NEW YORK STATE SENATE

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REGULAR SESSION

SENATOR JOSEPH A. GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The Senate will come to order.

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

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

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

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

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

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

Almighty and merciful and just

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

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

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

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

Preserve us in unity and in that

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

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

Amen.

ACTING PRESIDENT GRIFFO: Thank you, Monsignor Gallivan.

And welcome to you and the Gallivan family.

The reading of the Journal.

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

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

Presentation of petitions.

Messages from the Assembly.

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

ACTING PRESIDENT GRIFFO: So ordered.

Senator Libous.

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

ACTING PRESIDENT GRIFFO: The Secretary will read.

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

conjunction with National Prescription Drug Take-Back Day.

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

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

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

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

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

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

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

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

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

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

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

"WHEREAS, It is imperative that

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

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

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

ACTING PRESIDENT GRIFFO: Senator Hannon.

SENATOR HANNON: Thank you, Mr. President.

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

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

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

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

So for all these reasons, we

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

ACTING PRESIDENT GRIFFO: Thank you, Senator Hannon.

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The resolution is adopted.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

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

ACTING PRESIDENT GRIFFO: Senator Klein.

SENATOR KLEIN: Thank you, Mr. President.

And thank you for giving me the

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

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

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

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

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

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

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

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

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

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

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

So these young women handled it

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

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

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Klein.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

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

And could you now call on Senator Espaillat for the purposes of an announcement.

ACTING PRESIDENT GRIFFO: Thank you, Senator Libous.

Senator Espaillat.

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

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

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

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

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

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

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

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

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

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

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

Thank you so much.

ACTING PRESIDENT GRIFFO: Thank you, Senator Espaillat.

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

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

Now, Senator Diaz.

SENATOR DIAZ: Thank you, Mr. President.

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

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

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

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

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

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

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

And I'm honored to join and congratulate Senator Espaillat for doing this today, and I hope today at 5 o'clock we're going to dance some Dominican merengue and some Dominican merengue ripaio and some bachata.

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

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Diaz.

Senator Peralta.

SENATOR PERALTA: Thank you, Mr. President.

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

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

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

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

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

are testaments to Duarte's historical significance.

This year, as I mentioned, we celebrate the 168th anniversary of the Dominican Republic's independence and the contributions made by Dominicans and Dominican-Americans. From politics and the economy to the arts and culture, Dominicans have enriched our lives and our country. Dominicans and Dominican-Americans have strengthened our neighborhoods and our economy through their valuable contributions and customs.

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

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

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

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Peralta.

Senator Smith.

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

Welcome, ambassadors. Welcome, members of Congress.

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

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

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

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

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

(Laughter.)

SENATOR SMITH: Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Smith.

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

(Applause.)

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

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

(Applause.)

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

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

Senator Libous.

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

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

The Secretary will read.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

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

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

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read

the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

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

ACTING PRESIDENT GRIFFO: The bill is passed.

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

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Libous, that completes

the noncontroversial reading of the calendar.

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

ACTING PRESIDENT GRIFFO: There is no further business.

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

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

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

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