NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 5, 2011

12:08 p.m.

REGULAR SESSION

LIEUTENANT GOVERNOR ROBERT J. DUFFY, President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will come to order.

Please rise for the Pledge of Allegiance.

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

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

(Applause.)

ARCHBISHOP DOLAN: Thank you.

Let us pray.

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

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

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

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

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

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

THE ASSEMBLAGE: Amen.

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

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

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

(No response.)

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

THE SECRETARY: Senator Adams.

SENATOR ADAMS: Aye.

THE SECRETARY: Senator Addabbo.

SENATOR ADDABBO: Here.

THE SECRETARY: Senator Alesi.

SENATOR ALESI: Present.

THE SECRETARY: Senator Avella.

SENATOR AVELLA: Present.

THE SECRETARY: Senator Ball.

SENATOR BALL: Here.

THE SECRETARY: Senator Bonacic.

SENATOR BONACIC: Here.

THE SECRETARY: Senator Breslin.

SENATOR BRESLIN: Here.

THE SECRETARY: Senator Carlucci.

SENATOR CARLUCCI: Present.

THE SECRETARY: Senator DeFrancisco.

SENATOR DeFRANCISCO: Here.

THE SECRETARY: Senator Diaz.

SENATOR DIAZ: Presente.

THE SECRETARY: Senator Dilan.

SENATOR DILAN: Present.

THE SECRETARY: Senator Duane.

SENATOR DUANE: Here.

THE SECRETARY: Senator Espaillat.

SENATOR ESPAILLAT: Here.

THE SECRETARY: Senator Farley.

SENATOR FARLEY: Here.

THE SECRETARY: Senator Flanagan.

SENATOR FLANAGAN: Here.

THE SECRETARY: Senator Fuschillo.

SENATOR FUSCHILLO: Present.

THE SECRETARY: Senator Gallivan.

SENATOR GALLIVAN: Here.

THE SECRETARY: Senator Gianaris.

SENATOR GIANARIS: Here.

THE SECRETARY: Senator Golden.

SENATOR GOLDEN: Here.

THE SECRETARY: Senator Griffo.
SENATOR GRIFFO: Here.
THE SECRETARY: Senator Grisanti.
SENATOR GRISANTI: Here.
THE SECRETARY: Senator Hannon.
SENATOR HANNON: Here.
THE SECRETARY: Senator Hassell-Thompson.
SENATOR HASSELL-THOMPSON: Here.
THE SECRETARY: Senator Huntley.
SENATOR HUNTLEY: Here.
THE SECRETARY: Senator Johnson.
SENATOR JOHNSON: Here.
THE SECRETARY: Senator Kennedy.
SENATOR KENNEDY: Here.
THE SECRETARY: Senator Klein.
SENATOR KLEIN: Here.
THE SECRETARY: Senator L. Krueger.
SENATOR LIZ KRUEGER: Here.
THE SECRETARY: Senator C. Kruger.
SENATOR CARL KRUGER: Present.
THE SECRETARY: Senator Lanza.
SENATOR LANZA: Here.

THE SECRETARY: Senator Larkin.

SENATOR LARKIN: Present.

THE SECRETARY: Senator LaValle.

SENATOR LaVALLE: Here.

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

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

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

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

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

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

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

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

(Applause.)

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

The Secretary will read.

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

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

"Very truly yours, Andrew M. Cuomo."

THE PRESIDENT: To be filed in the Journal.

Senator Libous, why do you rise?

SENATOR LIBOUS: Thank you, Mr. President.

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

immediate adoption, please.

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

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

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

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

THE PRESIDENT: Senator Squadron, why do you rise?

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

THE PRESIDENT: The Secretary

will read the title of the substitute resolution.

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

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

THE PRESIDENT: Senator Squadron, on the resolution.

SENATOR SQUADRON: Thank you.

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

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

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

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

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

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

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

Thank you, Mr. President.

THE PRESIDENT: Thank you, Senator.

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(Response of "Nay.")

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

Senator Libous, your resolution is now before the house.

SENATOR LIBOUS: Thank you, Mr. President.

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

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

He understands that New Yorkers

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

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

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

(Applause.)

THE PRESIDENT: Thank you, Senator.

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

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

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

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

Thank you.

(Applause.)

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(Response of "Nay.")

THE PRESIDENT: The resolution is adopted.

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

(Extended standing ovation.)

THE PRESIDENT: Senator Skelos.

SENATOR SKELOS: Thank you.

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

And I add my personal congratulations, John.

(Applause.)

THE PRESIDENT: For the record,

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

Senator Sampson.

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

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

Dean, you have more hair than I have.

(Laughter.)

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

(Laughter.)

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

I will never forget my first day

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

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

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

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

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

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

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

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

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

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

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

democracy is an election.

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

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

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

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

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

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

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

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

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

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

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

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

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

Congratulations.

(Applause.)

THE PRESIDENT: Thank you, Senator.

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

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

I, Dean G. Skelos --

SENATOR SKELOS: I, Dean G. Skelos --

JUSTICE PETER SKELOS: -- do solemnly swear --

SENATOR SKELOS: -- do solemnly swear --

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

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

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

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

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

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

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

SENATOR SKELOS: Temporary President Pro Tem.

(Laughter.)

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

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

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

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

JUSTICE PETER SKELOS: -- to the

best of my ability, so help me God.

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

(Extended standing ovation.)

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

Senator.

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

So I welcome you to the chamber.

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

(Applause.)

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

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

Thank you for being here.

(Applause.)

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

(Laughter.)

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

(Applause.)

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

(Laughter.)

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

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

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

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

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

(Applause.)

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

(Applause.)

SENATOR SKELOS: Senator Patrick Gallivan. Senator?

(Applause.)

SENATOR SKELOS: I think I was

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

(Applause.)

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

(Applause.)

SENATOR SKELOS: We have our new Senator Patty Ritchie.

(Applause.)

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

(Applause.)

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

(Laughter.)

SENATOR SKELOS: -- but this is the process.

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

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

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

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

(Applause.)

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

And probably the most important

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

(Applause.)

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

(Applause.)

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

(Applause.)

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

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

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

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

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

(Applause.)

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

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

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

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

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

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

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

SENATOR SKELOS: You ready for this?

(Laughter.)

SENATOR SKELOS: I do solemnly swear --

MR. PATIENCE: I do solemnly swear --

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

States --

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

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

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

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

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

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

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

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

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

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

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

SENATOR SKELOS: -- so help me

God.

MR. PATIENCE: -- so help me God.

SENATOR SKELOS: Congratulations.

(Applause.)

THE PRESIDENT: Ladies and gentlemen, our Secretary.

Senator Skelos.

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

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

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

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

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

Congratulations, Mr. Federoff.

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

(Applause.)

THE PRESIDENT: Congratulations.

Senator Skelos.

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

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

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

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

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

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

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

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

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

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

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

Senator Skelos appoints Senators

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

Senator Skelos.

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

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

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

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

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

THE SECRETARY: By Senator

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

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

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

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

Senator Skelos.

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

THE PRESIDENT: Notice will be filed in the Journal.

Senator Skelos.

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

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

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

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

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