NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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REGULAR SESSION

LIEUTENANT GOVERNOR KATHLEEN C. HOCHUL, President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will come to order.

I ask everyone present to please rise and repeat with me the Pledge of Allegiance.

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

THE PRESIDENT: The Reverend Dr. Edward O. Williamson is with us today to give the invocation. He's the pastor of Bethel Baptist Church, from White Plains, New York.

PASTOR WILLIAMSON: May we bow our heads together, please.

Dear God, we humbly come before You today seeking Your presence to be among us, Lord God.

And, Lord God, we pray for these men and women that You've placed in positions of authority and leadership, Lord God. We pray, Lord God, that they would understand that they are servants of Your people, Lord God. And, Lord, we pray that You would grant them wisdom and knowledge and understanding. Would You lead and guide them and give them the directions that

they are to go in their proceedings this day, Lord God.

And, Lord, may they honor You in all that they do. And we just give You glory and praise for all things.

In Your Son's name, we pray. Amen.

THE PRESIDENT: Thank you, Reverend.

Reading of the Journal.

THE SECRETARY: In Sunday, Sunday, March 13th, the Senate met pursuant to adjournment. The Journal of Saturday, March 12th, was read and approved. On motion, Senate adjourned.

THE PRESIDENT: Without objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

SENATOR DeFRANCISCO: Madam

President, I move to recommit Senate Print Number 6738, Calendar Number 332, by Senator Boyle, on the order of second report, to the Committee on Local Government, with instructions to said committee to strike the enacting clause.

THE PRESIDENT: So ordered.

SENATOR DeFRANCISCO: Thank you.

THE PRESIDENT: Mr. Floor Leader.

SENATOR DeFRANCISCO: Madam President, there's a privileged resolution by Senators Flanagan and Klein, and it's the Senate's response to the 2016-2017 Executive Budget submission. Please read the title only.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Resolution Number 4330, by Senators Flanagan and Klein, in response to the 2016-2017 Executive Budget submission (Legislative Bills Senate 6400B, Senate 6403B, Senate 6404B, Senate 6405B, Senate 6406B, Senate 6407B, Senate 6408B and Senate 6409B) to be adopted as legislation expressing the position of the New York State Senate relating to the 2016-2017 New York State Budget.

THE PRESIDENT: Mr. Floor Leader.

SENATOR DeFRANCISCO: Madam President, would you please call on Senator Stewart-Cousins for remarks.

THE PRESIDENT: Senator Stewart-Cousins.

SENATOR STEWART-COUSINS: Thank you, Madam President.

Thank you, Senator Flanagan and Senator Klein. And I want to thank all of my colleagues.

And I also want to the thank the staff on both sides of the aisle. I know that the leadup to this exercise is extremely busy, and your hard work and dedication and diligence is always appreciated.

I also want to thank my Finance ranker, Senator Liz Krueger, for her tireless work on the budget and her advocacy for Senate Democratic positions.

Today, on the first day of Sunshine Week, I would be remiss if I didn't mention that this year's budget process has taken a step back in transparency. The much-maligned three-men-in-the-room process seems to have been replaced by a

more secretive format of covert meetings and phone calls shielded from the press and the public.

I hope that in the remaining time we have left, we can open up the process and allow all New Yorkers to see what is being done on their behalf.

But getting to the substance of the budget, this budget resolution is a first step and has some positive things and some negative things. I'm glad we all understand the importance of adequately funding our public education system and eliminating GEA this year, and at the same time increasing Foundation Aid. But we still haven't dealt with CFE. And I wish we had not allowed political games to hurt our CUNY school system.

Also, I think the budget misses a crucial opportunity that so many have labeled Albany's "Watergate moment" and does not deal with any ethics reforms. We need to take concrete steps to restore trust in our state government, including restricting outside income and closing the LLC loophole.

I'm glad that this resolution

advances a paid family leave proposal, but I do wish it went a bit further. And I'm slightly concerned that the language in the resolution does not match the language in the budget bill. No one in New York should have to choose between doing their jobs and taking care of a loved one.

But I do want to congratulate my member, Senator Joseph Addabbo, for his advocacy on this issue, as well as Senator Klein for his advocacy on the issue.

I'm disappointed we did not take steps to help lift millions of people out of poverty and raise the minimum wage. But I'm glad that this resolution helps lower the tax burden on many New Yorkers -- but I wish it had been more targeted and helped more working- and middle-class New Yorkers.

I wish that we had helped our local municipalities more and increased AIM funding. I wish we had gotten serious about our environment and stopped sweeping the RGGI fund, and also not stripped funds in efforts to combat climate change.

