Association and the American Basketball Association in the 1970s, the settlement of a class-action antitrust suit against the NBA, and a number of high-profile free-agent arbitration disputes; and

"WHEREAS, In 1979, his judicial findings as they related to biases against black and Hispanic applicants to the New York City Police Department led to significant changes in hiring policies and minority representation on the force; and

"WHEREAS, In his later years, Robert L. Carter remained a passionate and outspoken supporter of current issues related to racial bias and unequal treatment, never wavering from the opinion that much remained to be accomplished in the pursuit to achieve true racial equality; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to mourn the

death of acclaimed civil rights pioneer and federal judge Robert L. Carter; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the family of Robert L. Carter."

ACTING PRESIDENT O'MARA: Senator Perkins on the resolution.

SENATOR PERKINS: Thank you very much.

You know, again, I want to express my appreciation for the fact that we're opening up our session with these remarkable icons of our nation that have made such important contributions and give us hopefully some guidance on the work that we'll be doing for the balance of the session.

The Honorable Robert Carter was known as a great legal strategist best known for the Brown v. Board of Education case in 1954, for which I and I daresay so many of us are grateful products of that successful legal work, including President Obama.

However, according to his memoir, according to Mr. Carter's memoir, called A

Matter of Law, written in 2005: "It was the Army that made a militant of me and instilled in me a fierce determination to fight against racism with all my intellectual and physical strength."

In true tribute to him, let that be our marching orders, to fight racism with all of our intellectual and physical strength.

And furthermore, in true tribute to him, let us extend this determination to include sexism, homophobia, anti-Semitism and all the other "isms" that undermine the integrity of our democracy and humanity. Ultimately, he wasn't just an outstanding civil rights lawyer, but a fierce human rights advocate.

Thank you.

ACTING PRESIDENT O'MARA: Thank you, Senator.

Seeing no other Senators wishing to be heard, the question is on the resolution. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT O'MARA: Opposed, nay.

(No response.)

ACTING PRESIDENT O'MARA: The resolution is adopted.

Senator Libous.

SENATOR LIBOUS: Mr. President, I believe that on that resolution, Senator Perkins, you'll open it up to cosponsorship for everyone, and if anyone wants to have their name removed from it, let the desk know?

SENATOR PERKINS: Please.

SENATOR LIBOUS: Thank you, Mr. President.

ACTING PRESIDENT O'MARA: The resolution is open for cosponsorship. Should anyone not wish to be a cosponsor, please notify the desk.

Senator Libous.

SENATOR LIBOUS: Mr. President, at this time may we please return to the reports of standing committees.

I believe there's a report of the Finance Committee at the desk, and may we please have it read.

ACTING PRESIDENT O'MARA: Reports of standing committees.

The Secretary will read.

THE SECRETARY: Senator DeFrancisco, from the Committee on Finance, offers the following nomination.

As a member of the Adirondack Park Agency, Sherman Craig, of Wanakena.

ACTING PRESIDENT O'MARA: Senator DeFrancisco.

SENATOR DEFRANCISCO: I move the nomination.

ACTING PRESIDENT O'MARA: On the nomination, all in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT O'MARA: Any opposed?

(No response.)

ACTING PRESIDENT O'MARA: Sherman Craig is hereby confirmed as a member of the Adirondack Park Agency.

The Secretary will continue to read.

THE SECRETARY: As Commissioner of the Division of Homeland Security and Emergency Services, Jerome Hauer, of

Guilderland.

ACTING PRESIDENT O'MARA: Senator DeFrancisco.

SENATOR DEFRANCISCO: Yes, I would proudly move this nomination.

The Governor has done a wonderful job in making his appointments this year, and I think this appointment or this nomination is probably at the top if not at least near the top.

The qualifications of Mr. Hauer are just remarkable. I've got his bio here, and I could spend a good amount of time here, but he's spent enough time here already.

It's an amazing biography that shows that the individual has the technical knowledge, the academic knowledge, the knowledge and experience from the private sector. And he's done homeland security and dealt with homeland security and emergency issues from the local level, as a member of the volunteer fire department, and as high up as giving presentations to President Clinton and becoming part of our national homeland security operation. Just a remarkable set of

achievements.

I said to him, when I first met him in my office, that I'm just happy that you're willing to do this. I can't believe you're willing to do this because of the awesome responsibilities. And he said, "The Governor is very persuasive."

Well, I'm glad we have a Governor that's very persuasive, and I'm glad this nominee was willing to serve in this incredibly important capacity. And I very happily and proudly move his nomination.

