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2012 LEGISLATIVE SESSION ANALYSIS

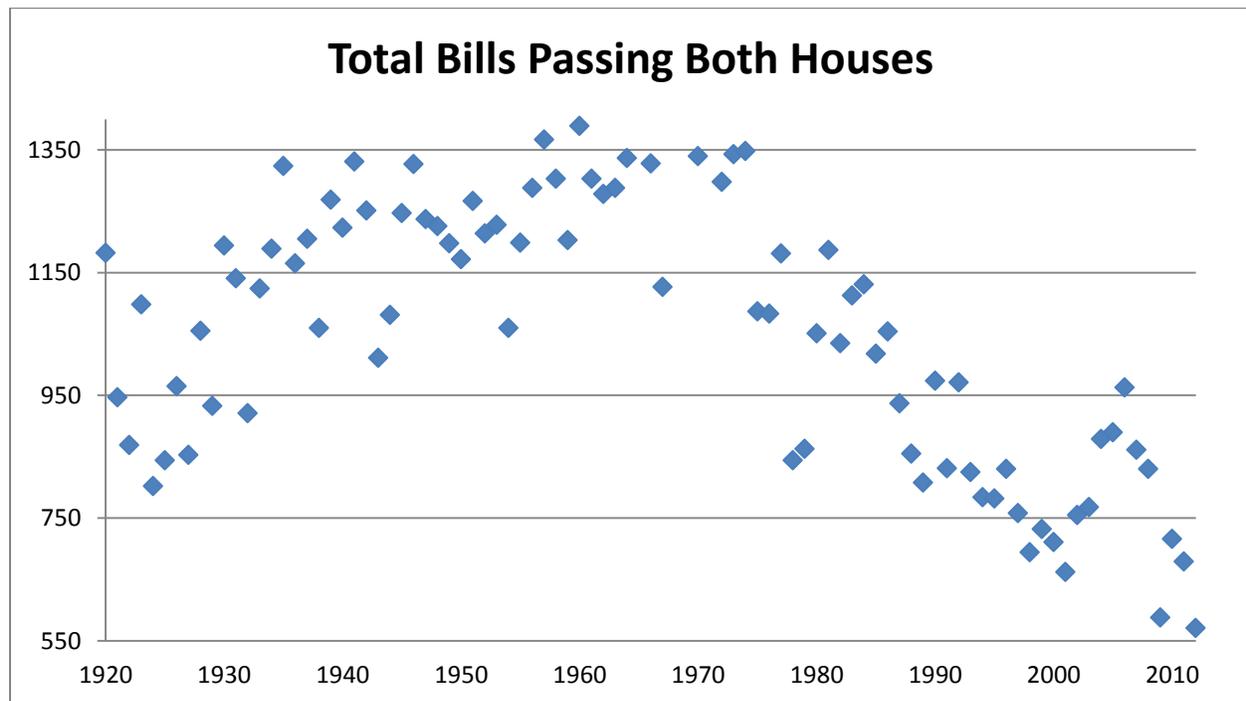
As part of an ongoing review of legislative activity, the following analysis examines the 2012 New York legislative session. This analysis does not draw conclusions on the substance of bills or a particular legislator’s impact, or the overall legislative output, since legislative “productivity” is more complicated and subjective than simple numbers. It is up to New Yorkers to assess their legislators’ effectiveness and impact. In order to be informed New Yorkers deserve information on the functioning of their Legislature and we hope that the following information will stimulate dialogue between lawmakers and their constituents.

Bill Passage Totals by Year

Year	Passed Assembly, Jan- July	Passed Senate, Jan- July	Passed Both, Jan- Jul	Passed Assembly, Full Year	Passed Senate, Full Year	Passed Both, Full Year
2012	1,056	1,256	571	1,056	1,256	571
2011	999	1,289	677	1,001	1,291	679
2010	1,196	1,124	700	1,210	1,143	716
2009	1,242	640	554	1,256	694	588
2008	1,641	1,794	811	1,645	1,822	830
2007	1,531	1,770	847	1,538	1,828	861
2006	1,961	1,842	958	1,965	1,848	963
2005	1,628	1,603	882	1,630	1,619	890
2004	1,702	1,522	777	1,793	1,607	879
2003	1,403	1,366	761	1,408	1,374	768
2002	1,654	1,294	745	1,654	1,314	755
2001	1,283	1,050	549	1,394	1,149	662
2000	1,537	1,424	711	1,537	1,424	711
1999	1,470	1,317	607	1,586	1,412	732
1998	1,547	1,369	674	1,563	1,391	694
1997	1,132	1,234	475	1,469	1,408	758
1996	1,580	1,543	813	1,585	1,558	830
1995	1,362	1,401	776	1,362	1,407	782

Fewer bills have passed in 2012 than in any other full calendar year examined in the above chart. Of course, the Legislature could return this year and increase the total number of bills passed, conceivably moving beyond 2009’s full year total.

Numbers from earlier years reveal that the current 2012 total is actually lower than any year since at least 1914.¹ The general trend in recent years indicates a gradual decline in the number of bills passing both houses.



Decade	Average Two-House Bills per Year
1920s	955
1930s	1,159
1940s	1,213
1950s	1,230
1960s	1,363
1970s	1,192
1980s	1,019
1990s	818
2000s	791
2010s (so far)	655

Some of this decrease may be due to the increasing import of the state budget. In 1969, one of the years with the highest number of bills passed, the budget was 577 pages. In 2012, it was 2,890. While much of this increase is due to the dramatic growth in government spending, there appears to be a trend toward including a greater number of issues in the annual budget's appropriation and Article VII bills, thus increasing the length of the budget bills and reducing the number of policy changes which may have passed as separate bills.

¹ For the entirety of this report, numbers from 1995-2012 were obtained from the New York State Legislative Bill Drafting Commission, via LRS. Totals for the years from 1920-1994 were obtained from George E. Mitchell, Editor, *The New York Red Book* (Guilderland, NY: New York Legal Publishing Corp, 1999). Partial totals from earlier than 1920 were found in the legislature's annual digests. These only contained numbers for bills which were signed into law. From 1915-1919, the number of bills which were signed into law was higher than 2012's total of 571 bills passing both houses. In 1914, 532 bills were signed into law. Depending on the number of vetoes, the total number passing both houses may or may not have been higher than 2012's, hence the use of the phrase "at least."

