

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 March 29, 2012

11 3:57 p.m.

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13
14 REGULAR SESSION

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18 SENATOR JOHN J. FLANAGAN, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

4 I ask everyone present to please
5 rise and recite the Pledge of Allegiance.

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

8 ACTING PRESIDENT FLANAGAN:
9 Today's invocation will be offered by the
10 Reverend Peter Young, from Mother Teresa
11 Community in Albany.

12 REVEREND YOUNG: Thank you,
13 Senator.

14 Let us pray.

15 By being a Senator you have been
16 accepted into the leadership position so that
17 you can more fully serve the people of
18 New York State.

19 In the spirit of community, our
20 prayer today will be to better achieve the
21 goal of dedicated representation in the power
22 that is entrusted to all of our state
23 legislators, and especially in the Senate
24 group.

25 May you attain your satisfaction

1 in your services to all of your constituents,
2 and may God bless your good work.

3 Amen.

4 ACTING PRESIDENT FLANAGAN:

5 Thank you, Father.

6 The reading of the Journal.

7 THE SECRETARY: In Senate,
8 Wednesday, March 28th, the Senate met pursuant
9 to adjournment. The Journal of Tuesday,
10 March 27th, was read and approved. On motion,
11 Senate adjourned.

12 ACTING PRESIDENT FLANAGAN:

13 Without objection, the Journal stands approved
14 as read.

15 Presentation of petitions.

16 Messages from the Assembly.

17 The Secretary will read.

18 THE SECRETARY: On page 14,
19 Senator Martins moves to discharge, from the
20 Committee on Agriculture, Assembly Bill Number
21 9158 and substitute it for the identical
22 Senate Bill Number 6383, Third Reading
23 Calendar 290.

24 ACTING PRESIDENT FLANAGAN:

25 Substitution ordered.

1 Messages from the Governor.
2 Reports of standing committees.
3 Reports of select committees.
4 Communications and reports from
5 state officers.

6 Motions and resolutions.

7 Senator Libous.

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

10 On behalf of Senator Grisanti,
11 Mr. President, I move that the following bill
12 be discharged from its respective committee
13 and be recommitted with instructions to strike
14 the enacting clause. And that would be Senate
15 Print Number 5777.

16 ACTING PRESIDENT FLANAGAN: So
17 ordered.

18 Senator Libous.

19 SENATOR LIBOUS: Mr. President,
20 at this time there will be an immediate
21 meeting of the Finance Committee in Room 332,
22 an immediate meeting of the Finance Committee
23 in Room 332, followed immediately by the Rules
24 Committee in 332.

25 So we will not come back here;

1 Finance will meet, Rules will meet, and then we
2 will come back.

3 ACTING PRESIDENT FLANAGAN:
4 Finance Committee meeting first in Room 332,
5 followed by the Rules Committee in 332 as well.

6 The Senate will stand at ease.
7 (Whereupon, the Senate stood at ease
8 at 4:00 p.m.)

9 (Whereupon, the Senate reconvened at
10 4:21 p.m.)

11 ACTING PRESIDENT GRIFFO: The
12 Senate will come to order.

13 Senator Libous.

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

16 And may we return to the reports of
17 standing committees. I believe there's a report
18 of the Finance Committee at the desk.

19 ACTING PRESIDENT GRIFFO: The
20 Secretary will read.

21 THE SECRETARY: Senator
22 DeFrancisco, from the Committee on Finance,
23 reports the following bills direct to third
24 reading:

25 Senate Print 6250D, Budget Bill,

1 State Operations Budget;

2 Senate 6251B, Budget Bill,

3 Legislative and Judicial Budget;

4 Senate 6253E, Budget Bill, Aid to

5 Localities Budget;

6 Senate 6254D, Budget Bill, Capital

7 Projects Budget;

8 Senate 6256D, Budget Bill, an act

9 to amend the Public Health Law;

10 Senate 6257E, Budget Bill, an act

11 in relation to school district eligibility; and

12 Senate 6259D, Budget Bill, an act

13 to amend Chapter 540 of the Laws of 1992.

14 ACTING PRESIDENT GRIFFO: The

15 bills are so ordered direct to third reading.

