

1 NEW YORK STATE SENATE

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3  
4 THE STENOGRAPHIC RECORD

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8  
9 ALBANY, NEW YORK

10 January 5, 2011

11 12:08 p.m.

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13  
14 REGULAR SESSION

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18 LIEUTENANT GOVERNOR ROBERT J. DUFFY, President

19 FRANCIS W. PATIENCE, Secretary

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

2 THE PRESIDENT: The Senate will  
3 come to order.

4 Please rise for the Pledge of  
5 Allegiance.

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

8 THE PRESIDENT: The invocation  
9 today will be given by His Excellency  
10 Archbishop Timothy M. Dolan, Archbishop of  
11 New York.

12 (Applause.)

13 ARCHBISHOP DOLAN: Thank you.

14 Let us pray.

15 We assemble for this historic  
16 event, dear Lord, yes, as grateful citizens of  
17 the state we're so proud to call home, but  
18 also as people of humble faith who simply yet  
19 sincerely confess, as Americans, in God we  
20 trust.

21 Thus do we acclaim You as our  
22 Creator, who made us in Your own image and  
23 likeness, thus rendering the human person and  
24 human life itself as sacred, thus endowing us  
25 with rights calling for protection, and with

1 freedom, not so much to do whatever we want,  
2 but what we ought.

3 We profess You as a common Father  
4 who unites us today, a Lawgiver who has  
5 implanted within a grasp of the truth and a  
6 thirst for justice, and a belief that we are  
7 at our best when our will is consonant with  
8 Your own.

9 To these distinguished legislators,  
10 we ask the gift of the wisdom only You can  
11 bestow, a reclaiming of the honor and nobility  
12 of public service, and a sensitivity to those  
13 in need. You never summon us to a duty  
14 without supplying us the grace to do it, and  
15 that blessed assurance consoles us as we  
16 solemnly open today.

17 May all that we do and dream and  
18 decide here in this historic chamber, may it  
19 be, Lord, only to our credit when we one day  
20 stand before You, the omnipotent Lawgiver and  
21 Supreme Judge, You who live and reign forever  
22 and ever, amen.

23 THE ASSEMBLAGE: Amen.

24 THE PRESIDENT: The chair now  
25 hands down a message from the State Board of

1 Elections, being the official certification of  
2 the duly elected members of the Senate, and  
3 directs that the same be filed in the Journal.

4 I would like to ask, are there any  
5 Senators present who have not taken their  
6 oaths of office yet? If so, please rise.

7 (No response.)

8 THE PRESIDENT: The Secretary  
9 will call the roll to ascertain a quorum.

10 THE SECRETARY: Senator Adams.

11 SENATOR ADAMS: Aye.

12 THE SECRETARY: Senator Addabbo.

13 SENATOR ADDABBO: Here.

14 THE SECRETARY: Senator Alesi.

15 SENATOR ALESI: Present.

16 THE SECRETARY: Senator Avella.

17 SENATOR AVELLA: Present.

18 THE SECRETARY: Senator Ball.

19 SENATOR BALL: Here.

20 THE SECRETARY: Senator Bonacic.

21 SENATOR BONACIC: Here.

22 THE SECRETARY: Senator Breslin.

23 SENATOR BRESLIN: Here.

24 THE SECRETARY: Senator Carlucci.

25 SENATOR CARLUCCI: Present.

1                   THE SECRETARY:     Senator  
2     DeFrancisco.  
3                   SENATOR DeFRANCISCO:     Here.  
4                   THE SECRETARY:     Senator Diaz.  
5                   SENATOR DIAZ:     Presente.  
6                   THE SECRETARY:     Senator Dilan.  
7                   SENATOR DILAN:     Present.  
8                   THE SECRETARY:     Senator Duane.  
9                   SENATOR DUANE:     Here.  
10                  THE SECRETARY:     Senator  
11     Espaillat.  
12                  SENATOR ESPAILLAT:     Here.  
13                  THE SECRETARY:     Senator Farley.  
14                  SENATOR FARLEY:     Here.  
15                  THE SECRETARY:     Senator Flanagan.  
16                  SENATOR FLANAGAN:     Here.  
17                  THE SECRETARY:     Senator  
18     Fuschillo.  
19                  SENATOR FUSCHILLO:     Present.  
20                  THE SECRETARY:     Senator Gallivan.  
21                  SENATOR GALLIVAN:     Here.  
22                  THE SECRETARY:     Senator Gianaris.  
23                  SENATOR GIANARIS:     Here.  
24                  THE SECRETARY:     Senator Golden.  
25                  SENATOR GOLDEN:     Here.

