

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 March 11, 2013

11 3:12 p.m.

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13
14 REGULAR SESSION

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18 SENATOR JOSEPH GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

1 P R O C E E D I N G S

2 ACTING PRESIDENT GRIFFO: The
3 Senate will come to order.

4 I ask all present to please rise
5 and join with me as we recite the Pledge of
6 Allegiance to our Flag.

7 (Whereupon, the assemblage recited
8 the Pledge of Allegiance to the Flag.)

9 ACTING PRESIDENT GRIFFO: Today's
10 invocation will be offered by Rabbi Shmuel M.
11 Butman, from Lubavitch Youth Organization in
12 Brooklyn, New York.

13 Rabbi.

14 RABBI BUTMAN: {In Hebrew} Our
15 heavenly Father, we ask You to bestow Your
16 blessings upon all the members of the New York
17 State Senate.

18 They should have a lot of success
19 in all their endeavors, in all their communal
20 endeavors and in all their personal endeavors,
21 especially since they have just done a great
22 deed, that they have passed a resolution
23 proclaiming 111 Days of Education in honor of
24 the 111th birthday of the Lubavitcher Rebbe,
25 Rabbi Menachem M. Schneerson.

1 In Psalm Number 112, 112, that we
2 start saying on the Rebbe's 111th birthday,
3 King David speaks about the righteous men and
4 women. And he promises them that whoever is
5 going to follow the path of righteousness, {in
6 Hebrew}, which means that their children are
7 going to have a lot of success, that they will
8 never fear any fear and they will never fear any
9 adversities, and that they will have eternal
10 success for all of their lives, for themselves
11 and for their children, when they follow the
12 path of righteousness.

13 You, the legislators in the
14 New York State Senate, you are not only
15 legislating laws that govern the State of
16 New York but also, by extension, the United
17 States of America. And by extension, the United
18 States of America of America is a superpower,
19 the whole world looks to us. And when we
20 legislate laws that govern how people should
21 behave, between man and man and man and God,
22 then those laws have an effect all over the
23 world.

24 I should also tell you that every
25 Sabbath, every Shabbos in our community, in our

1 shuls, in our synagogues, we say a special
2 prayer for you for your success. We say the {in
3 Hebrew}. All those who serve the public with
4 faith, as you do, we ask Almighty God that
5 Almighty God should grant you good health and
6 long life and you should be able to continue to
7 do the right thing and making this world a
8 better place.

9 Many years ago, when I opened the
10 United States Senate in Washington, I went to
11 see the Rebbe. And the Rebbe said to me that
12 "You should take with you a tzedakah pushke," a
13 charity box. "And while you are offering the
14 prayer," the Rebbe told me, "you should also
15 give charity, you should put in a dollar. And
16 on the dollar it says 'In God We Trust.' And
17 everybody should see what you are doing, and
18 they should know what money should be used
19 for."

20 So that's what we are going to do,
21 what the Rebbe said. We are going to put in a
22 dollar in the tzedakah. And we are going to ask
23 you, whoever wants to join us later -- I don't
24 think you to think that this is a fundraising
25 campaign. Because if it would be, we would ask

1 you for much more than a dollar.

2 (Laughter.)

3 RABBI BUTMAN: This is a campaign to
4 do more goodness and more kindness. You are
5 welcome to join us later. Only one dollar per
6 person. And then you are going to do another act
7 of goodness and kindness.

8 God bless you all. You should be
9 able to pass the budget successfully, with God's
10 help, and you should have a lot of success in
11 your personal lives and in your communal
12 endeavors. God bless you, every single one of
13 you.

14 Thank you.

15 ACTING PRESIDENT GRIFFO: Thank
16 you, Rabbi.

17 The reading of the Journal.

18 THE SECRETARY: In Senate, Sunday,
19 March 10th, the Senate met pursuant to
20 adjournment. The Journal of Saturday, March 9th,
21 was read and approved. On motion, Senate
22 adjourned.

23 ACTING PRESIDENT GRIFFO: Without
24 objection, the Journal stands approved as read.

25 Presentation of petitions.

1 Messages from the Assembly.

2 The Secretary will read.

3 THE SECRETARY: On page 7,
4 Senator Seward moves to discharge, from the
5 Committee on Insurance, Assembly Bill Number 1831
6 and substitute it for the identical Senate Bill
7 Number 2756, Third Reading Calendar 53.

8 ACTING PRESIDENT GRIFFO:
9 Substitution so ordered.

10 THE SECRETARY: On page 7,
11 Senator Seward moves to discharge, from the
12 Committee on Insurance, Assembly Bill Number 1832
13 and substitute it for the identical Senate Bill
14 Number 2757, Third Reading Calendar 54.

15 ACTING PRESIDENT GRIFFO:
16 Substitution so ordered.

17 THE SECRETARY: And on page 12,
18 Senator Nozzolio moves to discharge, from the
19 Committee on Codes, Assembly Bill Number 196 and
20 substitute it for the identical Senate Bill
21 Number 3034, Third Reading Calendar 131.

22 ACTING PRESIDENT GRIFFO:
23 Substitution so ordered.

24 Messages from the Governor.

25 Reports of standing committees.

1 Reports of select committees.

2 Communications and reports from
3 state officers.

4 Motions and resolutions.

5 Senator Fuschillo.

6 SENATOR FUSCHILLO: Mr. President,
7 on behalf of Senator Hannon, on page number 7 I
8 offer the following amendments to Calendar Number
9 58, Senate Print Number 2069, and ask that said
10 bill retain its place on Third Reading Calendar.

11 ACTING PRESIDENT GRIFFO: The
12 amendments are received, and the bill will retain
13 its place on third reading.

14 Senator Fuschillo, one second
15 please.

16 May I have some order in the house,
17 please.

18 Senator Fuschillo.

19 SENATOR FUSCHILLO: On behalf of
20 Senator LaValle, on page number 14 I offer the
21 following amendments to Calendar Number 166,
22 Senate Print Number 2920, and ask that said bill
23 retain its place on the order of Third Reading
24 Calendar.

25 ACTING PRESIDENT GRIFFO: The

1 amendments are received, and the bill shall
2 retain its place on third reading.

3 SENATOR FUSCHILLO: On behalf of
4 Senator Marcellino, on page number 13 I offer the
5 following amendments to Calendar Number 156,
6 Senate Print Number 3046, and ask that said bill
7 retain its place on Third Reading Calendar.

8 ACTING PRESIDENT GRIFFO: The
9 amendments are received, and the bill shall
10 retain its place on third reading.

11 Senator Fuschillo.

12 SENATOR FUSCHILLO: May we please
13 have the reading of the noncontroversial
14 calendar.

15 ACTING PRESIDENT GRIFFO: The
16 Secretary will read.

17 THE SECRETARY: Calendar Number 53,
18 substituted earlier by Member of the Assembly
19 Morelle, Assembly Print 1831, an act to amend the
20 Insurance Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

23 THE SECRETARY: Section 2. This
24 act shall take effect on the same date and in the
25 same manner as Chapter 495 of the Laws of 2012.

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 55.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number 54,
8 substituted earlier by Member of the Assembly
9 Morelle, Assembly Print 1832, an act to amend the
10 Insurance Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

13 THE SECRETARY: Section 2. This
14 act shall take effect on the same date and in the
15 same manner as Chapter 496 of the Laws of 2012.

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 55.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number 65,
23 by Senator Ranzenhofer, Senate Print 1434, an act
24 to amend the Vehicle and Traffic Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

2 THE SECRETARY: Section 2. This
3 act shall take effect on the first of November.

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: In relation to
8 Calendar Number 65: Ayes, 53. Nays, 2.
9 Senators Montgomery and Perkins recorded in the
10 negative.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number 66,
14 by Senator Marcellino, Senate Print 1480, an act
15 to amend the Vehicle and Traffic Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

18 THE SECRETARY: Section 4. This
19 act shall take effect on the first of November.

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 55.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 109, by Senator Zeldin, Senate Print 3414, an act
3 to amend the General Business Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

6 THE SECRETARY: Section 2. This
7 act shall take effect immediately.

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 55.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 131, substituted earlier by Member of the
16 Assembly Weinstein, Assembly Print Number 196, an
17 act to amend the Criminal Procedure Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

20 THE SECRETARY: Section 2. This
21 act shall take effect immediately.

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 55.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 138, by Senator Griffo, Senate Print 1965, an act
5 to amend the Highway Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

8 THE SECRETARY: Section 4. This
9 act shall take effect on the 120th day.

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 55.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 140, by Senator Savino, Senate Print 2963, an act
18 directing.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

21 THE SECRETARY: Section 2. This
22 act shall take effect on the 90th day.

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 55.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 Senator Fuschillo, that completes
5 the noncontroversial reading of the calendar.

6 SENATOR FUSCHILLO: Thank you,
7 Mr. President.

8 I believe there's a privileged
9 resolution at the desk by Senators Skelos and
10 Klein. I ask that the title be read and move for
11 its immediate adoption.

12 ACTING PRESIDENT GRIFFO: The
13 resolution is accepted, in accordance with rules
14 and regulations of the house, and the Secretary
15 will read.

16 THE SECRETARY: Resolution Number
17 818, by Senators Skelos and Klein, adopting
18 proposed amendments to the 2013-2014 Executive
19 Budget submission (Legislative Bills Senate
20 2600C, 2603C, 2604C, 2605C, 2606C, 2607C, 2608C
21 and Senate 2609C).

22 ACTING PRESIDENT GRIFFO: Again,
23 some order in the house.

24 The resolution is before the house.
25 Senator DeFrancisco.

1 SENATOR DeFRANCISCO: Thank you
2 very much.

3 This is the resolution setting forth
4 the Senate's version of the one-house budget that
5 will be negotiated along with the Assembly and
6 the Governor's office. I know there will be some
7 questions, and so I just want to briefly outline
8 what it does.

9 What's most important to many
10 people, at least that I've heard during the
11 budget hearings, is state aid to education. And
12 what bothers a lot of people throughout the state
13 is the Gap Elimination Adjustment that has cost
14 or resulted in a lot less dollars to many, many
15 districts throughout the state.

16 Well, we thought that some of the
17 Governor's money that was programmed for other
18 purposes should be used to eliminate or reduce
19 the Gap Elimination Adjustment to drive more to
20 districts. That, by far, has been their
21 priority.

22 And the monies that the Governor had
23 proposed were \$321 million for Gap Elimination
24 Adjustments, and we increase that amount to
25 \$620 million, which will have a great effect on

1 all of our districts. In addition, the budget
2 language that we're hoping for is to completely
3 eliminate it in a matter of three years, and
4 that's a goal that we think is attainable.

5 The Governor had proposed
6 \$154 million for High Tax Aid. We increased that
7 to \$221 million.

8 So we think those are the priorities
9 for education money, and that's why we redirected
10 funds and found other funds by other cuts to
11 provide more money in that direction.

12 From a procedural matter, I think
13 that we have done other things that are going to
14 be making it easier to have our third on-time
15 budget, a responsible budget that's not going to
16 increase taxes and also not cause more
17 difficulties by increasing taxes.

18 Now, incorporated in this bill as
19 far as economic development, you've got to cut to
20 make the state in a better shape, but you're not
21 going to solve the entire problem by cutting.
22 And the jobs program that we came up with last
23 week is an integral component of this. I will
24 not go through the details. If anyone has any
25 questions, they can provide them, give them to

1 me, and I'll be more than happy to answer as best
2 I can.

3 The Senate also is proposing to
4 eliminate the 18A assessment to reduce energy
5 costs for businesses and individuals. That helps
6 farmers, that helps every business. That also
7 individuals. We all have had our calls from our
8 various constituents looking over their energy
9 bill and asking, "What in God's name is this
10 additional charge?"

11 Well, that additional charge was
12 supposed to expire this year. According to the
13 Governor's budget, he's requesting that it be
14 renewed. We think that would be a very, very bad
15 idea to do that.

16 We're also attempting to make the
17 state more business-friendly by reducing the
18 corporate franchise tax for manufacturers and
19 eliminating it altogether over the next four
20 years.

21 To help the middle class, we want to
22 be in a position to increase the dependents
23 exemption from \$1,000 to \$2,020 and provide a
24 supplemental tax credit of an additional \$500 per
25 family and restore the STAR tax rebates.

1 Once again, you can't just cut
2 forever and expect a result. You have to grow
3 the economy, and that's an integral part of this
4 budget.

5 To help local governments, we're
6 proposing to accelerate the takeover of the local
7 growth of Medicaid, 1 percent cap in 2013 and a
8 zero percent cap in 2014, saving counties
9 millions of dollars.

10 We provide \$20 million more for
11 enhanced aid and incentives for municipalities
12 programs, to assist local governments. I was
13 just in the hall with one of the mayors of the
14 major cities who would love to see more
15 assistance, because their troubles are extremely
16 difficult to deal with.

17 In order to provide what hasn't been
18 provided over the last seven years, we increased
19 the CHIPS funding, which is extremely important
20 to all districts throughout the state as far as
21 facilitating road and bridge construction, but
22 most importantly roads. And that's an additional
23 hundred million dollars. And to provide another
24 \$16 million for upstate transit systems.

25 The Senate also knows the importance

1 of higher education. We're increasing base aid
2 to students attending community college by \$150
3 per student if this becomes part of the ultimate
4 budget.