16 Senator Libous.

17 SENATOR LIBOUS: Mr. President, I

18 believe there is a report of the Rules Committee

19 at the desk. I ask that it be read at this time.

20 ACTING PRESIDENT GRIFFO: The

21 Secretary will read the report of the Rules

22 Committee.

23 THE SECRETARY: Senator Skelos,

24 from the Committee on Rules, reports the

25 following bills direct to third reading:

1 Senate Print 6027B, by Senator
2 Lanza, an act to amend the Education Law;
3 6830, by the Senate Committee on
4 Rules, an act to amend the Education Law;
5 And 6507A, by Senator Seward, an
6 act to amend the Insurance Law.

7 ACTING PRESIDENT GRIFFO: Senator
8 Libous.

9 SENATOR LIBOUS: Mr. President, I
10 move to accept the report of the Rules Committee.

11 ACTING PRESIDENT GRIFFO: All in
12 favor of accepting the Rules Committee report say
13 aye.

14 (Response of "Aye.")

15 ACTING PRESIDENT GRIFFO: Opposed,
16 nay.

17 (Response of "Nay.")

18 ACTING PRESIDENT GRIFFO: The
19 Rules report is accepted.

20 Senator Libous.

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

24 ACTING PRESIDENT GRIFFO: The
25 Secretary will read.

1 THE SECRETARY: Calendar Number
2 290, substituted earlier today by Member of the
3 Assembly Clark, Assembly Print Number 9158, an
4 act to amend Chapter 395 of the Laws of 2008.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 57. Nays,
13 2. Senators Parker and Rivera recorded in the
14 negative.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 414, by Senator Saland, Senate Print 1414A, an
19 act to amend the Criminal Procedure Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 58. Nays,

3 1. Senator Parker recorded in the negative.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 416, by Senator Golden, Senate Print 1751A, an
8 act to amend the Civil Rights Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 58. Nays,

17 1. Senator Parker recorded in the negative.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 417, by Senator Skelos, Senate Print 1827, an act
22 to amend the Penal Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the first of November.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: In relation to
6 Calendar Number 417, those recorded in the
7 negative are Senators Duane, Hassell-Thompson,
8 Montgomery, Parker, Perkins and Squadron.

9 Ayes, 53. Nays, 6.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 418, by Senator Griffo, Senate Print 2322 --

14 SENATOR BRESLIN: Lay it aside.

15 ACTING PRESIDENT GRIFFO: Lay the
16 bill aside.

17 THE SECRETARY: Calendar Number
18 419, by Senator Lanza, Senate Print 2945, an act
19 to amend the Penal Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 58. Nays,

3 1. Senator Parker recorded in the negative.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 423, by Senator Marcellino, Senate Print 5096, an
8 act to amend the Penal Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: In relation to
17 Calendar Number 423, those recorded in the
18 negative are Senators Duane, Espaillat, Gianaris,
19 Hassell-Thompson, Krueger, Montgomery, Parker,
20 Perkins, Rivera, Squadron, and Stavisky.

21 Ayes, 48. Nays, 11.

22 ACTING PRESIDENT MARCELLINO: The
23 bill is passed.

24 THE SECRETARY: Calendar Number
25 424, by Senator Fuschillo, Senate Print 5241, an

1 act to amend the Penal Law.

2 ACTING PRESIDENT MARCELLINO: Read
3 the last section, please.

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

6 ACTING PRESIDENT MARCELLINO: Call
7 the roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MARCELLINO:
10 Please announce the results.

11 THE SECRETARY: In relation to
12 Calendar Number 424, those recorded in the
13 negative are Senators Montgomery and Parker.

14 Ayes, 57. Nays, 2.

15 ACTING PRESIDENT MARCELLINO: The
16 bill is passed.

17 THE SECRETARY: Calendar Number
18 428, by Senator Saland, Senate Print 6676, an act
19 to amend the Criminal Procedure Law.

20 ACTING PRESIDENT MARCELLINO: Read
21 the last section.

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

24 ACTING PRESIDENT MARCELLINO: Call
25 the roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: In relation to
3 Calendar Number 428, those recorded in the
4 negative are Senators Montgomery, Parker and
5 Perkins. Also Senator Hassell-Thompson.