1 THE SECRETARY: Senator Griffo.  
2 SENATOR GRIFFO: Here.  
3 THE SECRETARY: Senator Grisanti.  
4 SENATOR GRISANTI: Here.  
5 THE SECRETARY: Senator Hannon.  
6 SENATOR HANNON: Here.  
7 THE SECRETARY: Senator  
8 Hassell-Thompson.  
9 SENATOR HASSELL-THOMPSON: Here.  
10 THE SECRETARY: Senator Huntley.  
11 SENATOR HUNTLEY: Here.  
12 THE SECRETARY: Senator Johnson.  
13 SENATOR JOHNSON: Here.  
14 THE SECRETARY: Senator Kennedy.  
15 SENATOR KENNEDY: Here.  
16 THE SECRETARY: Senator Klein.  
17 SENATOR KLEIN: Here.  
18 THE SECRETARY: Senator  
19 L. Krueger.  
20 SENATOR LIZ KRUEGER: Here.  
21 THE SECRETARY: Senator C.  
22 Kruger.  
23 SENATOR CARL KRUGER: Present.  
24 THE SECRETARY: Senator Lanza.  
25 SENATOR LANZA: Here.

1 THE SECRETARY: Senator Larkin.

2 SENATOR LARKIN: Present.

3 THE SECRETARY: Senator LaValle.

4 SENATOR LaVALLE: Here.

5 THE PRESIDENT: Senator Skelos,  
6 there is a quorum present.

7 I'd like to start off by welcoming  
8 everybody here -- all of the returning  
9 Senators, all the new Senators -- to the  
10 234th session of this great body. My name is  
11 Bob Duffy, I'm Lieutenant Governor, and it is  
12 an honor to preside over this body.

13 I'm in my 34th year of public  
14 service, this is my third career in public  
15 service, and I have to admit I've never been  
16 so awed as to walk into this great chamber and  
17 look around and look at the beauty and  
18 magnificence of this beautiful building and  
19 the incredibly important work that's done  
20 here.

21 I come from a city that has a  
22 median family income of \$29,000 per year,  
23 people who struggle to put food on their  
24 tables, people who struggle to pay their  
25 mortgages, who depend on all of us in state

1 government to make decisions that look out for  
2 them and add to their lives and add to the  
3 best interests of how they live every single  
4 day across the state. The work that we do  
5 here is incredibly important.

6 And I'd like to just finalize my  
7 comments by saying when I walked in here, when  
8 you look at this beautiful chamber, this is  
9 one of the most beautiful chambers in the  
10 entire country. And the work we do here is so  
11 important. And the perceptions of what we do  
12 outside sometimes don't match the expectations  
13 that we have. But in this session, there is  
14 no doubt in my mind that we can do some great  
15 work.

16 I am proud to be representing  
17 Governor Andrew Cuomo as his Lieutenant  
18 Governor. And I just would ask that this  
19 session that we look for ways to come  
20 together. We're not Democrats, Republicans,  
21 or independents, we are New Yorkers. And if  
22 we work together as a team and work for the  
23 best interests of everybody around this state,  
24 this session will go down in history as one of  
25 the greatest ever.



1                   So I welcome you all, I welcome the  
2                   families here today to this great event, and  
3                   may God bless you all.

4                   (Applause.)

5                   THE PRESIDENT:       The chair now  
6                   hands down a communication from the Governor.

7                   The Secretary will read.

8                   THE SECRETARY:       "Dear members of  
9                   the New York State Senate,

10                  "I would appreciate the privilege  
11                  of your presence at the Empire State Plaza  
12                  Convention Center on January 5, 2011, at  
13                  1:30 a.m. or as soon thereafter as may be  
14                  convenient, where I will deliver my Annual  
15                  Message to the Legislature.

16                  "Very truly yours, Andrew M.  
17                  Cuomo."

18                  THE PRESIDENT:       To be filed in  
19                  the Journal.

20                  Senator Libous, why do you rise?

21                  SENATOR LIBOUS:       Thank you,  
22                  Mr. President.

23                  Mr. President, at this time I hand  
24                  up the following resolution and I ask that it  
25                  be read in its entirety and we move for its

1       immediate adoption, please.

2               THE PRESIDENT:     The Secretary  
3       will read the resolution in its entirety.

4               THE SECRETARY:     By Senator  
5       Libous, Senate Resolution Number 1, providing  
6       for the election of Dean G. Skelos as  
7       Temporary President of the Senate for the  
8       years 2011-2012.

9               "RESOLVED, That Senator Dean G.  
10       Skelos be, and he hereby is elected Temporary  
11       President of the Senate for the years  
12       2011-2012."

13              SENATOR SQUADRON:   Mr. President,  
14       I believe there is a substitute resolution at  
15       the desk. I ask that the title of the  
16       resolution be read and move for its immediate  
17       adoption.

18              THE PRESIDENT:     Senator Squadron,  
19       why do you rise?

20              SENATOR SQUADRON:   Mr. President,  
21       I believe there's a substitute resolution at  
22       the desk. I ask that the title of the  
23       resolution be read and move for its immediate  
24       adoption.

25              THE PRESIDENT:     The Secretary

1 will read the title of the substitute  
2 resolution.

3 THE SECRETARY: By Senator  
4 Squadron, Senate substitute resolution  
5 providing for the election of John L. Sampson  
6 as Temporary President and Majority Leader of  
7 the Senate for 2011-2012.

8 SENATOR SQUADRON: Thank you,  
9 Mr. President. On the resolution.

10 THE PRESIDENT: Senator Squadron,  
11 on the resolution.

12 SENATOR SQUADRON: Thank you.

13 We all know, colleagues, that the  
14 last two years were not easy. But under  
15 Senator Sampson's leadership, this chamber  
16 delivered significant accomplishments, some  
17 that had been stalled for decades. Let there  
18 be no mistake: Our accomplishments in the  
19 last two years have made a difference in  
20 everyday lives across this state.