5 And we unpotted -- this has nothing
6 to do with the medical marijuana. There's a lot
7 of pots in the Governor's budget lumping together
8 a lot of nonprofit agencies on a broad spectrum
9 of things, and reducing the overall cost so the
10 groups would have to compete for the few
11 dollars. Well, by the time they competed and by
12 the time they get paid, they're in another year.

13 And secondly, it reduces -- all
14 these pots substantially reduce legislative
15 oversight. And I think that was important to do
16 the unpotting.

17 The one big issue -- and many of us
18 sat through many of these budget hearings -- was
19 the 6 percent cut to individuals with
20 developmental disabilities. We would like to
21 restore, it's in our budget, \$120 million to the
22 Office for People With Developmental Disabilities
23 to ensure that our most vulnerable of all
24 citizens are protected.

25 And there's a few more things here.

1 Casino gambling is not in it, and I'll wait for
2 questions. That isn't ready. We don't know
3 where the casinos are going or if the Senate even
4 wants to go that direction, or the Assembly. So
5 I think rather than hold up the budget, so we can
6 get an early budget this year we proposed
7 decoupling that from our one-house.

8 And with that said, I'll open it up
9 for questions and try my darndest to give you
10 intelligent and accurate answers.

11 ACTING PRESIDENT GRIFFO: Senator
12 Krueger.

13 SENATOR KRUEGER: Thank you,
14 Mr. President.

15 Well, I appreciate the sponsor's
16 explanations of the bill. And I would agree,
17 there's something for everyone in this bill. In
18 fact, there's lots of things in this one-house
19 resolution that many of my colleagues no doubt
20 will speak on because they agree.

21 But my questions for the sponsor
22 involve the dollars and cents and how it adds up
23 or it doesn't add up. So if the sponsor would
24 please yield to some questions.

25 ACTING PRESIDENT GRIFFO: Senator

1 DeFrancisco, do you yield?

2 SENATOR DeFRANCISCO: Yes.

3 ACTING PRESIDENT GRIFFO: Senator
4 DeFrancisco yields.

5 Again, I'm going to ask, there are a
6 lot of people in the chamber today. If you can
7 take the business that you're discussing
8 in-chamber out of the chamber so the members can
9 engage in debate and dialogue.

10 Senator Krueger, you may continue.

11 SENATOR KRUEGER: Thank you.

12 Through you, Mr. President, if the
13 sponsor can tell me what's the dollars that have
14 been added through this resolution above and
15 beyond the Governor's budget, the new adds.

16 SENATOR DeFRANCISCO: The question
17 is how do we pay for the new adds?

18 SENATOR KRUEGER: No. How much
19 money is in this resolution for line items that
20 didn't exist in the Governor's proposed budget?
21 So things that you added.

22 SENATOR DeFRANCISCO: Well, we pay
23 for everything by either reprogramming the
24 Governor's monies or project additional revenues
25 from other sources. So it's difficult to say

1 exactly. When you talk about adds, it's not all
2 necessarily adds that weren't funded by something
3 that we're cutting. So it's not that we're just
4 coming up with more programs and not paying for
5 it.

6 SENATOR KRUEGER: Maybe I'll ask
7 the sponsor again, through you, Mr. President.
8 I'm going to ask him what are the total new
9 appropriations and what are the decreased
10 appropriations from the Governor's budget. And
11 from those two numbers, we can help get to an
12 answer to the bigger question.

13 So how much in new appropriations is
14 in this resolution compared to the lines that
15 were in the Governor's budget?

16 ACTING PRESIDENT GRIFFO: Senator
17 DeFrancisco.

18 SENATOR DeFRANCISCO: That's
19 \$930 million. And there are cuts in the amount
20 of \$828 million. And the difference is really
21 funded by programs that we believe can
22 substantiate the balance of the funding.

23 And Senator Hannon mentioned to me,
24 which was -- I really didn't realize it's an
25 excellent point. That's why there may be

1 intelligent answers, because others are telling
2 me what to say or suggesting a point.

3 This isn't really that much. In the
4 30-day amendments, the Governor reprogrammed or
5 moved around over a billion dollars in 30 days of
6 his own proposal. So this is not an
7 extraordinary amount of money in view of the
8 overall amount of the budget.

9 SENATOR KRUEGER: And through you,
10 Mr. President, if the sponsor would continue to
11 yield.

12 SENATOR DeFRANCISCO: Yes.

13 ACTING PRESIDENT GRIFFO: The
14 sponsor yields.

15 SENATOR KRUEGER: And then he
16 mentioned additional revenue or less revenue.
17 Can you tell me how much in new revenue there is
18 in this budget resolution? And then the
19 follow-up question is how much from the
20 Governor's budget is being taken off as revenue.

21 SENATOR DeFRANCISCO: We are
22 anticipating a deal with some of the tribes, the
23 Indian tribes, for their compact with the state.
24 We're projecting \$450 million right there alone.

25 By the way, some of these

1 projections, they total about four times of what
2 we really need. So if we're off on some of them,
3 we can stand corrected. We got plenty either
4 way.

5 Medicaid reestimates, we propose --
6 and this is huge. And hopefully everybody will
7 agree with me. In New York State we see all of
8 these the last few years: 2 percent across the
9 board cut, 6 percent across the board cut. To
10 me, that is not the way to go, because good
11 programs get cut along with programs that maybe
12 are spending too much. And that's not a way to
13 run anything, let alone government, where people
14 have the needs that they have in New York State.

15 We would like to eliminate, either
16 through waste reduction, by cutting parts of
17 programs, or cutting into the optional services
18 provided by Medicaid to the tune of about
19 \$200 million. And what do I mean by that? We
20 provide -- out of the 33 optional services that
21 the federal government doesn't require us but
22 will allow us to give, to provide, we provide 31
23 of them. Now it's pretty obvious why we spend
24 more in Medicaid than the next two states
25 combined.

1 We want more education aid? The
2 line for Medicaid has gone well past the
3 education line, and it's over \$60 billion a
4 year. So it's got to come under control some
5 way. I'll give you one example and then I'll
6 stop, because there's a lot of them.

7 When a group of individuals with
8 severe handicaps in wheelchairs came in to see
9 me -- actually, it was two years ago because I've
10 been on this horse for a long time, this soapbox
11 a long time. I said, "If you don't like the
12 2 percent cuts, give me some ideas."

13 A person in a wheelchair said to
14 me: "Well, look, I have a car that's retrofitted
15 to allow my wheelchair to be put in it. I have
16 an aide, and that aide charges a few dollars an
17 hour to the state. But despite that, I have to
18 get to my normal regular medical and dental
19 appointments by some transportation vehicle from
20 a service that costs three times as much as it
21 would otherwise."

22 Now, that's from people that we've
23 really got to help, some of the most vulnerable
24 people. I'm sure there's a ton of those in the
25 developmentally disabled area as well.

1 So my point is I don't mean cut out
2 transportation because it's an optional service.
3 I believe that the way to go is to really plan on
4 this in this budget and make sure we get it done
5 by making these changes that are attainable.
6 That's two examples.

7 ACTING PRESIDENT GRIFFO: Senator
8 Krueger.

9 SENATOR KRUEGER: Through you,
10 Mr. President, if the sponsor would continue to
11 yield.

12 SENATOR DeFRANCISCO: Yes.

13 ACTING PRESIDENT GRIFFO: The
14 sponsor yields.

15 SENATOR KRUEGER: Although one of
16 the questions I was going to ask him was about
17 the cut to optional services in Medicaid, and he
18 in fact jumped in there with his example.

19 So I'm going to go on to other
20 things, but just to highlight that \$208 million
21 cut, he used the one example of transportation.
22 But of course if we were to cut those optional
23 services, it would also mean we were cutting out
24 dental services, occupational and physical
25 therapy, hospice care, clinical services,

1 prosthetic and orthotic devices, hearing aids,
2 and a long list of about 31 different items. So
3 we might agree or disagree about the severity of
4 the impact on people if we were to cut that
5 program in Medicaid.

6 But I wanted to ask a sponsor about
7 a few items that they did put in their one-house
8 resolution. One of the answers to my question
9 before was that there was \$600 million, of which
10 \$450 million is being booked for unpaid taxes
11 from tribal nations. And my understanding is
12 that we've all known about this for years and
13 years and years; we never really could get that
14 money. So do we think we can get that money this
15 year?

16 ACTING PRESIDENT GRIFFO: Senator
17 DeFrancisco.

18 SENATOR DeFRANCISCO: They're
19 presently in binding arbitration. And we believe
20 it's reasonable to assume that it's going to be
21 done this year.

22 If it isn't, as I mentioned, the
23 list I have is extensive and it's four times what
24 we would really need to actually have happen in
25 order to fill the balance of the gap of the

1 budget for some of the things we're adding.

2 In addition, I'm glad I jumped in on
3 optional services. Because that comment about
4 cutting occupational services, cutting everything
5 imaginable, people are going to be cut and let
6 alone without services, that's exactly why it
7 never happens. Because the scare tactics that
8 are used that would say that optional services
9 are sacrosanct and there's no savings we can make
10 about it by making it a more efficient system, I
11 think is exactly why it doesn't happen.

12 And I hope, Senator Krueger, after
13 we've gotten to be such good buddies sitting
14 through six weeks of budget hearings next to each
15 other, and during that lovefest, hopefully you'll
16 look at some of these areas and reasonably cut
17 back on the \$4.1 billion in optional services.

18 Thank you.

19 SENATOR KRUEGER: Thank you.

20 Through you, Mr. President, if the
21 sponsor would continue to yield.

22 SENATOR DeFRANCISCO: Yes.

23 ACTING PRESIDENT GRIFFO: The
24 sponsor yields.

25 SENATOR KRUEGER: So when you added

1 up the amount that you are increasing the debt in
2 the budget by adding costs, you came to about
3 \$930 million. But do you also not have a
4 \$1.3 billion STAR rebate program?

5 SENATOR DeFRANCISCO: Yes. But by
6 the way, we didn't increase the debt. Because
7 according to our budget, there will be a
8 \$1.9 billion, with a B, reduction in All Funds
9 spending and a 1.5 percent decrease in spending
10 for state funds for the state-only funds. So it
11 doesn't increase spending.

12 SENATOR KRUEGER: Through you,
13 Mr. President, if the sponsor would continue to
14 yield.

15 SENATOR DeFRANCISCO: Yes.

16 ACTING PRESIDENT GRIFFO: The
17 sponsor yields.

18 SENATOR KRUEGER: Well, excuse me,
19 the sponsor very kindly continued to yield, but
20 I'm going to just ask one more question and then
21 speak a little bit, because my time is up.

22 Can you tell me how much in new
23 costs will be projected for the state from the
24 brownfields Article 7 language which allows
25 brownfields credits to be moved from \$45 million

1 to \$150 million per project and allows Superfund
2 programs into the brownfields program? What's
3 your projected cost to the state for that?

4 SENATOR DeFRANCISCO: I don't know
5 the answer to that. I'll have to consult with a
6 member of staff.

7 The answer is zero. And you may ask
8 why.

9 SENATOR KRUEGER: I might ask why,
10 thank you. Through you, Mr. President.

11 SENATOR DeFRANCISCO: Because the
12 eligibility standards are much tighter, which
13 will allow less people to get these credits.

14 SENATOR KRUEGER: Through you,
15 Mr. President, on the bill briefly.

16 ACTING PRESIDENT GRIFFO: Senator
17 Krueger on the bill.

18 SENATOR KRUEGER: Actually, on the
19 resolution.

20 ACTING PRESIDENT GRIFFO: On the
21 resolution, Senator Krueger.

22 SENATOR KRUEGER: Thank you.

23 So here's one of the big dilemmas
24 for me. There's lots of good things I like in
25 this that we've added back. But when I do the

1 math -- and I don't have time to go through it
2 all here -- it really doesn't add up. And in
3 fact, if you look at full annualized costs being
4 proposed by my colleagues in their resolution,
5 you're leaving us with an aggregate gap of about
6 \$3.5 billion.

7 And yes, it's true you can say if
8 you take a list of items that are cut out of the
9 state budget, it appears to give us more money.
10 But so much of that is capital funding or dry
11 appropriations that we can't turn into cash that,
12 when I look at this resolution, I go, it's a wish
13 list that will leave us in the hole aggregate
14 going forward in years almost \$3.5 billion. And
15 I can't justify supporting a resolution that
16 would in fact leave the taxpayers \$3.5 billion
17 further in the hole, because of course it would
18 mean that we have to cut more important items
19 actually in the budget.

20 And just as an example, I believe
21 that the brownfields tax credit money would add
22 up as the old brownfields tax credit. We have
23 about half a billion on the books yet to be paid
24 out.

25 And I am concerned that creating a

1 \$1.3 billion payout through STAR, another
2 \$800 million in tax cuts for families -- even
3 though who doesn't like tax cuts for families --
4 a package of jobs proposals that the Senate
5 Republicans made on Friday allowing for capping
6 the tax -- eliminating, excuse me, corporate
7 taxes on 200,000 businesses, a 10 percent PIT
8 exemption, eliminating corporate tax on
9 manufacturers -- it all sounds great, but that's
10 another billion dollars.

11 It actually creates in the bill a
12 section that would require a supermajority to
13 approve any new taxes. So that means we would
14 require 42 of 63 Senators to vote for any new tax
15 ever, heading into future, which almost ties our
16 hands to ever, ever create new revenue, even
17 though this proposal would actually leave us
18 probably \$3.5 billion in the hole in the
19 outyears.

