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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

July 9, 2009

3:25 p.m.

EXTRAORDINARY SESSION

SENATOR ANDREA STEWART-COUSINS, Acting President

ANGELO J. APONTE, Secretary

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

2 ACTING PRESIDENT STEWART-COUSINS:

3 The Senate will please come to order.

4 I ask everyone present to rise and
5 recite with me the Pledge of Allegiance to our
6 Flag.

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

9 ACTING PRESIDENT STEWART-COUSINS:

10 In the absence of clergy, may we bow all our
11 heads for a moment of silence.

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

14 ACTING PRESIDENT STEWART-COUSINS:

15 Thank you.

16 Senator Smith.

17 SENATOR SMITH: Yes, Madam
18 President. Is there a proclamation from the
19 Governor Paterson at the desk?

20 ACTING PRESIDENT STEWART-COUSINS:

21 Yes, Senator Smith, there is a proclamation
22 here at the desk.

23 The Secretary will read.

24 THE SECRETARY: "Pursuant to the

1 power vested in me by Article IV, Section 3 of
2 the Constitution, I hereby convene the Senate
3 of the State of New York in Extraordinary
4 Session, at the Capitol, in the City of
5 Albany, on the ninth day of July, two thousand
6 nine, at three o'clock p.m., for the purpose
7 of considering legislation I will submit with
8 respect to various subjects and acting on
9 gubernatorial nominations.

10 "Given under my hand and the Privy
11 Seal of the State in the City of Albany this
12 seventh day of July in the year two thousand
13 nine, by the Governor, David A. Paterson."

14 ACTING PRESIDENT STEWART-COUSINS:

15 The proclamation having been read, the Senate
16 is in extraordinary session.

17 Senator Smith.

18 SENATOR SMITH: Thank you, Madam
19 President.

20 Would you please call on my
21 colleague Senator Dean Skelos.

22 ACTING PRESIDENT STEWART-COUSINS:

23 Senator Skelos.

24 SENATOR SKELOS: Thank you,

1 Senator Stewart-Cousins.

2 I'd like to once again remind all
3 of our colleagues that we are here today in
4 extraordinary session at the call of the
5 Governor, but also by court order being
6 required to convene.

7 Again, I must state for the record,
8 despite some of the new news that's out there,
9 that we do not move away from the vote that
10 occurred on June 8th where a majority of this
11 body voted to change leadership and elected
12 Senator Espada as temporary president of the
13 Senate and myself as majority leader.

14 That would mean that either Senator
15 Espada, on the vote of June 8th, or myself are
16 the only ones entitled to appoint a presiding
17 officer and to go into extraordinary session.

18 I would also like to point out that
19 last night the Governor attempted to appoint a
20 Lieutenant Governor in violation of the
21 Constitution. We do not recognize any such
22 appointment, and any attempt by a person
23 claiming to be the Lieutenant Governor to
24 convene and preside over any session of the

1 Senate is not valid.

2 Again, I would point out that
3 whether it's extraordinary session or regular
4 session, based upon the vote of June 8th and
5 the rules that were instituted that day, only
6 Senator Espada or myself are entitled to
7 appoint a presiding officer and to proceed
8 with the session.

9 So at this time I'd like to move to
10 lay aside the agenda and move to adjourn this
11 session sine die.

12 ACTING PRESIDENT STEWART-COUSINS:

13 Thank you, Senator Skelos.

14 Senator Smith.

15 SENATOR SMITH: Thank you, Madam
16 President. Always good to see you.

17 Given that we will have no
18 legislative activity going before us today, I
19 ask that we adjourn this Extraordinary Session
20 Number 18 sine die.

21 ACTING PRESIDENT STEWART-COUSINS:

22 Thank you, Senator Smith.

23 On motion of Senator Smith, this
24 Extraordinary Session Number 18 stands

1 adjourned sine die.

2 (Whereupon, at 3:29 p.m., the
3 Senate adjourned.)

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