The most significant reason for the gradual decline in recent decades is likely due to a relative stasis in the expansion of areas that are deemed as governable. The years in which these numbers peaked were those which coincided with the most fervent periods of expansionism, specifically the Little New Deal, the post-war boom years, and Governor Rockefeller's unprecedented increases in state spending. Some of the new areas in which the state began to legislate were due directly to opportunities for federal grants, such as increases in welfare and housing. Others, such as environmental protection and funding for higher education, were not directly tied to federal requirements, but grew out of similar philosophies about the role of the state government in society. New legislation became necessary to establish these programs, and additional bills were often passed in subsequent years to fix problems in these nascent state programs. As the programs matured, they entered into a more settled status, which required less frequent adjustment. In recent decades, the state has entered fewer new fields of governance, driven largely by the increase in popular support for smaller government which began to bloom in the late 1970s and and most recently driven by a lack of funds due to the recent economic downturn.

Governor	Average Two House Bills per Year
Miller	908.00
Smith 1923-1928	936.17
FDR	1,047.25
Lehman	1,214.10
Dewey	1,189.00
Harriman	1,289.25
Rockefeller	1,356.20
Wilson	1,348.00
Carey	1,041.38
Cuomo I	941.75
Pataki	785.33
Spitzer	861.00
Paterson ²	711.33
Cuomo II	625.00

Total Bill Introductions, 2011-2012

14,578 bills were introduced in both houses in 2011, 12,293 of which were still active in 2012.³ 3,809 new bills were introduced in 2012. Of the 571 bills which passed both houses in 2012, 150 were holdovers from the previous year, and 421 were first introduced in the second year of the session.⁴

Assemblymember Englebright has introduced more bills than any other legislator over the course of the current two-year session. Senator Kruger, despite resigning in 2011, introduced more bills than any other member of his house.

House	Member	Bills Introduced 2011	Bills Introduced 2012	Total Two-Year Bill Introductions
A	Englebright	343	32	375
S	KRUGER	372	0	372
S	GOLDEN	223	78	301

² Totals for 2007 are incorporated entirely in the average for Governor Paterson, who presided over 94.81% of the bills which passed that year.

³ This represents legislation introduced under separate bill numbers and does not count amended versions as additional bill introductions.

⁴ Thus, a total of 16,102 bills were active at some point in 2012, 571 of which passed both houses. While it may be tempting to claim that this means that 3.55% of all bills ultimately passed both houses, one must keep in mind that each two-house passage ultimately requires one bill in each house, so a more accurate number would be 7.10%.

S	LAVALLE	254	47	301
S	MAZIARZ	241	43	284
S	PARKER	226	44	270
A	Thiele	227	39	266
A	Pretlow	217	45	262
A	Kavanagh	241	21	262
A	Morelle	216	40	256
S	YOUNG	185	69	254
A	Ortiz	225	21	246
S	KLEIN	175	56	231
A	Brennan	182	34	216
A	Wright	193	13	206

Eleven members introduced fewer than ten bills over the two-year session.

Member	Bills Introduced in 2011	Bills Introduced in 2012	Total Bills Introduced
Boyland	0	3	3
Barrett*	0	3	3
Kearns*	0	4	4
Arroyo	3	1	4
Kirwan*	6	0	6
Mayer*	0	6	6
Rivera J	5	1	6
STOROBIN*	0	7	7
Duprey	5	2	7
Hikind	3	4	7
Roberts	4	5	9

*indicates a member who did not serve the full two-year term.

Bills Passing Each house by Month

In each house, the majority of bills—more than half—was passed in June.

Month	Passed Assembly	% of 2012's Assembly Bills	Passed Senate	% of 2012's Senate Bills
January	90	8.40%	61	4.75%
February	61	5.69%	72	5.61%
March	86	8.02%	167	13.01%
April	54	5.04%	65	5.06%
May	164	15.30%	208	16.20%
June	617	57.56%	711	55.37%

Average Voting Breakdown

In both houses, a majority of bills passed unanimously, and approximately a third of the contests votes passed with at least 90% support.

Percentage of Votes in the Affirmative	Senate	Percentage of All Votes	Assembly	Percentage of All Votes
Less than 50%	1	0.08%	0	0.00%
50% through 59.99%	4	0.31%	3	0.28%
60% through 69.99%	22	1.72%	53	4.94%
70% through 79.99%	38	2.97%	58	5.41%
80% through 89.99%	48	3.75%	49	4.57%
90% through 99.99%	432	33.75%	348	32.43%
100%	735	57.42%	562	52.38%

Floor Votes Lost By Calendar Year

Year	Senate	Assembly
2012	1	0
2011	1	0
2010	2	0
2009	9	0
2008	0	0
2007	1	0
2006	0	0
2005	0	0

Assembly and Senate Members with the Most Bills Passing Both Houses in 2012

In each house, the top ten consisted entirely of members of the majority party. Assemblyman Kolb and Senators Klein and Breslin led non-majority members in passing the most bills (seven each) through their houses

Assemblymember	Total Bills Passed Both Houses	Senator	Total Bills Passed Both Houses
Magnarelli	21	YOUNG	30
Morelle	19	BONACIC	27
Sweeney	19	SEWARD	26
Abbate	17	GOLDEN	25
Paulin	16	GRISANTI	24
Weisenberg	14	MARTINS	23
Gunther A	13	HANNON	22
Brindisi	12	SKELOS	21
Schimminger	12	LAVALLE	19
Magee	12	MCDONALD	19

Legislators with the Most Bills Passing Both Houses, Full Two-Year Term

Member	Total Bills Passed Both Houses, 2011-2	Rank
YOUNG	56	1
GOLDEN	55	2
HANNON	53	3
BONACIC	52	4
SEWARD	47	5
GRISANTI	47	5
LAVALLE	47	5
Abbate	43	8
MAZIARZ	41	9
Sweeney	41	9
MARTINS	39	11
SALAND	37	12
DEFRANCISCO	37	12
MCDONALD	35	14
SKELOS	33	15
Morelle	33	15
Paulin	32	17
MARCELLINO	31	18
Magee	31	18
LITTLE	31	18
Magnarelli	29	21
ZELDIN	29	21
GRIFFO	29	21
FLANAGAN	28	24
LANZA	27	25
Weisenberg	27	25

Bills Passing at Least One House

In the Senate, Republicans passed significantly more bills through their chamber (33.21 per member) than Democrats (3.32 bills per member).

Senator Duane was the only member of his chamber who passed no bills through at least one house.

Conference	Members	Bills Passed Senate	Average per Member
Democrats	25	83	3.32
Independent Democrats	4	58	14.5
Republicans	33	1096	33.21
Other: Introduced by "Budget" or "Rules"		19	

In the Assembly, the minority passed a significantly higher proportion of bills per member, though there is still a notable disparity.

Ten (10) Assembly Republicans and one (1) Assembly Democrat (Boyland) passed no bills through their house.

