

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 February 13, 2012

11 3:21 p.m.

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13
14 REGULAR SESSION

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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
5 and join with me as we recite the Pledge of
6 Allegiance to our Flag.

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

9 ACTING PRESIDENT GRIFFO: Today
10 our prayer will be offered by an extended
11 member of the Senate family, the uncle of our
12 distinguished Senator Pat Gallivan.

13 So I'm pleased to introduce to
14 you now Reverend Monsignor David M. Gallivan,
15 pastor of the Church of the Holy Cross in
16 Buffalo.

17 MONSIGNOR GALLIVAN: A reading
18 from the Book of Isaiah, Chapter 1:

19 "Put away your misdeeds from
20 before my eyes; cease doing evil. Learn to
21 do good; make justice your aim; redress the
22 wronged; hear the orphan's plea and defend
23 the widow. Come, now, let us set things
24 right, says the Lord."

25 Almighty and merciful and just

1 God, Creator of us all, You have revealed
2 Your glory to all the nations. Through You
3 authority is rightly administered, laws are
4 enacted, and judgment is decreed. Let the
5 light of Your divine wisdom direct the
6 deliberations of our New York State Senate
7 and shine forth in the proceedings and the
8 laws framed for our rule and government.

9 May this Senate seek to comfort
10 and empower the poor and the disenfranchised,
11 preserve the peace, promote happiness among
12 our people, and continue to bring us the
13 blessings of liberty, solidarity, and
14 equality.

15 In these times of our competing
16 calls for radical justice, may the Senate be
17 open to Your challenge of radical justice.

18 We likewise commend to Your
19 unbounded mercy all citizens of this state,
20 that we may be blessed in the knowledge and
21 sanctified in the observance of Your holy
22 law. May Your mercy and Your compassion
23 become obvious in their human expression:
24 Equal justice for all.

25 Preserve us in unity and in that

1 peace which the world cannot give and, after
2 enjoying the blessings of this life, admit us
3 to those that are eternal.

4 And we pray to You, our Lord and
5 God, living and reigning forever and ever.

6 Amen.

7 ACTING PRESIDENT GRIFFO: Thank
8 you, Monsignor Gallivan.

9 And welcome to you and the
10 Gallivan family.

11 The reading of the Journal.

12 THE SECRETARY: In Senate,
13 Friday, February 10th, the Senate met
14 pursuant to adjournment. The Journal of
15 Thursday, February 9th, was read and
16 approved. On motion, Senate adjourned.

17 ACTING PRESIDENT GRIFFO:
18 Without objection, the Journal stands
19 approved as read.

20 Presentation of petitions.

21 Messages from the Assembly.

22 Messages from the Governor.

23 Reports of standing committees.

24 Reports of select committees.

25 Communications and reports from

1 state officers.

2 Motions and resolutions.

3 Senator Libous.

4 SENATOR LIBOUS: Mr. President,
5 on behalf of Senator Larkin, I move that the
6 following bills be discharged from their
7 respective committees and be recommitted with
8 instructions to strike the enacting clause:
9 Senate Numbers 2403 and 5328.

10 ACTING PRESIDENT GRIFFO: So
11 ordered.

12 Senator Libous.

13 SENATOR LIBOUS: Mr. President,
14 I believe there's a privileged resolution at
15 the desk by Senator Hannon. May we please
16 have it read in its entirety and call on
17 Senator Hannon and then move for its
18 adoption.

19 ACTING PRESIDENT GRIFFO: The
20 Secretary will read.

21 THE SECRETARY: Legislative
22 Resolution Number 3231, by Senator Hannon,
23 memorializing Governor Andrew M. Cuomo to
24 proclaim April 28, 2012, as Prescription Drug
25 Take-Back Day in the State of New York, in

1 conjunction with National Prescription Drug
2 Take-Back Day.

