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State talks yield little

Tuesday's legislative session may generate much noise, no action

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ALBANY — Gov. David Paterson indicated Sunday that little progress was made during an unannounced meeting of legislative leaders two days before an emergency economic session.

The meeting, held away from Albany in state offices in Manhattan, shows the power of the state teachers' unions and other public worker unions who are using TV and radio campaigns as part of their fierce lobbying efforts to derail Tuesday's special session.

Sunday's meeting sought to secure some agreement so Tuesday's session could result in some action, the Associated Press reported. Paterson spokeswoman Risa Heller said there would be no public disclosure by officials of what transpired in the closed-door meeting.

Paterson's plan, announced Wednesday, is aimed at filling a projected \$1.5 billion gap this fiscal year and a \$12.5 billion deficit next year.

There is widespread agreement from the Republican-controlled Senate and the Democratic Assembly that the state is in fiscal peril — due to Wall Street's implosion and the broader economic slowdown — but no guarantee that lawmakers will approve the governor's cuts, at least not by Tuesday night.

Senate Republican leader Dean Skelos and Democratic Assembly Speaker Sheldon Silver have not embraced any of Paterson's proposed spending cuts and have not provided their own ideas for addressing a projected \$2 billion budget deficit this year, the AP said.

"I want to thank the Speaker and the Majority Leader for meeting with me today," Paterson said in a prepared statement Sunday evening. "It was clear from the meeting that Majority Leader Skelos has not changed his position. He did say he plans to conference with his members and I hope that by Tuesday we will have a constructive package of spending reductions for this year."

For much of last week, a broad array of public employee unions, hospitals, school boards and municipalities raised objections to Paterson's plan for \$5.2 billion in cuts.

Countless e-mails have gone out, news conferences were hastily arranged, and the Assembly held two days of hearings. Tomorrow, expect the Capitol's corridors to be jammed with lobbyists, advocates and protesters.

But despite all the sound and fury, nothing may ultimately happen. Skelos insists his conference won't take action unless the governor presents next year's budget. Since that isn't scheduled to arrive until Dec. 16, the Republicans who control the Senate — at least until January — can effectively block the cuts.

Moreover, there are several reasons why Republicans are in no mood to play ball with the Democratic governor, fiscal crisis or not.

For one thing, Skelos' conference is smarting from Nov. 4, when the GOP lost control of the chamber for the first time since 1965 and the second time in seven decades.

In January, Democrats will hold at least 32 of the Senate's 62 seats, almost assuredly putting them in control. Moreover, Skelos has made no secret of his anger at Paterson's part in their defeat: The governor raised money and in some cases campaigned for Democratic Senate candidates; Skelos has complained Paterson had promised to stay out of the races.

Republican consultant John McLaughlin said outgoing Queens Sen. Serphin Maltese, for example, is among the many Republicans who will vote against Paterson in a heartbeat. Maltese lost his seat to Democrat Joseph Addabbo, a recipient of Paterson's help during the campaign.

"It's going to be pretty tough for Serphin Maltese to support (Paterson) on these cuts if he doesn't think it's the right thing to do," said McLaughlin. Maltese was on vacation in Europe late last week and couldn't be reached.

Democrats agreed that the Senate may be in deadlock tomorrow.

"I'm pessimistic," said Democratic Sen. Neil Breslin, of Delmar, of the chances that Paterson's cuts go through. "The Senate Republicans have indicated that essentially it's not their problem."

Then there are the powerful interest groups, including the state teachers and hospital workers unions, who have long supported Republicans when they were incumbents.

To simply go along with cuts could cost the GOP possible support in the 2010 races, although there's no guarantee that, once out of power, the Republicans will get the same level of money and organizational aid they could count on in the past.

If the Senate fails to act, any votes in the Democratic-controlled Assembly would basically be moot.

So what happens if there are no cuts on Tuesday?

Paterson could call lawmakers back after he offers up his 2009-2010 budget. Or they could start over with the Democratic-controlled Senate in January.

The Democratic Senate may be more amenable to the cuts, and Minority Leader Malcolm Smith has said as much. The focus would then shift to the Assembly, where some members might revive a familiar bargaining chip, a tax hike for the wealthy.

There are also three wild cards in the deck: dissident Senate Democrats Ruben Diaz and Carl Kruger, who with Senator-elect Pedro Espada have so far withheld their support from Smith's leadership. If the three vote for Skelos as leader in January, the Republicans could still remain a force in the Senate even if they're outnumbered.

While their votes won't change the equation on Tuesday, lots of observers will be looking to see how Diaz and Kruger vote — for or against the governor's cuts.

Even if Paterson finds himself at odds with lawmakers, his push to balance the budget has made him popular with voters, who seem to agree with his mantra that the state simply spends too much money. As of Oct. 27, a Siena College poll showed Paterson with a 62 percent to 19 percent favorable-unfavorable rating. A new poll is set to be released today.

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