Conference	Members	Bills Passed Assembly	Average per Member
Democrats	101	935	9.26
Republicans	49	110	2.24
Other: Introduced by "Budget" or "Rules"	2	12	

Conference Unity: the Senate

Conference	% of Votes Same as Skelos	% Of Votes Same as Sampson	% Of Votes Same as Klein
D	93.45%	94.51%	93.67%
I	99.13%	98.01%	99.52%
R	98.83%	96.93%	98.07%

As the above chart indicates, the Independent Democrats were the Senate's most unified conference, voting the same as their leader 99.52% of the time.

The Senate Democrats were the least unified, voting with Sampson 94.51% of the time. While two members (Smith and Breslin) almost always voted the same way as their leader, Republicans and members of the IDC were far more likely to find agreement. Only three of the 25 members who voted with him the most frequently belonged to his conference; eight of the ten members who differed from Sampson the most frequently were Democrats.

Senator Duane's votes differed from each of the three leaders more than any other Senator, voting with Skelos 83.97% of the time, Sampson 85.42%, and Klein 84.18%.

Member	% Votes Same as Skelos	Rank	Member	% Votes Same as Sampson	Rank	Member	% Votes Same as Klein	Rank
FLANAGAN	100.00%	1	SAMPSON	100.00%	1	KLEIN	100.00%	1
SKELOS	100.00%	1	SMITH	98.48%	2	CARLUCCI	99.61%	2
GOLDEN	99.92%	3	BRESLIN	98.23%	3	ALESI	99.45%	3
ALESI	99.91%	4	CARLUCCI	98.19%	4	VALESKY	99.42%	4
STOROBIN	99.86%	5	GOLDEN	98.19%	5	FLANAGAN	99.14%	5
MCDONALD	99.84%	6	STOROBIN	98.17%	6	SKELOS	99.14%	6

Member	% Votes Same as Skelos	Rank	Member	% Votes Same as Sampson	Rank	Member	% Votes Same as Klein	Rank
JOHNSON	99.84%	7	MCDONALD	98.13%	7	GOLDEN	99.14%	7
LIBOUS	99.76%	8	KLEIN	98.11%	8	GRISANTI	99.06%	8
YOUNG	99.76%	9	VALESKY	98.09%	9	SAVINO	99.06%	9
HANNON	99.66%	10	FLANAGAN	97.96%	10	MCDONALD	99.03%	10
GRISANTI	99.61%	11	SKELOS	97.96%	11	JOHNSON	98.94%	11
ROBACH	99.61%	12	ALESI	97.90%	12	ROBACH	98.90%	12
NOZZOLIO	99.53%	13	HANNON	97.87%	13	LIBOUS	98.88%	13
MARTINS	99.52%	14	JOHNSON	97.87%	14	YOUNG	98.88%	14
FARLEY	99.51%	15	ROBACH	97.72%	15	STOROBIN	98.88%	15
VALESKY	99.51%	16	KENNEDY	97.70%	16	HANNON	98.73%	16
RITCHIE	99.45%	17	LIBOUS	97.67%	17	FARLEY	98.68%	17
CARLUCCI	99.38%	18	YOUNG	97.67%	18	NOZZOLIO	98.67%	18
LANZA	99.30%	19	SAVINO	97.64%	19	SMITH	98.65%	19
GALLIVAN	99.21%	20	FARLEY	97.61%	20	MARTINS	98.64%	20
GRIFFO	99.14%	21	MARTINS	97.60%	21	LANZA	98.59%	21
KLEIN	99.14%	22	GRISANTI	97.56%	22	RITCHIE	98.59%	22
SALAND	99.06%	23	RITCHIE	97.56%	23	GALLIVAN	98.49%	23
DEFRANCISCO	98.98%	24	NOZZOLIO	97.49%	24	MARCELLINO	98.46%	24
FUSCHILLO	98.98%	25	LANZA	97.41%	25	GRIFFO	98.43%	25
MAZIARZ	98.96%	26	DEFRANCISCO	97.41%	26	SALAND	98.36%	26
MARCELLINO	98.95%	27	MARCELLINO	97.40%	27	SEWARD	98.36%	27
SEWARD	98.91%	28	ADDABBO	97.33%	28	KENNEDY	98.33%	28
RANZENHOFER	98.83%	29	OPPENHEIMER	97.32%	29	MAZIARZ	98.24%	29
SMITH	98.82%	30	PERALTA	97.20%	30	DEFRANCISCO	98.12%	30
ZELDIN	98.67%	31	SALAND	97.17%	31	RANZENHOFER	98.12%	31
SAVINO	98.51%	32	GALLIVAN	97.13%	32	FUSCHILLO	98.11%	32
LITTLE	98.20%	33	ADAMS	97.12%	33	SAMPSON	98.11%	33
KENNEDY	98.02%	34	GRIFFO	97.09%	34	ZELDIN	97.96%	34
SAMPSON	97.96%	35	FUSCHILLO	97.08%	35	BRESLIN	97.74%	35
LAVALLE	97.81%	36	SEWARD	97.01%	36	LITTLE	97.49%	36
BRESLIN	97.51%	37	MAZIARZ	96.88%	37	LAVALLE	97.10%	37
ADDABBO	97.17%	38	RANZENHOFER	96.78%	38	ADAMS	97.02%	38
LARKIN	96.77%	39	STEWART- COUSINS	96.69%	39	ADDABBO	97.01%	39
ADAMS	96.59%	40	ZELDIN	96.62%	40	OPPENHEIMER	96.45%	40
OPPENHEIMER	96.55%	41	ESPAILLAT	96.47%	41	PERALTA	96.16%	41
BONACIC	96.31%	42	GIANARIS	96.47%	42	HUNTLEY	96.01%	42
HUNTLEY	96.26%	43	LITTLE	96.38%	43	DIAZ	95.92%	43
PERALTA	96.09%	44	LAVALLE	96.15%	44	LARKIN	95.89%	44
O'MARA	95.78%	45	HUNTLEY	96.04%	45	ESPAILLAT	95.83%	45