6 Ayes, 55. Nays, 4.

7 ACTING PRESIDENT MARCELLINO: The
8 bill is passed.

9 THE SECRETARY: Calendar Number
10 435, by Senator LaValle, Senate Print 1857A, an
11 act to amend the Correction Law.

12 ACTING PRESIDENT MARCELLINO: Read
13 the last section.

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

16 ACTING PRESIDENT MARCELLINO: Call
17 the roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MARCELLINO:
20 Senator Hassell-Thompson to explain her vote.

21 SENATOR HASSELL-THOMPSON: Yeah, I
22 voted incorrectly on one of the bills. And with
23 unanimous consent, I would like to change my
24 vote. I made an error.

25 ACTING PRESIDENT MARCELLINO:

1 Senator, if we can just complete this roll call.

2 Then we can --

3 SENATOR HASSELL-THOMPSON: That's
4 what I said, complete this roll call.

5 ACTING PRESIDENT MARCELLINO:
6 Thank you.

7 Announce the results.

8 THE SECRETARY: Those recorded in
9 the negative: Senators Montgomery and Parker.
10 Ayes, 57. Nays, 2.

11 ACTING PRESIDENT MARCELLINO: The
12 bill is passed.

13 Senator Libous.

14 SENATOR LIBOUS: Mr. President, I
15 believe Senator Hassell-Thompson wanted to
16 clarify her vote, because she was here and I
17 think there was maybe some misunderstanding.

18 So if we could have unanimous
19 concept for her to clarify her vote, I think that
20 would be fine at this time.

21 ACTING PRESIDENT MARCELLINO: With
22 unanimous consent.

23 SENATOR HASSELL-THOMPSON: Thank
24 you, Mr. President. On Bill Number S6676,
25 Senator Saland, I am voting in the affirmative.

1 ACTING PRESIDENT MARCELLINO:
2 That's Calendar Number 428, Senate Print 6676,
3 and Senator Hassell-Thompson will be recorded in
4 the affirmative.

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

7 ACTING PRESIDENT MARCELLINO: The
8 bill still passes.

9 THE SECRETARY: Calendar Number
10 437, by Senator LaValle, Senate Print 3325A, an
11 act to amend the Correction Law.

12 ACTING PRESIDENT MARCELLINO: Read
13 the last section, please.

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

16 ACTING PRESIDENT MARCELLINO: Call
17 the roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: In relation to
20 Calendar Number 437, those recorded in the
21 negative are Senators Hassell-Thompson,
22 Montgomery, Parker, Perkins and Rivera.

23 Ayes, 54. Nays, 5.

24 ACTING PRESIDENT MARCELLINO: The
25 bill is passed.

1 THE SECRETARY: Calendar Number
2 438, by Senator Lanza, Senate Print 3744A, an act
3 to amend the Executive Law.

4 ACTING PRESIDENT MARCELLINO: Read
5 the last section.

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

8 ACTING PRESIDENT MARCELLINO: Call
9 the roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: In relation to
12 Calendar Number 438, those recorded in the
13 negative are Senators Adams, Duane,
14 Hassell-Thompson, Montgomery, Parker and Perkins.

15 Ayes, 53. Nays, 6.

16 ACTING PRESIDENT MARCELLINO: The
17 bill is passed.

18 Senator LaValle, that completes the
19 noncontroversial reading of the calendar.

20 SENATOR LaVALLE: Mr. President,
21 could we go back to motions, please.

22 ACTING PRESIDENT MARCELLINO:
23 Returning to the order of motions and
24 resolutions.

25 SENATOR LaVALLE: On behalf of

1 Senator Martins, I move that the following bill
2 be discharged from its respective committee and
3 be recommitted with instructions to strike the
4 enacting clause. That's Senate Bill Number 6783.

5 ACTING PRESIDENT MARCELLINO: So
6 ordered.

7 SENATOR LaVALLE: Mr. President,
8 can we now go to the controversial reading of the
9 calendar.

10 ACTING PRESIDENT MARCELLINO: The
11 Secretary will read the controversial calendar,
12 and we will ring the bells, please.