20 It also has a number of Article 7
21 sections that I believe my colleagues will speak
22 about that can do great harm to important policy
23 efforts that we have moved forward with in the
24 years.

25 So I'm shocked at how little time

1 there is to discuss this today. And of course we
2 don't have bills in front of us, we just have one
3 resolution, which is an outline. So a lot of the
4 details are actually in the bills that we are not
5 voting on and not discussing today.

6 Thank you, Mr. President.

7 ACTING PRESIDENT GRIFFO: Thank
8 you, Senator Krueger.

9 Senator Rivera.

10 SENATOR RIVERA: Thank you,
11 Mr. President. On the resolution.

12 ACTING PRESIDENT GRIFFO: Senator
13 Rivera on the resolution.

14 SENATOR RIVERA: So I will -- as
15 has been mentioned before, our time will be brief
16 here, so I will get right to the point on a few
17 things that I'd like to bring attention to that
18 are in the health section of this resolution and
19 what the resolution refers to as far as one of
20 the bills that we will eventually see.

21 First of all, although I do not call
22 them pots, I've been calling them buckets, I do
23 agree wholeheartedly with my colleague and with
24 my Senate colleagues that what the Department of
25 Health or the Governor proposed in taking all of

1 these programs, putting them into all these
2 different pots or buckets makes it much more
3 difficult for many of the programs to even
4 exist.

5 They will be competing against each
6 other in times when it doesn't really make sense
7 for them to compete against each other. It makes
8 it more difficult for these programs to operate.

9 I wholeheartedly agree that this is
10 something that we should resist. And I'm very
11 happy to see that this is what happened in this
12 resolution. Hopefully it's what happens in the
13 final budget and we don't have that problem with
14 public health programs.

15 So I will laud them for that. But
16 there are a few other things that I want to point
17 out which unfortunately are not in there.

18 Number one, even though they have
19 also rejected, our colleagues in the Senate here
20 have rejected the \$40 million cut to these public
21 health programs, they have ignored a proposal
22 that I put forward that would potentially create
23 between \$35 million and \$40 million of revenue
24 specifically as it relates to taxing tobacco
25 products at a higher rate, certainly smokeless

1 tobacco and other products like cigars.

2 In this case, this resolution
3 actually has language to cap the tax on cigars at
4 50 cents when these things are much more
5 expensive, sometimes.

6 But that is one way that we could
7 generate the revenue that this \$40 million cut
8 would hit the public health programs with. So I
9 am dismayed that it was not included in this
10 resolution. I would suggest that we include it
11 in the final version of the budget, \$35 million
12 to \$40 million of revenue that would go directly
13 to these kinds of programs.

14 One part that I am only going to
15 mention briefly because I know that my colleagues
16 in Brooklyn, Senator Parker and others, will
17 definitely speak about it, is a pilot program.
18 The pilot program that was suggested here, that
19 the Governor suggested to inject private money
20 into different hospitals across the state
21 specifically as it relates to SUNY Downstate, but
22 other.

23 The original proposal was two pilot
24 programs. This is something that is incredibly
25 concerning to many of us because it would allow

1 money to come into public health institutions.
2 Unfortunately, the proposal from my Republican
3 colleagues actually expands it immensely. It
4 goes from two pilot programs to ten pilot
5 programs. This is a very serious issue.

6 We believe that allowing this -- it
7 would allow a slot of private money to come into
8 public healthcare institutions in the state. It
9 was incredibly concerning to us when it was two
10 pilot programs, and now that it is 10, it is even
11 more concerning to us. I would encourage my
12 colleagues to reconsider this.

13 And I certainly would -- I'm very
14 concerned about what this would do in the long
15 term to the tradition of nonprofit healthcare in
16 the State of New York.

17 And just one more thing that I'd
18 want to point out is currently Executive Budget
19 includes a proposal to eliminate the Family
20 Health program, and the Senate Republicans agree
21 with this proposal. What it would do is it would
22 create a part of the coverage for people that are
23 poor in the State of New York. We think that
24 about 77,000 people are potentially going to be
25 left out in the cold when you're transitioning

1 from the elimination of Family Health Plus and
2 the spinning up, if you will, of the Affordable
3 Care Act money.

4 There is a serious consideration
5 about the folks that are between 139 percent of
6 poverty and 149 percent of poverty. There is a
7 discussion, a serious discussion to be had here
8 because, again, it is potentially leaving 77,000
9 people out in the cold. Or it would at least
10 open them up to going into the healthcare
11 exchange and paying \$600 and some odd dollars for
12 healthcare coverage. This is a problem because
13 these folks are likely going not to be able to
14 afford it since they are about \$12,000 a year in
15 income.

16 So last but not least I'll say that
17 there are many things in this budget resolution
18 which I think we should laud. Certainly the fact
19 that you have the elimination of the proposal by
20 the Governor to take the public healthcare
21 dollars and split them up into all these
22 different buckets or pots I think is a good
23 thing.

24 But the inclusion of the pilot
25 program and the elimination of Family Health Plus

1 and not dealing with the 77,000 folks that might
2 be left out in the cold is a big problem.

3 So I know that my colleagues will be
4 speaking on other parts of it. But for those
5 reasons and many others that my colleagues will
6 outline, I will be voting in the negative on this
7 resolution.

8 Thank you, Mr. President.

9 ACTING PRESIDENT GRIFFO: Senator
10 Diaz.

11 SENATOR DIAZ: Thank you,
12 Mr. President.

13 Mr. President, as you know, I'm
14 always happy to see you there. And you should
15 know that we have senior citizens over there
16 listening to us. And you should also know,
17 Mr. President, that all my life I have been
18 working on behalf of senior citizens.

19 Right now I am the ranking member in
20 the Senate Aging Committee. And when I was a
21 City Council member in New York City in 2001, I
22 became the chairman of the Aging Committee. Over
23 there we had a struggle to protect and defend and
24 keep senior citizen programs and services. Then
25 when I came to the Senate, when we became the

1 majority, I became also the chairman of the
2 committee.

3 And we have been fighting. And
4 every single year, Mr. Chairman, you should know,
5 ladies and gentlemen, that every single year I
6 had to fight because seniors have been cut.
7 Every single year. My struggle, my fight. And
8 my questions are, why are you hitting senior
9 citizens after they have given us their life,
10 their sweat? We should be protecting them.

11 Let me tell you and you should know,
12 Mr. President, that in the Bronx I created Casa
13 Boricua Senior Center, I created Betances Senior
14 Center, I created the South Bronx Senior
15 Transportation Network, I created Millbrook
16 Senior Center. So I have been working with
17 senior citizens.

18 And every year, as I said before,
19 ladies and gentlemen, I have to stand here and
20 stand in the City of New York and everywhere
21 fighting and asking why seniors have been cut.

22 But this year, Mr. President, this
23 year I praise the Lord. I thank my savior, Jesus
24 Christ. Because this year you should know,
25 ladies and gentlemen, is the first time that

1 seniors have not been touched. And for the first
2 time the Majority, Senator Skelos and the
3 Majority are asking to increase the budget by
4 \$2.7 million.

5 So I'm here not to criticize this
6 time, I'm here to praise. And I'm here to
7 express my appreciation to the Senate Majority
8 for taking care of the senior citizens and
9 increasing -- not too much, not too much, only
10 \$2.7 million. But at least you are not cutting
11 and the Governor is not cutting. The Governor
12 wants something, the Senate Majority wants to
13 increase it, and I applaud and I am here to
14 support, to thank the Senate Majority for
15 increasing, for taking care of senior citizens.

16 And, ladies and gentlemen, my fellow
17 Senators, praise the Lord. Thank you very much.
18 And I am Senator Ruben Diaz, and this is what you
19 should know.

20 (Laughter.)

21 ACTING PRESIDENT GRIFFO: Thank
22 you, Senator Diaz.

23 Senator Fuschillo.

24 SENATOR FUSCHILLO: Mr. President,
25 with unanimous consent, I'd like to recognize

1 Senator Flanagan for the purposes of an
2 introduction.

3 ACTING PRESIDENT GRIFFO: Without
4 objection, Senator Flanagan.

5 SENATOR FLANAGAN: Thank you,
6 Mr. President.

7 I have the pleasure -- and I really
8 appreciate the indulgence of my colleagues. And
9 yes, my last name is Flanagan and yes, to some
10 extent I think this is the holy day of obligation
11 or something like that, because the Ancient Order
12 of Hibernians are having their function tonight
13 here, right in Albany, and we are joined today by
14 this evening's honoree. He had an opportunity to
15 be over in the Assembly earlier today, and that
16 is Al Smith, Al Smith IV, who is joined by his
17 lovely wife Nan, and they are visiting here
18 today. He is being honored tonight.

19 But I just want to give you a quick
20 snapshot of his background. He's done a lot of
21 different things in terms of employment. But I
22 think you would remember two things in
23 particular. He's done an extraordinary amount of
24 work in raising money for the prevention and
25 treatment of cancer, and he put together this

1 group called I think it's Hacksters for Hope
2 that's been going around for a number of years,
3 and they've raised over \$12 million for that
4 research and treatment. So he's done a lot of
5 terrific philanthropic work.

6 For anyone who has had an
7 opportunity to go to the Al Smith dinner, I have
8 to tell you -- this year was my first
9 opportunity, and it was fascinating. Obviously
10 you had the President and Mr. Romney there, and
11 they were both so good that they were almost as
12 good as the MC, who was Mr. Smith. He was
13 engaging, he had great stories, he had a
14 phenomenal sense of humor.

15 And I just would ask the indulgence
16 of this body to recognize him and congratulate
17 him for being the honoree for tonight's
18 festivities. Mr. Smith, nice to see you here.

19 ACTING PRESIDENT GRIFFO: Thank you,
20 Senator Flanagan.

21 (Extended applause.)

22 ACTING PRESIDENT GRIFFO: Thank
23 you, Mr. Smith. It's always a pleasure and honor
24 to have you. We extend the courtesies of the
25 house to have the great descendant of the late,

1 great Governor Al Smith. Thank you so much.

2 Senator Tkaczyk.

3 SENATOR TKACZYK: Mr. President,
4 I'll be speaking on the resolution.

5 ACTING PRESIDENT GRIFFO: Senator
6 Tkaczyk on the resolution.

7 SENATOR TKACZYK: As the ranking
8 member of the Mental Health and Developmental
9 Disabilities Committee, I'd like to make a couple
10 of comments on the budget that's before us.

11 Under the Office for People With
12 Developmental Disabilities, the Senate's budget
13 proposal fully restores the \$120 million cut from
14 the 6 percent across-the-board reduction proposed
15 in the Governor's 30-day budget amendment. These
16 are funds that are going to non-state-operated
17 residential and non-residential developmental
18 disability providers.

19 I fully support that restoration.
20 However, I hope that the \$120 million restoration
21 does not result in a cost shift that will lead to
22 reductions in other areas of the mental hygiene
23 budget.

24 Under the mental health portion of
25 the budget, I want to speak briefly about the

1 Community Mental Health Reinvestment Act. The
2 entire mental hygiene system is moving towards an
3 integrated system of care that is community-based
4 and will be coordinating management care along
5 with the provision of health and mental hygiene
6 services.

7 One of the ways we fund local
8 community-based mental health services is by the
9 savings incurred when we close and downsize state
10 psychiatric facilities. This is the sole purpose
11 of New York's landmark Community Mental Health
12 Reinvestment Act, which celebrates its 20th
13 anniversary this year.

14 The anticipated savings from closing
15 and downsizing the state psychiatric centers in
16 this year's proposed budget is \$25 million. The
17 Governor and Assembly proposed taking \$5 million
18 of that amount and putting that into reinvestment
19 in the community. The budget proposal before us
20 sweeps even that small fund into General Fund
21 purposes.

22 The money comes from a real closure,
23 the Mohawk Valley Psychiatric Center in Utica.
24 Closing this facility results in real needs for
25 the community.

1 Simply put, community-based
2 organizations are being asked to provide more
3 services to more people with increasing
4 challenging needs in a system that is not keeping
5 up with the commitment to the providers who are
6 expected to meet those needs. We've been asking
7 them to do more with less; now we're asking them
8 to do more with nothing. I sincerely hope the
9 final budget includes restoration of that
10 funding.

11 I'd like to speak also a little bit
12 on education. I am very pleased that the Senate
13 budget resolution includes many of the funding
14 increases I've been fighting for, including an
15 overall increase in general support for public
16 schools and additional funding to restore the Gap
17 Elimination Adjustment.

18 However, since we don't have
19 adequate information regarding the amount of aid
20 that each district will be receiving, I certainly
21 hope that we will not continue past practices of
22 shortchanging districts that need it most,
23 particularly lower-income rural and small-city
24 school districts in counties like Montgomery,
25 Greene and other upstate areas. Upstate rural

1 school districts and those in our small cities
2 have been denied their fair share of education
3 aid for too long and cannot afford to increase
4 property taxes to compensate.

5 The goal to eliminate the Gap
6 Elimination Adjustment for all of our schools in
7 three years is laudable, and one I fully
8 support.