While I agree with some things in the resolution, there are far too many things

that are left out -- and I'm sure you'll hear many of those things today. This budget simply doesn't go far enough to help all New Yorkers in the myriad of ways that we can. But the good news, of course, is that we have three weeks and that I'm sure that we can come to something that gets that job done.

So I am willing, ready and able to roll up my sleeves, put aside any political differences, and deliver for the people of New York.

Thank you, Madam President.

THE PRESIDENT: Floor Leader.

SENATOR DeFRANCISCO: Madam President, would you please now call on Senator Klein for remarks.

THE PRESIDENT: Senator Klein.

SENATOR KLEIN: Thank you, Madam President.

I too want to thank the Democratic Leader of the Senate, Andrea Stewart-Cousins.

But I really want to say a very special thank you to our Majority Leader, John Flanagan.

You know, I've done now five of

these joint one-house budget resolutions, and John has been an absolute pleasure to work with. His encyclopedic knowledge of the process and policy has been very, very refreshing.

And I also want to say a special thank you to all of the members of the Independent Democratic Conference.

Back in January, the IDC laid out a blueprint for a Better New York, a vision of where we wanted New York State to be by 2020. And each and every one of the members of the Independent Democratic Conference played a very, very important role in actually pushing for their issues, which I really think allowed us to take a statewide and very regional approach to making sure New York is a better place.

On education we put forth a proposal which we call Investing in a 50-Hour Learning Week. It was based on a very simple truth, that education shouldn't only include the four walls of a classroom, and also education has to continue after the school day at 3 o'clock.

We actually, in this one-house budget resolution, we expand after-school programs throughout the State of New York. Right

now, believe it or not, there's 1.2 million youngsters that have no after-school programs in the State of New York. That resolution, the resolution today, will change that.

We want to expand the concept of community schools -- not only in problem schools, who certainly need it, but to make sure that schools don't become problem schools by advocating the community school model.

Thanks to Senator Carlucci, we're advocating for mandated kindergarten for all 5-year-olds in the State of New York. Believe it or not, in this day and age, we still have school districts in the state that don't have full-day kindergarten. Well, hopefully after this resolution that's going to change.

I picked up the torch on behalf of diversity in our specialized high schools. These are high schools that exist in the City of New York which any child that is lucky enough to attend these schools is launched on a fantastic career. Unfortunately, we see that the majority of individuals who are in these schools are not African-American or Latinos. Even though they're 72 percent of the students who attend middle

school in the City of New York, there's only about 10 to 15 percent that are in these specialized high schools.

What we need to do is make sure, first, more and more of these students are aware of these exams and, just as important, each and every school district in the City of New York should have access to test preparation to prepare these young people for these tests. And I guarantee you that will change the results.

We also put forth something we call House New York. Again, we're making a tremendous commitment to a program which I think is the greatest housing program ever created in the State of New York, called Mitchell-Lama. Last year we were able to get a middle-income tax credit to continue Mitchell-Lama -- we haven't built any units for probably 30 years -- and in this resolution we once again expand our commitment to Mitchell-Lama.

The New York City Housing Authority. I and Senator Savino have worked very, very hard in shedding light on the conditions of the New York City Housing Authority. These are thousands and thousands of units. When everyone talks

about affordable housing, well, this guarantees affordable housing for thousands and thousands of tenants throughout New York City.

Unfortunately, according to two reports conducted by the Independent Democratic Conference, the New York City Housing Authority is considered the worst landlord in the City of New York. If we had a private landlord who had conditions like NYCHA is doing right now, not only would we fine them, we'd probably take away their buildings by now. But here we are, a government entity that has very little oversight, actually comes to us year after year -- which they should -- and I know last year myself, along with Senator Adriano Espaillat and others, advocated for $100 million. A hundred million dollars, the first time in 15 years. And you know something? Not one penny of that money has been spent.

There needs to be a better way. I'm more than happy to continue to advocate for millions and millions of dollars to make sure we repair NYCHA developments, but there needs to be some accountability. So once again, I'm putting forth a program which we call a repair

certificate, a NYCHA repair certificate. Let the experts, let the people who actually know how to build things and repair things, enjoy some of the benefit, and they in turn have to make repairs, badly needed repairs, to NYCHA developments. That's how we'll finally get these things done.

We also once again advocate, along with our Republican colleagues, for a 2 percent property tax for New York City. As you know, New York City is not subject to the property tax. My colleague Tony Avella shined light on this problem where he sees some of his Queens constituents have an increase this year in their tax bills of anywhere up to a thousand dollars for each resident.