21 Under the Democratic majority led  
22 by Senator Sampson, we passed the strongest  
23 ethics reform bill in history through both  
24 houses of the Legislature. We made the  
25 distribution of the Senate resources more

1       equitable among all members regardless of  
2       party. We ended the exclusive authority of  
3       the Senate leader to decide which bills are  
4       considered on the floor. For the first time,  
5       important bills came to the floor and were  
6       debated, including marriage equality, even if  
7       they weren't assured of passage.

8               We enacted sweeping reforms of the  
9       state's public authorities. We took the lead  
10      on important reforms to education to win  
11      \$700 million in federal Race to the Top money.  
12      With bipartisan support, we passed a property  
13      tax cap and a Green Energy, Green Jobs bill to  
14      fund and train workers to weatherize homes.  
15      We created the Excelsior jobs creation program  
16      and passed a first-in-the-nation Domestic  
17      Workers Bill of Rights, Leandra's Law, the  
18      Dignity for All Students Act, and no-fault  
19      divorce. We Reformed the Rockefeller Drug  
20      Laws to save taxpayers millions and strength  
21      communities that have been shattered by mass  
22      incarceration.

23              Certainly there were challenges,  
24      and certainly there is a lot more to do. If  
25      Senator Sampson is elected, we will see Senate

1       action on several important items. As the  
2       first order of legislative business, we would  
3       make good on the New York Uprising pledge,  
4       which 53 of us current Senators have signed.  
5       It would create independent redistricting,  
6       ethics reform, and budget reform. And we  
7       would push forward much-needed campaign  
8       finance reform. We would pass property tax  
9       reform again and make a true investment in job  
10      creation programs. And we would ensure that  
11      hardworking New Yorkers who hit a rough patch  
12      are able to depend on a helping hand from  
13      their state, with unemployment benefits and  
14      job training and a renewal and strengthening  
15      of New York's rent regulation laws.

16               In the past year and a half,  
17      Senator Sampson has maintained the goodwill of  
18      members on both sides of the aisle and guided  
19      this body to these accomplishments and more.  
20      I urge my colleagues to support this  
21      resolution to make the Democratic leader,  
22      Senator John Sampson, President Pro Tem.

23               Thank you, Mr. President.

24               THE PRESIDENT:     Thank you,  
25      Senator.

1                   On the substitute resolution  
2           offered by Senator Squadron, all those in  
3           favor signify by saying aye.

4                   (Response of "Aye.")

5           THE PRESIDENT:       Opposed, nay.

6                   (Response of "Nay.")

7           THE PRESIDENT:       The nays have it.  
8           The resolution is defeated.

9                   Senator Libous, your resolution is  
10          now before the house.

11                  SENATOR LIBOUS:       Thank you,  
12          Mr. President.

13                  Mr. President and my colleagues, it  
14          is with great honor and privilege that I stand  
15          before you today to put a nomination for  
16          Temporary President and Majority Leader of the  
17          Senate, Senator Dean G. Skelos.

18                  Over the past couple of years we  
19          have had, as Senator Squadron said, some real  
20          challenges before this house and certainly  
21          before this state. Senator Skelos has the  
22          leadership ability, the courage and the  
23          passion to address those very, very tough  
24          issues that we face.

25                  He understands that New Yorkers

1 from all across this state, from Buffalo to  
2 Long Island, are struggling and many of them  
3 are out of work. He understands that this  
4 state has taxed people out of their homes and  
5 that that policy has to change. He  
6 understands that the state spends too much and  
7 we have to reduce the rate of spending just  
8 like every New Yorker has had to reduce the  
9 rate of spending at home because their  
10 pocketbooks have been pinched.

11 Senator Skelos has served in this  
12 chamber for many years. He has served on both  
13 sides of the aisle. He understands the needs  
14 of the members in this chamber, both sides of  
15 the aisle, and he has the leadership ability  
16 to lead us, with our new governor, Andrew  
17 Cuomo, during this very, very turbulent time.

18 My friends, it is the right choice  
19 today, it is the right choice for the future.  
20 And it is indeed an honor for me to put before  
21 you the name of our friend and our next  
22 leader, Dean G. Skelos.

23 (Applause.)

24 THE PRESIDENT: Thank you,  
25 Senator.

1 I now recognize Senator Johnson for  
2 the purposes of seconding the nomination.

3 SENATOR JOHNSON: I take great  
4 pride and pleasure in advancing, as a second,  
5 the nomination of Dean Skelos. He and I have  
6 been acquainted for many years. I have seen  
7 him perform as a Senator and as a leader, as  
8 he formerly was the leader, Majority Leader,  
9 and is now returning to his rightful position.

10 During the hiatus of two years, he  
11 had the strength and the fortitude and the  
12 ability to keep the Republican conference in  
13 good mood, keeping us working together, not  
14 splitting off because we lost. We stayed  
15 together. We still advanced what we thought  
16 was right and talked against what we thought  
17 was wrong. And I think he deserves a lot of  
18 credit for doing that.

