NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

July 7, 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 seventh 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 sixth 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, will you please recognize Senator Skelos.

ACTING PRESIDENT STEWART-COUSINS: Senator Skelos.

SENATOR SKELOS: Thank you. And good afternoon, Senator Stewart-Cousins.

First, I'd like to announce that

there will be a conference of the coalition following this extraordinary session.

And I'd like to of course mention that this session has been called by the Governor. And certainly the courts have ordered that we convene, and I underline the word "convene," in this extraordinary session.

Pursuant to the vote which took place on June 8th, the designation of a presiding officer should be made by Senator Espada or myself. Accordingly, we do not recognize that you are the appropriately designated presiding officer. Or, quite frankly, if there is an attempt to call a regular session, certainly that authority does not exist with any other member but Senator Espada or myself, pursuant to the vote on June 8th.

Therefore, I'd request that the agenda be laid aside and move that the Senate adjourn this special session sine die.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator Klein.

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

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

(Whereupon, at 3:10 p.m., the Senate adjourned.)