We also again are redoubling our effort for paid family leave. And I also want to thank Senator Joe Addabbo, Senator Jack Martins. I think the time has finally come for paid family leave. Because if we don't do this, we're really forcing New Yorkers to choose between what their heart is telling them to do and what their bank account allows them to do.

The legislation that we fashioned, or I fashioned, has no burden on business. It's

funded by the employee, a very small amount out of their paycheck establishing sort of an insurance fund to ensure that they can take time off from work to care for an elderly loved one, take care of a sick child, and bond with a newborn. I hope we finally get it done.

I also want to thank Senator Valesky for advocating for, I think, a very important new program that we're calling the Manufacturers Intermediary Apprentice Program. We're going to allow small and middle-sized manufacturers to set up these programs. You know, everyone talks about creating jobs, we need to do that. But we need to make sure people are on the path to good-paying jobs. And I think Senator Valesky's program, not only in Central New York but beyond Central New York, in the entire state, will make sure we eliminate the problem of wage stagnation.

I also want to say a very special thank you to Senator Carlucci, who's been advocating for so many different programs as far as our senior citizens are concerned, making sure college-age youngsters can afford college. And what we want to do this year -- last year we were influential in increasing what's called the

SCRIE, the Senior Citizen Rent Increase Exemption, to provide a freeze on an individual's rent. We raised the income level to $50,000. We now want to do that for the Senior Homeowner Exemption Program. Homeowners who are really facing high property taxes or high utility costs should be able to benefit from this program as well.

So again, I want to say a special thank you to also the IDC staff, the Republican staff, the Democratic staff. Even though this is only a one-house budget resolution, there's a lot of work that goes into this. And I know they have worked long hours and I think they deserve a tremendous round of applause from all of us.

(Applause.)

SENATOR KLEIN: And again, Madam President, I vote yes on this, I think, very balanced and efficient and effective one-house budget resolution.

THE PRESIDENT: Mr. Floor Leader.

SENATOR DeFRANCISCO: Would you please now recognize Majority Leader John Flanagan for remarks.

THE PRESIDENT: Majority Leader

Flanagan.

SENATOR FLANAGAN: Thank you, Madam President.

So I've got a whole bunch of notes here, but I'm going to basically look at them very quickly. And I want to start by thanking the Minority Leader, Senator Andrea Stewart-Cousins, for being a very good colleague and a very easy person to deal with. I think we've worked out a terrific working relationship between the two of us and between our staffs, and that's good for this house and it's good for the people of the State of New York.

I also want to add my voice to saying thank you to Senator Klein. Senator Klein and I have known each other for quite a while; now we're knowing each other in a different capacity. And it's -- I think it underscores when you have a resolution that says Flanagan and Klein. I know he wants it to be Klein-Flanagan, but for right now it's Flanagan-Klein.

(Laughter.)

SENATOR FLANAGAN: So we're in a good spot.

But the reality is that we are

working together on behalf of the people of this state.

So today represents an opportunity for dialogue, and it represents an opportunity just overall for the budget process. Senator Stewart-Cousins had lamented the fact that there has been less disclosure and less transparency, and I would respectfully offer that in my recollection, that this year there were more hours spent in total on public, and I repeat, public budget hearings than perhaps at any time in the past, upwards of a hundred hours. And a lot of our colleagues who attended those hearings know that there was extraordinary input on so many different levels, whether it was private sector, public sector, not-for-profits, municipal governments, all things like that. So that was Part 1.

Today is Part 2. Today is our one-house budget resolution. Certainly the Senate Democrats have their priorities. We respect those. We agree where we can, disagree where we don't. Certainly look forward to working very closely with the IDC on things that are important.

But this is Part 2, because now we put out our blueprint. Now you can see what we think about a lot of the things that the Governor has offered, things that we like, things that we don't like, things we'll embrace, things that we'll reject.

Part 3 probably starts tomorrow. And this is part of the budget process which is statutory and governmental, and it allows people to see what we're going to do in our public conference committees. Everyone has heard the term the mothership. The mothership will be meeting. It's not a Star Trek term, for those people who are not listening or don't understand.

But in reality, whether it's Senator Marcellino or Senator LaValle or Senator Robach, we are going to have public budget conference committees with our colleagues not only in the Senate Democratic Conference but with the New York State Assembly. So that's Part 3.

And then there of course come the negotiations. Some will be public, some will be in our conferences. But I am confident that by March 31st that we will have a budget on time. And I hope the Governor is listening because I

know, Lieutenant Governor, he cares very deeply about that, as do all of my colleagues who are sitting here today. Five years in a row, we'd like to make it six.