19 And so right now I'd like to say  
20 that the second I'm putting forth is for the  
21 second term of this leader who has  
22 demonstrated his ability in the past, is going  
23 to continue doing so, and we're very proud of  
24 you, Dean.

25 Thank you.



1 (Applause.)

2 THE PRESIDENT: The question is  
3 on the resolution. All those in favor signify  
4 by saying aye.

5 (Response of "Aye.")

6 THE PRESIDENT: Opposed, nay.

7 (Response of "Nay.")

8 THE PRESIDENT: The resolution is  
9 adopted.

10 And the chair states for the record  
11 that Senator Dean G. Skelos has been elected  
12 Temporary President of the Senate for the  
13 years 2011-2012.

14 (Extended standing ovation.)

15 THE PRESIDENT: Senator Skelos.

16 SENATOR SKELOS: Thank you.

17 I've received a communication from  
18 the Senate Democrat Conference that Senator  
19 John L. Sampson was elected as the Minority  
20 Leader of the State Senate, and I ask that it  
21 be filed in the Journal.

22 And I add my personal  
23 congratulations, John.

24 (Applause.)

25 THE PRESIDENT: For the record,

1 the chair recognizes that Senator John L.  
2 Sampson was elected Minority Leader of the  
3 State Senate for the years 2011-2012, and  
4 notice will be filed in the Journal.

5 Senator Sampson.

6 SENATOR SAMPSON: Thank you very  
7 much, Mr. President.

8 On behalf of the Democratic  
9 Conference, I want to extend congratulations  
10 to you, Senator Skelos.

11 Dean, you have more hair than I  
12 have.

13 (Laughter.)

14 SENATOR SAMPSON: And I hope  
15 after the next two years you continue to have  
16 more hair than I have.

17 (Laughter.)

18 SENATOR SAMPSON: I really want  
19 to take this time and really extend a personal  
20 welcome to each of our new members, the lucky  
21 13, on both sides of the aisle. You are  
22 coming to the Senate at a very difficult time,  
23 facing very difficult choices in the weeks and  
24 months ahead.

25 I will never forget my first day

1 here in this room when I met former Majority  
2 Leader Joe Bruno. He said to me, he said,  
3 "Senator, congratulations, and welcome to the  
4 State of New York State Senate. You will go  
5 far and you will do many great things here in  
6 Albany. But always remember one piece of  
7 advice: Never forget your district."

8 It's good advice because, as is  
9 always said, all politics is local. And while  
10 we have our differences on various votes and  
11 causes, as one colleague to another, let me  
12 urge you to follow that advice. Do not forget  
13 your districts.

14 Now the elections are over and the  
15 hard work truly begins. This is 2011. This  
16 is a new decade. Let this be the decade of  
17 the people. Let's work together to give  
18 New Yorkers a government as good as they are  
19 in a state worthy of the title as the Empire  
20 State.

21 A lot of pundits and many  
22 politicians preach how great New York used to  
23 be. But let's be clear. New York wasn't the  
24 Empire State because of the Legislature or the  
25 government. What made New York great and what

1 will make New York great again is a spirit of  
2 innovation, a commitment to entrepreneurship,  
3 and a strong, growing, and vibrant middle  
4 class. Those things come from people, not  
5 from government.

6 It used to be very simple. You  
7 played by the rules, you worked hard, you  
8 could provide for your family and have a piece  
9 of the American dream. New York was a place  
10 where people came in search of a better life,  
11 and many of them found it.

12 The problem is that Albany became  
13 the place where good ideas and smart policies  
14 came to die. It didn't happen at once. A tax  
15 hike here, a little borrowing there, one-shots  
16 all over the place, and soon we were billions  
17 of dollars in debt and no easy options to fix  
18 the problem.

19 I am proud we were able to pass a  
20 budget last year that protected the middle  
21 class, that didn't raise income taxes or a  
22 soda tax. I'm also proud we passed a property  
23 tax cap -- not once, but twice -- and I hope  
24 the Assembly will join us this year in getting  
25 it passed.

1 I'm proud we worked together to  
2 keep our parks open so that middle-class  
3 New Yorkers could take a staycation because  
4 they couldn't afford a vacation. I am proud  
5 we won Race to the Top. I am proud we passed  
6 authorities and pension reform. I'm proud we  
7 passed Green Jobs, Power for Jobs. I'm proud  
8 we passed no-fault divorce, a Domestic Workers  
9 Bill of Rights, and brought marriage equality  
10 to the floor.

11 But, my colleagues, the past is the  
12 past. And now it's time to change and now  
13 it's time to lead. New Yorkers have a long  
14 history of activism, leadership, and dissent,  
15 not just for change in New York but for our  
16 country and around the world. The labor  
17 movement, the abolitionist movement, the fight  
18 for suffrage, the Stonewall uprising, the  
19 continuing struggle for reproductive rights,  
20 marriage equality, personal privacy -- all  
21 have roots here in New York.

22 In most instances, the people were  
23 ready for change well before we were ready.  
24 Maybe that's the way it's supposed to be.  
25 Sometimes a difference between a mob and

1       democracy is an election.