Member	% Votes Same as Skelos	Rank	Member	% Votes Same as Sampson	Rank	Member	% Votes Same as Klein	Rank
DIAZ	95.67%	46	DIAZ	95.92%	46	STEWART-COUSINS	95.74%	46
STEWART-COUSINS	95.59%	47	STAVISKY	95.76%	47	BONACIC	95.52%	47
ESPAILLAT	95.35%	48	AVELLA	95.37%	48	GIANARIS	95.12%	48
GIANARIS	94.74%	49	SQUADRON	95.13%	49	O'MARA	95.10%	49
STAVISKY	94.32%	50	SERRANO	94.92%	50	STAVISKY	94.47%	50
AVELLA	94.11%	51	LARKIN	94.77%	51	AVELLA	94.41%	51
SERRANO	93.65%	52	BONACIC	94.64%	52	SERRANO	93.95%	52
SQUADRON	93.32%	53	O'MARA	93.76%	53	SQUADRON	93.86%	53
DILAN	92.60%	54	DILAN	93.23%	54	DILAN	92.59%	54
BALL	92.34%	55	HASSELL-THOMPSON	93.16%	55	BALL	91.93%	55
HASSELL-THOMPSON	91.35%	56	RIVERA	90.96%	56	HASSELL-THOMPSON	91.82%	56
RIVERA	89.21%	57	BALL	90.96%	57	RIVERA	89.59%	57
PARKER	88.60%	58	KRUEGER	89.78%	58	PARKER	88.73%	58
KRUEGER	88.27%	59	PARKER	89.33%	59	KRUEGER	88.33%	59
MONTGOMERY	86.79%	60	MONTGOMERY	88.37%	60	MONTGOMERY	87.23%	60
PERKINS	86.28%	61	PERKINS	87.81%	61	PERKINS	86.67%	61
DUANE	83.97%	62	DUANE	85.42%	62	DUANE	84.18%	62

Conference Unity: the Assembly

Conference	% of Votes Same as Silver	% of Votes Same as Kolb
Democrats	98.69%	88.44%
Republicans	88.07%	92.88%

Democrats voted with their leader significantly more often than Republicans. The 98 members who voted with Silver the most often were members of his party. Only three Democrats (Gunther – 100, Dinowitz – 101, and Schiminger – 106) voted with Silver less often than one or more Republican conference members.

Member	Percentage of time voting same way as Silver	Rank, Same as Silver	Member	Percentage of time voting same way as Kolb	Rank, Same as Kolb
Mr. Speaker	100.00%	1	Kolb	100.00%	1
Braunstein	100.00%	1	Oaks	97.00%	2
Quart	100.00%	3 ⁵	Jordan	96.70%	3
Arroyo	100.00%	4	Finch	96.45%	4
DenDekker	100.00%	5	Barclay	96.43%	5
Brook-Krasny	100.00%	6	Reilich	95.58%	6
Rivera P	100.00%	7	Conte	95.45%	7
Lentol	99.91%	8	Butler	95.43%	8
Maisel	99.91%	8	Duprey	95.06%	9
Linares	99.91%	10	Hawley	94.87%	10
Lavine	99.91%	11	Palmesano	94.57%	11
Markey	99.91%	12	Giglio	94.44%	12
Perry	99.90%	13	Blankenbush	94.40%	13
Rivera J	99.90%	14	Boyle	94.22%	14
Titus	99.90%	15	Corwin	94.12%	15
Mayer	99.88%	16	Murray	94.04%	16
Scarborough	99.88%	17	Tobacco	93.94%	17
Cook	99.81%	18	Tedisco	93.94%	18
Morelle	99.81%	18	Schimminger	93.79%	19
Farrell	99.81%	20	Amedore	93.60%	20
Cymbrowitz	99.81%	21	Losquadro	93.57%	21
Hooper	99.81%	22	Walter	93.57%	22
Schimmel	99.71%	23	Sayward	93.45%	23
Weprin	99.71%	24	Curran	93.38%	24
Abinanti	99.71%	25	Johns	93.20%	25
McEneny	99.71%	26	Lopez P	93.16%	26
Abbate	99.68%	27	McDonough	93.07%	27
Lopez V	99.64%	28	Ceretto	92.82%	28
Canestrari	99.63%	29	Burling	92.78%	29
Boyland	99.62%	30	Raia	92.73%	30
Hikind	99.54%	31	Graf	92.59%	31
Sweeney	99.53%	32	Smardz	92.52%	32
Lifton	99.52%	33	Saladino	92.36%	33
Aubry	99.52%	34	Montesano	92.25%	34
Hevesi	99.51%	35	McKevitt	92.13%	35
Millman	99.51%	36	Crouch	92.04%	36

⁵ The rankings are based both on the percentage of total votes and the total number of votes cast the same way as Silver. Though six members always voted the same way as the Speaker, five of them are not ranked in a tie for first place since they missed at least one vote.

Member	Percentage of time voting same way as Silver	Rank, Same as Silver	Member	Percentage of time voting same way as Kolb	Rank, Same as Kolb
Ortiz	99.51%	37	Ra	91.43%	37
Jacobs	99.49%	38	Castelli	91.33%	38
Camara	99.48%	39	Lancman	91.27%	39
Wright	99.41%	40	Hanna	91.24%	40
Russell	99.41%	41	Magee	91.19%	41
Clark	99.32%	42	Tenney	91.05%	42
Lupardo	99.30%	43	Goodell	90.77%	43
Rivera N	99.26%	44	Rabbitt	90.64%	44
Magnarelli	99.25%	45	Meng	90.38%	45
Ryan	99.25%	46	Fitzpatrick	90.12%	46
Nolan	99.24%	47	Calhoun	90.08%	47
Crespo	99.20%	48	Paulin	89.77%	48
Kearns	99.19%	49	Magnarelli	89.75%	49
Meng	99.16%	50	Malliotakis	89.75%	50
Simotas	99.16%	51	Miller J	89.75%	51
Lancman	99.13%	52	Gabryszak	89.55%	52
Benedetto	99.13%	53	Lupardo	89.53%	53
Castro	99.11%	54	Cusick	89.49%	54
O'Donnell	99.00%	55	McLaughlin	89.48%	55
Stevenson	98.98%	56	Galef	89.47%	56
Galef	98.97%	57	Hooper	89.45%	57
Pretlow	98.97%	57	Markey	89.44%	58
Simanowitz	98.88%	59	Russell	89.40%	59
Rodriguez	98.84%	60	Katz	89.36%	60
Bronson	98.79%	61	Quart	89.33%	61
Paulin	98.78%	62	Lentol	89.28%	62
Moya	98.69%	63	Perry	89.28%	63
Heastie	98.66%	64	Titus	89.27%	64
Thiele	98.66%	65	Abbate	89.27%	65
Goldfeder	98.63%	66	Abinanti	89.21%	66
Ramos	98.56%	67	Lavine	89.20%	67
Weisenberg	98.47%	68	Braunstein	89.19%	68
Jaffee	98.42%	69	Mr. Speaker	89.19%	69
Espinal	98.37%	70	Morelle	89.19%	70
Colton	98.36%	71	Arroyo	89.18%	71
Brennan	98.32%	72	Ryan	89.18%	72
Kellner	98.29%	73	Camara	89.18%	73
Titone	98.26%	74	Rodriguez	89.15%	74
Englebright	98.23%	75	Ortiz	89.12%	75
Jeffries	98.18%	76	Linares	89.09%	76

