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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

August 19, 2008

12:13 p.m.

EXTRAORDINARY SESSION

SENATOR GEORGE H. WINNER, JR., Acting President

STEVEN M. BOGGESS, Secretary

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

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

4 I ask everyone present to please
5 rise and repeat with me the Pledge of
6 Allegiance.

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

9 ACTING PRESIDENT WINNER: The
10 Reverend Peter G. Young, of Mother Theresa
11 Community in Albany, is here for the
12 invocation.

13 Thank you, Father.

14 REVEREND YOUNG: Thank you,
15 Senator. Let us pray.

16 As the Senate convenes to serve our
17 New York State citizens on this late Olympic
18 summer day, may we call on You, O God, to
19 bless these Senate members to prepare for the
20 cold anticipated weather so that they will
21 find opportunities for needed affordable heat
22 for all of our winter season, providing the
23 homeless and the needy with the necessities of
24 life.

25 God, You have given us an example

1 of marvelous charity in the call to us to love
2 one another. Send down Your blessing on these
3 Senators who generously devote themselves to
4 helping our New York State citizens.

5 Amen.

6 ACTING PRESIDENT WINNER: Senator
7 Libous.

8 SENATOR LIBOUS: Mr. President,
9 is there a proclamation from the Governor at
10 the desk?

11 ACTING PRESIDENT WINNER: Yes,
12 Senator Libous, there is.

13 The Secretary will read.

14 THE SECRETARY: "Proclamation.

15 "Pursuant to the power vested in me
16 by Article IV, Section 3 of the Constitution,
17 I hereby convene the Legislature in
18 Extraordinary Session at the Capitol, in the
19 City of Albany, on the nineteenth day of
20 August, 2008, at 12 o'clock noon, for the
21 purpose of considering a complete plan of
22 legislation to implement budgetary savings;
23 and for the consideration of legislation with
24 respect to such other subjects as I may
25 recommend.

1 "Given under my hand and the Privy
2 Seal of the State in the City of Albany this
3 fourth day of August in the year two thousand
4 eight.

5 "By the Governor, David A.
6 Paterson."

7 ACTING PRESIDENT WINNER: The
8 Secretary will call the roll to ascertain a
9 quorum.

10 THE SECRETARY: Senator Adams.

11 (No response.)

12 THE SECRETARY: Senator Alesi.

13 SENATOR ALESI: Here.

14 THE SECRETARY: Senator

15 Aubertine.

16 SENATOR AUBERTINE: Here.

17 THE SECRETARY: Senator Bonacic.

18 SENATOR BONACIC: Here.

19 THE SECRETARY: Senator Breslin.

20 SENATOR BRESLIN: Here.

21 THE SECRETARY: Senator Connor.

22 SENATOR CONNOR: Here.

23 THE SECRETARY: Senator

24 DeFrancisco.

25 SENATOR DeFRANCISCO: Here.

1 THE SECRETARY: Senator Diaz.
2 SENATOR DIAZ: Presente.
3 THE SECRETARY: Senator Dilan.
4 SENATOR DILAN: Present.
5 THE SECRETARY: Senator Duane.
6 SENATOR DUANE: Here.
7 THE SECRETARY: Senator Farley.
8 SENATOR FARLEY: Here.
9 THE SECRETARY: Senator Flanagan,
10 excused.
11 Senator Fuschillo.
12 SENATOR FUSCHILLO: Present.
13 THE SECRETARY: Senator Golden.
14 SENATOR GOLDEN: Here.
15 THE SECRETARY: Senator Gonzalez.
16 SENATOR GONZALEZ: Here.
17 THE SECRETARY: Senator Griffo.
18 SENATOR GRIFFO: Here.
19 THE SECRETARY: Senator Hannon.
20 SENATOR HANNON: Here.
21 THE SECRETARY: Senator
22 Hassell-Thompson.
23 SENATOR HASSELL-THOMPSON: Here.
24 THE SECRETARY: Senator Huntley.
25 SENATOR HUNTLEY: Here.