3 "WHEREAS, It is the custom of
4 this Legislative Body to recognize official
5 days that are set aside to increase awareness
6 of serious concerns that affect the lives of
7 citizens of New York State; and

8 "WHEREAS, Attendant to such
9 concern, and in full accord with its
10 long-standing traditions, it is the sense of
11 this Legislative Body to memorialize Governor
12 Andrew M. Cuomo to proclaim Saturday,
13 April 28, 2012, as Prescription Drug
14 Take-Back Day in the State of New York, in
15 conjunction with National Prescription Drug
16 Take-Back Day and

17 "WHEREAS, National Prescription
18 Drug Take-Back Day was initiated in 2008 by
19 the United States Department of Justice Drug
20 Enforcement Administration, in an attempt to
21 rid homes of accumulated unwanted, unused or
22 expired prescription drugs in a safe and
23 convenient way; and

24 "WHEREAS, Last year, Americans
25 who participated in the DEA'S third National

1 Prescription Drug Take-Back Day turned in
2 more than 377,000 pounds of unwanted or
3 expired medications for safe and proper
4 disposal at the 5,327 take-back sites that
5 were available in all 50 states and U.S.
6 territories; and

7 "WHEREAS, When the results of
8 the three prior Prescription Drug Take-Back
9 Days are combined, the DEA and its state,
10 local, and tribal law enforcement and
11 community partners have removed over 995,000
12 pounds of medication from circulation; and

13 "WHEREAS, The three Prescription
14 Drug Take-Back Days to date have dramatically
15 reduced the risk of prescription drug
16 diversion and abuse as well as increased
17 awareness of this critical public health
18 issue; and

19 "WHEREAS, Prescription Drug
20 Take-Back Day promotes drug abuse prevention
21 and public safety by providing communities
22 with an environmentally safe
23 no-questions-asked location to turn in
24 prescription drugs that are no longer needed
25 or are expired; and

1 "WHEREAS, 17 North Country law
2 enforcement jurisdictions and communities
3 participated in an October of 2011 event
4 during which a total of 571 pounds of
5 prescription drugs were collected for safe
6 disposal, including 127.3 pounds from North
7 Country nursing homes and long-term-care
8 facilities. Previously, in an April 30,
9 2011, event 451 pounds of prescription drugs
10 were collected. As a result, more than
11 1,021 pounds of prescription drugs were
12 removed from North Country homes and streets
13 through this community action program; and

14 "WHEREAS, According to the
15 New York State Department of Environmental
16 Conservation, traces of drugs are being found
17 in our lakes, rivers, and streams. Some
18 drugs pass largely unaltered through our
19 wastewater treatment plants and enter rivers
20 and other waters; and

21 "WHEREAS, In addition, fish and
22 other aquatic wildlife are being adversely
23 affected, and there is documented concern
24 that drug-resistant bacteria may develop; and

25 "WHEREAS, It is imperative that

1 there be greater public awareness of this
2 serious issue, and more must be done to
3 increase knowledge and attentiveness at both
4 the state and local levels to protect both
5 the environment and the citizens of the State
6 of New York; now, therefore, be it

7 "RESOLVED, That this Legislative
8 Body pause in its deliberations to
9 memorialize Governor Andrew M. Cuomo to
10 proclaim April 28, 2012, as Prescription Drug
11 Take-Back Day in the State of New York, in
12 conjunction with National Prescription Drug
13 Take-Back Day, and be it further

14 "RESOLVED, That a copy of this
15 resolution, suitably engrossed, be
16 transmitted to the Honorable Andrew M. Cuomo,
17 Governor of the State of New York."

18 ACTING PRESIDENT GRIFFO:
19 Senator Hannon.

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

22 This resolution would be one
23 step in addressing a problem that's affecting
24 our society in regard to the misuse of
25 prescription drugs, especially opioid drugs.

1 We had a roundtable, Senator
2 Klein with his committee and mine had a
3 roundtable this morning and had some really
4 dramatic testimony as to the tragedies that
5 can occur with the misuse of the opioid
6 drugs. And a consistent theme by the people
7 participating in the roundtable was that
8 there's just simply too many drugs on the
9 street.

10 In fact, one statistic I saw was
11 that last year that we had a reporting
12 period, which was 2010, there were 22 million
13 prescriptions for painkillers issued in
14 New York State. Think of that, 22 million.
15 That's more than we have people.

16 And as the resolution also
17 notes, the amount of drugs -- not necessarily
18 painkillers -- that are out there that are
19 sometimes dumped down the toilet, they can
20 cause pollution to the environment.
21 Something that people have now found, the
22 testers have found antibiotics throughout our
23 feedstock, which decreases the resistance in
24 human beings down the road.

25 So for all these reasons, we

1 want to participate in the National Take-Back
2 Day, have April 28th as New York's Take-Back
3 Day. And I invite all present here to
4 participate as sponsors of the resolution.