Member	Percentage of time voting same way as Silver		Rank, Same as Silver	Member	Percentage of time voting same way as Kolb		Rank, Same as Kolb
	Percentage of time voting same way as Silver	Rank, Same as Silver			Percentage of time voting same way as Kolb	Rank, Same as Kolb	
Roberts	98.13%	77		Maisel	89.09%	77	
Robinson	98.07%	78		Aubry	89.06%	78	
Gottfried	98.04%	79		Simotas	89.06%	79	
Reilly	98.04%	80		Rivera P	89.01%	80	
Zebrowski K	97.86%	81		DenDekker	89.01%	81	
Barrett	97.85%	82		Cook	89.00%	82	
Miller M	97.78%	83		Kellner	89.00%	83	
Weinstein	97.74%	84		Farrell	88.99%	84	
Latimer	97.74%	85		Cymbrowitz	88.97%	85	
Peoples-Stokes	97.67%	86		Schimmel	88.96%	86	
Rosenthal	97.66%	87		Stevenson	88.96%	87	
Cahill	97.31%	88		Brook-Krasny	88.95%	88	
Gibson	97.25%	89		Wright	88.95%	89	
Gantt	97.18%	90		Sweeney	88.91%	90	
Brindisi	96.98%	91		Canestrari	88.82%	91	
Cusick	96.62%	92		Lifton	88.80%	92	
Kavanagh	96.27%	93		Jeffries	88.73%	93	
Glick	95.93%	94		Pretlow	88.72%	94	
Magee	95.69%	95		Kearns	88.71%	95	
Gabryszak	95.55%	96		Jacobs	88.69%	96	
Barron	95.42%	97		Millman	88.68%	97	
Skartados	95.34%	98		Weprin	88.67%	98	
Castelli	95.25%	99		McEneny	88.65%	99	
Gunther A	95.15%	100		Gunther A	88.62%	100	
Dinowitz	94.76%	101		Hikind	88.61%	101	
McKevitt	94.38%	102		Clark	88.59%	102	
Ra	93.29%	103		Nolan	88.55%	103	
Curran	93.19%	104		Rivera J	88.52%	104	
Boyle	93.10%	105		Brindisi	88.50%	105	
Schimminger	92.64%	106		Castro	88.42%	106	
Raia	92.54%	107		Roberts	88.38%	107	
Ceretto	92.44%	108		Thiele	88.38%	108	
Conte	92.31%	109		Espinal	88.37%	109	
Tobacco	92.20%	110		Zebrowski K	88.35%	110	
Sayward	91.77%	111		Lopez V	88.33%	111	
Johns	91.71%	112		Heastie	88.30%	112	
McDonough	91.67%	113		Simanowitz	88.26%	113	
Duprey	90.96%	114		Friend	88.21%	114	

Member	Percentage of time voting same way as Silver	Rank, Same as Silver	Member	Percentage of time voting same way as Kolb	Rank, Same as Kolb
Giglio	90.44%	115	Bronson	88.16%	115
Tedisco	90.21%	116	Benedetto	88.16%	116
Saladino	89.85%	117	Moya	88.12%	117
Kolb	89.19%	118	Weisenberg	88.00%	118
Murray	89.19%	119	Jaffee	87.98%	119
Miller J	89.02%	120	Mayer	87.92%	120
Reilich	88.80%	121	Rivera N	87.91%	121
Finch	88.79%	122	Brennan	87.88%	122
Butler	88.54%	123	Miller M	87.86%	123
Montesano	88.47%	124	Titone	87.85%	124
Smardz	88.39%	125	Crespo	87.85%	125
Malliotakis	88.26%	126	Reilly	87.79%	126
Burling	88.05%	127	Gantt	87.77%	127
Amedore	87.88%	128	Latimer	87.74%	128
Graf	87.86%	129	Robinson	87.73%	129
Lopez P	87.73%	130	Goldfeder	87.70%	130
Oaks	87.61%	131	Englebright	87.60%	131
Barclay	87.39%	132	Gottfried	87.60%	132
Jordan	87.37%	133	Ramos	87.54%	133
Losquadro	87.23%	134	Scarborough	87.50%	134
Crouch	87.08%	135	Peoples-Stokes	87.37%	135
Walter	86.86%	136	Boyland	87.26%	136
Blankenbush	86.38%	137	O'Donnell	87.17%	137
Goodell	85.93%	138	Weinstein	87.01%	138
Hawley	85.93%	139	Barrett	86.86%	139
Palmesano	85.86%	140	Hevesi	86.77%	140
Corwin	85.73%	141	Colton	86.70%	141
Calhoun	85.59%	142	Rosenthal	86.30%	142
Rabbitt	85.21%	143	Cahill	86.16%	143
Hanna	83.97%	144	Kavanagh	86.10%	144
Tenney	83.22%	145	Glick	85.71%	145
Fitzpatrick	82.48%	146	Gibson	85.41%	146
McLaughlin	82.16%	147	Skartados	85.33%	147
Katz	80.32%	148	Barron	85.25%	148
Friend	79.94%	149	Dinowitz	84.48%	149
Miller D	76.98%	150	Miller D	83.50%	150

Votes Missed

11 legislators missed more than 20% of their house’s votes. Four of them were involved with congressional races during the end of session.

Member	Absent/ Excused	% Votes Not Present
Lancman	844	78.66%
Meng	834	77.73%
Jeffries	798	74.37%
Conte	787	73.35%
HUNTLEY	826	64.53%
ESPAILLAT	656	51.25%
Boyland	280	26.10%
Kellner	255	23.77%
Hevesi	249	23.21%
Miller J	244	22.74%
Gibson	237	22.09%

Votes in the Negative

One Senator (Alesi) and seven Assemblymembers (Arroyo, Braunstein, Brook-Krasny, DenDekker, Quart, P. Rivera, and Silver) did not cast a vote in the negative in 2012. Eight legislators – seven Assembly Republicans and one Senate Democrat – voted “nay” more than 15% of the time.

Member	Nay Votes	Nay Vote %
Miller D	247	23.02%
Friend	211	20.06%
Katz	198	19.68%
McLaughlin	190	17.84%
Fitzpatrick	188	17.52%
Tenney	180	16.78%
Hanna	172	16.03%
DUANE	199	15.95%

Governor Cuomo

The number of Governor Cuomo’s program bills that passed the legislature is comparable to his recent predecessors. However, a much higher percentage of his program bills have passed.

The following chart compares 2012 action on program bills to earlier years. Note that most bills are introduced once in each house, and some are introduced on repeated occasions when the Legislature is in a special session called by the governor, so the numbers of “active program bills” listed below are usually about twice as high as the number of issues that the executive has chosen to take on.

Year	Total Active Program Bills, Both Houses	Total Program Bills Passing Both Houses
2012	58	21
2011	89	16
2010	237	52
2009 ⁶	644	29
2008	101	26
2007	135	16
2006	93	9
2005	146	26
2004	88	8
2003	116	15

Significantly fewer messages of necessity were issued in 2012 than in any other recent year.

