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State Senate to meet in special session

By James T. Madore

ALBANY — In a special one-day session the Senate is expected Monday to tackle a wide range of issues, from congestion pricing for Manhattan and the death penalty to property taxes and economic development.

Whether some of the bills pass the Assembly and are signed into law by Gov. Eliot Spitzer remains in doubt, however. Negotiations between the Senate's Republican majority, the Democratic-controlled Assembly and Spitzer, a Democrat, don't appear to have produced agreement yet on the thorny issues that caused the legislature's regular session to sputter to a close on June 21.

Senate Majority Leader Joseph Bruno admitted that bills to collect genetic information from all criminals, and reinstating the death penalty for killers of police are opposed by the Assembly leadership, and would be approved again by the Senate in a symbolic gesture.

"We will pass this bill 100 times if we have to, to get the Assembly's attention to force them to act," Bruno (R-Brunswick) said last week, referring to the death penalty.

Other legislation will be voted on again to address new circumstances.

A proposal to increase the property-tax rebate checks bound for low- and middle-income seniors has been expanded to abolish the application process and means tests won by Spitzer in budget talks. "We're coming back to re-emphasize ... to upgrade legislation," Bruno said.

Today's special session, first announced by the Republican chief before the end of the regular session, comes after Spitzer went to the districts of GOP

senators — including Sen. Kemp Hannon of Garden City — urging voters to tell them "to get back to work."

But the freshman governor's "Unfinished Business" tour appears only to have solidified GOP opposition to his top priority: changing campaign finance law. And the acrimony between Spitzer and Bruno over the senator's use of state helicopters and police has halted direct communications — undermining the potential for deal-making in advance of the special session.

"There is a disconnect," said Russ Haven, legislative counsel for the statewide New York Public Interest Research Group. He added that the Senate's return does increase pressure on the Assembly to reconvene, saying, "There is a burden shift."

Assembly Speaker Sheldon Silver (D-Manhattan) has asked his conference to meet in lower Manhattan today instead of Albany to discuss Mayor Michael Bloomberg's congestion pricing plan, by which motorists would pay tolls to enter parts of Manhattan on weekdays, from 6 a.m. to 6 p.m.

The proposal doesn't have enough votes to pass in the Assembly and could stumble in the Senate, despite Bruno's endorsement, because of opposition from a bipartisan group from Long Island and elsewhere.

The Assembly meeting in the city "rules out the possibility of a session in Albany" today, said Silver aide Dan Weiller. "Could something happen later in the week? It's possible."

The Senate session coincides with the deadline for New York City to be eligible for a \$500-million federal grant to fund congestion pricing. And Bruno has vowed a vote on a new bill, which endorses con-

gestion pricing but gives lawmakers a greater say in how it would be implemented.

There may not be a vote on overhauling the costly Wicks Law regulating government construction despite an agreement between Spitzer and lawmakers, and passage of a bill by the Assembly. Bruno said he wants to “package” Wicks with bills on job creation and capital projects.

Ditto for the confirmation of certain Spitzer nominees to head state agencies.

Such linking of issues is commonplace in Albany, said veteran observer Robert Ward of SUNY’s Rockefeller Institute of Government. He predicted there would be more special sessions in September and December, which is a typical lawmakers’ practice.

He said: “It seems fairly likely that the Wicks Law change will get done, whether on Monday or later in the year.”