

PROCEEDINGS
of the
ELECTORAL
COLLEGE
of the
STATE OF NEW YORK

Held in the
SENATE CHAMBER
STATE CAPITOL
ALBANY, NEW YORK
DECEMBER THIRTEENTH, TWO THOUSAND AND FOUR

OFFICERS
NEW YORK STATE ELECTORAL COLLEGE
December 13, 2004

Permanent President
SHELDON SILVER, New York

Temporary President
HERMAN D. FARRELL, JR., New York

Permanent Secretaries
BEA GONZALEZ, Onondaga
DENNIS MEHIEL, Westchester

Temporary Secretaries
DENISE KING, Columbia
PAUL TOKASZ, Erie

Tellers
C. VIRGINIA FIELDS, New York
ALAN B. LUBIN, Albany

*Proceedings of the Electoral College of the State of New York, held in the
Senate Chamber of the State Capitol, Albany, New York,
on Monday, December 13, 2004*

Morning Session

ANNOUNCEMENT OF COLOR GUARD AND BETHLEHEM SINGERS FOR NATIONAL ANTHEM

Ladies and gentlemen, please remain standing for the presentation of the colors by the New York State Office of Fire Prevention and Control Color Guard, followed by the singing of our national anthem by Bethlehem High School students: Elizabeth Hoffman, David Paterson, Federico Rodriguez, and Amy Van Deusen.

Honorable Randy Daniels, Secretary of State, Presiding:

Ladies and gentlemen, I am pleased to call to order this meeting of the Electoral College of the state of New York for the purpose of electing a President and Vice President of the United States.

It is a privilege and honor for me to present to you Rabbi Avi Berkowitz of the 6th Street Community Synagogue in New York City.

Rabbi Avi Berkowitz: Remarks of Rabbi Berkowitz

Secretary of State Daniels:

Thank you, Rabbi Berkowitz. Please be seated, ladies and gentlemen.

Now, ladies and gentlemen, I am pleased to recognize William Howard, First Deputy Secretary to the Governor, who is representing the Honorable John Cahill, Secretary to the Governor.

Mr. Howard:

Mr. Secretary, representing the Honorable John Cahill, I take pleasure in submitting on behalf of the Governor of the state of New York, George Pataki, the certified list of Electors for President and Vice President of the United States.

Secretary of State Daniels:

Thank you, Mr. Howard.

We will now call the roll of this College of Electors. First Deputy Secretary of State Frank Milano will call the roll.

Mr. Milano:

Thank you, Mr. Secretary. Electors, please acknowledge your attendance by saying "Present" as your name is called.

(The First Deputy Secretary of State calls the roll, with the following Electors recorded "Present.")

Joseph Ashton		Alan B. Lubin	Present
Molly Clifford	Present	Thomas Manton	
		Present	
Lorraine Cortes-Vazquez		Dennis Mehiel	Present
Bill deBlasio	Present	June O'Neill	Present
Inez Dickens	Present	David Paterson	
Danny Donahue	Present	Jose Rivera	Present
Herman D. Farrell, Jr.	Present	Richard Schaffer	
		Present	
C. Virginia Fields	Present	Chung C. Seto	Present
Emily Giske	Present	Sheldon Silver	Present
Bea Gonzalez	Present	Eliot Spitzer	Present
Alan Hevesi	Present	Antoine Thompson	Present
Frank Hoare	Present	Paul A. Tokasz	Present
Virginia Kee	Present	William Wood	Present
Peggy Kerry	Present	Robert Zimmerman	Present
Denise King	Present		
Leonard Lenihan	Present		
Bertha Lewis	Present		

Mr. Milano:

Mr. Secretary. Twenty eight of the thirty one Electors are present with Joseph Ashton, Lorraine Cortes-Vazquez, and David Paterson absent.

Secretary of State Daniels:

Three vacancies are noted. The Chair now recognizes the Honorable Rich Schaffer of Suffolk County.

Mr. Schaffer:

Mr. President, it is my pleasure to nominate the Honorable Herman

“Denny” Farrell, Jr., of New York County, as the Temporary President of this Electoral College.

Secretary of State Daniels:

Thank you. The Chair recognizes the Honorable Molly Clifford of Monroe County.

Ms. Clifford:

It is my pleasure to second the nomination of the Honorable Herman “Denny” Farrell as Temporary President of this Electoral College.

Secretary of State Daniels:

Thank you. The Honorable Herman “Denny” Farrell has been nominated as Temporary President of this College.

