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HIGH 32° **LOW** 27°
 It'll be a little messy out there, so be a little careful./D2

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MORE NEWS

LOCAL NEWS
Chief: Over 40% were no-fine tickets

LATEST LOCAL NEWS
 Albany's police chief tells the Common Council that more than 40 percent of parking tickets written over the last two years were of the "no-fine" variety./A10



BUSINESS

Strong opposition to bus fare hike

CDTA is hearing a chorus of objections as they consider imposing the first bus fare increase since 1995./C1

NATION

Bailout's fate rests with Senate GOP

The House passes a \$14 billion bailout for the auto industry, but its fate is uncertain in the Senate./A4



PREVIEW

Milk's early years

You've heard of the acclaimed film biography of slain gay activist Harvey Milk. Did you know about his time in Albany?/INSIDE

SPORTS

CC rides into NYC

The Yankees land a major free agent as big left-hander CC Sabathia signs a whopper of a contract with New York./B1

UPCOMING



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★ ★

Can 3 R's fit into 4 days?

A proposal for shorter school week splits educational community

By **SCOTT WALDMAN**
 Staff writer

ALBANY — A four-day school week could become reality in a flexible academic calendar being considered by the state Senate Education Committee. In testimony at a hearing Wednesday led by committee

Read & React

What do you think about the idea of a four-day school week? Go to <http://blogs.timesunion.com/readandreact>

Chairman Stephen M. Saland, R-Poughkeepsie, the statewide Council of School Superintendents and the New York State School Boards Association questioned the merits of the plan to reduce the five-day school week. But Hadley-Luzerne

School District's superintendent expressed enthusiastic support for scheduling flexibility, including a shift to nine out of 10 days, rather than Monday through Friday.

"The current way of the traditional school was built many years ago, and our society has had a vast amount of change, yet we remain on an agrarian school day," said Superintendent Earl Sussman, who figured his district would save about \$200,000 under the plan.

The head of the Alliance for Please see **EDUCATION A11** ▶



ALBANY HIGH School students, from left, Elijah Fog, Royana Reyes and Brittany Rosato express their views Wednesday about the idea of cutting the school week to four days as a way to save money.

Ho, ho, horrors!



SKIP DICKSTEIN/TIMES UNION

Joseph McBain, 20 months old, reacts as some do to Santa as his teacher at Troy's Stepping Stones I School, Nicole Meyer, hangs on and Santa (aka Chuck Troy) watches Wednesday. Capital Communications Care Foundation brought coats for the school's children. Do you have a photo of a child recoiling from Santa? Post it to <http://timesunion.com/moms>. We'll pick the best for the Dec. 24 Life+ Solutions section.

Senate majority drama endures

Democrats discover prayer is not enough as deal for leadership dead

By **IRENE JAY LIU**
 Capitol bureau

Whether it's in the name of reform, principle or something less lofty — the political equivalent of I'm-breaking-up-with-you-before-you-break-up-with-me, perhaps — one thing is clear: The deal that would have secured Democratic leadership of the Senate is dead.

Senate Democratic Leader Malcolm Smith announced Wednesday that he would no longer negotiate with three renegade Democratic senators, the so-called "Gang of Three," who have withheld their support for Smith as majority leader. Their actions have effectively held the Democratic takeover of the Senate hostage.

"I do not want to reduce our moral standing and long-term Senate Democratic commitment to reform and change," said Smith in an interview with the Times Union.

Smith, with the help of Gov. David Paterson, negotiated a handshake deal late last week that would give Sen. Carl Kruger and Senator-

Please see **SENATE A3** ▶

Creativity's just the ticket

Promoters aim to make seats more affordable in tough times, and it takes a little imagination to do so

By **DANIELLE FURFARO**
 Staff writer

A week ago, the promoters of tonight's Vince Gill and Amy Grant show at the Times Union Center took a bold step. They made the tickets, which range in price from \$31 to \$65, buy one get one free. Since then, there has been a steady uptick in sales. They've sold about 3,500 seats out of the 7,000 they had projected selling.

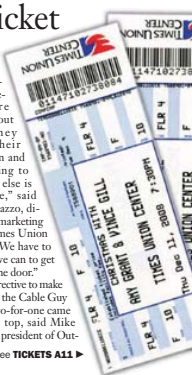
The promoters of comedian Larry the Cable Guy, who will be playing at the Glens Falls Civic Center on March 26, took a different tack. They made their tickets two-for-one right from the jump, and they ended up selling out 5,000 seats on Friday in less than eight hours.

