NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

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3:12 p.m.

REGULAR 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.

The reading of the Journal.

The Secretary will read.

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

ACTING PRESIDENT STEWART-COUSINS: Without objection, the Journal stands approved

as read.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Senator Klein.

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

ACTING PRESIDENT STEWART-COUSINS: Senator Sampson.

SENATOR SAMPSON: Thank you very much, Madam President.

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

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

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

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

Thank you, Madam President.

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

Senator Breslin.

SENATOR BRESLIN: Thank you,

Madam President.

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

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

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

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

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

Thank you, Madam President.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator Adams.

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

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

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

legislation.

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

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

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

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

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

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

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

later. Let's pass the bills.

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

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

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

Senator Montgomery.

SENATOR MONTGOMERY: Yes, thank you, Madam President.

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

So I want to get that out.

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

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

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

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

Senator Farley, another bill on to

confirm certain transportation contracts for the City of Schenectady.

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

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

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

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

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

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

Thank you.

ACTING PRESIDENT STEWART-COUSINS: Thank you, Senator.

Senator Schneiderman.

SENATOR SCHNEIDERMAN: Thank you, Madam President.

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

vote for an active list that we set.

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

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

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

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

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

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

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

Thank you.

ACTING PRESIDENT STEWART-COUSINS:

Thank you, Senator.

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

Hearing none -- Senator Klein.

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

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

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

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

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