

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 July 7, 2009

11 3:12 p.m.

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13
14 REGULAR SESSION

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18 SENATOR ANDREA STEWART-COUSINS, Acting President

19 ANGELO J. APONTE, Secretary

1 P R O C E E D I N G S

2 ACTING PRESIDENT STEWART-COUSINS:

3 The Senate will please come to order.

4 I ask everyone present to rise and
5 recite with me the Pledge of Allegiance to our
6 Flag.

7 (Whereupon, the assemblage recited
8 the Pledge of Allegiance to the Flag.)

9 ACTING PRESIDENT STEWART-COUSINS:

10 In the absence of clergy, may we all bow our
11 heads for a moment of silence.

12 (Whereupon, the assemblage
13 respected a moment of silence.)

14 ACTING PRESIDENT STEWART-COUSINS:

15 Thank you.

16 The reading of the Journal.

17 The Secretary will read.

18 THE SECRETARY: In Senate,
19 Monday, July 6, the Senate met pursuant to
20 adjournment. The Journal of Friday, July 3,
21 was read and approved. On motion, Senate
22 adjourned.

23 ACTING PRESIDENT STEWART-COUSINS:

24 Without objection, the Journal stands approved

1 as read.

2 Presentation of petitions.

3 Messages from the Assembly.

4 Messages from the Governor.

5 Reports of standing committees.

6 Reports of select committees.

7 Communications and reports from
8 state officers.

9 Senator Klein.

10 SENATOR KLEIN: Madam President,
11 at this time can you please recognize Senator
12 Sampson for some remarks.

13 ACTING PRESIDENT STEWART-COUSINS:
14 Senator Sampson.

15 SENATOR SAMPSON: Thank you very
16 much, Madam President.

17 I rise to really just talk to the
18 19.5 million people in the State of New York.
19 And their mantra has been "Get back to work,
20 pass bills." They are tired of being held
21 hostage as our colleagues on the other side of
22 the aisle are more concerned about what I call
23 "T, triple P" -- titles, power, politics, and
24 patronage.

1 We have put forth an active list to
2 let the people of the State of New York know,
3 19.5 million people, that enough is enough.
4 We can no longer be held hostage, we need to
5 pass this legislation and prevent fiscal
6 hysteria from going on everywhere from Buffalo
7 to Brooklyn.

8 So, Madam President, as I call on
9 my colleagues, we need to get back to the
10 people's work. What is more important, at the
11 end of the day, people do not care who is a
12 Republican, who is a Democrat, who is an
13 independent. They are concerned about the
14 economic austerity of our great Empire State.

15 So with that, Madam President, I
16 ask that we move and start getting back to
17 work and passing, most of all, passing the
18 bills so 19.5 million New Yorkers will no
19 longer be held hostage.

20 Thank you, Madam President.

21 ACTING PRESIDENT STEWART-COUSINS:

22 Thank you, Senator Sampson.

23 Senator Breslin.

24 SENATOR BRESLIN: Thank you,

1 Madam President.

2 I echo the remarks of Senator
3 Sampson. The Democratic conference here is
4 ready to pass legislation. There is an active
5 list of bills. They're both Democratic bills,
6 Republican bills, but they're bills that
7 affect and assist and help and allow us to
8 govern the 19.5 million people in this state.

9 We are not doing the people's
10 business when we don't come together. This is
11 about governance. It can't be about politics
12 and power politics. It has to be about doing
13 the people's business.

14 I hope anyone listening to this
15 will understand that we are making every
16 attempt to come here. If we just had a couple
17 come from the other side, we could pass this
18 calendar, move on to tomorrow, move on to the
19 next day, and move on to a successful
20 conclusion to this session.

21 So, Madam President, I urge all of
22 us to come together, to have Democrats and
23 Republicans put aside leadership, put aside
24 politics, put aside all of the partisan parts

1 of what so many people across this state
2 despise, rightfully so. And let's do the
3 people's work.

4 Thank you, Madam President.

5 ACTING PRESIDENT STEWART-COUSINS:

6 Thank you, Senator.

7 Senator Adams.

8 SENATOR ADAMS: Thank you, Madam
9 President. I do recognize you as the
10 president.

11 You know, I'm not only disappointed
12 with our colleagues across the aisle, but I'm
13 also disappointed with the media in this
14 state. And I'm disappointed with our
15 Governor.