9 I don't like everything in this
10 budget, but I like most of it. I'll be voting
11 aye. Thank you.

12 ACTING PRESIDENT GRIFFO: Senator
13 Espaillat.

14 SENATOR ESPAILLAT: Thank you,
15 Mr. President.

16 I rise to speak to the portion of
17 the budget that addresses housing in the State of
18 New York.

19 ACTING PRESIDENT GRIFFO: Senator
20 Espaillat on the resolution.

21 SENATOR ESPAILLAT: Yes,
22 Mr. President.

23 As you may remember, a couple of
24 years ago we extended the rent stabilization laws
25 for the State of New York. During that very long

1 and often contentious debate, we spoke very
2 clearly about the needs of tenants throughout the
3 State of New York. And while we extended the law
4 and in so doing provided protection for millions
5 of tenants across the State of New York, and
6 whereas we also slightly strengthened tenant
7 protection during that debate, it was also very
8 prominent during that debate the call for a
9 Tenant Protection Unit within the agency, the
10 state's agency that governs housing; that is,
11 HCR.

12 And the Governor was also an
13 outspoken member of this government, the state
14 government, in calling for the establishment of a
15 Tenant Protection Unit that would protect the
16 rights of rent-regulated tenants and provide
17 information to both owners and tenants. It would
18 also help increase compliance and enforce rent
19 regulation. It would also look to detect
20 landlords that did not comply with the law or
21 were fraudulent in their practices.

22 This is very important,
23 Mr. President, for thousands of families across
24 the State of New York that rent their apartments,
25 that find often that they are victims of

1 landlords that are sometimes unscrupulous.

2 And I am very distressed to see that
3 in this budget the \$5.8 million -- which is a
4 drop in the bucket. When you consider that we
5 may have a \$137 billion budget, that we don't
6 have the \$5.8 million that both the Governor
7 called for and the Assembly called for in their
8 resolution is highly distressing.

9 And so, you know, we are concerned
10 that this unit, which proposes not only to
11 provide legal services to tenants that find
12 themselves in court perhaps facing an eviction,
13 sometimes an illegal eviction from their
14 landlords -- not only does this unit proposes to
15 that, but it also proposes to create a database
16 so when you rent an apartment, those young
17 families that start out, maybe a police officer
18 and a teacher that rent their first apartment
19 before they start their family, they will be able
20 to know the full rent history of that apartment,
21 perhaps even if the apartment has any violations,
22 if the building has any violations, any issues.

23 So this cannot happen unless we have
24 some funding behind this unit. And the
25 resolution presented by the Majority today does

1 not include this funding. This is not a
2 back-breaking effort. And we ask that that
3 funding be included.

4 For that reason, Mr. President, I
5 will be compelled to vote against this
6 resolution.

7 ACTING PRESIDENT GRIFFO: Senator
8 Gipson.

9 SENATOR GIPSON: On the bill.

10 ACTING PRESIDENT GRIFFO: Senator
11 Gipson on the bill.

12 SENATOR GIPSON: Thank you,
13 Mr. President.

14 As the constituents of my district
15 in the great Hudson River Valley know, I spent
16 the last two years campaigning on a platform of
17 creating new jobs in the Hudson Valley and making
18 sure that we keep the ones that we have and
19 trying to reduce the cost of living and also
20 putting a lot of focus on improving our education
21 system.

22 And I'm very happy to say that this
23 resolution today goes a long way in achieving
24 those goals, and that the work that we have been
25 doing here towards those goals has really begun

1 to pay off. And I'm hopeful that we can make
2 much more progress on these issues.

3 This particular bill proposes that
4 we keep the Beacon women's facility open, which
5 is in the southern part of my district, which
6 currently employs over 120 people in the local
7 community and provides urgently needed services
8 to a group of women that are looking for a second
9 changes in their life. And I am happy to see
10 that we are going to hang onto those jobs.

11 I am encouraging that the Governor
12 stand by this proposal and work with us to make
13 sure that we help keep the economy in Beacon
14 thriving by keeping these local jobs there and
15 continuing to provide the services that these
16 women depend upon.

17 Also in my district there is a
18 juvenile facility in the Town of Red Hook that
19 provides, again, urgently needed services to a
20 group of people that would have no other place to
21 go, including some there who rely on services
22 that are geared towards the LGBT community.

23 Again, this resolution restores the
24 funding to that facility, keeps it open, keeps
25 the jobs local. And again, I would encourage the

1 Governor to sign onto this and work with us in
2 growing the economy locally in the Hudson River
3 Valley.

4 My district also has an enormous
5 amount of schools that fall into the category of
6 853, which provide very important services to
7 those with developmental disabilities. We have
8 increased the aid to these schools in this
9 proposal.

10 This is critically important, in
11 that these people that go to these facilities
12 would have no other place to go, they would have
13 no other place to turn for that funding. And I
14 am encouraged to see that we are working in a
15 bipartisan manner to make sure that these schools
16 have the funding they need to provide these
17 valuable services.

18 With the increased aid to the 853
19 schools in my district, we will be saving
20 approximately 750 jobs in the Hudson River
21 Valley. That is obviously very important to
22 growing our economy. And again, I urge the
23 Governor to sign onto this resolution in respect
24 to that particular issue.

25 My district in the Hudson River

1 Valley also has an enormous amount of
2 agriculture. And one of the great things that
3 I've seen in this particular resolution is that
4 there is a proposal to remove the 18-a utility
5 assessment charge. The farms across New York
6 State, including those in my district, are some
7 of the biggest users of utilities in this state.
8 They will benefit greatly by removing this tax,
9 which is making it more expensive for them to do
10 the farming that they need and making it more
11 expensive for them to hire local.

12 So I am reaching way across the
13 aisle -- I want it to be noted that I am reaching
14 way across the aisle in working with my
15 Republican counterparts and hopefully asking that
16 the Governor remove this unnecessary tax in the
17 state budget.

18 And I am also very encouraged that
19 we are making steps towards offering some mandate
20 relief to our local governments in this
21 resolution. As a person who comes from local
22 government, I can attest to the fact that mandate
23 relief is something that our local governments
24 desperately, desperately need.

25 I would consider this to be very

1 much on the light side of mandate relief, but at
2 least we are offering up \$20 million that the
3 Governor did not have in his budget. That is a
4 step in the right direction. We are going to
5 need to do to a lot better than that moving
6 forward, and I would encourage us all to find a
7 way to do that in the future.

8 I just want to touch briefly on
9 school aid. We are increasing, in this
10 resolution, school aid, and we are adding in
11 greatly needed aid to all of our local schools.
12 But I would say to point out this, that the way
13 that we're funding schools right now is a bit of
14 a shell game. And even though I'm happy to see
15 that we are greatly increasing school aid in this
16 budget, the way in which we're doing it, the
17 formulas which we are doing it by are somehow
18 confusing, somewhat outdated, in great need of
19 revision.

20 And I just want to point out that I
21 am the sponsor of something called the Equity in
22 Education Act that would totally change and
23 reform the way that we fund education so that we
24 can make sure that all of our schools are getting
25 the funding that they need in this urgent time to

1 make sure that we are competing globally and that
2 the schools in the poor part of our districts are
3 getting the same type of funding as the schools
4 in the wealthy part of our districts. And that
5 bill would do that, and it would take it even
6 further than we have gone with this particular
7 resolution.

8 I am going to be voting yes on this
9 resolution, and I appreciate you giving me time
10 to speak on it.

11 ACTING PRESIDENT GRIFFO: Senator
12 Peralta.

13 SENATOR PERALTA: Thank you,
14 Mr. President.

15 When I look at this one-house
16 budget, I see a few good things, like a rejection
17 of the Beacon closure and a restored funding for
18 local workforce training. I also see some bad
19 things, like concurrence with the Governor's
20 unemployment insurance reforms, which would raise
21 the qualifying threshold and have a devastating
22 effect on low-wage workers across this state.

23 But mostly I see missed
24 opportunities. This chamber had the chance to
25 lead on the critical issues of our time and

1 instead decided to play it safe.

2 Instead of fighting for an increased
3 minimum wage indexed to inflation, which would
4 help bring New York's working poor out of poverty
5 and keep the issue from remaining a political
6 football going forward, you decided to punt.

7 Instead of giving hope and
8 opportunity to thousands of young New Yorkers by
9 pushing for the DREAM Act, you stood silent.

10 Both of these measures are about
11 more than just helping the disenfranchised. They
12 are about providing for the future of our state
13 as a whole.

14 Increasing the minimum wage is not a
15 job killer, as opponents deride. In fact, the
16 various proposals on the table can be expected to
17 generate between 7,000 and 15,000 new jobs.
18 Passing the DREAM Act might cost a little bit
19 more right now, but it will pay clear and
20 tangible dividends in the near future.

21 Let's not lose the opportunity to
22 make a real investment for the future of this
23 great state. College graduates pay an extra
24 \$3900 in annual state taxes, meaning that TAP
25 funding for the undocumented could more than pay

1 for itself within six years, on average.

2 Being a leader means taking a stand
3 instead of the path of least resistance. These
4 are the issues on which we must lead, and here is
5 where we must take our stand. That's why we need
6 a real minimum wage attached with an index and a
7 DREAM Act that paves a path to future
8 prosperity.

9 Mr. President, I have to vote nay.
10 Thank you.

11 ACTING PRESIDENT GRIFFO: Senator
12 Hassell-Thompson.

13 SENATOR HASSELL-THOMPSON: Thank
14 you, Mr. President.

15 While I concur with most of the
16 public protection portion of the budget
17 resolution, I am concerned and disappointed that
18 the transfer of Fulton Correctional Facility has
19 been capriciously rejected. I strongly urge the
20 Coalition to reconsider its position regarding
21 the Executive's adaptive reuse plan to transfer
22 the Fulton Correctional Facility to the Thomas
23 Mott Osborne Society.

24 Osborne is an institute of unmatched
25 experience in the implementation of reform and

1 rehabilitation programs. It provides
2 opportunities for individuals in conflict with
3 the law through rehabilitation programs. The
4 Fulton plan proposes to restore to the community
5 priceless opportunities preventing and reducing
6 the damage caused by crime and incarceration.

7 I also have a concern about the
8 proposed elimination of the New York City
9 presentence investigation and submission of
10 written report when an individual is sentenced to
11 a term of imprisonment up to one year or less.

12 The information that is contained in
13 a presentence report has vital information not
14 only about the offense which resulted in
15 imprisonment, but also about the individual.
16 Individuals who will be incarcerated up to a year
17 will be away from their families, their doctors,
18 their jobs and their communities. For
19 individuals that may suffer from health
20 conditions requiring medication or medical
21 history requiring certain prohibitions from
22 physical activity, mental health, substance and
23 alcohol abuse issues, this information would not
24 be available.

25 This report also functions as an

1 important tool and resource for the facility to
2 more effectively assess the needs of the offender
3 who they are charged with the responsibility of
4 housing. And it's an additional tool for the
5 judge to use when sentencing an individual,
6 notwithstanding a negotiated sentence.

7 Lastly, this portion of the public
8 protection portion speaks to the closure of
9 prisons. I am appreciative of the Senate's
10 recommendation to reject the Governor's proposal
11 to close the Beacon Correctional Facility in
12 Dutchess -- and I want to congratulate my
13 colleague Senator Terry Gipson for the leadership
14 that he has provided -- but also to the Senate
15 for recognizing that Beacon is the last remaining
16 women's minimum-security facility in New York
17 State and, if this prison closes, the inmates
18 will potentially have to be moved to
19 medium-security or maximum-security facilities
20 over 376 miles away from Dutchess County,
21 creating hardships for families and especially
22 for children in their visitation to parents.

23 Finally, I want to echo my
24 colleague's sentiment that even if, against our
25 recommendation, the Executive does in fact close

1 Beacon or Bayview, it is critical that proper
2 notice under the current law be adhered to.

3 Currently, New York correction law
4 requires the commissioner of the Department of
5 Correctional Services to provide at least
6 12 months' notice of this prison closure. And in
7 doing so, it will give an opportunity for the
8 kind of activities that the Bronx has
9 participated in in trying to present a program
10 for reuse of the Fulton facility, and will give
11 economic empowerment back to communities as well
12 as respond to the needs of people coming out of
13 prison to reduce recidivism.

14 The last comment, I'd like to just
15 make a quick point in congratulating also the
16 Senate for denying the Executive's proposal to
17 appropriate \$3 million for the state's operation
18 for the Department of Economic Development for
19 the 2016 MWBE disparity study.

20 As many of you know, this study was
21 done as a preliminary to the development of
22 legislation passed by this body and by the
23 Assembly to ensure that there's full
24 participation of minorities and women in this
25 state.

1 This disparity study sunsets in
2 February of 2016. In order to ensure that we can
3 evaluate whether or not MWBEs have had a fair
4 opportunity to participate in the state's
5 contracting opportunities, this disparity study
6 must in fact be done. So I thank this body for
7 ensuring that the \$3 million necessary for this
8 study is appropriated in this resolution.

9 Thank you, Mr. President.

10 ACTING PRESIDENT GRIFFO: Senator
11 Savino.

12 SENATOR SAVINO: Thank you,
13 Mr. President.

14 You know, I've heard it said here
15 several times now that this is a very good
16 one-house budget resolution that has a lot of
17 very good things that are in it.

18 This is the ninth time I've
19 participated in this annual budget dance. And
20 there are a lot of very good things in this
21 one-house budget resolution, and let's kind of
22 recap some of them, particularly for issues that
23 are important to me and to many of the people in
24 this room.