Are there any further nominations? None being offered, the nominations are closed.

I now ask those in favor of the election of the Honorable “Denny” Farrell as Temporary President of this College to signify by saying Aye.

(There was a unanimous response of “Aye.”)

Contrary? The motion is carried, and the Honorable Denny Farrell is unanimously elected. I now ask the Honorable Leonard Lenihan, of Erie County and the Honorable June O’Neill of Saint Lawrence County if they would be kind enough to escort the Temporary President to the Chair.

(The Temporary President is escorted to the Chair.)

Ladies and gentlemen, I am pleased to present your Temporary President, the Honorable Herman “Denny” Farrell, Jr.

(Applause)

Temporary President Farrell:

Thank you very much, ladies and gentlemen.

Voices:

Hear! Hear!

(Applause)

INSERT REMARKS

Thank you very much, ladies and gentlemen.

(Applause)

I would now like to recognize the Honorable Virginia Kee, of New York County.

Ms. Kee:

Thank you, Mr. President. Thank you for those remarks. They were well said.

I now offer the names of the Honorable Denise King, of Columbia County, and the Honorable Paul Tokasz, of Erie County as Temporary Secretaries of this College.

Temporary President Farrell:

I recognize the Honorable Robert Zimmerman, of Nassau County.

Mr. Zimmerman:

Mr. President, I second the nominations of the Honorable Denise King and the Honorable Paul Tokasz as Temporary Secretaries of this College.

Temporary President Farrell:

Are there any other nominations? None being offered, all those in favor of the election of the Honorable Denise King and the Honorable Paul Tokasz as Temporary Secretaries of this College, signify by saying Aye.

(There was a unanimous response of "Aye.")

Opposed? The motion is carried and the Temporary Secretaries have been duly elected, and I request that they take their place on the dais.

(Applause)

The next order of business is filling the vacancies created by the absence of Electors: Joseph Ashton, Lorraine Cortes-Vazquez, and David Paterson

I will entertain a motion to fill the vacancies.

I recognize the Honorable Bea Gonzalez of Onondaga County.

Ms. Gonzalez:

It is my honor and privilege to nominate James Duncan, Jr., of Erie County, Rodney Capel, of New York County and Suzy Ballantyne, of Saratoga County as Electors of this 2004 Electoral College to fill the three vacancies of Joseph Ashton, Lorraine Cortes-Vazquez, and David Paterson

Temporary President Farrell:

The Chair recognizes the Honorable Dennis Mehiel of Westchester County.

Mr. Mehiel:

Mr. President, I am honored to second the nomination of James Duncan, Jr., Suzy Ballantyne and Rodney Capel to fill the three vacancies.

Temporary President Farrell:

Are there any other nominations? None being offered, all those in favor of the election of James Duncan, Jr., Suzy Ballantyne and Rodney Capel to fill vacancies signify by saying aye. Opposed?

It gives me great pleasure to announce that 28 votes have been cast for the Electors to fill the vacancies.

In view of the unanimous vote, I would like to announce the election of James Duncan, Suzy Ballantyne, and Rodney Capel.

I ask Mr. Duncan, Ms. Ballantyne and Mr. Capel to come forward and the Honorable Randy Daniels, the Secretary of State, will administer the oath.

Secretary of State Daniels:

Please raise your right hand. Do you solemnly swear to support the Constitution of the United States and the Constitution of the State of New York and that you will faithfully discharge the duties of the office of Elector of President and Vice President of the United States, according to the best of your ability.

(Answer - I DO OR I WILL)

(Whereupon, the oaths of office are administered and notarized.)

Temporary President Farrell:

The Electoral College now consists of its legal 31 members. I now recognize the Honorable Randy Daniels, Secretary of State.

Secretary of State Daniels:

Mr. President, it is my great pleasure to invite the members of this

Electoral College and its distinguished guests to lunch.

Temporary President Farrell:

I recognize the Honorable Chung Seto, of New York County.

Ms. Seto:

Mr. President, it gives me a great deal of pleasure to move that we accept the gracious invitation of the Secretary of State to join him for lunch.

Temporary President Farrell:

I recognize the Honorable William Wood, of Cortland County.

Mr. Wood:

Mr. President, it gives me equal pleasure to second the motion of the Honorable Chung Seto, that we accept the invitation of the Honorable Randy Daniels to join him for lunch.

Temporary President Farrell:

Don't laugh! It's not every day the Republicans invite us to lunch.

All in favor of the motion indicate in the usual manner.

(There was a unanimous response of "Aye.")