5 ACTING PRESIDENT GRIFFO: Thank
6 you, Senator Hannon.

7 The question is on the
8 resolution. All in favor signify by saying
9 aye.

10 (Response of "Aye.")

11 ACTING PRESIDENT GRIFFO:

12 Opposed?

13 (No response.)

14 ACTING PRESIDENT GRIFFO: The
15 resolution is adopted.

16 Senator Libous.

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

19 I believe at this time could you
20 recognize Senator Klein for an announcement.

21 ACTING PRESIDENT GRIFFO:

22 Senator Klein.

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

25 And thank you for giving me the

1 ability to speak on a resolution that's going
2 to come up Wednesday, but we have two very
3 special guests.

4 Let me first start by
5 acknowledging two very courageous young women
6 who we're going to be honoring in this
7 chamber on Wednesday, Jamie Isaacs and
8 Paige Pless, and their families, who are here
9 with us today. Both are, I believe, an
10 inspiration for teenagers across the state
11 and testaments of natural strength and true
12 character. And we're honoring them today
13 because the two of them have simultaneously,
14 one in Long Island and one in Albany, spoke
15 out against cyberbullying.

16 Just to just talk a little bit
17 about this issue -- and I know several of my
18 colleagues, like Senator Hannon and Senator
19 Saland, are working on this issue -- this is
20 something that is impacting our young
21 people. And I think what we're seeing each
22 and every day is that cyberbullying is the
23 practice of teens and other minors using
24 modern devices like smartphones and laptops
25 to harass, embarrass, and hurt one another.

1 You know, when I was growing up
2 you had a tangible bully, the schoolyard
3 bully. You had a fight after school, you
4 shook hands, usually you were fast friends.
5 But what we're seeing now in the digital age
6 is hundreds of hordes of invisible bullies
7 that are hiding behind social media and
8 harassing one another. I think the old adage
9 that "Sticks and stones may break your bones
10 but words cannot harm you," I think we're
11 seeing unfortunately that words can kill.

12 So these two young women --
13 Jamie Isaacs, who's 15 years old and a
14 high school student at Lake Grove in
15 Senator Flanagan's district, was cyberbullied
16 for six years. Six years. It got so bad
17 that at one point kids in her school started
18 a website called the "I Hate Jamie Club,"
19 where she was harassed each and every day.

20 Well, she stood up. She fought
21 cyberbullying. She started her own
22 foundation, the Jamie Isaacs Foundation. She
23 has her own 24-hour hotline where she was
24 able to talk eight teenagers out of
25 committing suicide. So she has turned a

1 negative into a positive, and I want to thank
2 her for that.

3 We also have with us, as I
4 mentioned earlier, Paige Pless, another young
5 woman who was bullied day after day, time and
6 time again. Some of the taunts were so cruel
7 I can't repeat them here today on the Senate
8 floor.

9 But again, Paige reached out to
10 the Anti-Defamation League, is now working on
11 a project to mentor young people, to educate
12 young people, to let them know about the
13 horrors of cyberbullying.

14 As a matter of fact, recently
15 she spoke before her entire school on the
16 problems of cyberbullying, confronting those
17 same bullies that taunted her day after day,
18 year after year.

19 Again, I want to thank them both
20 for coming out here. Because unfortunately
21 when we read our daily newspapers or watch
22 our TV we always see sort of the last hope of
23 young people when it comes to cyberbullying,
24 those who take their own lives.

25 So these young women handled it

1 and really should be showcased like the women
2 who each and every day are handling this,
3 educating their peers, and I think taking a
4 very horrible negative situation into a
5 positive one.

6 So I want to make sure that,
7 come Wednesday, all of my colleagues vote for
8 this important resolution. But in the
9 meantime, I want to make sure that we all
10 recognize these two fine young ladies.

11 Thank you, Mr. President.

12 ACTING PRESIDENT GRIFFO: Thank
13 you, Senator Klein.

14 Senator Libous.

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

17 At this time I just want to
18 mention to everybody that Senator Hannon's
19 resolution, everybody will be put on it as a
20 cosponsor unless you wish not to be on it,
21 and then you should alert the desk to have
22 your name taken off.

