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

P R O C E E D I N G S

ACTING PRESIDENT WINNER: The Senate will come to order.

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

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

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

Thank you, Father.

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

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

God, You have given us an example

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

Amen.

ACTING PRESIDENT WINNER: Senator Libous.

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

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

The Secretary will read.

THE SECRETARY: "Proclamation.

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

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

"By the Governor, David A. Paterson."

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

THE SECRETARY: Senator Adams.

(No response.)

THE SECRETARY: Senator Alesi.

SENATOR ALESI: Here.

THE SECRETARY: Senator Aubertine.

SENATOR AUBERTINE: Here.

THE SECRETARY: Senator Bonacic.

SENATOR BONACIC: Here.

THE SECRETARY: Senator Breslin.

SENATOR BRESLIN: Here.

THE SECRETARY: Senator Connor.

SENATOR CONNOR: Here.

THE SECRETARY: Senator DeFrancisco.

SENATOR DeFRANCISCO: Here.

THE SECRETARY: Senator Diaz.
SENATOR DIAZ: Presente.
THE SECRETARY: Senator Dilan.
SENATOR DILAN: Present.
THE SECRETARY: Senator Duane.
SENATOR DUANE: Here.
THE SECRETARY: Senator Farley.
SENATOR FARLEY: Here.
THE SECRETARY: Senator Flanagan, excused.
Senator Fuschillo.
SENATOR FUSCHILLO: Present.
THE SECRETARY: Senator Golden.
SENATOR GOLDEN: Here.
THE SECRETARY: Senator Gonzalez.
SENATOR GONZALEZ: Here.
THE SECRETARY: Senator Griffo.
SENATOR GRIFFO: Here.
THE SECRETARY: Senator Hannon.
SENATOR HANNON: Here.
THE SECRETARY: Senator Hassell-Thompson.
SENATOR HASSELL-THOMPSON: Here.
THE SECRETARY: Senator Huntley.
SENATOR HUNTLEY: Here.

THE SECRETARY: Senator C. Johnson.

SENATOR CRAIG JOHNSON: Here.

THE SECRETARY: Senator O. Johnson.

SENATOR OWEN JOHNSON: Here.

THE SECRETARY: Senator Klein.

(No response.)

THE SECRETARY: Senator L. Krueger.

SENATOR LIZ KRUEGER: Here.

THE SECRETARY: Senator C. Kruger.

(No response.)

THE SECRETARY: Senator Lanza.

SENATOR LANZA: Here.

THE SECRETARY: Senator Larkin.

SENATOR LARKIN: Here.

THE SECRETARY: Senator LaValle.

SENATOR LaVALLE: Here.

THE SECRETARY: Senator Leibell.

(No response.)

THE SECRETARY: Senator Libous.

SENATOR LIBOUS: Here.

THE SECRETARY: Senator Little.

SENATOR LITTLE: Present.
THE SECRETARY: Senator Maltese.
SENATOR MALTESE: Here.
THE SECRETARY: Senator Marcellino.
SENATOR MARCELLINO: Here.
THE SECRETARY: Senator Maziarz.
SENATOR MAZIARZ: Here.
THE SECRETARY: Senator Montgomery.
SENATOR MONTGOMERY: Here.
THE SECRETARY: Senator Morahan.
SENATOR MORAHAN: Here.
THE SECRETARY: Senator Nozzolio.
SENATOR NOZZOLIO: Present.
THE SECRETARY: Senator Onorato.
SENATOR ONORATO: Here.
ACTING PRESIDENT WINNER: Senator Libous, a quorum is present.
SENATOR LIBOUS: Mr. President, has the Governor and the Assembly been informed that the Senate is ready to proceed?
ACTING PRESIDENT WINNER: Yes, Senator Libous, both the Governor and the Assembly have been informed that the Senate is

ready to proceed.

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

ACTING PRESIDENT WINNER: The Secretary will read.

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

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

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

(Response of "Aye.")

ACTING PRESIDENT WINNER: Opposed, nay.

(No response.)

ACTING PRESIDENT WINNER: The resolution is adopted.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

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

ACTING PRESIDENT WINNER: The Secretary will read.

SENATOR LIBOUS: Mr. President.

ACTING PRESIDENT WINNER: Senator Libous.

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

ACTING PRESIDENT WINNER: The Senate will stand at ease.

Immediate Majority conference in Room 332.

(Whereupon, the Senate stood at

ease at 12:20 p.m.)

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

ACTING PRESIDENT HANNON: Senator Larkin.

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

ACTING PRESIDENT HANNON: There is none, Senator.

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

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

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