Any opposed? The motion is carried.

I would now like to recognize the Honorable Danny Donahue, of Saratoga County.

Mr. Donahue:

Mr. President, I move the Electoral College now recess in order that we may accept the invitation of the Secretary of State, and that we reconvene at 1:45 this afternoon.

Temporary President Farrell:

I recognize the Honorable Suzy Ballantyne, of Saratoga County.

Ms. Ballantyne:

I second the motion that we recess for lunch, and reconvene at 1:45 p.m.

Temporary President Farrell:

All in favor of the motion, please indicate by saying Aye.

(There was a unanimous response of "Aye.")

Any opposed? The motion is carried. After acknowledgments by Secretary Daniels, this session of the Electoral College will recess for lunch and will reconvene promptly at 1:45 this afternoon.

Mr. Secretary?

Secretary of State Daniels:

Thank you, Mr. President. I would like to acknowledge the presence of the following distinguished public officials: Congressman Michael McNulty, Senator Neil Breslin, Assemblyman Ron Canestrari, Assemblyman Jack McEneny,

Assemblyman Paul Tonko, Mayor of Albany Jerry Jennings, Albany County Executive Mike Breslin.

Welcome.

(Whereupon the Electoral College recessed for lunch.)

Temporary President Farrell:

Ladies and gentlemen, we are now recessed. Could I ask all the electors to please come forward now that we're recessed and gather around the front of the podium, so that Mr. Fred Richards will be able to record these historic proceedings? Our official photograph will be taken at this time.

(A group photograph was taken.)

Afternoon Session

Temporary President Farrell:

Please take your seats so that we can continue with the business of the Electoral College.

And I now introduce to you, New York Secretary of State, the Honorable Randy Daniels.

Secretary of State Daniels:

Thank you, Mr. President.

It is an honor to be part of the 54th convening of the Electoral College of the state of New York.

SECRETARY DANIELS DELIVERS REMARKS

Thank you.

Temporary President Farrell:

Thank you, Mr. Secretary.

The next order of business is the election of a permanent President, and I recognize the Honorable Bill DeBlasio, of Kings County.

Mr. DeBlasio:

Mr. Temporary President, it is my privilege, my pleasure and honor to nominate as permanent President of this Electoral College the Honorable Sheldon Silver, of New York County.

Temporary President Farrell:

I now recognize the Honorable Peggy Kerry, of New York County.

Ms. Kerry:

Thank you. It is my pleasure to second the nomination of the Honorable Sheldon Silver as permanent President of this Electoral College.

Temporary President Farrell:

Are there any further nominations? Since there are none, I would ask that all in favor of the unanimous election of the Honorable Sheldon Silver as permanent President of this College to indicate by saying Aye.

(There was a unanimous response of "Aye.")

Any opposed? I declare the Honorable Sheldon Silver unanimously elected as the permanent President of this Electoral College. I now appoint the Honorable Virginia Kee and the Honorable William Wood to escort President Silver to the podium.

Ladies and gentlemen, I give you your permanent President, the Honorable Sheldon Silver.

(Applause)

Permanent President Silver:

Thank you, ladies and gentlemen. I propose that we proceed with the business before us and that is the nomination of permanent secretaries to this Electoral College. PRESIDENT SILVER REMARKS

I recognize the Honorable Alan B. Lubin, of Albany County.

Mr. Lubin:

Thank you, Mr. President. Thank you for your remarks as well.

Now, it is my pleasure, Mr. President and ladies and gentlemen, to present the names of the Honorable Bea Gonzalez and the Honorable Dennis Mehiel as permanent Secretaries of this college.

Permanent President Silver:

The Chair recognizes the Honorable Tom Manton, of Queens County.

Mr. Manton:

Mr. President, it's an honor to second the nomination of the Honorable Bea Gonzalez and the Honorable Dennis Mehiel as permanent Secretaries of this College.

Permanent President Silver:

Are there any other nominations? There being none, I ask all in favor of the election of the Honorable Bea Gonzalez and the Honorable Dennis Mehiel as permanent Secretaries of this College to indicate so by saying

Aye.

(There was a unanimous response of "Aye.")

Those opposed? The Chair declares that the Honorable Bea Gonzalez and the Honorable Dennis Mehiel are the permanent Secretaries for this Electoral College.

The Chair again recognizes Secretary of State, the Honorable Randy Daniels.

Secretary of State Daniels:

Thank you, Mr. President. It is my honor on behalf of the members of this Electoral College to present to you with this ceremonial gavel as a memento of this historic occasion. Congratulations

Permanent President Silver:

Thank you. Thank you very much.