2               So maybe, just maybe, the  
3       Legislature is a circuit breaker designed to  
4       look at the bigger picture and itself only  
5       limited by the Constitution, courts and  
6       executives from excess. For far too long the  
7       circuit breaker has been switched off, and  
8       it's time to flip it back on.

9               New Yorkers want Albany to solve  
10       their problems. It's time we ensure pledges  
11       made become promises kept. They are demanding  
12       reform, and we should give it to them. We  
13       need to pass the Governor's ethics package,  
14       which we will soon receive. We need to pass  
15       budget reform. We need to pass independent  
16       redistricting. Fifty-three of us signed Mayor  
17       Koch's pledge. It was a very simple message  
18       for all of us here in Albany and in our  
19       districts: Keep your promise, pass the  
20       pledge.

21               You want more sunlight, you want  
22       more transparency in Albany? Keep your  
23       promise, pass the pledge. You want a budget  
24       that is actually balanced, no gimmicks, no  
25       games? Keep your promise, pass the pledge.

1       You want fair and competitive elections? Keep  
2       your promise, pass the pledge.

3               While we're at it, let's bring  
4       those votes of conscience to the floor such as  
5       marriage equality and reproductive health  
6       acts, to the floor for an up-or-down vote.

7               I still believe we can change  
8       Albany. And I also believe in the power of  
9       partnership. Senator Skelos, it's in your  
10      hands, it's in your lead. But we will be  
11      there right with you when we agree. When we  
12      disagree, we will challenge you. As Dr. King  
13      once said: Almost always, the creative,  
14      dedicated minority has made the world better.

15              That is what we plan to do, and  
16      that is what we will do. We will be committed  
17      and we will be a compassionate opposition, but  
18      most of all we understand that it takes a  
19      partner to begin to understand and relieve the  
20      middle class of the struggles that they face  
21      on a day-to-day basis.

22              If we work together, we will lessen  
23      the burden that government has passed on to  
24      the middle class. We will transform our  
25      economy, we will create jobs, and we will

1       unleash the innovative and can-do spirit of  
2       the people of the State of New York, and once  
3       again we can become the Empire State.

4               So, Mr. President, I want to thank  
5       you. I want to congratulate my colleague  
6       again, Senator Skelos -- this is a man who I  
7       respect -- and, as always, tell everybody  
8       about politics. Politics is temporary  
9       business. Friendships last forever. We can  
10      have our agreements and disagreements, but we  
11      must understand that our responsibility is not  
12      to the special interests, our responsibility  
13      is to the people that we represent.

14             This is going to be a very  
15      difficult year for all of us. The cuts are  
16      billions of dollars. But we have to  
17      understand that in order for us to give people  
18      the opportunity -- my father came from a  
19      country to America with \$20 in his pocket, and  
20      he was able to achieve the American dream. We  
21      want to give every New Yorker the opportunity  
22      to achieve the American dream.

23             Senator Skelos, it's your lead,  
24      time to lead. I want to congratulate you.  
25      And I'm here to work with you and make sure



1       that we provide that opportunity that we had,  
2       but most of all for the opportunities for the  
3       other people in the State of New York.

4                Congratulations.

5                (Appause.)

6                THE PRESIDENT:     Thank you,  
7       Senator.

8                Senator Skelos, will you please  
9       stand and meet me at the well, along with your  
10      brother, the Honorable Peter Skelos, and your  
11      beautiful wife, Gail, and son, Adam, to be  
12      sworn in as the Temporary President of the  
13      Senate.

14               JUSTICE PETER SKELOS:     Will you  
15      raise your right hand and repeat after me:

16               I, Dean G. Skelos --

17               SENATOR SKELOS:     I, Dean G.  
18      Skelos --

19               JUSTICE PETER SKELOS:     -- do  
20      solemnly swear --

21               SENATOR SKELOS:     -- do solemnly  
22      swear --

23               JUSTICE PETER SKELOS:     -- to  
24      uphold the Constitution of the United  
25      States --

1                   SENATOR SKELOS:     -- to uphold the  
2     Constitution of the United States --

3                   JUSTICE PETER SKELOS:     -- and the  
4     Constitution of the State of New York --

5                   SENATOR SKELOS:     -- and the  
6     Constitution of the State of New York --

7                   JUSTICE PETER SKELOS:     -- and  
8     that I will faithfully discharge --

9                   SENATOR SKELOS:     -- and that I  
10    will faithfully discharge --

11                  JUSTICE PETER SKELOS:     -- the  
12    office of President Pro Tem --

13                  SENATOR SKELOS:     Temporary  
14    President Pro Tem.

15                  (Laughter.)

16                  JUSTICE PETER SKELOS:     Okay, the  
17    office of Temporary President Pro Tem of the  
18    Senate --

19                  SENATOR SKELOS:     -- the office of  
20    Temporary President Pro Tem of the Senate --

21                  JUSTICE PETER SKELOS:     -- of the  
22    State of New York --

23                  SENATOR SKELOS:     -- of the State  
24    of New York --

25                  JUSTICE PETER SKELOS:     -- to the

1 best of my ability, so help me God.