13 The Secretary will read.

14 THE SECRETARY: Calendar Number
15 418, by Senator Griffo, Senate Print 2322, an act
16 to amend the Penal Law.

17 ACTING PRESIDENT MARCELLINO:
18 Senator Gianaris.

19 SENATOR GIANARIS: Would the
20 sponsor yield for a question, Mr. President.

21 ACTING PRESIDENT MARCELLINO:
22 Senator Griffo, do you yield to a question?

23 SENATOR GRIFFO: I do.

24 ACTING PRESIDENT MARCELLINO: He
25 yields, Senator.

1 SENATOR GIANARIS: Thank you.

2 Mr. President, would the sponsor
3 clarify if this bill would apply in the situation
4 where merely --

5 ACTING PRESIDENT MARCELLINO:

6 Excuse me, Senator.

7 If we could just have some order.
8 We can get through this a lot quicker if we have
9 quiet. Thank you.

10 I'm sorry, Senator.

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

13 It appears to me, in reading this
14 bill, that it would apply in a circumstance where
15 merely making any physical contact with a peace
16 officer with the intent to annoy that person
17 would subject someone to a felony. Is that
18 correct?

19 SENATOR GRIFFO: Mr. President,
20 through you. Senator Gianaris, the intent of the
21 bill would be to couple nefarious intent along
22 with physical contact. So pure harassment in
23 itself, despite the fact that I think that is
24 provocative, would not under this proposed bill
25 do that. You would have to require -- it would

1 be a combination of both nefarious intent, which
2 would include the annoyance, the harassment,
3 along with the physical contact.

4 SENATOR GIANARIS: Mr. President,
5 would the sponsor continue to yield.

6 SENATOR GRIFFO: Yes.

7 ACTING PRESIDENT MARCELLINO: The
8 sponsor yields, Senator.

9 SENATOR GIANARIS: Yes, I
10 understand there are two elements, both the
11 intent and the contact. My concern is that the
12 intent can simply be to annoy the person, and the
13 contact could be any contact whatsoever.

14 So for example, would the sponsor
15 agree that this legislation would make it a
16 felony if someone were simply to tap a peace
17 officer on the shoulder, say at a rally of some
18 kind? If the intent is to annoy that person, is
19 it the sponsor's intent that that person should
20 be subject to a felony conviction?

21 SENATOR GRIFFO: Mr. President,
22 through you. Senator Gianaris, the intent is
23 to -- we're witnessing shocking incidents of
24 disrespect and confrontation. So the intent is
25 to try to protect those who are given the

1 responsibility and authority to keep the peace
2 and safeguard our community.

3 So in that particular instance, if
4 it's just an obnoxious behavior, that in itself
5 would not be enough. But if you again were
6 physically confronting the officer as well as
7 harassing and annoying that officer, yes, you
8 would be subjected to a felony.

9 SENATOR GIANARIS: And if the
10 sponsor would continue to yield, Mr. President.

11 ACTING PRESIDENT MARCELLINO: Do
12 you continue to yield, Senator?

13 SENATOR GRIFFO: Yes.

14 ACTING PRESIDENT MARCELLINO: The
15 sponsor continues to yield.

16 SENATOR GIANARIS: Is it correct
17 that this bill does not require any physical
18 injury whatsoever suffered by the peace officer
19 before it would subject the person making
20 physical contact to a felony?

21 SENATOR GRIFFO: Mr. President,
22 through you. Senator Gianaris, essentially the
23 reason for this bill was because, as I indicated,
24 we are having a number of incidents in our
25 community and trying to crack down on this total

1 disregard for the law.

2 And there are already statutes, as
3 you're probably aware, that cover right now if
4 there was a physical injury to the officer, then
5 they could get a more severe charge. But right
6 now just shoving, pushing, kicking, head-butting,
7 and if there's no injury, then there is no
8 charge.

9 So the answer to your question is
10 yes, the intent of this is to ensure that that
11 officer in the line of duty who's trying to keep
12 the peace and is being in any way physically
13 confronted, this, even without injury, would
14 allow them to charge with a felony.

15 SENATOR GIANARIS: If the sponsor
16 would yield for one final question,
17 Mr. President.

18 SENATOR GRIFFO: Yes.

19 ACTING PRESIDENT MARCELLINO: The
20 sponsor yields for a final question.

21 SENATOR GIANARIS: Just for
22 consistency's sake, this bill would also apply to
23 protect dog control officers in certain
24 instances, wouldn't it?