The next order of business is the casting of the ballots for President of the United States. The Chair recognizes the Honorable Eliot Spitzer, of New York County.

Mr. Spitzer:

Mr. President, it is my pleasure to move that we proceed with balloting for President of the United States.

Permanent President Silver:

The Chair recognizes the Honorable Frank Hoare, of Albany County.

Mr. Hoare:

Thank you, Mr. President. It is indeed a pleasure to second Mr. Spitzer's motion, that we proceed with the balloting for President of the United States.

Permanent President Silver:

It has been moved and seconded that we proceed with the balloting for President of the United States. All those in favor signify in the usual manner.

(There was a unanimous response of "Aye.")

All those opposed? Motion is carried. The Chair appoints the Honorable C. Virginia Fields, of New York County and the Honorable Alan Lubin, of Albany County as Tellers to count the votes which are to be cast. Will the Tellers please take their places by the ballot box.

Let me remind you that we will be casting separate ballots for President and Vice President. So that you may retain your ballots as a souvenir,

please print your name on the back of each ballot so it may be returned to you.

The Chair recognizes the Honorable Jose Rivera, of Bronx County.

Mr. Rivera:

Thank you, Mr. Chairman. May I suggest that the ballot box be taken to the distinguished Peggy Kerry, so that she may have the honor of casting the first ballot for the President of the United States.

Permanent President Silver:

Proceed with the balloting, Mr. Teller. Would you bring the ballot box to Honorable Peggy Kerry? Mr. Mehiel, call the roll.

(The Electors proceed to the ballot box as their names are called by Honorable Dennis Mehiel, and cast their ballots for President of the United States.)

It appears that all ballots have been cast, and we'd ask the Tellers to count them and, when ready, announce the results.

Mr. Lubin.

Mr. Lubin:

Mr. President, after counting the ballots, we find 31 votes have been cast for the Honorable John F. Kerry, of Massachusetts, for President of the United States.

(Applause)

Permanent President Silver:

The Chair announces that the entire membership of this Electoral College of the state of New York have cast their ballots for the Honorable John F. Kerry as President of the United States.

(Applause)

The College will now proceed to the balloting for the Vice President of the United States, and at this time the Chair recognizes the Honorable Alan Hevesi, of Queens County.

Mr. Hevesi:

Mr. President, I move we now proceed with the balloting for Vice President of the United States.

Permanent President Silver:

The Chair recognizes Honorable Rodney Capel, of New York County.

Mr. Capel:

Mr. President, I take pleasure in seconding the motion that we proceed with the balloting for Vice President of the United States.

Permanent President Silver:

It has been moved and seconded that we proceed with the balloting for Vice President of the United States. All those in favor signify by saying Aye.

(There was a unanimous response of "Aye.")

Opposed? The motion is carried. Be sure to sign your ballots so they may be returned to you by the Secretary of State as a souvenir of this occasion.

The College will now proceed with the balloting for Vice President of the United States. The Honorable Bea Gonzalez will call the roll.

(The Electors proceed to the ballot box as their names are called by Honorable Bea Gonzalez, and cast their votes for Vice President of the United States.)

It appears all the ballots have been cast. I request the Tellers to count them and announce the results.

The Chair recognizes the Honorable C. Virginia Fields, of New York County.

Ms. Fields:

Mr. President, after counting the votes we find 31 ballots cast for Honorable John Edwards, of North Carolina, for Vice President of the United States.

(Applause)

Permanent President Silver

Thank you. The Chair announces that the entire membership of this Electoral College has voted for the Honorable John Edwards for Vice President of the United States.

At this time, I ask each member of this College to come to the dais to sign the Certificates of Election which Secretary Daniels has prepared for your signature. You'll be required to sign your name 12 times. Please come forward to sign as your names are called. [President Silver calls roll.]

(Whereupon the members of the College signed the Certificates of Election.)

Permanent President Silver:

Secretary Daniels indicates that the Certificates have been duly signed by

each elector of this Electoral College.

The Chair recognizes the Honorable Inez E. Dickens, of New York County.

Ms. Dickens:

Mr. President, I move that the Permanent Secretary be authorized and directed to file through the Department of State the certificates which we have signed, with the President of the United States Senate, the Secretary of State of the state of New York, the New York State Board of Elections, the Chief Judge of the United States District Court for the Northern District of New York, the National Archives and Records Administrator and the Rare Book and Manuscript Library of Columbia University, which is the depository of historical archives of the New York State Democratic Committee.