25 Senator Diaz mentioned that for the

1 first time, senior programs are not on the
2 chopping block. We don't have them worried about
3 whether there's going to be funding there for
4 them. Not only have we kept it, we've actually
5 increased it, for the first time in the nine
6 years I've been in the New York State Senate.

7 Nurse-Family Partnership, a
8 critically important program that many of the
9 members of the Senate fought to create a few
10 years ago, is not only still in the budget, it's
11 not only accepted the Governor's recommendation,
12 we added \$2 million. Because that's how much we
13 think the Nurse-Family Partnership matters and
14 how important it is to women and particularly
15 women with small children.

16 We all stood up and said we weren't
17 going to accept the Governor's recommendations of
18 cutting an additional 6 percent from
19 developmental disabilities, and we put our money
20 where our mouth is and we put that money back in
21 the budget and we said no to that. That's a good
22 thing.

23 We've also found ways to deal with
24 something that was a terrible injustice that was
25 perpetuated on a group of employees a few years

1 ago when this house could not get together enough
2 votes to make sure that OTB continued beyond
3 their deadline. When 800 employees lost their
4 jobs and hundreds of retirees lost their health
5 insurance, we said then we were going to fix it.
6 Last year we tried, we didn't put the money in
7 the budget, and the Governor vetoed it.

8 Well, this year we're putting the
9 money in the budget. Again, living up to a
10 commitment we made to people who gave their lives
11 to public service so that they don't die in
12 poverty because they can't afford to pay their
13 medical bills. That's a good thing.

14 Unemployment insurance reform. I've
15 been talking about it, it's been an issue of
16 discussion ever since I got involved in the labor
17 movement in this state. And I don't want to tell
18 you how long ago that has been, because I'm
19 getting older every year.

20 But every year there was discussion
21 about UI reform: How do we drag a system that
22 was built in the industrial manufacturing economy
23 into the modern times, how do we stabilize the
24 system, how do we shore up the funds, and how do
25 we finally do something about increasing the

1 average worker's weekly wage replacement? We're
2 doing all of that.

3 And with respect to the concern
4 about earning a certain amount of money to be
5 eligible for the minimum, when we do something
6 else in this budget, we're going to solve that
7 problem. When we raise the minimum wage, we will
8 close that gap so those low-wage workers will not
9 be shut out.

10 In this budget resolution it states
11 clearly that it is the intention of the Senate to
12 modify the Governor's proposal and to do a
13 minimum-wage increase just like this Legislature
14 did in 2004. Some of you were here. I was not;
15 I was still an activist in the labor movement.
16 And an issue that we worked on for several years
17 to get the minimum wage raised in New York State
18 was finally accomplished on July 21st of 2004,
19 when this house passed the minimum wage increase
20 setting three increases on a date certain:
21 July 1st of 2005, July 1st of 2006, and July 1st
22 of 2007.

23 When we are done negotiating this
24 budget, we will do the same thing. We are going
25 to raise the minimum wage for low-wage workers in

1 this state because it's the right thing to do.

2 So there's a lot of good stuff in
3 this budget resolution. I am very proud to have
4 participated in it. And I'm very proud to go
5 into the next round of negotiations where the
6 Senate fights like hell to hold onto the things
7 that we know are important, and we are going to
8 do that together. And we are going to have a
9 budget that each one of us can be proud of.

10 Thank you, Mr. President.

11 ACTING PRESIDENT GRIFFO: Senator
12 Stavisky.

13 SENATOR STAVISKY: On the
14 resolution. On the higher education parts of the
15 resolution.

16 ACTING PRESIDENT GRIFFO: Senator
17 Stavisky on the resolution.

18 SENATOR STAVISKY: Obviously the
19 restoration of base aid to the -- or increasing
20 the base aid to the community colleges, both SUNY
21 and CUNY, by \$150 per full-time equivalent, is a
22 good thing. And there are many other good parts
23 to this budget. But there are three areas that I
24 think need improvement.

25 Number one, we've got to support

1 SUNY's request and the request of the president
2 of Upstate Medical School for the \$150 million
3 restructuring of Downstate, the short-term aid
4 that they require, and the Medicaid adjustment.
5 Because if SUNY Downstate goes, so will the other
6 SUNY medical schools and their hospitals that are
7 associated with them.

8 Secondly, I think the resolution
9 should have rejected the Article 7 language
10 calling for the pilot project for Kings County
11 and one other county upstate in terms of
12 providing a for-profit mechanism, a for-profit
13 model for the medical schools and the hospitals.
14 This I think is a very dangerous precedent, and I
15 think that Article 7 language should have been
16 rejected.

17 And the third area is the DREAM
18 Act. The Assembly, I believe, in their budget
19 resolution is going to call for a \$25 million
20 allocation for the DREAM Act. These are kids who
21 came to the United States as young people. They
22 are undocumented, not their fault. And providing
23 them with TAP and opportunity programs to me is
24 the fair and the right thing to do.

25 The community will benefit, there

1 will be a stimulus to the economy in terms of
2 they're going to be buying locally. They're not
3 going to be buying the airplanes with the reduced
4 sales tax. Those are not the -- that's not going
5 to be in their budget plans. They're going to be
6 working people who are going to receive a salary,
7 they're going to be paying taxes, they are going
8 to be buying locally. And to me it's an economic
9 stimulus that I think we ought to take advantage
10 of.

11 So I urge the Senate during the
12 budget conference committees to restore the DREAM
13 Act and to provide for the hospitals and the
14 medical schools.

15 Thank you, Mr. President.

16 ACTING PRESIDENT GRIFFO: Senator
17 Hoylman.

18 SENATOR HOYLMAN: Mr. President, on
19 the resolution.

20 ACTING PRESIDENT GRIFFO: Senator
21 Hoylman on the resolution.

22 SENATOR HOYLMAN: Mr. President, I
23 oppose this budget resolution because of the
24 unfair and inequitable way it treats New York
25 City schoolchildren.

1 I think most of us realize that
2 New York City in this resolution stands to lose
3 \$240 million a year because city officials could
4 not come to an agreement with teachers over an
5 evaluation system. But, Mr. President, this is
6 not the first time New York City's 1.3 million
7 public school kids have lost out at the hands of
8 government.

9 New York City's public school kids
10 are already losing an additional \$260 million a
11 year in Race to the Top funds, and this chamber
12 eliminated and made permanent over \$300 million
13 annually in aid and incentives for
14 municipalities, completely zeroed out. And now,
15 Mr. President, this \$240 million cut.

16 And these are cuts that will keep on
17 cutting. Remember, they're annual, impacting
18 every borough of Manhattan, and will escalate to
19 over a billion dollars in fewer than five years.

20 It's been said that we are punishing
21 the 1.3 million schoolchildren in New York City
22 because the adults couldn't come to an
23 agreement. Mr. President, I could not agree
24 more. It's the adults, not the kids, who should
25 be put into detention for not being able to work

1 out a solution. It's the adults, not the kids,
2 who, barring alternatives, need to find a way to
3 fully fund New York City's education system as
4 mandated by the court order in the Campaign for
5 Fiscal Equity lawsuit.

6 And it's the adults, Mr. President,
7 not the children, who have the responsibility to
8 make certain that we have a literate, educated
9 and functioning workforce and democracy in our
10 state. No less than Thomas Jefferson said that
11 "An enlightened citizenry is indispensable for
12 the proper functioning of a republic."
13 Self-government is not possible unless the
14 citizens are educated sufficiently to enable them
15 to exercise oversight. Therefore, Mr. President,
16 it is imperative that our nation see to it and
17 our state sees to it that a suitable education is
18 provided to all its citizens.

19 Mr. President, I cannot support this
20 resolution, because not only does it shortchange
21 New York City's 1.3 million public
22 schoolchildren, but it also undermines the future
23 of our state. A court has recently intervened
24 and ordered this \$240 million cut to be held in
25 escrow. And our colleagues in the Assembly

1 restored the funding to New York City's public
2 school system in their budget resolution.
3 Mr. President, I strongly believe that we should
4 do the same.

5 And for these reasons, I will be
6 voting nay on the resolution.

7 ACTING PRESIDENT GRIFFO: Senator
8 Kennedy on the resolution.

9 SENATOR KENNEDY: Thank you,
10 Mr. President.

11 I rise today to express support for
12 major components of the proposed budget
13 resolution; however to also bring attention to
14 several issues I believe require more work and
15 inclusion in the final budget.

16 With this budget resolution, our
17 chamber is making a statement that we believe our
18 state must do more to support at-risk children
19 and young people. By reinstating funds for
20 Operation SNUG and for the Court-Appointed
21 Special Advocates program, otherwise known as
22 CASA, we are poised to make a real difference in
23 the lives of young people in communities across
24 our state.

25 With homicides up by nearly

1 40 percent in the City of Buffalo, action is
2 urgently needed to stop the violence. By
3 relaunching Operation SNUG, we will help cut down
4 on gang activity and make Buffalo and cities
5 across the state safer. When SNUG received
6 adequate funding previously, it helped curb gang
7 activity in Buffalo and several other cities and
8 towns.

9 CASA provides volunteer advocates
10 for abused and neglected children in foster care
11 and the Family Court system. Essentially the
12 program ensures that young people gain access to
13 the support and services they need to avoid
14 destructive decisions. Children need the helping
15 hand and supportive voice that the CASA program
16 provides.

17 Both programs carry very minimal
18 price tags compared to the tremendous positive
19 impact they've already made in communities all
20 across New York State.

21 The Senate has also stepped up to
22 protect people with developmental disabilities.
23 After a potential 6 percent cut to OPWDD was
24 announced, we raised our voices. We raised our
25 voices and sent a message across the state that

1 these cuts are not acceptable. These cuts pose a
2 major threat to our state's most vulnerable
3 citizens.

4 This fight is not yet over. We must
5 ensure that this critical funding remains a part
6 of the final budget plan as negotiations
7 continue.

8 Rebuilding and strengthening our
9 infrastructure remains an urgent priority across
10 the state as well. In years past, Western
11 New York hasn't received its fair share of
12 resources for our roads and bridges. More
13 recently, things have started to change. It
14 has become a priority to correct past funding
15 shortfalls and ensure a fair allocation of
16 funds are sent to Western New York for road and
17 bridge reconstruction.

18 As the budget negotiations continue,
19 I urge the state to boost resources for
20 infrastructure improvements, especially in
21 Western New York. Let's continue to take steps
22 to fill the funding gap left behind by
23 disparities suffered in past years.

24 We must also ensure the
25 accountability and efficiency of our state's

1 transportation agencies. State investments in
2 our roads and transit systems need to be spent
3 transparently, wisely and promptly.

4 I'm pleased to support the call for
5 a new five-year SUNY capital plan. It's critical
6 to protecting the academic infrastructure of our
7 SUNY system.

8 The state must also ensure that
9 economic development and job creation remain a
10 top priority. To that end, our state must
11 support those programs that have proven effective
12 in building local industries and growing regional
13 economies.

14 In Buffalo, we've been building
15 burgeoning life science industries with the help
16 of the UB Center of Excellence in
17 Bioinformatics. The Centers of Excellence
18 program deserves additional support, and the
19 state must now help Buffalo and its Center of
20 Excellence in Materials Informatics get up and
21 running.

22 We in the Legislature granted the
23 University at Buffalo a designation to create
24 this new center, and we made an initial
25 allocation of funding. But now they need our

1 support to begin their work to create jobs in
2 these cutting-edge technologies. We must
3 adequately fund this and other centers like it
4 across the state.

5 As technology advances and
6 industries change, so do the skills required to
7 fill the jobs gap and fill jobs in the regional
8 economies across the state. It's given rise to
9 what's become known as the skills gap, or the
10 disparity between skills potential employers
11 require and the skills that exist in the
12 population seeking employment.

13 In Western New York the skills gap
14 is largely to blame for approximately 1,000 local
15 manufacturing jobs that go unfilled each month.

16 Governor Cuomo outlined an
17 initiative to address this persistent trend,
18 called the Next Generation Jobs Linkage Program.
19 It's a program that deserves our support. This
20 jobs training program is similar to a proposal we
21 drew up called the Centers for Workforce
22 Achievement. These programs are designed to
23 partner community colleges with local employers
24 to develop a skilled workforce for growth
25 industries in our regional economy. It will help

1 bridge this gap, this skills gap, this jobs gap.
2 It will help lead to high-wage jobs in programs
3 for graduates, and a highly trained workforce,
4 and help support local businesses. I urge
5 support for this critical program to get New
6 Yorkers back to work.

7 And last but certainly not least, I
8 reiterate my call for an increase in the minimum
9 wage. As the Governor stated in his State of the
10 State remarks at the beginning of the year, and I
11 quote: "It is the right thing to do. It is the
12 fair thing to do. It is long overdue."

13 Let's pass an increase in the
14 minimum wage that reflects our respect for the
15 value of hard work, so that hardworking
16 New Yorkers can hold their heads high after a 40,
17 50, or 60-hour work week and can return home to
18 their loved ones with not just a paycheck but
19 with the dignity that they deserve as well.

20 Thank you, Mr. President.

21 ACTING PRESIDENT GRIFFO: Senator
22 Parker.

23 SENATOR PARKER: Mr. President, on
24 the resolution.

25 ACTING PRESIDENT GRIFFO: Senator

1 Parker on the resolution.

2 SENATOR PARKER: We've gotten to
3 the point in the process when everything has been
4 said, everybody just hasn't said it yet. And so
5 let me add my voice to the chorus of those who
6 have some mixed emotions about what we see here
7 in this resolution.