And I do say this because I think it is important: It's very good to get the budget done on time. But in reality, that's the law. So I don't know that we should be getting all kinds of hoo-has and accolades for things that we do which are in compliance with the law. But I'm confident that we can get that done.

Having said that, we have a variety of different issues. I want to start in that regard by thanking our floor leader, John DeFrancisco, who does fantastic work on behalf of our conference in this house and certainly previously served for a number of years as the distinguished chair of the Senate Finance Committee.

And I want to thank Senator Cathy Young for her tireless efforts on behalf of the people of the State of New York.

And like Senator Klein and like Senator Stewart-Cousins, I want to thank our staff because we all know we get to stand here

and while we're away for the weekend attending events, our folks are working tireless, tireless, timeless hours so that we can get here today and make those next steps.

So where are our priorities? I think our priorities are pretty straightforward and not inconsistent with what we've advocated for a long time.

So we supported the property tax cap. The genesis of the property tax started with people like Ken LaValle and others in our conference who have been talking about this for a long time. It's saved $7.6 billion for taxpayers over the last four years. We extended it in the last year. That's a good thing.

Senator Klein spoke about Senator Avella's bill on a property tax cap for the City of New York. I agree with that and have spoken out on that consistently. That would have saved over $4 billion for the City of New York.

And I recognize that there are people from the City of New York, from the delegation, who are uncomfortable with that. But I look at it this way. If it's good for the rest of the state, I don't see any reason why it

shouldn't be good for the City of New York. That's a discussion that we need to have. Where it goes, I don't know. But it's certainly worthy of discussion. Senator Lanza has passed a bill in that regard before.

We also believe that there should be a spending cap at the state level. The Senate has been in the forefront on this issue. And while we are all now talking in painstaking detail about the property tax cap, a lot of our local governments, a lot of our school districts are coming to us saying it's 0.12 percent this year, we need relief, we need something from Albany. Well, Albany has lived under the constraints -- self-imposed, not statutorily imposed, but self-imposed -- at 2 percent. We should be having a robust discussion on what the value is around that.

We have passed a separate bill on the property tax cap being permanent. We will do so again. That is one of our top priorities.

Tax relief. The Governor has a number of things in his budget that are laudable and yet problematic. I don't know about you, but I like the STAR program. And I'm pretty sure my

constituents and everyone's constituents, by and large, in this room, they like the STAR program. I know Senator LaValle has been outspoken on this about senior citizen property taxes for decades.

We don't agree with the Governor's proposal. We don't want to change the nature of the program. It's well over $3 billion. That's tax relief for everyone, and primarily for our seniors. So we disagree with the Governor on that.

We disagree about things like rebate checks. And we'll have discussions about that. We should be trying to find every way conceivable to provide tax relief for New Yorkers no matter what their sector may be.

So in that vein, we put out a tax proposal last week which many of you heard about: 25 By 25. We want to the reduce middle-class taxes by 25 percent by 2025, phased in, fiscally and prudently responsible. That's number one.

Number two, Senator Farley talked about eliminating some of the tax on private pensions from $20,000 to $40,000. That will help 377,000 senior citizens in the State of New York save an average of $361 million. That hasn't

been raised in years.

We have exemptions for the PIT and small business owners -- which doesn't matter whose community they may be. It could be David Carlucci, it could be George Latimer, it could be Dave Valesky. The reality is that small business is the backbone of our economy. Phased in properly, that's about $500 million.

So we're focusing on tax relief.

I forgot, on the 25 By 25, that's about $1.5 billion. We make some estate tax changes for our agricultural community; that's another $210 million.

So our priorities are in sync with what we're hearing from our constituents. And I'll juxtapose that with what the New York State Assembly has advocated. And they have every right to do so, but we don't have to agree. They say they want to cut taxes in some areas, but they're actually talking about raising taxes. At this time and juncture, we just don't think that's a good idea.

So let's shift to other parts of the budget. I want to thank and compliment Senator Patty Ritchie, chair of the Agriculture

Committee. And I'm going to use this -- quick backtrack. And all of you know this, particularly people who have been here for a little while. We're now in what is probably fairly and loosely described as the budget dance.

And in reality, a lot of what we're advocating -- and our Finance staff knows this very well -- we're advocating for a lot of restorations. I think it's about $270 million in restorations to things that are near and dear to everybody in this house. Not just Republican, not just Democrat, but to all of our members. And I get it. We all get it. The Executive comes out and throws some things out, and we have to buy it back at the negotiating table, and that's fine. At the end of the day, if we're doing good things for people across the State of New York, so be it.