Year	Bills Passing Either House with Message of Necessity
2012	5
2011	29
2010	57
2009	43
2008	41
2007	23
2006	39
2005	34
2004	84
2003	58

⁶ In 2009, Governor Paterson reintroduced many of his program bills multiple times, as the Senate spent several weeks in special sessions in which bills needed to be reintroduced daily.

Resolutions

A total of 3,676 resolutions passed the two chambers. The following chart provides a breakdown of what each of these entailed. 2,846 were adopted in the Senate; 830 were adopted in the Assembly.

Number of Resolutions	Purpose of Resolution
78	Congratulating an individual on their birthday
95	Congratulating a couple on the wedding anniversary
151	Congratulating an individual on their retirement.
151	Honoring a deceased member of the community
64	Honoring a member of the clergy
78	Honoring a police officer or sheriff.
64	Congratulating the military or its active members and veterans
119	Honoring a firefighter
61	Honoring a teacher.
127	Congratulating students.
333	Congratulating an Eagle/ Cub Scout
130	Congratulating a Girl Scout
1	Honoring the world's oldest practicing barber
1	Honoring the creator of the world's largest sculpted cake
1	Honoring the maker of the best vodka
57	Commemorating the anniversary of the founding of a town, city, or village
258	Memorializing the Governor to name a day, week, or month in honor of a cause, individual, or organization
17	Calling on Congress or the US Government to act
44	Congratulating a foreign country on the anniversary of their independence or their holding of democratic elections
1	Call for justice for a crime victim
7	Housekeeping matters: seating new members and calling joint sessions
3	Budget Resolutions
3	Bullet Aid/ Reappropriations of old member Items
1	Changing the rules of the Senate
1	Thanking the hosts of the Assembly/ Senate Basketball Game
2	Inducting individuals into the New York State Senate Hall of Fame
4	Welcoming visitors to Albany
3	Naming a foreign province or municipality as a sister of the state or a city
15	Commemorating a holiday
29	Commemorating an historical event or figure
45	Honoring a parade or its grand marshal.
99	Thanking a local organization for hosting an event
2	Congratulating the winner of Survivor
9	Honoring the New York Mets, their mascot, or their players
0	Honoring the New York Yankees, their mascot, or their players
2	Congratulating an individual for crossing Niagara Falls on a tightrope
279	Congratulating a sports team or athlete who does not fall into one of the above

	categories
419	Congratulating a local business, not-for-profit, or church on the anniversary of their founding
4	Congratulating a new business
658	Honoring an individual award winner who does not fall into one of the above categories
87	Congratulating a business, not-for-profit, or church on winning an award.
139	Honoring a community member who does not fall into one of the award categories
30	Miscellaneous commendation a business, not-for-profit, or church
4	Other commendations of towns, cities, or villages

Appendix A: Senate Introduction and Passage Totals by Member

Numbers for bills passing one and both houses in the following appendices are for 2012 only.

Member	Bills Passed Senate	Bills Passed Both Houses	2012 Introductions	2011 Introductions	2-Year Introduction Total	2012 Resolutions Adopted
ADAMS	3		5	151	156	8
ADDABBO	3		23	90	113	7
ALESI	7	1	15	58	73	55
AVELLA	1		31	46	77	49
BALL	26	9	42	109	151	7
BONACIC	44	27	66	106	172	238
BRESLIN	8	7	13	43	56	130
BUDGET	11	11	11	16	27	
CARLUCCI	16	9	59	80	139	9
DEFRANCISCO	40	18	43	103	146	45
DIAZ	5	2	12	112	124	3
DILAN	5	2	4	66	70	6
DUANE			3	73	76	3
ESPAILLAT	1		13	88	101	3
FARLEY	20	6	28	46	74	31
FLANAGAN	36	15	31	132	163	9
FUSCHILLO	39	10	23	62	85	248
GALLIVAN	27	10	43	44	87	35
GIANARIS	1		6	47	53	4
GOLDEN	60	25	78	223	301	79
GRIFFO	32	12	32	97	129	55
GRISANTI	51	24	79	105	184	5
HANNON	44	22	62	98	160	16
HASSELL-THOMPSON	2	1	4	62	66	10
HUNTLEY	6		7	46	53	5

Member	Bills					
	Passed Senate	Bills Passed Both Houses	2012 Introductions	2011 Introductions	2-Year Introduction Total	2012 Resolutions Adopted
JOHNSON	13	5	22	70	92	12
KENNEDY	6	3	34	25	59	9
KLEIN	24	7	56	175	231	6
KRUEGER	2	2	14	136	150	4
LANZA	38	12	61	126	187	18
LARKIN	23	10	21	44	65	155
LAVALLE	48	19	47	254	301	68
LIBOUS	21	7	24	48	72	58
LITTLE	37	18	32	73	105	70
MARCELLINO	48	14	47	111	158	72
MARTINS	32	23	53	55	108	147
MAZIARZ	32	15	43	241	284	22
MCDONALD	26	19	40	77	117	26
MONTGOMERY	2	2	14	101	115	83
NOZZOLIO	35	15	27	73	100	157
O'MARA	11	7	20	49	69	36
OPPENHEIMER	8	6	18	138	156	35
PARKER	2	1	44	226	270	197
PERALTA	1		9	67	76	21
PERKINS	2	1	4	83	87	7
RANZENHOFER	30	9	21	93	114	131
RITCHIE	30	11	34	47	81	98
RIVERA	2	2	15	7	22	3
ROBACH	34	18	30	88	118	13
RULES	8	8	27	42	69	
SALAND	44	18	54	79	133	71
SAMPSON	7	1	2	98	100	27
SAVINO	11	5	23	62	85	4
SERRANO	1	1	2	43	45	4
SEWARD	42	26	53	106	159	22
SKELOS	38	21	21	42	63	65
SMITH	3	1	1	29	30	64
SQUADRON	2	1	8	104	112	8
STAVISKY	3		13	84	97	6
STEWART-COUSINS	7	6	17	53	70	11
STOROBIN	1	1	7	0	7	1
VALESKY	7	3	22	41	63	17
YOUNG	65	30	69	185	254	25
ZELDIN	22	12	29	52	81	13

