

Taxes, rent, same-sex marriage remain on table in marathon push

Legislators take up major issues today after failing to reach consensus late Thursday

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ALBANY -- After preparing for an all-night session, legislators left the Capitol late Thursday night without action on major issues, continuing a week in which broad agreements failed to translate to legislative action.

"There are still negotiations going on concerning mandate relief," Senate Majority Leader [Dean Skelos](#) said just before 11 p.m. "Bills would not be ready until 4 or 5 in the morning. I think for the good health of all the members, we apologize, but we will be adjourning."

Legislators had hoped to act on an omnibus bill to cap property taxes, renew rent regulations in New York City and relieve some state mandates for local governments and school districts. As of 11 p.m., the bill had not been printed. They were also poised to approve a tuition hike for SUNY and CUNY campuses, authorizing trustees of the public university systems to raise tuition \$300 a year for each of the next five years. It, too, remained undone.

And it's still unclear if the Senate would consider a bill to legalize same-sex marriage before leaving town. Several legislators, staffers and lobbyists had predicted a vote in the overnight hours Thursday, and dozens of demonstrators jammed the Capitol halls arguing for and against the measure.

"We agree with Gov. Cuomo that the people deserve a vote, and we expect our government to get us a vote," said [Ross Levi](#), executive director of the Empire State Pride Agenda, a gay-rights organization. "We'll be here all night."

"I constantly hear rumors -- but I heard rumors about yesterday and rumors about the day before," said [Conservative Party](#) Chairman [Mike Long](#), a staunch opponent of same-sex marriage. "Hopefully it will never come."

Roughly 100 supporters filled the hallways and galleries of the [Senate chamber](#). Beginning in the morning, they hurled chants and songs at dozens of traditional marriage advocates. Evangelical Christian groups prayed and sang hymns in the Capitol halls, hoping to see the bill fail.

The echoing din was so intense that State Troopers stationed to keep order wore earplugs.

The marriage bill passed the Assembly last week, and it has 31 publicly committed supporters in the Senate. But Skelos has not committed to putting the bill on the floor. Emerging from a meeting with Gov. [Andrew Cuomo](#) around noon Thursday, he promised a long conference on the issue, and on amendments to the bill designed to strengthen protections for religious organizations.

"Everything is on track," said Skelos, R-Long Island, said at mid-day. The conversation, however, never happened.

The afternoon came and went without the appearance of the omnibus bill, nicknamed "The Big Ugly." According to Assembly Speaker [Sheldon Silver](#), conflicts persisted about exactly when some provisions of the Big Ugly would expire.

The details were mere technicalities, Silver insisted. "We know where we want to go. If you want to go to California from here and we agree on going, I may take a different airline than you," he said.

Mandate relief has been a sticky point all week. Sources familiar with the bill said it does not contain provisions to change the definition of a "prevailing wage" or require arbitrators to account for a municipality's ability to pay in determining labor settlements.

It does include provisions to allow local governments to "piggyback" on larger state contracts for goods, as well as soften the requirement that school districts provide a bus seat for every student. It would create a [Mandate Relief Council](#) that would have the power to immediately force a legislative vote to replace a specific mandate.

"It's an important part of that (bill), which involves the tax cap," said Sen. [Jack Martins](#), R-Long Island. "I expect that although we may not get everything we originally hoped for, we're going to get something that's at least significant."

Sources said legislators had planned to vote first for the tuition hike, then the Big Ugly, then possibly for a revised same-sex marriage bill. (In that instance, it would have to re-pass the Assembly but would spare the Senate GOP from taking an additional vote on the divisive issue.)

And the lobbying around the issue hit a crescendo into the evening. At an LGBT fundraiser in New York City, President [Barack Obama](#) commented on measure, urging a vote.

Cuomo left the Capitol to attend his daughter's school graduation in Westchester County, but returned just after 10 p.m. Leaving, the governor said he remained "cautiously optimistic" about same-sex marriage.

Senate Democrats were flabbergasted.

"This isn't stalling, it's a complete work stoppage," said [Austin Shafran](#), a conference spokesman.