8 There's certainly some things that I
9 think were done right, and I applaud folks who
10 worked on this in terms of working hard to kind
11 of right some wrongs. But there's still some
12 things that we have yet to really resolve in any
13 kind of significant way.

14 I'm going to make six quick points,
15 one about Downstate Medical Center's financial
16 crisis and the privatization language; around
17 education, around restoring full funding for
18 schools and particularly around the Campaign for
19 Fiscal Equity lawsuit; the minimum wage; 18-a;
20 lack of support for the developmentally disabled;
21 and MWBEs.

22 Let me just start with the minimum
23 wage. And Senator Peralta and then Senator
24 Kennedy just touched on it. We have to do a
25 minimum wage. And I was actually disappointed

1 that this Senate resolution does not contain a
2 specific proposal around the minimum wage with
3 indexing.

4 I have a bill that actually is based
5 on the Fiscal Policy Institute's analysis that
6 said had we been indexing the minimum wage since
7 1970, we would now be at \$11.15. So I have a
8 bill that would make the minimum wage in the
9 state \$11.15, with indexing. I know you might
10 have been waiting for that proposal. So if you
11 want to add that, you know, to the final version,
12 I'm happy to be taking cosponsors on that bill.

13 And then as it relates to Downstate
14 Medical center in Brooklyn -- and this is really
15 right now a crisis. We have a significant
16 medical crisis in Brooklyn, the fourth largest
17 city in the country, the largest county in the
18 universe. As we call -- me and Simcha Felder
19 called it, "the People's Republic of Brooklyn."

20 But we've been shortchanged as
21 relates to healthcare. And this is a problem not
22 just for Downstate but also for Long Island
23 College Hospital, LICH, as we lovingly called it,
24 which is scheduled to be closed. And I've been
25 working with Senator Daniel Squadron and others

1 around both saving that hospital, which is
2 important not just for the community that it sits
3 in, but for the surrounding communities in places
4 like Red Hook that were hit particularly hard by
5 Superstorm Sandy.

6 Let me be clear that Downstate
7 treats nearly 400,000 patients on an annual
8 basis, and about 85 percent of them are
9 African-American. Many of the communities suffer
10 from high rates of chronic illness, including
11 obesity, hypertension, diabetes, and require
12 ready access to quality healthcare services.

13 For many, Downstate is the first
14 choice and the last resort for their healthcare
15 needs in our communities. It trains the largest
16 number of black and Latino healthcare
17 professionals in the entire country. If
18 Downstate were closed, it would devastate
19 Brooklyn and deepen Brooklyn's healthcare
20 crisis.

21 And so, you know, my message around
22 Downstate is that it is too big to fail and we
23 need to address it.

24 The budget contains also some
25 privatization language. You heard Senator Rivera

1 talk about it; you heard Senator Stavisky, our
2 ranker on Higher Education, also talk about this
3 privatization language that now went from like
4 two hospitals to now 10 hospitals. It's
5 amorphous language. It doesn't really tell us
6 what the privatization proposal is.

7 And I want to suggesting that both
8 the Senate majority, the IDC and the Governor
9 eliminate that language until we can clarify it
10 and have more conversation about it.

11 As it relates to education, we're
12 not really doing nearly enough as relates to
13 education. First, it's unconscionable that this
14 budget does not restore the \$260 million cut from
15 New York City public schools. You know, we are
16 now punishing children because adults can't get
17 along. And I don't know anywhere where that
18 actually makes sense.

19 Put that money back. Let's figure
20 out a way to get teacher evaluations. We all
21 voted for it, we believe it's the right thing to
22 do. But we can't punish children because adults
23 can't get along.

24 In addition, we have yet to live up
25 to our fulfillment of the Campaign for Fiscal

1 Equity lawsuit. In 2006, I stood up in this body
2 and I took 13 no votes on the budget because of
3 CFE. I'm prepared to do the same thing this time
4 as well if in fact we don't make sure that we
5 take care of the high-needs school districts
6 around the State of New York.

7 As relates to 18-a -- and Senator
8 Gipson eloquently talked about how important this
9 was. You know, let me just congratulate the
10 drafters of this resolution for eliminating the
11 18-a surcharge. This is a surcharge that really
12 ought to be used for its intended purpose, which
13 is to make sure that the rate cases are being
14 heard by the PSC.

15 When you take that money -- when you
16 increase the fee and then take the money and put
17 it into the budget and then make it, you know,
18 forever, you get rid of both legislative
19 oversight but then you also pass on a tax.
20 Mr. Governor, I thought you said no new taxes.
21 18-a is a tax that is passed down directly to
22 ratepayers. It has to go. And I'm glad that
23 this Senate resolution does not contain it.

24 As relates to the issues around the
25 developmentally disabled community, there's a

1 whole clawback issue with the federal
2 government. You know, and we just haven't
3 addressed this the right way. That money that
4 was overpaid was overpaid because of state
5 hospitals. But then we're making the entire
6 system repay the money. That's not the right way
7 to go.

8 And I am supportive of the
9 \$120 million additional funding that was added
10 into the budget on this issue, but we're still
11 not doing enough to help people and families who
12 deal with autism and autism spectrum disorders
13 but also other kind of developmentally disabled
14 persons in our community. And I urge us to do a
15 lot more.

16 As I conclude, I'm going to
17 reiterate what Senator Ruth Hassell-Thompson
18 spoke about as it relates to starting to put
19 funds in now for the next disparity study
20 regarding women and minority business
21 development.

22 If we want to look at how we in fact
23 deal with this jobs issue, particularly as it
24 relates in black and Latino communities, it is
25 about creating businesses. Because it's really

1 small businesses in those communities and access
2 to contracting with the state and local
3 governments that in fact provide economic
4 opportunities that will help lift us out of this
5 jobs crisis that we've been in for a number of
6 years.

7 We not only need to have another
8 disparity study, we still also need to implement
9 all of the recommendations from the last
10 disparity study. And so while I want to applaud
11 the Governor for having a 20 percent goal, what
12 he has not done is put in enough money into the
13 infrastructure of state government that allows
14 the recommendations to be implemented. And so
15 you have policies, but no people in the agencies
16 to in fact actually manifest the work that you
17 want done.

18 And so this budget is short on
19 that. I ask the Governor and I ask this body to
20 be more responsive and to add this year about
21 \$4 million in for MWBE work around the different
22 agencies in the state.

23 Thank you very much, Mr. President.

24 ACTING PRESIDENT GRIFFO: Senator
25 Montgomery.

1 SENATOR MONTGOMERY: Yes, thank
2 you, Mr. President. I would just like to speak
3 on the resolution.

4 ACTING PRESIDENT GRIFFO: Senator
5 Montgomery on the resolution.

6 SENATOR MONTGOMERY: Thank you.

7 There are just several areas that I
8 would like to comment on.

9 First, I want to say how pleased I
10 am that this resolution reflects certainly what I
11 and many of my colleagues on this side consider
12 to be extremely important, and that is programs
13 for youth in our state.

14 The Executive's proposal has
15 suggested that we should combine the YDDP and the
16 SDPP programs into one and consider that to be
17 the Youth Development Program, period. This
18 proposal rejects that, because we understand that
19 those two programs serve, in very different ways,
20 different parts of our state. The YDD program
21 primarily has funded county-wide, county-based
22 youth development programs, while the Special
23 Delinquency Prevention Program has funded
24 specific communities within the state and within
25 counties.

1 This resolution honors that and
2 further clarifies some of the language as it
3 relates to how these funds will be allocated. I
4 am happy about that, because we did not want to
5 see those programs disrupted. And we also are
6 happy to see that this resolution has increased
7 the funding for those programs.

8 Also, I'm not happy to see that we
9 have rejected, essentially -- this resolution,
10 anyway, has rejected the proposal to expand the
11 Close To home initiative. And I do hope that
12 that is one of those things that we can continue
13 to negotiate about, because we would like to see
14 what are the positive aspects of this program,
15 which relates to how we treat young people who
16 are in trouble in our state. It relates to how
17 we view them as rehabilitative as opposed to just
18 building baby prisons for them.

19 So the Close To Home is as important
20 for children upstate as it is for New York City.
21 And as you know, we have already begun to
22 implement successfully, to a large extent,
23 Close To Home in New York City. We would like to
24 see that continue statewide.

25 I also am extremely pleased to see

1 that this resolution has continued our tradition
2 of funding the Neighborhood Preservation Programs
3 in our state as well as the rural programs, Rural
4 Preservation Programs. And in addition, this
5 resolution has added \$3 million for the
6 Main Street Program, which is another one that
7 certainly serves organizations in my own district
8 and in districts in the city engaged in community
9 preservation, both residential and commercial and
10 economic.

11 I am also happy to see that we have
12 rejected the attempt to dismantle these programs
13 and eliminate them as stand-alone programs in our
14 budget, which in my estimation in the long run
15 would threaten the possibility of us continuing
16 their work.

17 I do want to say, however, that
18 there is one glaring omission in this budget, and
19 that is what happens to the State of New York's
20 health institution, the institution of higher
21 education in our borough in particular, and that
22 is Kings County.

23 As you know, we're the largest
24 county. We have the largest population, yet we
25 are experiencing an attack on our healthcare

1 system. And so this budget does not speak to the
2 need that we have in the Borough of Brooklyn in
3 the County of Kings to make sure that SUNY
4 Downstate medical hospital and school are able to
5 survive the current crisis and build into the
6 future.

7 We need \$150 million to make sure
8 that SUNY Downstate survives, as well as our
9 other health hospitals and medical schools in the
10 state also survive. I see that we've restored
11 the \$28 million for the three institutions, but
12 we need \$100 million for SUNY now. It would be
13 irresponsible to support a budget resolution
14 which does not support our need, our urgent need
15 to secure that facility and those schools across
16 our state.

17 So, Mr. President, while I, as
18 noted, have a lot of reasons to be very, very
19 happy with the proposals represented in this
20 resolution, I am loath to support a resolution
21 which does not consider a very, very major issue
22 for the County of Kings, and that is the SUNY
23 Downstate institution and its success from this
24 point going forward.

25 So thank you for allowing me to

1 speak on this, Mr. President.

2 ACTING PRESIDENT GRIFFO: Senator
3 O'Brien.

4 SENATOR O'BRIEN: Thank you,
5 Mr. President. On the resolution.

6 ACTING PRESIDENT GRIFFO: Senator
7 O'Brien on the resolution.

8 SENATOR O'BRIEN: The Governor is
9 to be commended for presenting us some time ago a
10 budget that didn't raise taxes. And I know that
11 everyone connected to any of the several
12 conferences that we have in the Senate now has
13 been working diligently towards getting towards
14 an on-time budget, both of which are extremely
15 important to our stability as a state and
16 preparing for our future.

17 But there's still great weakness in
18 our economy. And we have to prioritize, in my
19 view, those things that will help us move our
20 economy forward. And I believe this resolution
21 puts us on the right path by providing tax relief
22 to families and helping job creators revitalize
23 our state's economy.

24 I hear frequently from families
25 struggling with high taxes, and I believe that

1 many of the changes we're proposing today are
2 going to be of significant assistance to them.
3 The Family Tax Relief Act will provide more than
4 \$800 million in tax relief for middle-class
5 families in the form of a number of tax credits
6 and tax breaks.

7 We're also adding funding to help
8 new businesses get off the ground by providing
9 incubator services. These will include things
10 like marketing assistance, help finding
11 investors, presenting business plans, and
12 providing expert advice on accounting and
13 regulatory compliance.

14 Providing help to new small
15 businesses and to families is one of the most
16 certain paths to growing our state's economy.
17 Small businesses are the engines of job growth.
18 They're challenged now to find new ways to
19 compete and prosper in a changing global economy,
20 and we need to assist them.

21 At the same time, this bill makes it
22 possible for families to stay in New York and
23 spend more money here driving our consumer
24 economy to new heights.

25 I support this resolution because

1 its measures encourage job creators to locate and
2 launch new businesses here and helps make sure
3 that hardworking families have a bearable tax
4 burden. We are growing a business-friendly
5 climate in New York State and looking out for
6 families through tax relief.

7 The provisions in this resolution,
8 in my estimation, will significantly help our
9 progress towards these goals, and for those
10 reasons I support the resolution.

11 Thank you, Mr. President.

12 ACTING PRESIDENT GRIFFO: Senator
13 Sanders.

14 SENATOR SANDERS: Thank you,
15 Mr. President. On the resolution.

16 ACTING PRESIDENT GRIFFO: Senator
17 Sanders on the resolution.

18 SENATOR SANDERS: Today I stand to
19 encourage my colleagues on two issues, MWBE and
20 TANF.

21 The Minority and Women-Owned
22 Business Enterprise is the state's attempt to
23 ensure an even playing field for all companies
24 that are trying to use the state's purchasing.
25 The Senate Majority is eliminating the \$3 million

1 that have been set aside to study the state's
2 disparity. This is important because the 2010
3 study, which cost 1.\$7 million and took 2.5 years
4 to complete, studied only 39 state entities and
5 focused on MWBE business activity.

6 The 2016 study which is needed is a
7 much more comprehensive study, requiring a review
8 of over a hundred state entities and must also
9 include an analysis of workforce diversity with
10 respect to state contracts, and will cost
11 \$3 million.