As ticket sales for concert performances have waned in the recent months under a shaky economy, venues and promoters across the country have been forced to come up with more inventive ways

to fill the seats. "People are being more picky about what they spend their money on and are waiting to see what else is out there," said Erin Ragazzo, director of marketing at the Times Union Center. "We have to do what we can to get them in the door."

The directive to make the Larry the Cable Guy tickets two-for-one came from the top, said Mike Smardak, president of Out-

Please see **TICKETS A11** ▶



Indictment: Spargo solicited \$10,000

Former jurist, GOP lawyer targeted in federal shutdown investigation

By **BRENDAN J. LYONS**
 Senior writer

ALBANY — A former state Supreme Court justice from Albany County was indicted Wednesday by a federal grand jury on attempted extortion and bribery charges in connection with a scandal that led to his removal from the bench two years ago.

The felony indictment alleges that Thomas J. Spargo, 65, of East Berne, pressured an Ulster County attorney who had cases before him to give Spargo \$10,000. The money, solicited in 2003, was intended



SPARGO

to help defray Spargo's legal bills in connection with a state judicial panel's years-long effort to have him removed from the bench, records show. "The indictment further charges that Spargo solicited the money by causing the attorney to fear that Spargo would use his official acts and influence to harm the attorney if he was not paid and, conversely, to help the attorney if he was paid," states an FBI release announcing the indictment.

The investigation of Spargo Please see **SPARGO A10** ▶

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SENATE: Democratic deal fails

▼ CONTINUED FROM A1
elect Pedro Espada desirable leadership positions. To placate Sen. Reuben Diaz, Sr., the deal would reportedly also have held any gay marriage legislation from being introduced in the Senate.

In a statement Wednesday morning, Smith said, "We would rather wait two more years to take charge of the Senate than to simply serve the interests of the few. New York state cannot afford the type of self-serving politics being proposed, and I will not be the leader to sacrifice what is right for New York for a quick political solution."

On Monday, Smith justified the deal by saying "leadership is about making decisions for the greater good."

But the agreement quickly began to unravel as Smith and the three renegades sought to define the details of the leadership positions — in particular, the scope of power and additional salary that would go to the position of Senate majority leader, which had been reportedly offered to Espada. Smith has been evasive to news media inquiries about the specifics of the deal, but indicated that the position would have fewer responsibilities and no "hike" or additional salary. Smith explained his change of heart Wednesday: "Originally, I thought this discussion was about reform and had some principles behind it," he told the Times Union.

"Over time, it was not where it seemed to be headed."
"Anything in the past that we discussed is no longer on the table," he added.

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SEN. MALCOLM SMITH

ready on life support by Tuesday. "It looked to us ... that Sen. Smith looked to disembowel the role of majority leader, and then I guess tensions flared and the result is what you heard today," he said.

In an interview with the Daily News following Smith's statement, Diaz laughed and said, "We are the ones who broke everything off." (Diaz refused further comment.)

Kruger said he is "deeply troubled" by what he considers to be Smith's "credibility gap," and charged Smith is reneging on promises made to the trio last Thursday.

"I made it very, very clear at the big meeting. If you're not prepared to say yes, if you need to go back, then take the time," Kruger said. "And he said, 'No, no, I'm comfortable with it.' It was sanctified by a prayer with Sen. Diaz, which is better than a notary."

Espada alleged that Smith lied to his conference about the fact the deal's components were locked down. "He went to his conference and absolutely lied to them that he was continuing to have ongoing negotiations," Espada said. "The agreement had been concluded with a lot of witnesses in the room, including the governor. Right out

of the gate we had a man who did not have the support of his conference."

For his part, Espada said he won't sit in the same room with Smith until the Senate leader can prove he's got all the backing of the Democratic conference.

But so far, it appears that Smith does have that support, and the Queens senator is confident that it will remain so.

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As for Smith, he's taking the roller-coaster ride in stride — and with the support of a higher power. "I rest on my faith," he said. "And my faith tells me that God doesn't give you more than you can handle ... I believe that I'm in the place in my life where I'm supposed to be, and I will fulfill my purpose."

Staff writer James M. Odato contributed to this report. Irene Jay Liu can be reached at (518) 454-5061 or liu@timesunion.com.

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Senate majority drama endures

Democrats discover prayer is not enough as deal for leadership dead

By [IRENE JAY LIU](#), Capitol bureau

Click byline for more stories by writer.

First published: Thursday, December 11, 2008

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For video of Sen. Malcolm Smith's statement, go to timesunion.com.