23 And could you now call on
24 Senator Espaillet for the purposes of an
25 announcement.

1 ACTING PRESIDENT GRIFFO: Thank
2 you, Senator Libous.

3 Senator Espaillat.

4 SENATOR ESPAILLAT: Thank you,
5 Mr. President. Thank you for allowing me the
6 opportunity to address my colleagues.

7 We have a resolution that will
8 be up before us in the next couple of days
9 honoring Dominican Heritage Month, which is
10 the month of February. February 27th is
11 Dominican Independence Day.

12 And today we have the
13 distinguished privilege of having the
14 ambassador of the Dominican Republic to the
15 Organization of American States in
16 Washington, Ambassador Roberto Saladin, who's
17 here with us today, as well as Ambassador
18 Victor Tirado, and also the consul general of
19 the Dominican Republic in New York City,
20 Máximo Corcino. They're all with us.

21 We also have three members of
22 Congress from the Dominican Republic, Rudy
23 Garcia, Jose Francisco Santana, and
24 Graciela Fermin Nuesi. All three of them are
25 members of the Congress, of the House of

1 Representatives in the Dominican Republic.
2 And they're here to celebrate Dominican
3 heritage.

4 Later on we have also a
5 reception, and we have members of the
6 community that are visiting Albany, including
7 some young people that will be dancing and
8 giving us some folklore activities later on
9 this afternoon, so I want to also welcome
10 them to this chamber.

11 And traditionally Dominicans
12 across New York State and perhaps the country
13 are identified with famous ballplayers like
14 Alex Rodriguez or Robinson Cano or Mr. Pujols
15 from the St. Louis Cardinals -- or used to be
16 from the St. Louis Cardinals -- but also with
17 movie stars like Zoe Saldana or Michelle
18 Rodriguez.

19 But the community is much more
20 than that. It is hardworking people that
21 helped to rescue and preserve Northern
22 Manhattan. It is hardworking people that
23 worked very hard to preserve Corona, Queens,
24 and now the West Bronx, which is represented
25 by our colleague Gustavo Rivera, as well as

1 other parts of the Bronx represented by our
2 dear esteemed colleague Ruben Diaz, Senior.

3 So the community is much more
4 than that, and we're happy to have them all
5 here celebrating the culture and the legacy
6 of the Dominican Republic, a country that saw
7 the first university in the hemisphere and
8 the first cathedral in the hemisphere. So it
9 is, in essence, a cradle of the new
10 hemisphere in the planet. And we're happy to
11 have them all here celebrating this special
12 moment.

13 And, Mr. President, please --
14 particularly for our ambassador and consul
15 general, who were stuck for an hour in an
16 elevator at the LOB and were rescued by the
17 Fire Department, along with Senator
18 Espaillat -- please extend them the
19 courtesies of this house.

20 Thank you so much.

21 ACTING PRESIDENT GRIFFO: Thank
22 you, Senator Espaillat.

23 Mr. Ambassador, Mr. Consul
24 General, members of Congress, please rise.
25 Bienvenido.

1 And let's -- I'm going to get to
2 all the members of the Senate that want to
3 speak. But I want to extend the privileges
4 of the floor to the members that are here,
5 Mr. Ambassador and Mr. Consul General.

6 Thank you.

7 Now, Senator Diaz.

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

10 Mr. President, as you know, this
11 is the second time that this chamber
12 celebrates the Dominican heritage in the
13 history of this chamber. It was under the
14 leadership of Senator Sampson a few years ago
15 that the first -- under the leadership of
16 Senator Sampson and at the request of Rosa
17 Ayala and Felipe Febles, this chamber
18 celebrated for the first time the Dominican
19 Heritage Month. Ambassador Roberto Saladin
20 came from Washington and joined us that day.

21 But what am I saying this for?
22 I'm saying this, Mr. President and ladies and
23 gentlemen, because if you want to know about
24 the growing influence of a community, if you
25 want to know about a community that is

1 expanding everywhere, you have to take a
2 look, a real serious and deep look to the
3 Dominican community.

4 Because when that happens, and
5 Senator Serrano and Senator Dilan and two
6 other Senators that are not here today were
7 here, there was no Dominican in this
8 chamber. And there were two, only two
9 Dominicans in the other house, Senator
10 Adriano Espaillat and Senator Jose Peralta.

11 A few years later, a few years
12 later, ladies and gentlemen, we not only
13 have -- the Dominican community not only have
14 two Assemblymen, but they have three:
15 Assemblymember Guillermo Linares,
16 Assemblymember Nelson Castro, and
17 Assemblymember Rafael Espinal. And they have
18 two Dominican Senators in this chamber. So
19 that is to show you the big influence of this
20 community.

