NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

July 2, 2009

3:06 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 Klein.

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

ACTING PRESIDENT STEWART-COUSINS: Yes, Senator Klein, 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 second day of July, two thousand nine, at three o'clock p.m., for the purpose of considering legislation I will submit with respect to various subjects, and acting on gubernatorial nominations.

"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 Klein.

SENATOR KLEIN: Madam President, can you please recognize Senator Skelos.

ACTING PRESIDENT STEWART-COUSINS: Certainly. Senator Skelos.

SENATOR SKELOS: Senator Stewart-Cousins, delighted to see you again today.

And I should just point out that normally the presiding officer is referred to as Madam President or Mr. President. And unfortunately, I cannot do that today because I don't believe that you are properly designated to preside. The designation of a presiding officer should be made by Senator Espada or myself pursuant to the rules changes that took place on June 8th and the vote that occurred that day changing leadership of this body.

The decision by the judge that the Senate should convene, we should point out that this has been the position of the Democrats that no bills may be taken up legally in special session and in fact without the Assembly in town. And I believe that's also Governor Paterson's decision.

So again, we do not recognize you, that you are the appropriate designating, and I'd like to move to adjourn at this time.

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

SENATOR SKELOS: Lay aside the

calendar and move to adjourn at this time, sine die.

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

Senator Klein.

SENATOR KLEIN: Madam President, not only do I duly recognize you as president, but your scarf is particularly lovely today.

(Laughter.)

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

SENATOR KLEIN: Madam President, I move that we do not take up any legislative activity today and that we adjourn this special session sine die.

ACTING PRESIDENT STEWART-COUSINS: On motion of Senator Klein, we adjourn sine die.

(Whereupon, at 3:09 p.m., the Senate adjourned.)