2 SENATOR SKELOS: -- to the best  
3 of my ability, so help me God.

4 (Extended standing ovation.)

5 THE PRESIDENT: Ladies and  
6 gentlemen, our Temporary President of the  
7 Senate. Please welcome Senator Skelos.

8 Senator.

9 SENATOR SKELOS: Thank you very  
10 much. And I'd like to welcome you, our new  
11 Lieutenant Governor, to this wonderful  
12 chamber. It's going to be a unique but  
13 wonderful experience having you preside. We  
14 are a great group of people, a divergent group  
15 of people, different parts of the state. And  
16 as we have our meetings here and our  
17 discussions from time to time, you'll see what  
18 a wonderful group of people that you'll be  
19 presiding over.

20 So I welcome you to the chamber.

21 THE PRESIDENT: Thank you,  
22 Senator. Thank you. Thank you.

23 (Applause.)

24 SENATOR SKELOS: Your Excellency,  
25 Archbishop Dolan, I thank you for your

1       prayers, the chamber does, and we appreciate  
2       your leadership on behalf of the people of the  
3       State of New York.

4               Thank you for being here.

5               (Applause.)

6               SENATOR SKELOS:     Senator Sampson,  
7       I congratulate you on your election. And I  
8       can honestly say that I enjoyed the order of  
9       the resolutions this year more than I did two  
10      years ago.

11              (Laughter.)

12              SENATOR SKELOS:     My wife, Gail;  
13      my son, Adam; my father, who's here, Basil,  
14      who is 90 -- almost 90 years old.

15              (Applause.)

16              SENATOR SKELOS:     Still drives  
17      himself to work every day, and keeps saying to  
18      saying to me, "Where's my STAR rebate check?"

19              (Laughter.)

20              SENATOR SKELOS:     To my brothers,  
21      sisters, sister-in-laws, brother-in-laws,  
22      nieces, nephews. You have been so wonderful  
23      to me over the year, supportive. And as I  
24      said earlier today, without the foundation of  
25      your family, whether it's brothers, sisters,

1       nieces, nephews, son, wife, you really have  
2       nothing. And life truly is, number one, about  
3       your family, and certainly then the profession  
4       that we look to go into.

5               Tom, I want to thank you, Senator  
6       Libous, for your kind nomination. And to my  
7       dear friend Senator Owen Johnson, I thank you  
8       for seconding the nomination.

9               I'm not going to have long comments  
10       today, because our new Governor has asked me  
11       to make comments on the floor. So to avoid  
12       redundancy and to avoid spending a lot of time  
13       right now -- because we have to go not  
14       convention center -- at this time I'd like to  
15       introduce our new State Senators.

16               First I'd like to introduce Mark  
17       Grisanti. Mark?

18               (Applause.)

19               SENATOR SKELOS:       From Nassau  
20       County, Senator Jack Martins. Jack?

21               (Applause.)

22               SENATOR SKELOS:       Senator Patrick  
23       Gallivan. Senator?

24               (Applause.)

25               SENATOR SKELOS:       I think I was

1 almost his age once, when I came here. But  
2 our new Senator, Senator Lee Zeldin.

3 (Applause.)

4 SENATOR SKELOS: Former  
5 Assemblyman and now State Senator Tom O'Mara.

6 (Applause.)

7 SENATOR SKELOS: We have our new  
8 Senator Patty Ritchie.

9 (Applause.)

10 SENATOR SKELOS: And finally,  
11 former Assemblyman and now Senator Greg Ball.  
12 Greg?

13 (Applause.)

14 SENATOR SKELOS: I just want to  
15 say what an honor it is to all of my  
16 colleagues, to all of my colleagues that are  
17 here, that you've elected me your Temporary  
18 President and Majority Leader. I know in your  
19 hearts you really wanted to vote for me --

20 (Laughter.)

21 SENATOR SKELOS: -- but this is  
22 the process.

23 And I believe that the process that  
24 exists in this state -- and it can always be  
25 improved -- is a wonderful process where we

1       can come together, as I mentioned to the  
2       Lieutenant Governor, from all parts of the  
3       state, different interests, different  
4       constituencies, different backgrounds. But  
5       the challenge for us this year is truly going  
6       to be to make it work.

7               So, Senator Sampson, and to all of  
8       our colleagues, this is going to be a  
9       challenging year. And with this challenge, we  
10      cannot pass the opportunity to reform and  
11      change this state.

12             Senator Sampson, you mentioned  
13      certain pledges. Let me make a pledge that  
14      we've made throughout the last two years. We  
15      will not be raising taxes. That's a pledge  
16      that we will keep.

17             (Applause.)

18             SENATOR SKELOS:     As indicated by  
19      the new Governor and the necessity that exists  
20      with the spending binges that went on in the  
21      past, we will cut state spending. It's  
22      absolutely necessary because the people of  
23      this state can no longer afford the cost of  
24      state government.

25             And probably the most important

1       pledge that we have to keep, and what the  
2       people of New York are crying out for, and  
3       that's for us to empower and help create  
4       private-sector jobs.

5                   (Applause.)

