NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

July 4, 2009

11:05 a.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.

Senator Smith.

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

ACTING PRESIDENT STEWART-COUSINS: Senator Skelos.

SENATOR SKELOS: Thank you, Senator.

Before I do my regular routine, I would ask, as we celebrate the Fourth of July and the great nation that we live in, if each of the members who have served in the Armed Forces, veterans, if they would come forward and lead us in the Pledge of Allegiance.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

SENATOR SKELOS: Senator Larkin. Colonel Larkin.

ACTING PRESIDENT STEWART-COUSINS: So we have to lead us in the pledge Senator DeFrancisco, Senator Larkin, Senator Owen

Johnson, Senator Padavan, Senator Farley, Senator Leibell, Senator McDonald, Senator Nozzolio, Senator Monserrate, Senator Onorato.

(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.

The Senators will come to order.

Senator Smith.

SENATOR SMITH: Yes, Madam President.

Is there a proclamation from the Governor that is at the desk that needs to be read?

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

The Secretary will read.

THE SECRETARY: "I hereby amend

the proclamation issued on the first day of July, two thousand nine, pursuant to the power vested in me by Article IV, Section 3 of the Constitution, convening the Senate of the State of New York in Extraordinary Session, at the Capitol, in the City of Albany, on the fourth day of July, two thousand nine, to change the time for such extraordinary session from three o'clock p.m. to eleven o'clock a.m.

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

ACTING PRESIDENT STEWART-COUSINS: Senator Smith.

SENATOR SMITH: Yes, Madam President. Would you please recognize my colleague Senator Skelos.

ACTING PRESIDENT STEWART-COUSINS: Yes, certainly.

Senator Skelos, excuse me just one moment.

The proclamation having been read, the Senate is in extraordinary session.

Senator Skelos.

SENATOR SKELOS: Thank you. Good morning, Senator Stewart-Cousins.

This extraordinary session is convened at the call of the Governor, in keeping with the decision of the court.

On June 8th, a majority members of this body elected Senator Pedro Espada as temporary president and myself as majority leader. Under the rules adopted that day, we do not recognize you as the appropriately designated presiding officer.

Despite that, I would still like to point out your beautiful scarf in celebration of Independence Day and would like to wish everybody a happy Fourth of July.

That being said, I would remind everybody that we will be joining each other tomorrow at the call of the Governor at 6:00 p.m., and I would ask at this time that the bills be laid aside and move that we adjourn this extraordinary session sine die.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator Smith.

SENATOR SMITH: Thank you, Madam President, duly recognized.

I would like to read a brief statement in the spirit of today. As we know, this is the Fourth of July. Our colleagues are here looking refreshed, looking forward to getting to spend time with their family.

But I do just want to remind us that 236 years ago, on this day, a band of courageous patriots, representing the hearts and minds of a new world, gave birth to our nation. Founded upon the sacred principles of life, liberty and the pursuit of happiness, an ideal was born, one that has lit the world over two centuries.

Today that idea lives on in each and every one of us. It is heard in this chamber when a Senator stands up to speak on behalf of his or her constituents, as it is demonstrated around the globe by brave men and women of our armed services who have chosen to put themselves in harm's way to protect our country.

We may celebrate this day with barbecues, fireworks, salutes to our Flag, but more than that, it is also about the declaration that was signed by 56 individuals of the Continental Congress, including four New Yorkers, two of which became members of this esteemed body, Senator Philip Livingston and Senator William Floyd.

Madam President, this is a great day for our country, it's a great day for all of us. To all of my colleagues, to my friends, to those who are visiting, to all those who are now seeing and hearing us vis-a-vis the media, I wish each and every one of you a wonderful Fourth of July. God bless you. We will all continue to pray for you as we move forward.

In regard to that, Madam President, I ask that we adjourn sine die.

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

Before we adjourn, I did want to recognize Senator Morahan. I know you were here as a veteran, and I think I neglected to

mention you. So thank you.

On motion of Senator Smith, we will adjourn till tomorrow, 6:00 p.m., sine die.

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