Appendix B: Assembly Introduction and Passage Totals by Member

Member	Bills Passed Assembly	Bills Passed Both Houses	2012 Introductions	2011 Introductions	2-Year Introduction Total	2012 Resolutions Adopted
Abbate	26	17	55	120	175	1
Abinanti	8	4	26	14	40	
Amedore	2	2	7	22	29	3
Arroyo	2	1	1	3	4	
Aubry	9	3	12	50	62	13
Barclay	0		4	42	46	8
Barrett	3	1	3	0	3	1
Barron	2	1	2	23	25	1
Benedetto	1	1	5	16	21	1
Blankenbush	0		3	21	24	8
Boyland	0		3	0	3	1
Boyle	1	1	6	16	22	8
Braunstein	2	2	11	17	28	
Brennan	17	4	34	182	216	1
Brindisi	13	12	23	0	23	8
Bronson	5	3	4	21	25	2
Brook-Krasny	2		4	14	18	3
Budget	11	11	11	16	27	
Burling	3	3	8	56	64	15
Butler	6	6	9	23	32	5
Cahill	15	11	26	138	164	2
Calhoun	3	3	7	126	133	24
Camara	2	1	13	49	62	3
Canestrari	11	6	10	33	43	6
Castelli	4	4	17	70	87	8
Castro	2	1	7	22	29	5
Ceretto	1	1	3	19	22	10
Clark	5	1	10	85	95	6
Colton	4		2	78	80	
Conte	3	3	5	5	10	5
Cook	9	1	1	57	58	7
Corwin	1	1	6	11	17	20
Crespo	2		23	32	55	5
Crouch	3	3	5	103	108	10
Curran	3	3	4	49	53	12
Cusick	15	4	55	102	157	14
Cymbrowitz	8	1	8	47	55	5
DenDekker	3	2	14	36	50	3

Member	Bills Passed Assembly	Bills Passed Both Houses	2012 Introductions	2011 Introductions	2-Year Introduction Total	2012 Resolutions Adopted
Dinowitz	28	9	27	157	184	1
Duprey	0		2	5	7	10
Englebright	25	8	32	343	375	
Espinal	2	1	10	0	10	2
Farrell	7	7	9	26	35	1
Finch	1	1	3	20	23	17
Fitzpatrick	1	1	2	52	54	
Friend	0		3	8	11	6
Gabryszak	6	4	29	162	191	
Galef	13	2	21	101	122	4
Gantt	13	5	9	118	127	3
Gibson	4		7	60	67	5
Giglio	7	6	12	23	35	1
Glick	8	4	15	54	69	2
Goldfeder	4	1	11	0	11	
Goodell	6	6	13	26	39	1
Gottfried	29	5	12	95	107	1
Graf	0		6	13	19	1
Gunther A	16	13	30	137	167	20
Hanna	2	2	7	12	19	10
Hawley	2	2	4	52	56	21
Heastie	5	5	3	35	38	1
Hevesi	5	3	12	36	48	1
Hikind	1		4	3	7	
Hooper	9	5	20	35	55	2
Jacobs	1	1	1	23	24	
Jaffee	15	10	24	49	73	6
Jeffries	7	3	17	87	104	1
Johns	1	1	5	8	13	3
Jordan	6	6	8	11	19	4
Katz	2	1	5	21	26	2
Kavanagh	11	2	21	241	262	1
Kearns	2		4	0	4	1
Kellner	2		12	59	71	3
Kolb	7	7	28	101	129	23
Lancman	2		3	107	110	
Latimer	10	4	13	57	70	1
Lavine	14	9	31	50	81	2
Lentol	20	8	30	111	141	
Lifton	7	4	7	43	50	
Linares	1		2	8	10	1
Lopez P	1	1	11	15	26	5

Member	Bills Passed Assembly	Bills Passed Both Houses	2012 Introductions	2011 Introductions	2-Year Introduction Total	2012 Resolutions Adopted
Lopez V	14	7	22	53	75	2
Losquadro	1	1	6	15	21	6
Lupardo	6	1	15	35	50	16
Magee	22	12	19	95	114	14
Magnarelli	30	21	33	64	97	9
Maisel	4	1	7	32	39	4
Malliotakis	0		3	10	13	1
Markey	6	5	6	22	28	5
Mayer	1	1	6	0	6	1
McDonough	1	1	3	16	19	2
McEneny	14	6	13	58	71	15
McKevitt	0		3	39	42	2
McLaughlin	4	2	2	9	11	5
Meng	2		10	46	56	2
Miller D	0		5	8	13	12
Miller J	5	5	11	58	69	3
Miller M	1	1	13	28	41	5
Millman	8	3	24	47	71	3
Montesano	2	2	4	27	31	
Morelle	20	19	40	216	256	3
Moya	4		7	12	19	9
Mr. Speaker	15	11	14	20	34	30
Murray	3	3	6	34	40	20
Nolan	15	10	22	47	69	5
Oaks	1	1	3	35	38	31
O'Donnell	8	3	7	42	49	2
Ortiz	11	4	21	225	246	4
Palmesano	2	2	4	13	17	9
Paulin	29	16	36	122	158	
Peoples-Stokes	14	6	23	58	81	4
Perry	5	3	14	91	105	4
Pretlow	19	10	45	217	262	3
Quart	3	2	29	1	30	1
Ra	3	3	9	5	14	2
Rabbitt	7	3	14	93	107	7
Raia	0		5	47	52	2
Ramos	13	6	15	31	46	3
Reilich	1	1	5	42	47	1
Reilly	4	3	11	30	41	23
Rivera J	2	2	1	5	6	
Rivera N	5	1	19	22	41	3
Rivera P	10	3	6	151	157	1

Member	Bills Passed Assembly	Bills Passed Both Houses	2012 Introductions	2011 Introductions	2-Year Introduction Total	2012 Resolutions Adopted
Roberts	2	2	5	4	9	11
Robinson	8	5	8	29	37	10
Rodriguez	1		5	8	13	2
Rosenthal	15	4	25	153	178	5
Rules	1	1	1	0	1	
Russell	8	5	12	36	48	3
Ryan	2	2	19	0	19	8
Saladino	1	1	5	39	44	1
Sayward	6	5	8	39	47	17
Scarborough	4	1	7	44	51	2
Schimel	10	9	26	32	58	2
Schimminger	13	12	29	94	123	6
Simanowitz	1	1	16	0	16	
Simotas	4	1	14	42	56	4
Skartados	6	4	12	0	12	1
Smardz	2	2	2	8	10	
Stevenson	2		10	12	22	2
Sweeney	38	19	35	74	109	6
Tedisco	2	2	12	129	141	15
Tenney	1	1	10	33	43	8
Thiele	14	9	39	227	266	7
Titone	7	4	18	71	89	2
Titus	7	1	5	45	50	5
Tobacco	0		0	26	26	4
Walter	2	2	19	0	19	7
Weinstein	20	10	20	36	56	5
Weisenberg	19	14	34	66	100	29
Weprin	6	1	31	73	104	1
Wright	21	6	13	193	206	
Zebrowski K	9	2	25	74	99	6