21 And to that community, and to
22 Rosa Ayala and to Felipe Febles that have
23 been coordinating the Bronx Dominican Parade,
24 for many years coordinating that community,
25 and to those members of the Dominican

1 community that are up there, and to our
2 beloved ambassador and consul general and to
3 the rest of the delegation, thank you for
4 being here. Continue your struggling,
5 continue growing.

6 And I'm honored to join and
7 congratulate Senator Espaillet for doing this
8 today, and I hope today at 5 o'clock we're
9 going to dance some Dominican merengue and
10 some Dominican merengue ripaio and some
11 bachata.

12 And if you want to know what's a
13 bachata and merengue ripaio, come tonight at
14 5 o'clock. I invite you.

15 Thank you, Mr. President.

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

18 Senator Peralta.

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

21 I too join the chorus of
22 welcoming the ambassador, Roberto Saladin,
23 and the consul general, Máximo Corcino, as
24 well as the other delegates that are here
25 with the ambassador.

1 Today we are celebrating a
2 cultural event at 5 o'clock, as Senator Diaz
3 pointed out, and the reason we're doing so is
4 because this year marks the 168th anniversary
5 of independence of the Dominican Republic.

6 Just as American independence is
7 closely identified with the tireless,
8 fearless leadership of George Washington,
9 Ben Franklin, Thomas Jefferson and John
10 Adams, in a celebration of Dominican
11 independence we would be remiss not to
12 recognize La Trinitaria.

13 In 1838, Juan Pablo Duarte
14 formed La Trinitaria, a secret society
15 founded to win independence from Haiti.
16 Duarte was joined by Ramon Matias Mella and
17 Rosario Sanchez. The revolution they set in
18 motion resulted in La Trinitaria declaring
19 independence from Haiti on February 27,
20 1844. Later that year the Dominican
21 Republic's first constitution was adopted.

22 Pico Duarte in the Dominican
23 Republic, the highest mountain in the
24 Caribbean, and Duarte Square in New York and
25 other noteworthy landmarks named in his honor

1 are testaments to Duarte's historical
2 significance.

3 This year, as I mentioned, we
4 celebrate the 168th anniversary of the
5 Dominican Republic's independence and the
6 contributions made by Dominicans and
7 Dominican-Americans. From politics and the
8 economy to the arts and culture, Dominicans
9 have enriched our lives and our country.
10 Dominicans and Dominican-Americans have
11 strengthened our neighborhoods and our
12 economy through their valuable contributions
13 and customs.

14 By way of the resolution that's
15 going to be read on Wednesday, we extend our
16 best wishes to our Dominican-American friends
17 throughout the City of New York and across
18 the state, and we welcome all of you today
19 this evening to join us at the celebration at
20 5 p.m., where there will be some bachata
21 dancing, some merengue dancing, even some
22 Puerto Rican salsa dancing, and lots and lots
23 of food.

24 So please join us today.
25 Everyone across the aisle, please join us.

1 And we will have not only a great
2 celebration, but we will have lots of fun.

3 Thank you, Mr. President.

4 ACTING PRESIDENT GRIFFO: Thank
5 you, Senator Peralta.

6 Senator Smith.

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

9 Welcome, ambassadors. Welcome,
10 members of Congress.

11 I rise, Mr. President, just to
12 congratulate my colleagues Senator Espaillat,
13 Senator Diaz, and of course Senator Peralta.

14 You know, it tells you just how
15 great this state is when, on the floor of
16 this chamber, you can have Senator Klein on
17 one hand talk about cyberbullying and five
18 minutes later we're celebrating 168 years of
19 independence. I think it goes to the
20 testimony of how great this state is and how
21 diversification can be a positive for any
22 particular state.

23 I myself have not been to the
24 Dominican Republic yet. Assemblyman Keith
25 Wright has told me he's bringing me there

1 this April. So I'm going to make sure that
2 Senator Perkins goes with me, and we will go
3 together.

4 But I did want to stand only to
5 make all understand that 160 years of
6 independence is a great moment. It's a great
7 moment for each and every one of you. I
8 congratulate you, congratulate those guests
9 who are here in the audience, and look
10 forward to little bit of salsa and merengue
11 this evening -- because I can do my step
12 (demonstrating).

13 (Laughter.)

