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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

November 18, 2008

12:32 p.m.

EXTRAORDINARY SESSION

SENATOR GEORGE H. WINNER, Jr., Acting President

STEVEN M. BOGGESS, Secretary

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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
invocation today will be given by the Reverend
Peter G. Young, Mother Theresa Community in
Albany.

Father?

REVEREND YOUNG: Thank you,
Senator.

Let us pray.

Today is a special session, and we
have a need for special prayers. Because in
this special time, we know that we're in an
economic crisis. And in our vocation, as we
have today, we call then for our trust in God.
Examples of past leaders from this Senate
chamber -- too, too many to name -- we know
that they have done it, and we can do it.

We need to respond to assist all of

1 our New York State citizens with pride of what
2 being a Senator in New York State and this
3 Empire State is all about. In our historic
4 tradition and in difficult times of
5 Revolutionary War, Civil War, world wars, and
6 of economic depressions in the 1880s and the
7 1930s, everyone came to the rescue and to the
8 recall of being a citizen and a Senator with
9 pride.

10 Our Senators are therefore
11 challenged to accept the responsibilities of
12 leadership beyond their party lines to help
13 others and New York State citizens for that
14 better kind of life.

15 Amen.

16 ACTING PRESIDENT WINNER: Senator
17 Skelos.

18 SENATOR SKELOS: Mr. President,
19 is there a proclamation from the Governor at
20 the desk?

21 ACTING PRESIDENT WINNER: Yes,
22 Senator Skelos, there is.

23 SENATOR SKELOS: If we can have
24 it read at this time, please.

25 ACTING PRESIDENT WINNER: The

1 Secretary will read.

2 THE SECRETARY: "Proclamation.

3 "Pursuant to the power vested in me
4 by Article IV, Section 3 of the Constitution,
5 I hereby convene the Legislature in
6 Extraordinary Session, at the Capitol, in the
7 City of Albany, on the 18th day of November,
8 2008, at 12 o'clock noon, for the purpose of
9 considering a complete plan of legislation to
10 implement budgetary savings; and for the
11 consideration of legislation with respect to
12 such other subjects as I may recommend.

13 "Given under my hand and the Privy
14 Seal of the State in the City of Albany this
15 29th day of October in the year 2008.

16 "By the Governor, David A.
17 Paterson."

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

21 THE SECRETARY: Senator Adams.

22 (No response.)

23 THE SECRETARY: Senator Alesi.

24 SENATOR ALESI: Here.

25 THE SECRETARY: Senator

1 Aubertine.
2 SENATOR AUBERTINE: Present.
3 THE SECRETARY: Senator Bonacic.
4 SENATOR BONACIC: Present.
5 THE SECRETARY: Senator Breslin.
6 (No response.)
7 THE SECRETARY: Senator Connor.
8 (No response.)
9 THE SECRETARY: Senator
10 DeFrancisco.
11 SENATOR DeFRANCISCO: Here.
12 THE SECRETARY: Senator Diaz.
13 SENATOR DIAZ: Presente.
14 THE SECRETARY: Senator Dilan.
15 SENATOR DILAN: Present.
16 ACTING PRESIDENT WINNER: Senator
17 Duane.
18 (No response.)
19 THE SECRETARY: Senator Farley.
20 SENATOR FARLEY: Here.
21 THE SECRETARY: Senator Flanagan.
22 SENATOR FLANAGAN: Here.
23 THE SECRETARY: Senator
24 Fuschillo.
25 SENATOR FUSCHILLO: Present.

1 THE SECRETARY: Senator Golden.
2 SENATOR GOLDEN: Here.
3 THE SECRETARY: Senator Gonzalez.
4 (No response.)
5 THE SECRETARY: Senator Griffo.
6 SENATOR GRIFFO: Here.
7 THE SECRETARY: Senator Hannon.
8 SENATOR HANNON: Here.
9 THE SECRETARY: Senator
10 Hassell-Thompson.
11 (No response.)
12 THE SECRETARY: Senator Huntley.
13 SENATOR HUNTLEY: Here.
14 THE SECRETARY: Senator
15 C. Johnson.
16 SENATOR CRAIG JOHNSON: Here.
17 THE SECRETARY: Senator O.
18 Johnson.
19 SENATOR JOHNSON: Here.
20 THE SECRETARY: Senator Klein.
21 SENATOR KLEIN: Here.
22 THE SECRETARY: Senator
23 L. Krueger.
24 (No response.)
25 THE SECRETARY: Senator C.

1 Kruger.

2 SENATOR C. KRUGER: Present.

3 THE SECRETARY: Senator Lanza.

4 SENATOR LANZA: Here.

5 THE SECRETARY: Senator Larkin.

6 SENATOR LARKIN: Here.

7 THE SECRETARY: Senator LaValle.

8 SENATOR LaVALLE: Here.

9 THE SECRETARY: Senator Leibell.

10 SENATOR LEIBELL: Here.

11 THE SECRETARY: Senator Libous.

12 SENATOR LIBOUS: Here.

13 THE SECRETARY: Senator Little.

14 SENATOR LITTLE: Present.

15 THE SECRETARY: Senator Maltese.

16 SENATOR MALTESE: Present.

17 THE SECRETARY: Senator

18 Marcellino.

19 SENATOR MARCELLINO: Here.

20 THE SECRETARY: Senator Maziarz.

21 SENATOR MAZIARZ: Here.

22 THE SECRETARY: Senator

23 Montgomery.

24 (No response.)

