NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 30, 2009

7:03 p.m.

EXTRAORDINARY SESSION

SENATOR ANDREA STEWART-COUSINS, Acting President

ANGELO J. APONTE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT STEWART-COUSINS: The Senate will please come to order.

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

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

ACTING PRESIDENT STEWART-COUSINS: In the absence of clergy, may we all bow our heads for a moment of silence.

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

ACTING PRESIDENT STEWART-COUSINS: Thank you.

Senator Smith.

SENATOR SMITH: Madam President, is there a proclamation from the Governor at the desk?

ACTING PRESIDENT STEWART-COUSINS: Yes, Senator Smith, there is a proclamation here at the desk.

The Secretary will read.

THE SECRETARY: "Pursuant to the

power vested in me by Article IV, Section 3 of the Constitution, I hereby convene the Senate of the State of New York in Extraordinary Session, at the Capitol, in the City of Albany, on the thirtieth day of June, two thousand nine, at seven o'clock p.m., for the purpose of considering legislation I will submit with respect to various subjects.

"Given under my hand and the Privy Seal of the State in the City of Albany this thirtieth day of June in the year two thousand nine, by the Governor, David A. Paterson."

ACTING PRESIDENT STEWART-COUSINS: The proclamation having been read, the Senate is in extraordinary session.

Senator Smith.

SENATOR SMITH: Yes, would you recognize Senator Skelos, please.

ACTING PRESIDENT STEWART-COUSINS: Senator Skelos.

SENATOR SKELOS: Madam President --

ACTING PRESIDENT STEWART-COUSINS: Yes, Senator Skelos.

SENATOR SKELOS: Now, I don't know if I'm designating you or not, but --

ACTING PRESIDENT STEWART-COUSINS: I will not correct you.

SENATOR SKELOS: -- I have to -- and Senator Connor, I'm glad to see you're gainfully employed.

(Laughter.)

SENATOR SKELOS: Let me just say that as I said earlier today, there was a decision by the Supreme Court judge that indicated that we were required to convene extraordinary session.

And I would like to mention again that I will refer to you as Senator Stewart-Cousins, as against Madam President, because it is our belief that you are not appropriately appointed the presiding officer.

The designation of a presiding officer would come from either Senator Espada or myself, based upon the vote that was taken in which leadership was changed, 32 actually to zero, electing Senator Espada temporary president of the Senate and myself majority

leader.

So I would like to, despite the fact that we do not formally recognize you as the acting president, move that this extraordinary session be adjourned sine die.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator Skelos.

Senator Smith.

SENATOR SMITH: Yes, Madam President. Recognizing you as such, as the president of the Senate, I also move, given that we have no further business, that we do not take up any legislative activity and we do adjourn sine die.

ACTING PRESIDENT STEWART-COUSINS: On motion of Senator Smith, the session is adjourned sine die.

(Whereupon, at 7:06 p.m., the Senate adjourned.)