Appendix C: Senate Voting Records

Member	Aye Vote	Nay Vote	Absent/ Excused
ADAMS	1105	39	136
ADDABBO	1238	35	7
ALESI	1100		180
AVELLA	1199	74	7
BALL	1182	97	1
BONACIC	1227	48	5
BRESLIN	1214	30	36
CARLUCCI	1273	7	
DEFRANCISCO	1266	14	
DIAZ	1126	51	103
DILAN	1178	93	9
DUANE	1049	199	32
ESPAILLAT	595	29	656
FARLEY	1212	7	61
FLANAGAN	1279	1	
FUSCHILLO	1259	14	7
GALLIVAN	1251	11	18
GIANARIS	1207	66	7
GOLDEN	1276	2	2
GRIFFO	1268	12	
GRISANTI	1274	6	
HANNON	1174	5	101
HASELL- THOMPSON	1110	104	66
HUNTLEY	437	17	826
JOHNSON	1222	3	55
KENNEDY	1239	24	17
KLEIN	1267	10	3
KRUEGER	933	124	223
LANZA	1272	8	
LARKIN	1227	42	11
LAVALLE	1250	29	1
LIBOUS	1250	4	26
LITTLE	1255	24	1
MARCELLINO	1228	12	40
MARTINS	1249	7	24
MAZIARZ	1241	14	25
MCDONALD	1233	2	45
MONTGOMERY	1098	166	16
NOZZOLIO	1273	7	
O'MARA	1156	52	72

Member	Aye Vote	Nay Vote	Absent/ Excused
OPPENHEIMER	1008	36	236
PARKER	1089	139	52
PERALTA	1203	49	28
PERKINS	1020	161	99
RANZENHOFER	1264	16	
RITCHIE	1272	8	
RIVERA	1126	135	19
ROBACH	1275	4	1
SALAND	1267	13	
SAMPSON	1248	25	7
SAVINO	1259	18	3
SERRANO	1180	79	21
SEWARD	1265	15	
SKELOS	1279	1	
SMITH	1173	14	93
SQUADRON	1189	84	7
STAVISKY	1180	70	30
STEWART- COUSINS	1215	55	10
STOROBIN	710	2	
VALESKY	1209	5	66
YOUNG	1249	4	27
ZELDIN	1262	18	

Appendix D: Assembly Voting Records

Member	Aye	Nay	Absent/ No Vote
Abbate	938	3	132
Abinanti	1035	3	35
Amedore	906	125	42
Arroyo	1054		19
Aubry	1037	5	31
Barclay	929	134	10
Barrett	819	18	
Barron	854	41	178
Benedetto	1021	9	43
Blankenbush	926	146	1
Boyland	790	3	280
Boyle	998	74	1
Braunstein	1073		

Member	Aye	Nay	Absent/ No Vote
Brennan	1055	18	
Brindisi	1029	32	12
Bronson	1060	13	
Brook-Krasny	1023		50
Burling	744	101	228
Butler	950	123	
Cahill	942	26	105
Calhoun	915	154	4
Camara	965	5	103
Canestrari	1069	4	
Castelli	1022	51	
Castro	890	8	175
Ceretto	978	80	15
Clark	1027	7	39
Colton	902	15	156
Conte	264	22	787
Cook	1071	2	
Corwin	919	153	1
Crespo	996	8	69
Crouch	930	138	5
Curran	999	73	1
Cusick	1030	36	7
Cymbrowitz	1041	2	30
DenDekker	1037		36
Dinowitz	995	55	23
Duprey	976	97	
Englebright	1054	19	
Espinal	1023	17	33
Farrell	1070	2	1
Finch	950	120	3
Fitzpatrick	885	188	
Friend	841	211	21
Gabryszak	987	46	40
Galef	1062	11	
Gantt	930	27	116
Gibson	813	23	237
Giglio	927	98	48
Glick	1014	43	16
Goldfeder	1010	14	49
Goodell	922	151	
Gottfried	1052	21	
Graf	818	113	142

Member	Aye	Nay	Absent/ No Vote
Gunther A	1020	52	1
Hanna	901	172	
Hawley	922	151	
Heastie	1029	14	30
Hevesi	820	4	249
Hikind	874	4	195
Hooper	1031	2	40
Jacobs	985	5	83
Jaffee	1056	17	
Jeffries	270	5	798
Johns	984	89	
Jordan	927	134	12
Katz	808	198	67
Kavanagh	1032	40	1
Kearns	852	7	
Kellner	804	14	255
Kolb	957	116	
Lancman	227	2	844
Latimer	1036	24	13
Lavine	1064	1	8
Lentol	1072	1	
Lifton	1040	5	28
Linares	1071	1	1
Lopez P	937	131	5
Lopez V	837	3	233
Losquadro	936	137	
Lupardo	996	7	70
Magee	1021	46	6
Magnarelli	1065	8	
Maisel	1071	1	1
Malliotakis	947	126	
Markey	1060	1	12
Mayer	868	1	1
McDonough	979	89	5
McEneny	1019	3	51
McKevitt	1007	60	6
McLaughlin	875	190	8
Meng	237	2	834
Miller D	826	247	
Miller J	738	91	244
Miller M	1015	23	35
Millman	1020	5	48

Member	Aye	Nay	Absent/ No Vote
Montesano	936	122	15
Morelle	1071	2	
Moya	1055	14	4
Mr. Speaker	1073		
Murray	957	116	
Nolan	1040	8	25
Oaks	905	128	40
O'Donnell	887	9	177
Ortiz	1015	5	53
Palmesano	917	151	5
Paulin	1052	13	8
Peoples-Stokes	1005	24	44
Perry	1016	1	56
Pretlow	1062	11	
Quart	1068		5
Ra	1001	72	
Rabbitt	910	158	5
Raia	993	80	
Ramos	1028	15	30
Reilich	904	114	55
Reilly	1052	21	
Rivera J	966	1	106
Rivera N	936	7	130
Rivera P	992		81
Roberts	1047	20	6
Robinson	967	19	87
Rodriguez	938	11	124
Rosenthal	877	21	175
Russell	1003	6	64
Ryan	1064	8	1
Saladino	929	105	39
Sayward	981	88	4
Scarborough	863	1	209
Schimmel	1048	3	22
Schimminger	969	77	27
Simanowitz	1061	12	
Simotas	1060	9	4
Skartados	819	40	11
Smardz	792	104	177
Stevenson	968	10	95
Sweeney	1068	5	
Tedisco	968	105	

Member	Aye	Nay	Absent/ No Vote
Tenney	893	180	
Thiele	1027	14	32
Titone	906	16	151
Titus	959	1	113
Tobacco	898	76	99
Walter	932	141	
Weinstein	1038	24	11
Weisenberg	968	15	90
Weprin	1047	3	23
Wright	1017	6	50
Zebrowski K	1050	23	