25 THE SECRETARY: Senator Morahan.

1 SENATOR MORAHAN: Here.
2 THE SECRETARY: Senator Nozzolio.
3 (No response.)
4 THE SECRETARY: Senator Onorato.
5 (No response.)
6 THE SECRETARY: Senator
7 Oppenheimer.
8 (No response.)
9 THE SECRETARY: Senator Padavan.
10 (No response.)
11 THE SECRETARY: Senator Parker.
12 (No response.)
13 THE SECRETARY: Senator Perkins.
14 SENATOR PERKINS: Presente.
15 THE SECRETARY: Senator Rath.
16 SENATOR RATH: Here.
17 THE SECRETARY: Senator Robach.
18 SENATOR ROBACH: Indeed.
19 THE SECRETARY: Senator Saland.
20 SENATOR SALAND: Here.
21 THE SECRETARY: Senator Sampson.
22 (No response.)
23 THE SECRETARY: Senator Savino.
24 SENATOR SAVINO: Here.
25 ACTING PRESIDENT WINNER: Senator

1 Skelos, a quorum is present.

2 SENATOR SKELOS: Thank you,
3 Mr. President.

4 Has the Governor and the Assembly
5 been informed that the Senate is ready to
6 proceed?

7 ACTING PRESIDENT WINNER: Yes,
8 Senator Skelos, both the Governor and the
9 Assembly have been informed that the Senate is
10 ready to proceed.

11 SENATOR SKELOS: Thank you. I'd
12 like to hand up the following resolution and
13 ask for its immediate adoption.

14 ACTING PRESIDENT WINNER: The
15 Secretary will read.

16 THE SECRETARY: In Extraordinary
17 Session Number 2, Senator Skelos reports
18 Senate Resolution Number 1, providing for the
19 introduction of bills in the Senate during the
20 Extraordinary Session.

21 "RESOLVED, That notwithstanding any
22 provision of the rules to the contrary, all
23 bills introduced when the Senate is in
24 Extraordinary Session shall be by the
25 Committee on Rules or on message from the

1 Assembly, and shall be referred to the
2 Committee on Rules of the Senate, with the
3 exception of any bills making an
4 appropriation, which shall be referred to the
5 Committee on Finance of the Senate pursuant to
6 Legislative Law Section 23."

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

10 (Response of "Aye.")

11 ACTING PRESIDENT WINNER:

12 Opposed, nay.

13 (No response.)

14 ACTING PRESIDENT WINNER: The
15 resolution is adopted.

16 Senator Skelos.

17 SENATOR SKELOS: Mr. President,
18 has the Senate received bills from the
19 Governor and are they at the desk?

20 ACTING PRESIDENT WINNER: Senator
21 Skelos, we have not received any bills from
22 the Governor.

23 SENATOR SKELOS: Thank you.

24 Mr. President, what I'd like to do
25 at this time is ask that the extraordinary

1 session stand in recess. The Governor has
2 called a leaders' meeting at 12:30, and I will
3 now be proceeding, and we'll stand in recess.

4 ACTING PRESIDENT WINNER: The
5 extraordinary session will stand in recess.

6 (Whereupon, the Senate stood in
7 recess at 12:40 p.m.)

8 (Whereupon, the Senate reconvened
9 at 2:04 p.m.)

10 ACTING PRESIDENT WINNER: The
11 Senate will come to order.

12 Senator Libous.

13 SENATOR LIBOUS: Mr. President,
14 is there a concurrent resolution at the desk
15 adjourning this extraordinary session?

16 ACTING PRESIDENT WINNER: There
17 is, Senator. The Secretary will read.

18 THE SECRETARY: In Extraordinary
19 Session Number 2, by Senator Skelos,
20 Concurrent Resolution Number 2, relative to
21 the adjournment of the Extraordinary Session
22 of the Legislature sine die.

23 "RESOLVED, That the Legislature
24 adjourn the Extraordinary Session sine die on
25 November 18, 2008, at the close of business."

1 ACTING PRESIDENT WINNER: All
2 those in favor of the resolution signify by
3 saying aye.

4 (Response of "Aye.")

5 ACTING PRESIDENT WINNER:
6 Opposed, nay.

7 (No response.)

8 ACTING PRESIDENT WINNER: The
9 resolution is adopted.

10 Senator Libous.

11 SENATOR LIBOUS: I move to
12 adjourn the extraordinary session.

13 ACTING PRESIDENT WINNER: The
14 extraordinary session is adjourned sine die.

15 (Whereupon, at 2:05 p.m., the
16 Senate adjourned.)

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