16 Every day we have sat in this
17 chamber, we have attempted to pass
18 legislation. Yet they are marrying us with
19 the failure of our colleagues across the
20 aisle. I have yet to hear Governor Paterson
21 state one time that we were here to pass his
22 bills. I have yet to hear those who have
23 reported this atmosphere week after week
24 indicate that we are willing to pass

1 legislation.

2 Our colleagues across the aisle
3 have drew a line in the sand, have sharpened
4 the bills of this state and put it to the
5 necks of our citizens by blackmailing us. The
6 only way they will sit down and pass a bill is
7 if we recognize who they want us to recognize
8 as the leadership. This is what they're
9 saying.

10 No one is reporting that. No one
11 is reporting the fact that we can deal with
12 leadership issues later. No one is reporting
13 the fact that we're saying let's sit down
14 while we deal with leadership, at least pass
15 several bills a day. No one is reporting
16 that. They're giving the impression that
17 these are all clowns together. That's the
18 hypocrisy.

19 And then when you have Post, New
20 York Post writers that write racist commentary
21 of thick-necked thugs and how great we were
22 when Republicans ran the Senate and how
23 beautiful the state was, that reminds me of
24 reminiscing of slavery when black folks were

1 happy just to be on the plantation because
2 they were able to eat chitlings. That's
3 appalling and insulting.

4 We are here every day. When are
5 people going to report the truth? The only
6 thing that's stopping these important
7 legislation to be passed is the arrogance of
8 those who held this state hostage for forty
9 years. Five months we've been here, talking
10 about important pieces of legislation for five
11 months.

12 You can say what you want; this
13 chamber went through a thuggery act on
14 June 8th. But we're big enough to put that to
15 the side. We're big enough to say let's talk
16 about that over the summer. Right now, Power
17 for Jobs. Right now, important state
18 legislation that's on the document. Right
19 now, this exists.

20 When are we going to tell the
21 truth? When are we going to hear our Governor
22 stop slamming the desk and acknowledging that
23 we are here? We laid it out; just come in and
24 pass the bills. We'll deal with leadership

1 later. Let's pass the bills.

2 That's the comment that should
3 resonate throughout this state, not who's the
4 president pro tem. We can pass bills without
5 that not. Not who's the majority leader; we
6 can pass bills without that. Not who gets
7 member items; we can pass bills without that.
8 Not who gets bigger offices; we can pass bills
9 without that.

10 If that's what they want, they can
11 have my office, they can have my member items,
12 they can have my chairmanship. All I want
13 them to do is get their butts back in this
14 chamber and pass these bills.

15 ACTING PRESIDENT STEWART-COUSINS:

16 Thank you, Senator Adams.

17 Senator Montgomery.

18 SENATOR MONTGOMERY: Yes, thank
19 you, Madam President.

20 I want to just remind my
21 constituents and my colleagues, we did pass
22 120 bills on June 30th and they were passed
23 with 32 members present. None of us raised
24 our hands to object that we were not present.

1 So I want to get that out.

2 The other thing that I want to
3 point out, I ran into a young lady from here
4 in Albany yesterday evening, and she wanted to
5 know "What is going on over there? And are
6 you guys actually working over there?"

7 So I just wanted to point out to
8 that young lady, to my constituents, and to
9 the people across this state, yes, we are
10 working. And today, in addition to the 120
11 bills, we have other bills on this calendar.
12 Senator Breslin, for instance, has a bill on
13 here related to the County of Schenectady.

14 Senator Farley, who is not
15 present -- he elected to leave the room,
16 doesn't want to participate -- he has a bill
17 to authorize the City of Schenectady to take
18 care of some delinquent tax liens which they
19 need in order to do their budget.

20 Senator Bonacic has a bill on the
21 calendar today related to the City of
22 Middletown, looking to also settle some
23 delinquent tax issues in that town.

24 Senator Farley, another bill on to

1 confirm certain transportation contracts for
2 the City of Schenectady.