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

16 ACTING PRESIDENT GRIFFO: Thank
17 you, Senator Smith.

18 Again, I would like to ask our
19 ambassador, please stand and be acknowledged,
20 Mr. Consul General, and the members of
21 Congress. Bienvenido.

22 (Applause.)

23 ACTING PRESIDENT GRIFFO: Also
24 I would like to acknowledge in the gallery
25 today, because these were announcements of

1 resolutions that we will be acting on on
2 Wednesday, also with us is Paige Pless and
3 Jamie Isaacs. Jamie and Paige.

4 (Applause.)

5 ACTING PRESIDENT GRIFFO: We
6 welcome you and thank you for your efforts.

7 And to all the members who have
8 joined us today to celebrate the Dominican
9 Heritage Day, thank you very much.

10 Senator Libous.

11 SENATOR LIBOUS: Mr. President,
12 at this time could we have the reading of the
13 noncontroversial calendar, please.

14 ACTING PRESIDENT GRIFFO: I
15 would ask the members to please give me a
16 little silence as we begin the reading of the
17 calendar.

18 The Secretary will read.

19 THE SECRETARY: Calendar Number
20 35, by Senator Hannon, Senate Print 5880A, an
21 act to amend the Public Health Law.

22 ACTING PRESIDENT GRIFFO: Read
23 the last section.

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

1 ACTING PRESIDENT GRIFFO: Call
2 the roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 57.
5 Nays, 1. Senator Duane recorded in the
6 negative.

7 ACTING PRESIDENT GRIFFO: The
8 bill is passed.

9 THE SECRETARY: Calendar Number
10 62, by Senator Martins, Senate Print 3210B,
11 an act to amend the Penal Law.

12 ACTING PRESIDENT GRIFFO: Read
13 the last section.

14 THE SECRETARY: Section 3.
15 This act shall take effect September 1, 2012.

16 ACTING PRESIDENT GRIFFO: Call
17 the roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 57.
20 Nays, 1. Senator Duane recorded in the
21 negative.

22 ACTING PRESIDENT GRIFFO: The
23 bill is passed.

24 THE SECRETARY: Calendar Number
25 65, by Senator Hannon, Senate Print 6066, an

1 act to amend the Penal Law.

2 ACTING PRESIDENT GRIFFO: Read
3 the last section.

4 THE SECRETARY: Section 2.
5 This act shall take effect on the first of
6 November.

7 ACTING PRESIDENT GRIFFO: Call
8 the roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 58.

11 ACTING PRESIDENT GRIFFO: The
12 bill is passed.

13 THE SECRETARY: Calendar Number
14 148, by Senator Fuschillo, Senate Print
15 2728C, an act to amend the Tax Law.

16 ACTING PRESIDENT GRIFFO: Read
17 the last section.

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

20 ACTING PRESIDENT GRIFFO: Call
21 the roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 58.

24 ACTING PRESIDENT GRIFFO: The
25 bill is passed.

1 THE SECRETARY: Calendar Number
2 149, by Senator Larkin, Senate Print 4241A,
3 an act to amend the Alcoholic Beverage
4 Control Law.

5 ACTING PRESIDENT GRIFFO: Read
6 the last section.

7 THE SECRETARY: Section 9.
8 This act shall take effect on the 180th day.

9 ACTING PRESIDENT GRIFFO: Call
10 the roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 56.
13 Nays, 2. Senators Diaz and Duane recorded in
14 the negative.

15 ACTING PRESIDENT GRIFFO: The
16 bill is passed.

17 THE SECRETARY: Calendar Number
18 153, by Senator DeFrancisco, Senate Print --

19 SENATOR LIBOUS: Lay the bill
20 aside for the day, please.

21 ACTING PRESIDENT GRIFFO: The
22 bill is laid aside for the day.

23 THE SECRETARY: Calendar Number
24 154, by Senator Marcellino, Senate Print
25 924A, an act to amend the Penal Law.

1 ACTING PRESIDENT GRIFFO: Read
2 the last section.

3 THE SECRETARY: Section 6.
4 This act shall take effect on the first of
5 November.

6 ACTING PRESIDENT GRIFFO: Call
7 the roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 56. Nays,
10 2. Senators Duane and Perkins recorded in
11 the negative.