6               SENATOR SKELOS:     We will restore  
7       decorum, dignity, and respect to this  
8       beautiful chamber. We will start session on  
9       time. And we will --

10                  (Applause.)

11               SENATOR SKELOS:     And we will take  
12       up bills that are introduced and sponsored by  
13       both sides of the aisle. Legislation --

14                  (Applause.)

15               SENATOR SKELOS:     Legislation will  
16       be debated, and bills will pass and bills will  
17       fail. But I think that's what our democracy  
18       is about, the opportunity to discuss  
19       legislation and have up-or-down votes.

20               And I think that's critically  
21       important, that if we do this and we act with  
22       decorum, that we can restore the faith of the  
23       people in this chamber.

24               And if we partner with our new  
25       Governor, with Speaker Silver, we will have a



1       tremendous opportunity to turn around this  
2       state, make it the Empire State once again,  
3       and bring the respect to this chamber that we  
4       will earn this year as Republicans and  
5       Democrats working together.

6               So I thank you for the opportunity,  
7       I thank you for the challenge, and I look  
8       forward to a productive, productive session  
9       this year. Thank you much.

10              (Applause.)

11              SENATOR SKELOS:     Mr. President,  
12       at this time I hand up the following  
13       Resolution Number 3 and ask that the title be  
14       read and move for its immediate adoption.

15              THE PRESIDENT:     The Secretary  
16       will read Resolution Number 3 in its entirety.

17              THE SECRETARY:     By Senator  
18       Skelos, Senate Resolution Number 3, that  
19       Francis W. Patience of Latham, New York, be  
20       and he hereby is elected Secretary of the  
21       Senate for the years 2011-2012.

22              "RESOLVED, That Francis W. Patience  
23       of Latham, New York, be and he hereby is  
24       elected Secretary of the Senate for the years  
25       2011-2012."

1                   THE PRESIDENT:     The question is  
2     on the resolution. All those in favor signify  
3     by saying aye.

4                   (Response of "Aye.")

5                   THE PRESIDENT:     Opposed, nay.

6                   (No response.)

7                   THE PRESIDENT:     The resolution is  
8     adopted.

9                   The chair states for the record  
10    that Francis W. Patience has been elected  
11    Secretary of the Senate for the years  
12    2011-2012.

13                  Mr. Patience, I ask that you now  
14    join your dear mother, Mary Elizabeth  
15    Patience, accompanied by your brother, Tom, at  
16    the well, to be sworn in by Senator Skelos.

17                  SENATOR SKELOS:     You ready for  
18    this?

19                  (Laughter.)

20                  SENATOR SKELOS:     I do solemnly  
21    swear --

22                  MR. PATIENCE:       I do solemnly  
23    swear --

24                  SENATOR SKELOS:     -- that I will  
25    support the Constitution of the United

1 States --

2 MR. PATIENCE: -- that I will  
3 support the Constitution of the United  
4 States --

5 SENATOR SKELOS: -- and the  
6 Constitution of the State of New York --

7 MR. PATIENCE: -- and the  
8 constitution of the State of New York --

9 SENATOR SKELOS: -- and that I  
10 will faithfully discharge --

11 MR. PATIENCE: -- and that I will  
12 faithfully discharge --

13 SENATOR SKELOS: -- the duties of  
14 the office of Secretary of the Senate --

15 MR. PATIENCE: -- the duties of  
16 the office of Secretary of the Senate --

17 SENATOR SKELOS: -- of the State  
18 of New York --

19 MR. PATIENCE: -- of the State of  
20 New York --

21 SENATOR SKELOS: -- to the best  
22 of my ability --

23 MR. PATIENCE: -- to the best of  
24 my ability --

25 SENATOR SKELOS: -- so help me

1 God.

2 MR. PATIENCE: -- so help me God.

3 SENATOR SKELOS: Congratulations.

4 (Applause.)

5 THE PRESIDENT: Ladies and  
6 gentlemen, our Secretary.

7 Senator Skelos.

8 SENATOR SKELOS: Mr. President,  
9 if we could have Resolution 4 now read in its  
10 entirety and move for its immediate adoption.

11 THE PRESIDENT: The Secretary  
12 will read Resolution Number 4 in its entirety.

13 THE SECRETARY: By Senator  
14 Skelos, Senate Resolution Number 4, that  
15 George R. Federoff be, and he hereby is  
16 elected Sergeant-at-Arms of the Senate for the  
17 years 2011-2012.

18 "Resolved, that George R. Federoff  
19 be, and he hereby is elected Sergeant-at-Arms  
20 of the Senate for the years 2011-2012."

21 THE PRESIDENT: On the  
22 resolution, all in favor signify by saying  
23 aye.

24 (Response of "Aye.")

25 THE PRESIDENT: Opposed, nay.

1 (No response.)

2 THE PRESIDENT: The resolution is  
3 adopted.

4 Congratulations, Mr. Federoff.

5 For the record, Mr. George R.  
6 Federoff has been elected Sergeant at Arms for  
7 the years 2011-2012.

8 (Applause.)

9 THE PRESIDENT: Congratulations.  
10 Senator Skelos.

11 SENATOR SKELOS: Mr. President, I  
12 believe there are Resolutions Number 5 and 6  
13 at the desk. May we please have them read and  
14 move for their immediate adoption.

