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

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

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

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

Amen.

ACTING PRESIDENT WINNER: Senator Skelos.

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

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

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

ACTING PRESIDENT WINNER: 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 18th day of November, 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 29th day of October in the year 2008.

"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: Present.

THE SECRETARY: Senator Bonacic.

SENATOR BONACIC: Present.

THE SECRETARY: Senator Breslin.

(No response.)

THE SECRETARY: Senator Connor.

(No response.)

THE SECRETARY: Senator DeFrancisco.

SENATOR DeFRANCISCO: Here.

THE SECRETARY: Senator Diaz.

SENATOR DIAZ: Presente.

THE SECRETARY: Senator Dilan.

SENATOR DILAN: Present.

ACTING PRESIDENT WINNER: Senator Duane.

(No response.)

THE SECRETARY: Senator Farley.

SENATOR FARLEY: Here.

THE SECRETARY: Senator Flanagan.

SENATOR FLANAGAN: Here.

THE SECRETARY: Senator Fuschillo.

SENATOR FUSCHILLO: Present.

THE SECRETARY: Senator Golden.
SENATOR GOLDEN: Here.
THE SECRETARY: Senator Gonzalez.
(No response.)
THE SECRETARY: Senator Griffo.
SENATOR GRIFFO: Here.
THE SECRETARY: Senator Hannon.
SENATOR HANNON: Here.
THE SECRETARY: Senator Hassell-Thompson.
(No response.)
THE SECRETARY: Senator Huntley.
SENATOR HUNTLEY: Here.
THE SECRETARY: Senator C. Johnson.
SENATOR CRAIG JOHNSON: Here.
THE SECRETARY: Senator O. Johnson.
SENATOR JOHNSON: Here.
THE SECRETARY: Senator Klein.
SENATOR KLEIN: Here.
THE SECRETARY: Senator L. Krueger.
(No response.)
THE SECRETARY: Senator C.

Kruger.

SENATOR C. KRUGER: Present.

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.

SENATOR LEIBELL: Here.

THE SECRETARY: Senator Libous.

SENATOR LIBOUS: Here.

THE SECRETARY: Senator Little.

SENATOR LITTLE: Present.

THE SECRETARY: Senator Maltese.

SENATOR MALTESE: Present.

THE SECRETARY: Senator Marcellino.

SENATOR MARCELLINO: Here.

THE SECRETARY: Senator Maziarz.

SENATOR MAZIARZ: Here.

THE SECRETARY: Senator Montgomery.

(No response.)

THE SECRETARY: Senator Morahan.

SENATOR MORAHAN: Here.
THE SECRETARY: Senator Nozzolio.
(No response.)
THE SECRETARY: Senator Onorato.
(No response.)
THE SECRETARY: Senator Oppenheimer.
(No response.)
THE SECRETARY: Senator Padavan.
(No response.)
THE SECRETARY: Senator Parker.
(No response.)
THE SECRETARY: Senator Perkins.
SENATOR PERKINS: Presente.
THE SECRETARY: Senator Rath.
SENATOR RATH: Here.
THE SECRETARY: Senator Robach.
SENATOR ROBACH: Indeed.
THE SECRETARY: Senator Saland.
SENATOR SALAND: Here.
THE SECRETARY: Senator Sampson.
(No response.)
THE SECRETARY: Senator Savino.
SENATOR SAVINO: Here.
ACTING PRESIDENT WINNER: Senator

Skelos, a quorum is present.

SENATOR SKELOS: Thank you, Mr. President.

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

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

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

ACTING PRESIDENT WINNER: The Secretary will read.

THE SECRETARY: In Extraordinary Session Number 2, Senator Skelos reports 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 Skelos.

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

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

SENATOR SKELOS: Thank you.

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

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

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

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

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

ACTING PRESIDENT WINNER: The Senate will come to order.

Senator Libous.

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

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

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

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

ACTING PRESIDENT WINNER: All those in favor of the resolution 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: I move to adjourn the extraordinary session.

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

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