Permanent President Silver:

The Chair recognizes the Honorable Leonard Lenihan, of Erie County.

Mr. Lenihan:

Mr. President, it gives me great pleasure, and it is indeed an honor to second the motion made by the Honorable Inez Dickens.

Permanent President Silver:

Motion has been made and seconded. All those in favor of the motion signify by saying aye.

(There was a unanimous response of "Aye.")

Opposed? Motion is carried.

The Chair recognizes the Honorable Bertha Lewis, of Kings County.

Ms. Lewis:

Mr. President, I move that the proceedings of this Electoral College of the great state of New York be printed and bound and that copies of the proceedings be distributed to all members of this Electoral College.

Permanent President Silver:

The chair recognizes the honorable June O'Neill, of Saint Lawrence County.

Ms. O'Neill:

Mr. President, it is my privilege to second the motion made by the Honorable Bertha Lewis.

Permanent President Silver:

The motion has been made and seconded. All those in favor signify by saying aye.

(There was a unanimous response of "Aye.")

Opposed? The motion is carried.

The Chair recognizes the Honorable Paul Tokasz, of Erie County.

Mr. Tokasz:

Mr. President, it is my pleasure to move that the President, the Secretaries and the officers of this College be thanked for their services.

Permanent President Silver:

The Chair recognizes the Honorable Emily Giske, of New York County.

Ms. Giske:

Thank you, Mr. President. I second the motion made by the Honorable Paul Tokasz.

Permanent President Silver:

The motion has been made and seconded. All those in favor signify by saying aye.

(There was a unanimous response of "Aye.")

Contrary? Motion is carried.

At this time, I'd like to express my personal appreciation and gratitude to the officers of this College for their dedicated efforts in organizing these proceedings, for the marvelous luncheon and for all the gracious considerations extended to us in this very beautiful chamber on this historic day.

The Chair now recognizes the Honorable Denise King, of Columbia County.

Ms. King:

Mr. President, it's my pleasure to offer a resolution of appreciation to the Honorable Randy Daniels, Secretary of State, for arranging the meeting of this Electoral College and for his gracious hospitality.

Permanent President Silver:

The Chair recognizes the Honorable Antoine Thompson, of Erie County.

Mr. Thompson:

Mr. President, I take pleasure in seconding the remarks made by the Honorable Denise King.

Permanent President Silver:

Motion has been made and seconded. All those in favor signify by saying aye.

(There was a unanimous response of "Aye.")

Those opposed? Motion is carried.

Again, Mr. Secretary, we express our deep gratitude to you and all of the members of your staff for your graciousness, hospitality and efforts on behalf of this Electoral College.

The Chair recognizes the Honorable Alan Hevesi, of Queens County.

Mr. Hevesi:

Mr. President, I move that the electors of this College unanimously agree to donate their compensation as electors to assist the AIDS Council of Northeastern New York.

Permanent President Silver:

The Chair recognizes the Honorable James Duncan, Jr., of Erie County.

Mr. Duncan:

Mr. President, I take great pleasure in seconding the motion made by the Honorable Alan Hevesi.

Permanent President Silver:

It has been moved and seconded that the compensation for the electors of this 2004 Electoral College be donated to the AIDS Council of Northeastern New York. All those in favor signify by saying aye.

(There was a unanimous response of "Aye.")

Against? Motion is carried.

The Chair recognizes the Honorable Herman "Denny" Farrell, Jr., of New York County.

Temporary President Farrell:

Mr. President, I move that the 2004 Electoral College of the state of New York be adjourned and further would note that Speaker Sheldon Silver invites you all to join him in my chambers for refreshments following the close of this Electoral College.

Permanent President Silver:

The Chair recognizes the Honorable C. Virginia Fields, of New York County.

Ms. Fields:

Mr. President, I second the motion to adjourn.

Permanent President Silver:

Motion has been made and seconded. All in favor signify by saying aye.

(There was a unanimous response of "Aye.")

All those opposed? The motion is carried.

The Chair introduces Monsignor Thomas Leonard, of Holy Trinity Church in New York City, for the benediction.

Monsignor Thomas Leonard:

BENEDICTION

Permanent President Silver:

Thank you, Monsignor Leonard.

Before I declare this Electoral College adjourned, I want to remind electors and their guests that you're invited to a reception hosted by me in my Chambers in this State Capitol.

I now declare this 2004 Electoral College adjourned.

(Whereupon the Electoral College 2004 meeting was adjourned.)