NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

July 1, 2009

3:07 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, would you please recognize Senator Skelos, please.

ACTING PRESIDENT STEWART-COUSINS: Senator Skelos.

SENATOR SKELOS: Thank you, Senator Stewart-Cousins.

And I'd like to again just

mention -- and really, for the sake of the decorum within the chamber, it's really not necessary to have guards around the podium. Because we're not going to rush up and, you know, take it over or anything like that.

So, you know, really it's sort of unseemly, unbecoming that you have the Aponte militia up there. I would ask that they just go back to doing what jobs they do do. We're not going to rush the podium. You are secure and safe up there, even though we do not recognize you as the temporary presiding officer.

Mainly because, as you know, on June 8th there was a vote that elected Senator Espada temporary president of the Senate, myself as the majority leader, and that we are all here because of a court order that requires to us to convene as a body, and really that's it.

So again, I would reiterate that we do not recognize you as the temporary president. We are only here to convene as the judge has required.

Therefore, at this time I would like to make a motion to adjourn the extraordinary session sine die and lay aside the calendar.

ACTING PRESIDENT STEWART-COUSINS: Senator Smith.

SENATOR SMITH: Yes, thank you, Madam President.

Thank you, Senator Skelos.

Madam President, would you at least read the proclamation that was issued at the desk by the Governor.

ACTING PRESIDENT STEWART-COUSINS: The Secretary will read.

THE SECRETARY: "Pursuant to the power vested in me by Article IV, Section 3 of the Constitution, I hereby amend the proclamation issued on the thirtieth day of June, two thousand nine, convening the Senate of the State of New York in Extraordinary Session at the Capitol, in the City of Albany, on the first day of July, two thousand nine, at three o'clock p.m., to include for consideration legislation to extend mayoral

control of New York City schools and to extend the exemption from the Wicks Law for the School Construction Authority.

"Given under my hand and the Privy Seal of the State in the City of Albany this first day of July 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, thank you, Madam President.

Now that we are in Extraordinary Session Number 9, and I believe all members are in the chamber on both sides of the aisle, that we have met the order of the judge by which we are all to be present.

And given that we have no legislative activity today, I ask that we adjourn this special extraordinary session sine die.

SENATOR SKELOS: Madam President, we'd like to move that we adjourn the

extraordinary session sine die.

ACTING PRESIDENT STEWART-COUSINS: On the motion of Senator Smith, we will adjourn the ninth extraordinary session sine die.

(Whereupon, at 3:11 p.m., the Senate adjourned.)