1 THE SECRETARY: Senator C.
2 Johnson.
3 SENATOR CRAIG JOHNSON: Here.
4 THE SECRETARY: Senator O.
5 Johnson.
6 SENATOR OWEN JOHNSON: Here.
7 THE SECRETARY: Senator Klein.
8 (No response.)
9 THE SECRETARY: Senator
10 L. Krueger.
11 SENATOR LIZ KRUEGER: Here.
12 THE SECRETARY: Senator C.
13 Kruger.
14 (No response.)
15 THE SECRETARY: Senator Lanza.
16 SENATOR LANZA: Here.
17 THE SECRETARY: Senator Larkin.
18 SENATOR LARKIN: Here.
19 THE SECRETARY: Senator LaValle.
20 SENATOR LaVALLE: Here.
21 THE SECRETARY: Senator Leibell.
22 (No response.)
23 THE SECRETARY: Senator Libous.
24 SENATOR LIBOUS: Here.
25 THE SECRETARY: Senator Little.

1 SENATOR LITTLE: Present.

2 THE SECRETARY: Senator Maltese.

3 SENATOR MALTESE: Here.

4 THE SECRETARY: Senator

5 Marcellino.

6 SENATOR MARCELLINO: Here.

7 THE SECRETARY: Senator Maziarz.

8 SENATOR MAZIARZ: Here.

9 THE SECRETARY: Senator

10 Montgomery.

11 SENATOR MONTGOMERY: Here.

12 THE SECRETARY: Senator Morahan.

13 SENATOR MORAHAN: Here.

14 THE SECRETARY: Senator Nozzolio.

15 SENATOR NOZZOLIO: Present.

16 THE SECRETARY: Senator Onorato.

17 SENATOR ONORATO: Here.

18 ACTING PRESIDENT WINNER: Senator

19 Libous, a quorum is present.

20 SENATOR LIBOUS: Mr. President,

21 has the Governor and the Assembly been

22 informed that the Senate is ready to proceed?

23 ACTING PRESIDENT WINNER: Yes,

24 Senator Libous, both the Governor and the

25 Assembly have been informed that the Senate is

1 ready to proceed.

2 SENATOR LIBOUS: Well, then,
3 thank you. And I hand up the following
4 resolution and ask for its immediate adoption.

5 ACTING PRESIDENT WINNER: The
6 Secretary will read.

7 THE SECRETARY: By Senator
8 Skelos, Extraordinary Session Senate
9 Resolution Number 1, providing for the
10 introduction of bills in the Senate during the
11 extraordinary session.

12 "RESOLVED, That notwithstanding any
13 provision of the rules to the contrary, all
14 bills introduced when the Senate is in
15 Extraordinary Session shall be by the
16 Committee on Rules or on message from the
17 Assembly, and shall be referred to the
18 Committee on Rules of the Senate, with the
19 exception of any bills making an
20 appropriation, which shall be referred to the
21 Committee on Finance of the Senate, pursuant
22 to Legislative Law Section 23."

23 ACTING PRESIDENT WINNER: The
24 question is on the resolution. All those in
25 favor signify by saying aye.

1 (Response of "Aye.")

2 ACTING PRESIDENT WINNER:

3 Opposed, nay.

4 (No response.)

5 ACTING PRESIDENT WINNER: The
6 resolution is adopted.

7 Senator Libous.

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

10 I now hand up the following
11 concurrent resolution and ask that the title
12 be read and move for its immediate adoption.

13 ACTING PRESIDENT WINNER: The
14 Secretary will read.

15 SENATOR LIBOUS: Mr. President.

16 ACTING PRESIDENT WINNER: Senator
17 Libous.

18 SENATOR LIBOUS: The Senate will
19 stand at ease temporarily, and there will be
20 an immediate Majority conference in Room 332.

21 ACTING PRESIDENT WINNER: The
22 Senate will stand at ease.

23 Immediate Majority conference in
24 Room 332.

25 (Whereupon, the Senate stood at

1 ease at 12:20 p.m.)

2 (Whereupon, the Senate reconvened
3 at 10:12 p.m.)

4 ACTING PRESIDENT HANNON: Senator
5 Larkin.

6 SENATOR LARKIN: Mr. President,
7 is there any other further business to come
8 before the Senate at this time?

9 ACTING PRESIDENT HANNON: There
10 is none, Senator.

11 SENATOR LARKIN: There being no
12 further business to come before the Senate at
13 this time, I move that we adjourn the
14 extraordinary session until tomorrow,
15 Wednesday, August 20th, at 10:00 a.m.

16 ACTING PRESIDENT HANNON: On
17 motion, the Senate stands adjourned in
18 extraordinary session until Wednesday,
19 August 20th, at 10:00 a.m.

20 (Whereupon, at 10:13 p.m., the
21 Senate adjourned.)

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