NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

July 3, 2009

3:03 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: Yes, 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 third 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 Smith.

SENATOR SMITH: Thank you, Madam President. Would you please recognize my esteemed colleague Senator Dean Skelos, please.

ACTING PRESIDENT STEWART-COUSINS: Senator Skelos.

SENATOR SKELOS: Thank you,

Senator Stewart-Cousins. And thank you, Senator Smith.

And let me just start off by wishing Senator Owen Johnson a happy birthday.

ACTING PRESIDENT STEWART-COUSINS: Happy birthday.

(Applause.)

SENATOR SKELOS: And Senator Johnson has assured everybody that he is going to outlive Moses.

(Laughter.)

SENATOR SKELOS: So I'd like to say again good afternoon, Senator Stewart-Cousins.

And again, we convene this extraordinary session at the call of the Governor and in keeping with the decision of the court.

On June 8th, a majority of the members of this body elected Senator Pedro Espada as temporary president and myself as majority leader. Under the rules adopted that day, I must point out that you are not the appropriate designated presiding officer.

Therefore, I would like to lay aside the calendar and move that we adjourn sine die.

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

Senator Smith.

SENATOR SMITH: Yes, thank you, Madam President.

And also on behalf of the Democratic majority, notwithstanding the round of applause, we would like to extend a wonderful happy birthday to Owen Johnson, who is a handsome Senator, a good-looking young man, proud to be a member of this chamber.

But also recognizing you as the president, Madam President -- duly understood to be so -- we do ask, given that we do not have any legislative activity today, we would adjourn this special session sine die.

ACTING PRESIDENT STEWART-COUSINS: On motion of Senator Smith, this extraordinary session is adjourned sine die, and with good wishes for a very happy birthday to Senator Johnson.

(Whereupon, at 3:07 p.m., the Senate adjourned.)