3 Senator LaValle has a bill on here
4 which would confirm some actions of the Rocky
5 Point Union Free School District with respect
6 to certain building and contracts.

7 Senator Larkin has a bill on the
8 calendar which would provide for the repayment
9 by the Highland Falls Central School District
10 of certain excess state payments.

11 We have all of these bills and
12 more. I didn't name all of them because this
13 is enough to let you know, Madam President,
14 that these gentlemen who have elected to leave
15 the room today, they actually have bills on.
16 We're ready here to pass those bills so that
17 those cities and those local school districts
18 and the constituents that they represent could
19 be made whole. But they have elected to leave
20 the room.

21 We're here, yes, we are here; every
22 day that we're here, we are working. And we
23 do want to do the people's work. That's what
24 this represents. We don't have anybody here

1 from that side of the aisle to say stand up
2 for their constituents. But we're here to do
3 just that.

4 So, Madam President, I would like
5 for my constituents to know, and that young
6 lady that asked me last evening what we are
7 doing, I want her to know, and I want my
8 people to know, my constituents, and the
9 19.5 million people across this state, that we
10 are here to do whatever their needs require us
11 to do, but the Republicans have left the room.

12 Thank you.

13 ACTING PRESIDENT STEWART-COUSINS:

14 Thank you, Senator.

15 Senator Schneiderman.

16 SENATOR SCHNEIDERMAN: Thank you,
17 Madam President.

18 I rise in support of all of my
19 colleagues on this side of the aisle in our
20 desire to begin passing legislation. I do
21 want to add to the comments of the Senators
22 who have already spoken the fact that we
23 understand if our colleagues on the other side
24 of the aisle have a concern with coming out to

1 vote for an active list that we set.

2 And I want to make sure that we're
3 noting for the public that on July 3rd, both
4 sides actually exchanged proposals for how to
5 operate the Senate, negotiating proposals.
6 Theirs was titled "New York State Senate
7 Bipartisan Operating Agreement"; ours was
8 titled "Bipartisan Operating Agreement for the
9 New York State Senate."

10 Ours, unlike theirs, did provide a
11 way for us to come out with a mutual agreement
12 of the two conferences to set an active list
13 so we can start voting.

14 And I would just like to urge
15 everyone here and everyone who is watching,
16 please tell the Republicans that the Democrats
17 are willing to put out an active list together
18 with them where no bill gets on the active
19 list that is not agreed to by the parties so
20 we can vote while we negotiate these bigger
21 issues.

22 There are discussions going on,
23 there will be discussions going on. I gather
24 that Senator Espada and Senator Skelos have

1 sent all of us a letter advancing yet another
2 set of principles -- not really a detailed
3 proposal, but a set of principles for a
4 broader agreement. We are prepared to talk
5 about all issues. Not to say we'll agree to
6 everything, but we're prepared to talk about
7 all issues.

8 Our one request, our one strong
9 request, our very, very, very strong request
10 on behalf of the people of the State of
11 New York is that we begin passing bills while
12 these negotiations continue. We are prepared
13 to do an active list with their agreement. We
14 are here today prepared to vote on the bills
15 on the existing active list. But let's start
16 passing bills while the other negotiations
17 continue.

18 I'm sorry they're not here with us
19 today, Madam President, so that we will not be
20 able to actually undertake the people's
21 business. I'm hopefully that in the very near
22 future they will be.

23 Thank you.

24 ACTING PRESIDENT STEWART-COUSINS:

1 Thank you, Senator.

2 Is there any other Senator that
3 wishes to speak on this issue?

4 Hearing none -- Senator Klein.

5 SENATOR KLEIN: Madam President,
6 is there any further business at the desk?

7 ACTING PRESIDENT STEWART-COUSINS:
8 Senator Klein, the desk is clear.

9 SENATOR KLEIN: There being none,
10 I move that we adjourn at the call of the
11 Temporary President, Malcolm Smith.

12 ACTING PRESIDENT STEWART-COUSINS:
13 There being no further business to come before
14 the Senate, on motion, the Senate stands
15 adjourned to the call of the Temporary
16 President, intervening days being legislative
17 days.

18 (Whereupon, at 3:25 p.m., the
19 Senate adjourned.)

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