

GOP jolts upstate Democrats

Senator with an eye on Congress fails to broker a deal between his party and Republicans

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ALBANY -- Republican senators took aim at their upstate Democratic counterparts Thursday, contending that what the GOP has termed a "boycott" of the legislative session could result in higher electricity costs for western and northern New York factories.

At the same time, a key upstate Democrat almost joined the Republicans, which would have broken the 11-day-old stalemate.

"If you get paid, you should show up for work. It's as simple as that," Republican Leader Dean Skelos said on the Senate floor after noting that, absent any one of the chamber's 31 Democrats showing up to establish a quorum, the "Power for Jobs" subsidized electricity program could expire at the end of the month.

Sen. Darrel Aubertine, one of the upstate Democrats criticized by Skelos, told the Times Union he had come close to brokering a deal between the GOP and the mainstream Democrats in order to pass the power program and other time-sensitive legislation.

"It wasn't the Democratic caucus that held me back," Aubertine said. "It was more of a misunderstanding, I guess."

Aubertine said he and Republican leader Dean Skelos met at Skelos' condominium early Thursday morning and sketched out a short-term fix to the leadership dispute. "We had an agreement on power-sharing for the short-term here," Aubertine said. "The Republicans would control the chamber (on Thursday) and put the agenda out ... and Monday the Democrats would control it."

Aubertine reported the deal to members of the Democratic caucus, and then attended a noontime negotiating session with Skelos and several Democrats, including Conference Leader John Sampson and Pedro Espada Jr., the breakaway Democrat who claims the post of Senate president pro tem.

The deal, Aubertine said, ultimately foundered over the question of Espada's role. "I think it was a misunderstanding that Pedro Espada would be the (president) pro tem both days," Aubertine said.

Instead, the stalemate continued, with the chamber split 31-31 and Republicans filing into a half-empty Senate to attack the Democrats . The GOP-led coalition lost its key 32nd vote after Democrat Hiram Monserrate's return to the Democratic fold.

Republicans on Thursday employed what could likely be an emerging tactic by attacking the few upstate Democrats in the Senate, including Aubertine -- and highlighting the concentration of New York City lawmakers in the Democratic camp.

Upstate and suburban areas have long been Republican strongholds, and GOP lawmakers remind voters that they serve as a bulwark against the power and relatively liberal agenda of New York City.

GOP senators bemoaned not only the Democratic boycott but the state budget, which they said favored the five boroughs.

"City bias; everything going to the city," complained Sen. John Bonacic, who represents part of the Hudson Valley.

Places like Saratoga Springs were "stiffed" by Democratic lawmakers, added Sen. Roy McDonald of nearby Wilton, who said the budget should be reopened

McDonald went on to point out that since Democrats took the Senate earlier this year, Saratoga County was excluded from getting a cut of video lottery terminals even though a VLT facility is located in the county. Other counties, with lower poverty rates, are getting the money.

"Upstate New York has been taken advantage of," McDonald said.

Skelos noted senators planned to discuss the Power for Jobs program, which Aubertine had earlier requested they put on Thursday's list of measures to be discussed. They also scheduled a bill supported by Syracuse-area Democrat David Valesky to help wineries sell their products at food festivals.

"Those are some of the pieces of legislation that could be acted on today," said Skelos.

Power for Jobs, run through the New York Power Authority, provides low-cost electricity to 570 businesses employing some 330,000 people -- including many upstate manufacturing firms -- at a cost of \$115 million.

Sixty-three firms employing 12,500 people in their Capital Region use the subsidy, which is set to expire at the end of this month if the Senate fails to renew it.

There are larger political concerns for Aubertine, who is mulling a run for Congress to fill the expected vacancy of the seat held by U.S. Rep. John McHugh, President Barack Obama's nominee for Secretary of the Army.

Rochester activist Tom Golisano's PAC, Responsible New York, would support Aubertine's candidacy, said Steve Pigeon, the group's director. "I think he would win," he added.

Golisano and Pigeon helped put together the coalition that engineered the coup.

Aubertine would not rule out joining the GOP on Monday, the scheduled last day of session, for a quorum. But he said he thinks a resolution will be worked out before that.

Aubertine also said he thought that if he entered his seat in the chamber it would "break the ice," and other Democrats would follow.

"If I had (entered the chamber), I don't think I would have been the only one," said Aubertine, who under the Democrats was appointed chairman of the Senate Energy Committee.

But Sen. Carl Kruger, D-Brooklyn, said he believes Republicans are using scare tactics in their talk about Power for Jobs. And he believes Aubertine is loyal to the Democratic conference.

"I know Darrel Aubertine is not for sale. He's a man of honor and principle," said Kruger, who charged Republicans with trying to pick off "everyone who walks the halls."

Democrats on Thursday also stepped up their criticism of Espada, who is currently facing several investigations and tens of thousands of dollars in fines levied by the state Board of Election, with a flurry press releases.

"I join my fellow colleagues in urging members of the Senate Republican Conference to stand up with the integrity we know you have and remove Pedro Espada Jr. from any role he thinks he has as leader within the Republican Conference," said Democrat Diane Savino of Staten Island.

Also Thursday, the GOP's counsel acknowledged that Espada did not have the power to count twice -- as a senator and "acting lieutenant governor" -- for the purposed of achieving a quorum. Democrats had prepared legal documents to secure a restraining order preventing him from doing so, but withdrew the request after the GOP conceded the point.