25 SENATOR GRIFFO: It would -- peace

1 officers. Not all dog control officers are peace
2 officers.

3 SENATOR GIANARIS: But in certain
4 instances.

5 SENATOR GRIFFO: If you are
6 considered a peace officer. It would also
7 protect correctional officers.

8 SENATOR GIANARIS: Thank you.
9 Thank you to the sponsor.

10 On the bill, Mr. President.

11 ACTING PRESIDENT MARCELLINO:
12 Senator Gianaris on the bill.

13 SENATOR GIANARIS: This bill seems
14 like yet another in a pattern we've seen from the
15 majority which is driven by good intent, is
16 intended to respond to situations for which peace
17 officers need protection, but goes way beyond
18 what is necessary in order to achieve its goal
19 and would subject people who should not be
20 subjected to felony convictions to just that.

21 The hypotheticals one can come up
22 with are many. I raised a couple during the
23 debate. The idea that someone at a rally who
24 would be literally just tapping an officer on the
25 shoulder, if it's proven that the intent of that

1 person was to annoy the officer, could end them
2 up in jail for several years.

3 And it seems to me that's not what
4 the sponsor actually intends to do, but yet as
5 written that's what the legislation does.

6 So until bills like this are more
7 tightly worded to achieve the goal they actually
8 seek and would not create overbroad consequences
9 subjecting people to felonies where clearly they
10 shouldn't be -- in some cases we have direct
11 experience in New York with political protests
12 and rallies where police have been accused of
13 being overly aggressive and charging protesters
14 who are exercising their First Amendment rights
15 with crimes that they should not have been
16 charged with.

17 If this bill were to become law, we
18 would open a can of worms in terms of allowing
19 people who are exercising their First Amendment
20 rights to engage in relatively peaceable
21 political protests to wind up in jail for years
22 at a time.

23 And so I think the bill as written
24 is way too overbroad. I will be voting in the
25 negative, and I encourage my colleagues to do the

1 same.

2 ACTING PRESIDENT MARCELLINO: Are
3 there any other Senators who wish to be heard on
4 this bill?

5 Seeing none, hearing none, the
6 debate is closed. The Secretary will ring the
7 bells.

8 Read the last section.

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

11 ACTING PRESIDENT MARCELLINO: Call
12 the roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MARCELLINO:
15 Senator Montgomery to explain her vote.

16 SENATOR MONTGOMERY: Yes,
17 Mr. President, to explain my vote.

18 I know that we've debated this
19 legislation or some version of it for many, many
20 years and many times. I just want to reiterate
21 that this is the same type of legislation which
22 is so loosely written and can be misused or
23 abused by law enforcement and others -- i.e.,
24 peace officers, a number of different categories
25 of peace officers that we have in this very room

1 given license to. So it leaves them open to be
2 able to arrest someone, charge them with a felony
3 because they felt harassed.

4 So I think that goes just a little
5 bit too far. And we just had very recently an
6 incident that has wracked our nation; the issue
7 in Florida is just exactly what could happen and
8 what this kind of legislation allows for. And
9 that is for unfettered license to charge
10 someone -- this doesn't allow them to shoot
11 someone, but it allows a person to be arrested
12 and charged with a felony because a peace officer
13 or a police officer feels harassed.

14 So I adamantly oppose this concept,
15 and I vote no.

16 ACTING PRESIDENT MARCELLINO:
17 Senator Montgomery will be recorded in the
18 negative.

19 Announce the results, please.

20 THE SECRETARY: In relation to
21 Calendar Number 418, those recorded in the
22 negative are Senators Duane, Gianaris,
23 Hassell-Thompson, Krueger, Montgomery, Parker,
24 Perkins, Rivera, Serrano, Stavisky,
25 Stewart-Cousins. Also Senator Squadron. Also

1 Senator Huntley. Also Senator Adams. Also
2 Senator Espaillat.

3 ACTING PRESIDENT MARCELLINO:
4 Ladies and gentlemen, before the clerk announces
5 the results, we have three more bills on the
6 calendar. So anybody who's thinking of leaving
7 shouldn't.