15 THE PRESIDENT: The Secretary  
16 will now read Resolution Number 5 in its  
17 entirety.

18 THE SECRETARY: By Senator  
19 Skelos, Senate Resolution Number 5, resolved  
20 that the Temporary President appoint a  
21 committee of two to inform the Governor of the  
22 election of Dean G. Skelos as Temporary  
23 President of the Senate for the years  
24 2011-2012, and that the Senate is organized  
25 and ready to proceed with business.

1 "RESOLVED, That the Temporary  
2 President appoint a committee of two,  
3 comprised of Senator Patricia Ritchie and  
4 Senator Timothy Kennedy, for the purpose of  
5 informing the Governor of the election of Dean  
6 G. Skelos as Temporary President of the Senate  
7 for the years 2011-2012, and that the Senate  
8 is organized and ready to proceed with  
9 business."

10 THE PRESIDENT: The question is  
11 on the resolution. All those in favor please  
12 signify by saying aye.

13 (Response of "Aye.")

14 THE PRESIDENT: Opposed, nay.

15 (No response.)

16 THE PRESIDENT: The resolution is  
17 adopted.

18 Senator Skelos appoints Senators  
19 Patricia Ritchie and Timothy Kennedy to wait  
20 upon the Governor that the Senate is ready to  
21 proceed.

22 The Secretary will now read  
23 Resolution Number 6 in its entirety.

24 THE SECRETARY: By Senator  
25 Skelos, Senate Resolution Number 6, resolved

1       that the Temporary President appoint a  
2       committee of two to wait upon the Assembly and  
3       inform that body of the election of Dean G.  
4       Skelos as Temporary President of the Senate  
5       for the years 2011-2012, and that the Senate  
6       is organized and ready to proceed with  
7       business.

8               "RESOLVED, That the Temporary  
9       President appoint a committee of two,  
10       comprised of Senator Mark Grisanti and Senator  
11       Gustavo Rivera, for the purpose of waiting  
12       upon the Assembly and informing that body of  
13       the election of Senator Dean G. Skelos as  
14       Temporary President of the Senate for the  
15       years 2011-2012, and that the Senate is  
16       organized and ready to proceed with business."

17               THE PRESIDENT:     The question is  
18       on the resolution. All those in favor signify  
19       by saying aye.

20               (Response of "Aye.")

21               THE PRESIDENT:     Opposed, nay.

22               (No response.)

23               THE PRESIDENT:     The resolution is  
24       adopted.

25               Senator Skelos appoints Senators

1 Mark Grisanti and Gustavo Rivera to wait upon  
2 the Assembly that the Senate is ready to  
3 proceed.

4 Senator Skelos.

5 SENATOR SKELOS: Mr. President, I  
6 believe there are two resolutions, 7 and 8, at  
7 the desk. May we please have the titles read  
8 and move for their immediate adoption.

9 THE PRESIDENT: The Secretary  
10 will read Resolution Number 7, title only.

11 THE SECRETARY: By Senator  
12 Skelos, Senate Resolution Number 7, providing  
13 for the adoption of the rules of the Senate  
14 for a certain period of time.

15 THE PRESIDENT: The question is  
16 on the resolution. All those in favor signify  
17 by saying aye.

18 (Response of "Aye.")

19 THE PRESIDENT: Opposed, nay.

20 (No response.)

21 THE PRESIDENT: The resolution is  
22 adopted.

23 The Secretary will now read  
24 Resolution Number 8 in its entirety.

25 THE SECRETARY: By Senator



1 Skelos, Senate Resolution Number 8, providing  
2 for the hours of meeting by the Senate for the  
3 years 2011-2012.

4 "RESOLVED, That unless otherwise  
5 ordered, the hours of meeting of the Senate  
6 shall be as follows: Mondays and Tuesdays at  
7 3:00 p.m., Wednesdays and all other days at  
8 11:00 a.m."

9 THE PRESIDENT: The question is  
10 on the resolution. All those in favor signify  
11 by saying aye.

12 (Response of "Aye.")

13 THE PRESIDENT: Opposed, nay.

14 (No response.)

15 THE PRESIDENT: The resolution is  
16 adopted.

17 Senator Skelos.

18 SENATOR SKELOS: Mr. President, I  
19 hand up two committee assignments and ask that  
20 such assignments be filed in the Journal.

21 THE PRESIDENT: Notice will be  
22 filed in the Journal.

23 Senator Skelos.

24 SENATOR SKELOS: Mr. President,  
25 the Senate will stand adjourned until Monday,

1 January 10th, at 3:00 p.m., intervening days  
2 being legislative days. We will now proceed  
3 to the Empire State Plaza Convention Center  
4 for the Governor's State of the State address.

5 THE PRESIDENT: On motion, the  
6 Senate stands adjourned until Monday,  
7 January 10th, at 3:00 p.m., intervening days  
8 being legislative days.

9 The Senate will now proceed to the  
10 Empire State Plaza Convention Center for the  
11 Governor's State of the State address.

12 (Whereupon, at 12:53 p.m., the  
13 Senate adjourned.)  
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