And I would request that, Mr. President, you recognize Senator Ball to second the nomination.

ACTING PRESIDENT O'MARA: Senator Ball.

SENATOR BALL: It's indeed my honor to rise to second the nomination.

And just to say, to echo those comments, you know, in all seriousness we live in a state that on most days is terrorist target number one, especially the New York City metropolitan region.

And this Governor has proven an

uncanny ability to pick the exact right person for the exact right position. And Jerry Hauer is at the top of the list of being an example of exactly that, and I know that I will rest a little bit better tonight knowing that he is at the helm.

And I have gotten to know him a little bit over the past several months, and I can tell you it's very rare in politics that you hear only good things about an individual. And whether it be rank-and-file law enforcement or first responders or those at the highest levels in the same community, they have nothing but accolades to serve upon Jerry.

You know, we have a lot of lingering issues in this state, over 10 years now after 9/11, from operability, interoperability, turf battles that still rage. And it's going to take an extraordinary leader to move all these various issues forward in a constructive way. And I know that this Governor has picked the exact right person.

So God bless you for your work, and I look forward to working with you side by side. Thank you, sir, for your service.

ACTING PRESIDENT O'MARA: Senator Adams.

SENATOR ADAMS: Thank you, Mr. President.

And I want to add my voice to Senator Ball's comments.

You know, when you protect your home, you can take shortcuts on many areas but not the locks on the doors. And whoever is there to provide for your security is where you should put the maximum amount of resources and the maximum amount of trust.

And I think that we're fortunate and I truly want to commend the Governor on his choice. Not only is Commissioner Hauer an expert in the area of law enforcement and protecting our homeland, but I consider him to be a friend.

As I served as a law enforcement officer, he was in charge under the mayor, and he did a job where many of us felt that it was commendable during some very difficult and challenging times. And now we are pleased and we should be thankful to have him back in public service here in the State of New York.

And I thank him for agreeing to take such an important assignment to make sure that the locks on our doors of New York State are safely protected.

ACTING PRESIDENT O'MARA: Senator Seward.

SENATOR SEWARD: Thank you, Mr. President.

I rise to join my colleagues in congratulating the Governor on an outstanding nomination of Jerry Hauer to be our Commissioner of the Division of Homeland Security and Emergency Services. And we're delighted that he's convinced Jerry to serve us here in New York State. He's a man with impeccable credentials to assume this responsibility.

And as we confirm Jerry Hauer, it gives me an opportunity as a Senator from an area that was flood-damaged last year during Hurricane Irene and Tropical Storm Lee, the Schoharie Valley and part of Greene County in particular, those sections of my district. And I just want to thank the Governor and his entire administration for the response during

the immediate flood but also through the recovery period, which is ongoing.

And no question, the Division of Homeland Security and Emergency Services and the personnel associated with that agency worked and continue to work tirelessly to assist our local communities in their recovery efforts.

And so I'm delighted to stand to support this confirmation and also to thank the Governor, the entire administration, and this agency in particular for their ongoing efforts to assist the communities of our state that greatly need their help at this difficult time.

And certainly, going forward, we've learned a lot from what went on in 2011 during these floods. And as good as our response was, we can do better. And Jerry Hauer is just the right individual to help to improve our response to emergencies, whether it be in communications or deployment of resources and assistance to communities in that great time of need.

So, Jerry, congratulations, and we look forward to continuing to work with you and

your entire agency as we recover from this flood and, God forbid, if we have further emergencies and situations in the future.

ACTING PRESIDENT O'MARA: Senator Krueger.

SENATOR KRUEGER: Thank you, Mr. President.

I also rise to join in the support of Mr. Hauer to become the head of Homeland Security and Emergency Services in New York.

And certainly Governor Cuomo has sent us a great nominee. And he is persuasive, our Governor. But for the record, Jerry Hauer has had an amazing career doing exactly the job that we are asking him to do here in New York State.

So I thank Mr. Hauer for being willing to come back and serve the State of New York after having probably had every imaginable job that he will need to have had to become the leader of these important issues in our state.

And I share the concern of my colleagues who pointed out they hope that we don't need to deal with these issues again in

the future, and wouldn't that be a wonderful thing. But as my mother says, if you live long enough, you see everything.

Now, Mr. Hauer hasn't lived long enough, but he may have seen almost everything already in his career, which is very important for us because it will make sure that the State of New York is more prepared to deal with anything and everything that in fact we may be handed to live with in our future. So I look forward to working with Mr. Hauer.

And by the way, for the record, the nicer we are to you on the floor, the more likely we are to yell at you once you take the job.

(Laughter.)

