

Will walk become an exit?

Three Senate Democrats stoke speculation as pressure builds to share power with Republicans

Capitol bureau

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ALBANY -- As the state Senate GOP and breakaway Democrat Sen. Pedro Espada Jr. pressed harder for Democratic leaders to accept a long-term power-sharing agreement, three Democrats staged what could be seen as a protest against their own conference on Tuesday: They walked out of a regular session the Democrats had set up to follow the 3 p.m. special session called for by Gov. David Paterson.

Sens. Ruben Diaz Sr., Hiram Monserrate and Carl Kruger departed just as the regular session was beginning. Outside the chamber, Diaz would not provide the full reasoning behind the exit beyond saying that it would become clear on Thursday.

An hour later, Diaz released a statement: "Today I walked out of the Senate Chamber because I refuse to allow myself to continue to be used and to be part of the circus," he wrote. " ... People should not read into this. I am not switching parties. I am not abandoning the Senate Democratic Conference nor my Senate Democratic colleagues."

Just minutes before the session began, the GOP coalition held a news conference in which Espada said there were a number of Democrats (unnamed) prepared to take action (unspecified) if their leadership failed to reach a power-sharing agreement by Thursday.

Paired with the subsequent walkout by Diaz, Kruger and Monserrate, the implicit threat seemed to be that the Democrats could either agree to a long-term deal -- something conference leaders have so far resisted -- or watch one or all of them cross the aisle to give the GOP and Espada the all-important 32 votes needed to establish quorum.

"Thursday is a key day for the so-called amigos," Espada said, referring to himself, Diaz and Monserrate.

This is not the first time Espada, Diaz, Kruger and Monserrate have united against the rest of their conference. Last winter, they formed the so-called "Gang of Four," which initially withheld their support from Democratic Sen. Malcolm Smith's leadership. Ultimately, all four threw their support behind him.

In recent days, the quartet has been dining regularly -- often letting the press know about it beforehand.

Also Tuesday, the GOP-led coalition released a letter it was sending to all Senate members outlining their power-sharing proposal, which would be binding through 2010. The plan calls for "co-leaders" who would oversee all Senate operations and alternate control of legislative activity on the Senate floor, either daily or weekly. All resources, from staff salaries to member items, would be split evenly between the two factions, which the plan referred to as "the coalition" and "the conference."

Conspicuously absent from the Republicans' plan was any change in title for Espada, who currently claims the post of Senate president pro tempore, which puts him next in line of succession to the governor.

After the abortive regular session, Smith shrugged off the senators' departure.

"Sen. Diaz walked over to me and asked to be excused," Smith said. " ... I think every day you have members who have a certain amount of tension, and they release it."

Later in the day, both sides emerged from a half-hour meeting with Gov. David Paterson saying that they had agreed to work toward consensus from two frameworks, one offered by each side.

"We think we are substantially there," said Republican Leader Dean Skelos.

In a joint statement, Smith and Democratic Conference Leader John Sampson suggested that progress was being made; details, however, remained elusive.

"There are a number of public proposals regarding a governing agreement for the Senate which the Democratic Conference will be discussing tomorrow," Smith and Sampson said. "We ... will continue to bridge the gap on a reasonable solution that will allow the Senate to get back to passing legislation critical to millions of New Yorkers."

Democrats and Republicans continue to squabble about the validity of the June 8 coup in which the Republicans, joined by Espada and Monserrate, upended the chamber.

Monserrate's return to the Democratic conference a week later has left the Senate split 31-31 as crucial bills languish.