



NEW YORK STATE SENATOR

Eric Adams

## Senator Adams' Letter Regarding Senate Situation in Albany

ERIC ADAMS June 21, 2009

What is going on in Albany? That's a question that I have been repeatedly asked over the last few days. This letter will provide the residents of the 20th Senatorial District an overview of how circumstances evolved and what should be done in order to move forward.

No matter which political party one belongs to, he or she can be proud that, unlike so many other countries, the United States has maintained peaceful and orderly transitions of power for more than 200 years. This is due primarily to our observance of parliamentary rules and procedures.

On the floor of a governmental chamber (Congress, State Legislature, City Council), proposed bills and resolutions are voted on, bills and resolutions that will dictate actions having a major impact on the lives of our citizenry. Therefore, copies of any legislation that will make its way to the floor are first issued to the various elected officials who will cast their votes. This affords an opportunity to conduct research and become familiar with the issues involved prior to the day the document is to be considered.

During the 2008 election, New York voters installed the first new majority in the State Senate in 40 years. On Monday, June 8, 2009, a mere 6 months into the new majority, State Senators in the Minority attempted to overturn the wishes of the voters, emulating a mayor in New York City who circumvented a referendum and overturned terms limits.

These State Senators sought to accomplish their goal by sidestepping parliamentary procedure, bringing a resolution to the floor to remove the duly elected Majority Leader of the Senate. When the procedural illegitimacy of the evasion was pointed out, there was an attempt to ignore the rules and carry out the fraudulent act anyway.

My colleagues and I declined to participate in the illicit action, and also refused to disgrace the Chamber by engaging in any physical confrontation to control the gavel. We have all viewed this type of humiliating physical struggle and raucousness in filmed news reports of legislative bodies in other countries.

On Tuesday, June 9, a lawsuit was filed to fight these illegal actions. The court formally recognized only the January 7, 2009 election of Malcolm Smith as Majority Leader, and informed both sides that our system of separation of powers (Legislative, Executive, and Judicial) precluded a judgment from him concerning who should now be in charge of the Senate. That decision, he ruled, must be made by the Senators themselves.

In order to change any leadership in the Senate there must be a majority ballot. This requires the votes of 32 Senators. Neither side commands 32 votes. This necessitates a bipartisan decision to work together. At this critical juncture in our state's history, facing a dire economic crisis, no one should play petty political games.

The Senate must heed the ruling of the Judge and the Governor's call for compromise. Both sides must come together and work on a power-sharing agreement, similar to solutions found in other States that have had a similar stalemate in government. Three attempts have been made to share power in a bipartisan manner, but these proposals have been refused.

Our goal should be to put aside disagreements and work together to enact significant pending legislation. I will continue to support my party's invitation to all Senators to join us

at the table to address the important issues that impact the lives of New Yorkers.

-NYS Senator Eric Adams

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