8 Announce the results, please.
9 We're going read the negatives again to be
10 assured that we're correct.

11 THE SECRETARY: In relation to
12 Calendar Number 418, those recorded in the
13 negative are Senators Adams, Duane, Espaillat,
14 Gianaris, Hassell-Thompson, Huntley, Krueger,
15 Montgomery, Parker, Perkins, Rivera, Serrano,
16 Squadron, Stavisky, Stewart-Cousins. Also
17 Senator Dilan.

18 Absent from voting are Senators
19 Peralta, Robach and Smith.

20 Ayes, 41. Nays, 16.

21 ACTING PRESIDENT MARCELLINO: The
22 bill is passed.

23 Senator Libous, completes the
24 reading of the controversial calendar.

25 SENATOR LIBOUS: Mr. President, we

1 have a supplemental calendar before us,
2 Supplemental Calendar 30A. Could we have the
3 noncontroversial reading of that, please.

4 ACTING PRESIDENT MARCELLINO: The
5 Secretary will read from Supplemental Calendar
6 30A.

7 THE SECRETARY: Senator Lanza
8 moves to discharge, from the Committee on Rules,
9 Assembly Bill Number 8683B and substitute it for
10 the identical Senate Bill Number 6027B, Third
11 Reading Calendar 477.

12 ACTING PRESIDENT MARCELLINO:
13 Substitution ordered.

14 The Secretary will read.

15 THE SECRETARY: Calendar Number
16 477, by Member of the Assembly Cusick, Assembly
17 Print Number 8683B, an act to amend the Education
18 Law.

19 ACTING PRESIDENT MARCELLINO: Read
20 the last section.

21 THE SECRETARY: Section 2. This
22 act shall take effect September 1, 2012.

23 ACTING PRESIDENT MARCELLINO: Call
24 the roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 59. Nays,
2 1. Senator Parker recorded in the negative.

3 ACTING PRESIDENT MARCELLINO: The
4 bill is passed.

5 Calendar Number 478 is high and
6 will be laid aside for the day.

7 The Secretary will continue to
8 read.

9 THE SECRETARY: Calendar Number
10 479, by Senator Seward, Senate Print 6507A, an
11 act to amend the Insurance Law.

12 ACTING PRESIDENT MARCELLINO: Read
13 the last section.

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

16 ACTING PRESIDENT MARCELLINO: Call
17 the roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MARCELLINO:
20 Announce the results, please.

21 THE SECRETARY: Ayes, 59. Nays,
22 1. Senator Parker recorded in the negative.

23 ACTING PRESIDENT MARCELLINO: The
24 bill is passed.

25 Senator Libous, that completes the

1 reading of the supplemental calendar.

2 SENATOR LIBOUS: Mr. President, I
3 have several very important announcements for the
4 body.

5 And before I ask if there's any
6 further business at the desk, I believe you will
7 call on Senator Hassell-Thompson for an
8 announcement.

9 ACTING PRESIDENT MARCELLINO: If
10 you insist, I will call on Senator
11 Hassell-Thompson for an announcement.

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

14 Immediately following session there
15 will be a meeting of the Democratic Conference in
16 the Democratic Conference Room.

17 ACTING PRESIDENT MARCELLINO:
18 Immediately after session there will be a meeting
19 of the Democratic Conference in the Democratic
20 Conference Room, which if I remember is 314.

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

23 ACTING PRESIDENT MARCELLINO: The
24 desk is clear.

25 SENATOR LIBOUS: Before I announce

1 tomorrow's session, Mr. President, I will make an
2 announcement that tomorrow's session will begin
3 at 10:00 a.m. sharp. Senator Breslin and I will
4 be here, and session will commence. We would
5 hope other members would join us so that we can
6 move along with the very important business of
7 the day.

8 And there being no further
9 business, Mr. President, to come before the
10 Senate today, I move that we adjourn until
11 Friday, March 30th, at 10:00 a.m.

12 ACTING PRESIDENT MARCELLINO: On
13 motion, the Senate stands adjourned until Friday,
14 March 30th, at 10:00 a.m.

15 (Whereupon, at 4:48 p.m., the Senate
16 adjourned.)

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