SENATOR KRUEGER: So thank you again for taking this job, and I'm delighted to stand here in support of this nomination.

And yes, the Governor gave us an excellent nominee for this position.

Thank you, Mr. President.

ACTING PRESIDENT O'MARA: Senator Diaz.

SENATOR DIAZ: Thank you,

Mr. President.

You know, in my 10 years here in the Senate I have seen many nominees from different governors. And every time that as a governor gets elected, he has to fill vacancies. And people recommend to him, elected officials, we elected officials recommend someone for the governor and the governor to do us a favor, whoever it is, but he appointed somebody. And most of the appointees that I've seen are political hacks, favors that the governor had to make.

Today, today, I'm here and taking this opportunity to say that Jerry Hauer is a person that doesn't need a resume. We don't need a resume to read all the things that he has done.

The image, the image of Jerry Hauer during the critical times of that crisis in the two World Trade Centers, seeing Jerry Hauer organizing, walking around, going to the place, inhaling the dust, and making the City of New York and the mayor of New York to be called "America's Mayor," he made us proud. He risked his life.

Jerry Hauer is not a political hack, Jerry Hauer is not somebody that the Governor appointed to make somebody happy. This man, this man is a person that make us look good, that will make the State of New York look good, that made us happy to see him working. This guy is a hero.

And today -- many times I take this opportunity to criticize the Governor and to speak against what the Governor does. Today I'm here to say thank you, Governor Cuomo. Thank you because this person that you're appointing, that you're sending us today, is not one of the best, he is the best. He is our hero. He is the person that we need to coordinate all the emergency services when the crisis comes.

And I'm honored to say thank you, Governor Cuomo, and thank you, Commissioner Hauer, for accepting this nomination, and I'm proud to say yes.

Thank you, Mr. President.

ACTING PRESIDENT O'MARA: Thank you.

Seeing no other Senator wishing to

be heard, the question is on the nomination of Jerome Hauer as Commissioner of the Division of Homeland Security and Emergency Services. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT O'MARA: Opposed, nay.

(No response.)

ACTING PRESIDENT O'MARA: Jerome Hauer is hereby confirmed as Commissioner of the Division of Homeland Security and Emergency Services.

(Applause.)

ACTING PRESIDENT O'MARA: Congratulations, Mr. Hauer.

Mr. Hauer is joined in the balcony by his wife, Traci Brown-Hauer, and his son, Michael Hauer.

Senator Marcellino.

SENATOR MARCELLINO: Thank you, Mr. President.

May we now have the reading of the noncontroversial calendar.

ACTING PRESIDENT O'MARA: The Secretary will read.

THE SECRETARY: Calendar Number 10, by Senator Maziarz, Senate Print 6039, an act to amend the Tax Law.

ACTING PRESIDENT O'MARA: Read the last section.

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

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT O'MARA: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT O'MARA: The bill is passed.

THE SECRETARY: Calendar Number 14, substituted earlier today by Member of the Assembly Paulin, Assembly Print Number 8694A, an act to amend the Family Court Act.

ACTING PRESIDENT O'MARA: Read the last section.

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

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT O'MARA: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT O'MARA: The bill is passed.

THE SECRETARY: Calendar Number 15, substituted earlier today by Member of the Assembly Heastie, Assembly Print Number 8692, an act to amend the General Municipal Law.

ACTING PRESIDENT O'MARA: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2011.

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT O'MARA: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT O'MARA: The bill is passed.

THE SECRETARY: Calendar Number

17, substituted earlier today by Member of the Assembly Jeffries, Assembly Print Number 8909, an act to amend the Banking Law.

ACTING PRESIDENT O'MARA: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as Section 1 of Chapter 593.

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT O'MARA: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT O'MARA: The bill is passed.

THE SECRETARY: Calendar Number 19, substituted earlier today by Member of the Assembly Morelle, Assembly Print Number 8903, an act to amend the Insurance Law.

ACTING PRESIDENT O'MARA: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as Chapter 600 of the Laws of

2011.

ACTING PRESIDENT O'MARA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT O'MARA: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT O'MARA: The bill is passed.

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

SENATOR MARCELLINO: Mr. President, is there any other business before the desk?

ACTING PRESIDENT O'MARA: There is no other business before the desk.

SENATOR MARCELLINO: There being no further business, I move we adjourn until Thursday, January 19th, at 11:00 a.m.

ACTING PRESIDENT O'MARA: On motion, the Senate stands adjourned until Thursday, January 19th, at 11:00 a.m.

(Whereupon, at 5:11 p.m., the Senate adjourned.)