12 ACTING PRESIDENT GRIFFO: The
13 bill is passed.

14 THE SECRETARY: Calendar Number
15 156, by Senator Sampson, Senate Print 1620,
16 an act to amend the Penal Law.

17 ACTING PRESIDENT GRIFFO: Read
18 the last section.

19 THE SECRETARY: Section 2.
20 This act shall take effect on the first of
21 November.

22 ACTING PRESIDENT GRIFFO: Call
23 the roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 58.

1 ACTING PRESIDENT GRIFFO: The
2 bill is passed.

3 THE SECRETARY: Calendar Number
4 157, by Senator Golden, Senate Print 1746, an
5 act to amend the Civil Rights Law.

6 ACTING PRESIDENT GRIFFO: Read
7 the last section.

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

10 ACTING PRESIDENT GRIFFO: Call
11 the roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 58.

14 ACTING PRESIDENT GRIFFO: The
15 bill is passed.

16 THE SECRETARY: Calendar Number
17 158, by Senator Skelos, Senate Print 1826, an
18 act to amend the Penal Law.

19 ACTING PRESIDENT GRIFFO: Read
20 the last section.

21 THE SECRETARY: Section 2.
22 This act shall take effect on the first of
23 November.

24 ACTING PRESIDENT GRIFFO: Call
25 the roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 58.

3 ACTING PRESIDENT GRIFFO: The
4 bill is passed.

5 THE SECRETARY: Calendar Number
6 159, by Senator Bonacic, Senate Print 2141A,
7 an act to amend the Penal Law.

8 ACTING PRESIDENT GRIFFO: Read
9 the last section.

10 THE SECRETARY: Section 2.
11 This act shall take effect on the first of
12 November.

13 ACTING PRESIDENT GRIFFO: Call
14 the roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 56.
17 Nays, 2. Senators Duane and Squadron
18 recorded in the negative.

19 ACTING PRESIDENT GRIFFO: The
20 bill is passed.

21 THE SECRETARY: Calendar Number
22 160, by Senator Saland, Senate Print 4092, an
23 act to amend the Criminal Procedure Law.

24 ACTING PRESIDENT GRIFFO: Read
25 the last section.

1 THE SECRETARY: Section 3.

2 This act shall take effect immediately.

3 ACTING PRESIDENT GRIFFO: Call
4 the roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 58.

7 ACTING PRESIDENT GRIFFO: The
8 bill is passed.

9 THE SECRETARY: Calendar Number
10 161, by Senator Hannon, Senate Print 5260C,
11 an act to amend the Penal Law.

12 ACTING PRESIDENT GRIFFO: Read
13 the last section.

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

16 ACTING PRESIDENT GRIFFO: Call
17 the roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 58.

20 ACTING PRESIDENT GRIFFO: The
21 bill is passed.

22 THE SECRETARY: Calendar Number
23 163, by Senator Ranzenhofer, Senate Print
24 4124, an act to amend the Public Health Law.

25 ACTING PRESIDENT GRIFFO: Read

1 the last section.

2 THE SECRETARY: Section 2.

3 This act shall take effect immediately.

4 ACTING PRESIDENT GRIFFO: Call
5 the roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 57.

8 Nays, 1. Senator Duane recorded in the
9 negative.

10 ACTING PRESIDENT GRIFFO: The
11 bill is passed.

12 THE SECRETARY: Calendar Number
13 166, by Senator Hannon, Senate Print 6271, an
14 act to amend the Public Health Law.

15 ACTING PRESIDENT GRIFFO: Read
16 the last section.

17 THE SECRETARY: Section 2.

18 This act shall take effect immediately.

19 ACTING PRESIDENT GRIFFO: Call
20 the roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 58.

23 ACTING PRESIDENT GRIFFO: The
24 bill is passed.

25 Senator Libous, that completes

1 the noncontroversial reading of the calendar.

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

4 ACTING PRESIDENT GRIFFO: There
5 is no further business.

6 SENATOR LIBOUS: Mr. President,
7 there being no further business, I move that
8 we adjourn until Tuesday, February 14th,
9 Valentine's Day, at 3:00 p.m.

10 ACTING PRESIDENT GRIFFO: On
11 motion, the Senate stands adjourned until --
12 I'm feeling the love. We're getting ready
13 for Valentine's Day.

14 On motion, the Senate stands
15 adjourned until Tuesday, February 14th,
16 at 3:00 p.m. Senate adjourned.

17 (Whereupon, at 3:54 p.m., the
18 Senate adjourned.)

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