12 Another worthy issue is TANF,
13 Temporary Assistance for Needy Families. This is
14 the initiative that they put in what's called the
15 welfare -- which is now called TANF -- is put in
16 there to help people get off of welfare. It's a
17 hand up, it's not a handout. And we are in the
18 process of eliminating many of these
19 initiatives.

20 This is the very thing that we want
21 people to do -- we want them to leave the system,
22 become taxpayers, become people who are able to
23 take care of their families, and perhaps even
24 become state senators one day.

25 We are eliminating some of these

1 things, and that is not a wise move.

2 On my final thing that I wish to
3 say, I want to reflect on how the children of
4 New York City are being shortchanged by this
5 budget. And yes, as it has been said earlier, it
6 seems to be an argument of adults which is has
7 far-reaching effect on the children. It seems to
8 me that when the adults, instead of them going to
9 the cool-out room or whatever we want to call it,
10 we're sending the children over there.

11 So because of the shortchanging that
12 we are doing for the children of New York City, I
13 cannot support this resolution.

14 Thank you, Mr. President.

15 ACTING PRESIDENT GRIFFO: Thank
16 you, Senator Sanders.

17 Senator Marcellino.

18 SENATOR MARCELLINO: Thank you,
19 Mr. President. On the resolution.

20 ACTING PRESIDENT GRIFFO: Senator
21 Marcellino on the resolution.

22 SENATOR MARCELLINO: Mr. President,
23 working with the Governor and the Assembly, we
24 are on track to pass the earliest state budget in
25 more than 30 years, truly a worthy endeavor. The

1 Senate budget is a responsible plan that controls
2 spending, rejects new taxes, makes job creation a
3 priority, invests in education, healthcare and
4 New York's infrastructure.

5 Of the three budget proposals -- and
6 this one I'm particularly proud of -- advanced
7 this year, the Senate's budget proposal is the
8 only one put together with input from both sides
9 of the aisle.

10 The Senate budget includes elements
11 of our Senate Republican Blueprint for Jobs,
12 including tax relief to small businesses,
13 manufacturers, lower energy costs for every
14 New Yorker and every business, and sweeping
15 reforms to cut red tape. The Senate's proposal
16 eliminates the 18-a assessment to reduce energy
17 costs for businesses and consumers. We reduce
18 the corporate franchise tax for manufacturers and
19 eliminate it altogether over the next four years
20 so that they can use the resulting savings to
21 increase new jobs and grow.

22 To help middle-class families meet
23 the rising cost of living, we increase the
24 dependent exemption from \$1,000 to \$2,020 per
25 dependent. We provide a new supplemental child

1 tax credit of \$500 per family and restore the
2 STAR exemption rebate for seniors this year.

3 Our plan imposes a permanent tax
4 spending cap, a measure that the
5 Republican-controlled Senate has repeatedly
6 passed but the Assembly has refused to take up.

7 Over the past two years, the state
8 has saved \$18.6 billion -- let me repeat that.
9 Over the last two years, the state has saved
10 \$18.6 billion by adhering to a self-imposed
11 2 percent spending cap. By making the cap
12 permanent, New York will save \$11.2 billion over
13 the next four years.

14 Mr. President, there's a lot more in
15 this budget that's worthy and should be
16 mentioned, but I'm not going to do it now in
17 reference to time. But I urge everyone,
18 everyone -- it's not a perfect budget by any
19 means, but I urge everyone to vote for this
20 budget because it gives us a good start in our
21 negotiations with the other house and with the
22 Governor. I look forward to passing this budget
23 on time and early, first time in 30 years.

24 Thank you, Mr. President.

25 ACTING PRESIDENT GRIFFO: Thank

1 you, Senator Marcellino.

2 Senator Carlucci on the resolution.

3 SENATOR CARLUCCI: Mr. President, on
4 the resolution.

5 I want to thank my colleagues for
6 putting forth this important resolution, this
7 important budget resolution.

8 Over the past session I've had the
9 distinct privilege of serving as chairman of the
10 Mental Health and Developmental Disabilities
11 Committee, and this budget shows our commitment,
12 government's commitment to say that we have to
13 fulfill our responsibility to take care of our
14 most vulnerable populations. And we believe we
15 have to balance the budget, and we will balance
16 the budget, but we're not going to do it on the
17 backs of people with developmental disabilities.

18 So I commend my colleagues for
19 working diligently to reinstate \$120 million so
20 we don't have that across-the-board cut where
21 families and people with developmental
22 disabilities will suffer.

23 I also commend my colleagues for
24 fully restoring "prescriber prevails." We have
25 to make sure that medical professionals, that

1 doctors, psychiatrists have the end say, that
2 they're the ones with the experience, with the
3 degrees, saying which medications patients should
4 get. Particularly when we talk about mental
5 health, and we talk about the importance of
6 mental health, we have to make sure that
7 psychiatrists and doctors can prescribe atypical
8 antipsychotic medications that they believe are
9 appropriate.

10 I also want to thank my colleagues
11 for standing up for veterans. Believe it or not,
12 right now our young men and women coming back
13 from Afghanistan suffer from an unemployment rate
14 that's double that of their civilian
15 counterparts. That's outrageous. But our Senate
16 is standing up and doing something about it.

17 With Jobs for Heroes, we're
18 providing tax credits, tax credits for smart
19 employers that want to employ veterans coming
20 back from Afghanistan, and rewarding employers
21 for high-paying jobs. So we're not just giving a
22 blanket tax credit, but we're rewarding employers
23 for high-paying jobs. Up to 15 percent of that
24 salary will go to a tax credit for hiring an
25 unemployed veteran.

1 Also, we're fulfilling our
2 commitment and saying that we must raise the
3 minimum wage. It's time we raised the minimum
4 wage, and we have to have a solid foundation if
5 we're going to allow people working to get out of
6 poverty and get into the ranks of the middle
7 class.

8 And of particular importance when we
9 talk about the middle class, we're really
10 fulfilling our commitment to make sure that we
11 recognize that the middle class is the economic
12 driver of this state and this nation. And by
13 reinstating the STAR rebate check, we're going to
14 allow people to stay in the middle class. We're
15 going to allow families to stay in their homes in
16 the suburbs and throughout New York State. And
17 this STAR rebate check could mean the difference
18 between a family staying in their home or having
19 to go into foreclosure.

20 So over the coming weeks I look
21 forward to working with my colleagues to continue
22 fighting and making sure that these provisions
23 stay in the budget and that we make sure we
24 continue to move New York forward.

25 Thank you, Mr. President.

1 ACTING PRESIDENT GRIFFO: Thank
2 you, Senator Carlucci.

3 Senator Krueger.

4 SENATOR KRUEGER: Thank you,
5 Mr. President. I think I have the honor of
6 closing tonight, but perhaps others have
7 something to say.

8 So, you know, I do want to apologize
9 to my colleague and friend John DeFrancisco. I
10 learned after our earlier discussion that
11 Syracuse had a really bad basketball game
12 recently. So that apparently condolences to the
13 Syracuse fans here, and I guess hooray for the
14 Georgetown fans, whoever they are.

15 But to get back on message tonight,
16 so we've just been debating and talking on a
17 one-house budget resolution. Again, it's not a
18 bill. It doesn't have any standing in law. It's
19 a resolution. It's a resolution that, when we
20 add it up, it appears would put us in the hole
21 about \$4.5 billion into the future in financial
22 plans, with no way to actually pay for it, if you
23 were to accept the full resolution, because it's
24 putting a supermajority requirement on any future
25 tax increases or even continuations of revenue

1 that might be sunseting.

2 So it's a \$4.5 billion year after
3 year budget gap we'd be creating with no ability
4 to really pay for it. That seems like a
5 problem.

6 It is true it has some individual
7 items that people like. Senator Carlucci just
8 talked about a veterans tax credit for hiring
9 veterans; I like that program. That's about a
10 \$15 million expense for the state. I think it's
11 worthwhile. But I don't really know why we would
12 be giving the wealthiest New Yorkers \$70 million
13 in new itemized deductions, royalty income,
14 vending machines not having to pay taxes.

15 So this resolution gives \$20 million
16 in new aid to local governments through
17 \$20 million in AIM, but then it's going to cut
18 the taxes for vending machines by \$20 million.
19 Which, by the way, is simply saying if you're a
20 small business who sells candy and salty snacks
21 and soda, you have to collect and pay the tax,
22 but if you're a vending machine company you're
23 competing with, they don't have to collect or pay
24 the tax. So I'd say that's really an
25 inequitable tax change.

1 And of course we want to give a
2 cigar tax cap for the expensive cigars and a
3 private-aircraft tax exemption for people with
4 their private airplanes.

5 But there are a couple of nice
6 things in there, like the \$15 million for vets.
7 But what did we take out? We took out all the
8 funding to operationalize the SAFE Act to protect
9 citizens from the types of guns that shouldn't be
10 on our streets. We passed that law, but now
11 apparently in this resolution we're not going to
12 fund the money the State Police need to
13 operationalize it. That should concern us.

14 As Senator Espaillat pointed out,
15 we're going to cut the funding for the Tenant
16 Protection Unit, affecting hundreds of thousands
17 of residents in apartments in New York State.

18 We're going to redirect the housing
19 capital money from the Mortgage Insurance Fund
20 that was supposed to go, at about \$100 million a
21 year, towards preservation and expansion of
22 affordable housing. We're going to take that and
23 we're going to stuff that into the General Fund
24 to help pay for something because we're cutting
25 all these taxes.

1 There's no Foundation Aid for
2 education, so I'm delighted that we're putting
3 money into education. But I have to question how
4 this resolution is doing it, because I hear that
5 school districts are desperate for Foundation Aid
6 and that there's court precedent for how we
7 should distribute our money. But that's not how
8 this budget does it.

9 Actually, we don't really know how
10 this budget resolution does it because I still
11 haven't gotten an explanation of how the
12 education dollars would be distributed in runs,
13 because there's no runs attached to this
14 education money being put back in.

15 As were highlighted by several of my
16 colleagues, there's no funds for the DREAM Act,
17 which would help ensure that children raised in
18 this state, living in this state, dreaming of
19 being taxpayers and someday citizens of this
20 state still won't have an ability or a fair shot
21 to go to our colleges, which harms us all.

22 There was a nice section of the
23 Governor's bill that would strengthen the Public
24 Service Commission's ability to hold utilities
25 accountable for their failure to do right by

1 people during times of crisis, like after Sandy
2 with LIPA. I have no idea why that section got
3 removed from the Governor's budget. Because I'm
4 a big believer in strengthening oversight and
5 accountability for the utilities.

6 There's a lot of confusion about
7 that minimum-wage proposal. Somebody just said
8 they're proud there's minimum-wage language in
9 this resolution. Well, I've read the
10 minimum-wage resolution language. I don't even
11 understand what it is. Something happens over
12 three years, if people study it and decide they
13 want to do that. But when I'm reading my
14 smartphone while sitting here on the floor,
15 Senator Skelos says he doesn't even agree with
16 the language that went into the resolution.

17 So I don't think anybody is actually
18 supporting a minimum-wage increase in this
19 resolution. But I know I am, and I'm waiting to
20 see a real one.

21 One of my colleagues said "Finally,
22 something for unemployment benefits" and that
23 she's proud that that's in there. Well, you
24 know, when you read the proposal that the
25 Governor made and how it's placed here in the

1 resolution, it actually risks lowering
2 unemployment benefits or doing away with them for
3 some of the lowest-wage workers and part-time
4 workers. It takes to 2026 to see any significant
5 increase in the incredibly low unemployment
6 benefit payout for workers, \$5 a year -- \$5
7 increase in the maximum per year.

8 Let's talk about our own pay. Let's
9 talk about inflation. Let's talk about why we
10 need a minimum-wage increase. I'm not sure you
11 can really with a straight face say "great
12 victory" when we lowered benefits for some people
13 to guarantee an increase of \$5 per maximum
14 benefit for others. That's not what I think is
15 employment benefit reform.

16 There is no solution for the SUNY
17 medical schools and particularly the SUNY
18 Downstate Hospital in Brooklyn that so many of my
19 colleagues talked about.

20 So we took gambling out. And I'm
21 not saying I'm not happy that we took gambling
22 out. But the one thing we left in about gambling
23 is we're going to allow those under age 21 to
24 play Quick Draw? I object. I really don't think
25 we should be expanding gambling to those under

1 the age of 21. And since we took everything else
2 about gaming out of the Governor's budget in this
3 one-house resolution, I think we should have
4 taken out the underage gambling as well.

5 There's some strange Article 7
6 language. And I confess we didn't have that many
7 hours to look at all this. And actually a couple
8 of the bills we only saw about two hours before
9 we came to the floor here today. But there's a
10 strange Article 7 section, again, about the
11 brownfields proposals. And I have to say I don't
12 necessarily agree with my colleague's staff that
13 this won't cost anything. I suspect that's
14 exactly why this is in here, to give some
15 significant new tax credits to perhaps some of
16 the worst polluters of land in the state, and I
17 worry about that.

18 I worry that there's complex
19 Article 7 language about using the RGGI funds
20 intended for clean energy, the tax credits that
21 you trade back for not polluting that's supposed
22 to go into clean energy. And there's some
23 interesting and complex language there that
24 appears to expand some good things but then allow
25 it to be shifted into property tax reductions for

1 coal plants. I think everybody ought to take a
2 serious look at that one before they vote yes.

3 There's also something about farm
4 assessments. Now, I agree that there's a real
5 problem with property taxes for farms. But if
6 you cap the assessment at 2 percent instead of
7 10 percent -- and that's how I read that
8 Article 7 language -- you're basically saying to
9 the localities with lots of farms: We're
10 reducing your property tax revenue.

11 And I don't know about you, but I
12 keep hearing that everybody is in a panic about
13 reduced property tax revenue. We already capped
14 at 2 percent the residential property tax. And
15 if we go ahead and lower their tax revenue from
16 farms and there are a lot of farms in their
17 district -- I know, Mr. President, you have a lot
18 of farms in your district. I would really want
19 to look very carefully at the impact on my
20 localities from that specific Article 7
21 language.

22 Now, I don't actually have any farms
23 in my district, so I probably won't get a lot of
24 angry people about that one. But other people
25 here might get some calls when the localities

1 learn they're getting even reduced property tax
2 through that move.

3 Again, we delay the diesel emissions
4 requirement. Well, I've been here since 2002.
5 We passed a requirement to apply higher standards
6 for diesel vehicle emissions soon after I got
7 here. And what have we been doing ever since?
8 We just keep delaying it.

9 So when you pass a good
10 environmental law but then you just delay out
11 forever ever implementing the law, don't pretend
12 you really passed a good environmental law. So
13 we do that again today.

14 There are so many reasons not to
15 vote for this budget resolution. Not because
16 there aren't some good things there. But it's
17 one house. It has a life today that ends
18 tomorrow. And for me, I'll sleep better at night
19 knowing that I told my constituents why I had to
20 vote no on this even though it's true and many of
21 my colleagues stood up and talk about the good
22 things that were in here.

23 We all want to do the good things.
24 We also have a responsibility to do a balanced
25 budget. And we also have a responsibility to not

1 do resolutions in dark of night and no time for
2 the public or half the colleagues on this floor
3 to really delve into it. And I suspect a bunch
4 of my colleagues on the other side of the aisle
5 didn't look through all that Article 7 language
6 all that carefully either.

7 So I'm urging a no vote on this
8 bill, Mr. President. Thank you.

9 ACTING PRESIDENT GRIFFO: Senator
10 DeFrancisco.

11 SENATOR DeFRANCISCO: I'm just
12 going to be very brief as everyone will give a
13 sigh of relief. I'm not going to respond to
14 every point. But I just want to say one thing.

15 Any bill from any house is going to
16 have things in it that people don't agree with.
17 I don't agree with everything in the bill. There
18 were several things I wanted in that weren't in
19 there.

20 However, this has been done in a
21 bipartisan way. Many of the same questions and
22 concerns at the budget hearings that I raised and
23 other Republicans raised were raised by Democrats
24 in the budget hearings as well. The same
25 concerns that we had on the major issues were

1 mentioned during the budget hearings.

2 The point of the matter and the fact
3 of the matter is the major issues, as were
4 commented on by many of the speakers on both
5 sides of the aisle, many good things are in this
6 budget. I would just urge everybody, even though
7 you don't like everything in the budget or
8 something is omitted that you really wanted
9 there, I think it gives us a better bargaining
10 position, the final negotiations from here to the
11 final budget, if we've got a bipartisan and a
12 strong bipartisan "yes" vote on this resolution.

13 And I would urge everyone that they
14 reconsider some of the drawbacks in the bill and
15 try to look at the good things to give us more
16 ability to get those in the final budget.

17 Thank you, Mr. President.

18 ACTING PRESIDENT GRIFFO: Thank
19 you, Senator DeFrancisco.

20 Senator Klein.

21 SENATOR KLEIN: Thank you,
22 Mr. President.

23 I want to thank my colleague
24 Co-President Dean Skelos for his cooperation
25 during this very short time frame.

1 Today, for the first time in modern
2 history in the New York State Senate, we're
3 voting on a budget resolution crafted by a
4 bipartisan coalition of Democrats and
5 Republicans.

6 And I think of course this is our
7 first round, now that we enter budget
8 negotiations with the Governor and the Assembly.
9 But I think what we're putting forth today is a
10 smart, responsible and fair proposal.

11 I just want to touch on some of the
12 issues that are included in here that I think are
13 extremely important. And I want to thank Senator
14 Malcolm Smith and Senator Andrew Lanza, the two
15 cochairs of the bipartisan Task Force on Sandy
16 Recovery, and all the members that were involved,
17 because I think we took a very important bold
18 step in moving forward, in making sure that
19 relief comes to those who were harmed during
20 Superstorm Sandy. And I think we really have a
21 roadmap in place to make sure we can protect the
22 residents of the State of New York from future
23 disasters.

24 For the first time in memory in the
25 Senate, we're creating an independent office of

1 risk management, something that could potentially
2 save the taxpayers of the State of New York close
3 to \$100 million a year by preparing for
4 emergencies, by making sure we put in stopgap
5 measures so the state doesn't constantly get
6 sued, like they did last year to the tune of
7 \$200 million. So I think that's going to be
8 money well spent and certainly will pay for
9 itself.

10 I also want to thank my borough
11 president in the Bronx, Reuben Diaz, Jr., who put
12 forth something that was very, very important, a
13 gun crime database, something that will now post
14 as part of the pistol database that will come
15 into effect. So what we're doing here today is
16 amending the Governor's proposal and expanding
17 the database that was proposed in the SAFE Act to
18 also include anyone who commits dangerous crimes
19 using a gun. That's something that the borough
20 president supported in his State of the Borough,
21 it's something that I support, and I'm hopeful
22 that we can actually include that in our final
23 budget.

24 I also want to thank my colleague
25 Senator David Carlucci for really being a leader

1 in restoring the \$100 million to the Office for
2 People With Developmental Disabilities. This is
3 something that is very important to I know all of
4 us, both Democrat and Republican. Because I
5 think we're sending a very simple message that we
6 can't balance this budget on the backs of the
7 mentally disabled.

8 We also have in this one-house
9 budget resolution for the first time a teen
10 health education program where we're going to
11 address specific needs of teenagers around the
12 State of New York like obesity, ovarian cancer.
13 We're looking at things as far as diabetes that
14 certainly hit inner-city kids. And I think the
15 result will be healthier teens around the State
16 of New York.

17 As Senator Carlucci mentioned,
18 something that's very important and I think is
19 quite historic is a veterans tax credit. We're
20 going to provide a tax credit to every business
21 who hires a returning veteran.

22 Presently the unemployment rate is
23 high. But if you look at the numbers among
24 veterans in New York State, unemployment among
25 returning veterans from post-9/11 conflicts and

1 wars is close to 12 percent. We can do better.
2 I think we should be sending a message to those
3 men and women who are returning from overseas
4 after defending their country that we should have
5 a job waiting for them when they come back.

6 And I think by providing that
7 incentive to businesses with a tax credit, we'll
8 not only reduce unemployment but I think we'll
9 make sure that our returning veterans have their
10 rightful place in our society with a job.

11 Also as was said by my colleague
12 Diane Savino, the chair of the Labor Committee,
13 in this one-house resolution we make a commitment
14 to look at increasing the minimum wage. That's
15 something that I think is an issue of fairness.
16 I also believe it's good business. Because when
17 you give a minimum-wage worker a boost in their
18 salary, they're going to spend it. And where are
19 they going to spend it? They're going to spend
20 it at local businesses. So we're going to boost
21 our local economy.

22 So that's something that, moving
23 forward, I hope we can achieve in our final
24 budget plan.

25 I also want to say a special thank

1 you to the staff. They have worked very, very
2 hard, both the IDC staff, the Democratic staff,
3 as well as the Republican staff, in a very short
4 time frame. I want to thank my chief of staff,
5 John Emrick, and I know I also want to thank
6 Robert Mujica, the Republicans' Finance director,
7 and everyone involved, because I know there's too
8 many to thank. But they did such a tremendous
9 job under a very small time frame in making sure
10 that we had this one-house resolution ready for
11 today.

12 So again, I want to thank my
13 colleagues. And of course, Mr. President, I vote
14 yes on this historic one-house budget resolution.

15 ACTING PRESIDENT GRIFFO: Thank
16 you, Senator Klein.

17 To close debate tonight, the chair
18 recognizes Senator Skelos.

19 SENATOR SKELOS: Thank you very
20 much, Mr. President.

21 And I want too want to thank
22 Senator Klein, co-leader, Senate Finance Chair
23 John DeFrancisco, and all the staff that have
24 worked diligently on bringing this budget
25 resolution before us for a vote today.

1 Our budget is a responsible plan
2 that controls spending, rejects new taxes, and
3 makes job creation a priority. It eliminates the
4 horrendous 18-a assessment, a job-killing
5 surcharge that increases the cost of energy for
6 businesses and consumers and holds New York back.

7 The budget includes elements of our
8 Senate Republican Blueprint for Jobs to
9 revitalize and rebuild our economy. We reduce
10 the corporate franchise tax for manufacturers and
11 eliminate it altogether over four years. To help
12 middle-class families meet rising costs, we
13 increase the dependent exemption from \$1,000 to
14 \$2,020 per dependent; provide a new supplemental
15 child tax credit of \$500 per family; and restore
16 the STAR rebate checks for fixed-income seniors.

17 Our plan imposes a permanent state
18 spending cap passed repeatedly in this house.
19 Over the past two years, the state has saved over
20 \$18.6 billion by sticking to a self-imposed
21 2 percent cap. By making the cap permanent,
22 New York will save \$11.2 billion over the next
23 four years.

24 To help local governments, we
25 accelerate the takeover of local Medicaid, saving

1 counties millions of dollars. That's real
2 mandate relief. Our budget reaffirms the
3 Senate's commitment to education by increasing
4 state aid. We restore millions of dollars to
5 critical women's health and wellness programs,
6 including funding for rape crisis centers, the
7 Adelphi University Breast Cancer Program, WIC and
8 others. And we restore the cuts to the Office
9 for People With Developmental Disabilities to
10 ensure the state continues to protect the most
11 vulnerable New Yorkers.

12 In the Senate we have taken a good
13 budget and made it better. Working with the
14 Governor and the Assembly, New York is on track
15 to have its earliest budget in 30 years. Let's
16 finish the job.

17 ACTING PRESIDENT GRIFFO: Thank
18 you, Senator Skelos.

19 The question is on the resolution.
20 All in favor signify by saying aye.

21 (Response of "Aye.")

22 ACTING PRESIDENT GRIFFO: Opposed?

23 (Response of "Nay.")

24 ACTING PRESIDENT GRIFFO: The
25 resolution is adopted.

1 SENATOR GIANARIS: Show of hands,
2 Mr. President.

3 ACTING PRESIDENT GRIFFO: A show of
4 hands --

5 SENATOR LIBOUS: Excuse me,
6 Mr. President.

7 ACTING PRESIDENT GRIFFO: Senator
8 Libous.

9 SENATOR LIBOUS: We respect your
10 enthusiasm. But this resolution is a little
11 different, because it has fiscal implication. It
12 is a roll call just like a fast roll call.

13 So if members wish to vote no, all
14 they need to do is raise their hand. So if we
15 could --

16 ACTING PRESIDENT GRIFFO: Senator
17 Libous, I was about to instruct, at the request
18 of the call for a show of hands, that we so
19 order. All those in the negative please raise
20 your hand.

21 (Members raised their hands.)

22 ACTING PRESIDENT GRIFFO: The
23 Secretary will re-call the roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT GRIFFO: The

1 Secretary will announce the results.

2 THE SECRETARY: Those recorded in
3 the negative are Senators Adams, Breslin, Dilan,
4 Espaillat, Gianaris, Hassell-Thompson, Hoylman,
5 Krueger, Montgomery, Parker, Peralta, Perkins,
6 Rivera, Sampson, Sanders, Serrano, Squadron, and
7 Stewart-Cousins.

8 Ayes, 45. Nays, 18.

9 ACTING PRESIDENT GRIFFO: The
10 resolution is adopted.

11 Senator Libous.

12 SENATOR LIBOUS: Mr. President, has
13 the desk received an announcement from the
14 Assembly?

15 ACTING PRESIDENT GRIFFO: We have,
16 and it is filed in the Journal Clerk's office.

17 Senator Libous.

18 SENATOR LIBOUS: Mr. President, is
19 there any further business at the desk?

20 ACTING PRESIDENT GRIFFO: There is
21 no further business before the desk.

22 SENATOR LIBOUS: Mr. President, I
23 do have a very important announcement. I know
24 sometimes I say that and then we adjourn --

25 ACTING PRESIDENT GRIFFO: Could we

1 have some order, please.

2 SENATOR LIBOUS: -- but I do have
3 an important announcement.

4 We expect that sometime hopefully
5 within the hour that the General Conference
6 Committee will convene this evening. I can't
7 give you a time, but we expect that the General
8 Conference Committee will convene hopefully
9 within the hour. So that's a bit of
10 information. Do with it as you please.

11 And there being no further business
12 before the Senate this evening, I move that we
13 adjourn until Tuesday, March 12th, at 3:00 p.m.

14 ACTING PRESIDENT GRIFFO: On
15 motion, the Senate stands adjourned until
16 Tuesday, March 12th, at 3:00 p.m.

17 (Whereupon, at 5:24 p.m., the Senate
18 adjourned.)

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