So let's talk about education. I am very confident and comfortable saying, having chaired the Education Committee for five years and now working very closely with Senator Marcellino, who chairs our committee, the New York State Senate Republican Conference has been out front on the elimination of the GEA from

the get-go. We didn't support it at its inception, we have been pushing and pushing and pushing and, yes, pushing to make sure we get rid of it. We have advocated in our one-house proposal this year that that will be eliminated, which is very good for taxpayers all across the State of New York.

And much to the consternation of many of our colleagues, we had -- I shouldn't say much to the consternation. But we have roughly an over 7 percent increase in aid to education. All of you know when we do that, it makes it harder to fund transportation or the environment or healthcare. But in reality, when you talk about property taxes, quality education and things of that nature, getting rid of the GEA, providing record funding for increases in aid to education should be our primary obligation.

We have money for charter schools. Equally as important, we have money for nonpublic schools for issues of public safety, which we believe to be of paramount concern.

And let me shift gears to my colleague slightly to my right physically, but not, certainly, governmentally, and that's

Senator Ken LaValle. You talk about a protector and the quintessential dog on a bone in terms of college affordability, access, opportunity. All of us care about this. I think what we've offered in this budget in terms of TAP, tuition credits and giving money to SUNY to offset any potential tuition increase, that goes to middle-class hardworking families across the State of New York.

And we disagree with the Executive about funding taxpayer-funded tuition for illegal immigrants. That $27 million we feel is more appropriately spent on behalf of the people who are here struggling, who are here legally. And all those things are important.

On top of that, there are a number of things that Senator Hannon has worked on in conjunction with our colleagues in the area of healthcare, a lot of valuable restorations. We have money for domestic violence, domestic violence registry. That is significantly important for women all across the State of New York in particular.

And let me single out not only Senator Ortt, Senator Murphy, Senator Akshar for

their efforts on behalf of opioid addiction and heroin. And every one of us knows this; no matter where you hail from, this is a huge, huge problem in the State of New York. We put $167 million in this budget for a variety of programs that are important to the children and young adults on so many different levels -- treatment, prevention, law enforcement. And we will have many more discussions in terms of what those things are and how we should be moving ahead.

I mentioned agriculture earlier.

Let me just touch on two things very quickly and then, Madam President, I will sit down.

We have had discussions about ethics, and they are discussions that need to take place. But we have to go into painstaking detail. And I'll just reiterate that not only by house rule, but by statute, the New York State Senate has passed legislation for term limits for leaders -- again, in the house rules and in statute.

We also passed a bill last year which was not passed by the Assembly -- creates

some consternation, I get it -- but it was agreed upon, in terms of pension forfeiture. So I am comfortable that the New York State Senate has taken great strides to address these issues quite seriously and that as we get into the throes of the budget, we're going to be talking a lot about money.

There are certain things that may come outside the budget like that, maybe issues like mayoral control, because Senator Marcellino and my colleagues want to have full hearings on those types of discussions.

And I'll close on this because you all know I'm a pain in the neck about this. And if I am, I don't care. Everyone will get used to it. I've got the green bracelet on. Madam President, you have on a lovely green dress today presiding over the New York State Senate. Senator Hannon has properly informed me that there's approximately a million dollars in the budget to do things on behalf of organ donation in the State of New York. I want to raise awareness. I want to work with my colleagues. Whatever we can do to make our citizens' lives better and get out of dead last, being number 50

in the nation. If we can do it in the budget, great. But every time we talk about it, the feedback we get is extraordinary.

So Madam President, I thank you very much for your patience and your indulgence.

Thank you.

THE PRESIDENT: Mr. Floor Leader.

(Pause.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, we're on the resolution. I don't know if you have any speakers or we can call for the vote.

(Laughter.)

ACTING PRESIDENT GRIFFO: We are on the resolution.

The first speaker is Senator Liz Krueger.

SENATOR KRUEGER: Thank you, Mr. President. I'm sorry you don't have a lovely green dress like the last president.

ACTING PRESIDENT GRIFFO: How's a green tie, though?

SENATOR KRUEGER: Oh, it is green. It looks great from here. Thank you.

If the sponsor would please yield for some questions.

ACTING PRESIDENT GRIFFO: Senator Young, do you yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR KRUEGER: Thank you. So, Senator Young, we sat through 95 hours, I think, of budget hearings. So I'm looking at your budget, your one-house budget proposal and your financial plan that was given to me today.

Can you explain what funds were cut and avails taken to total $979 million cuts from the Governor's proposed budget?

SENATOR YOUNG: Well, thank you very much, Senator Krueger.

And through you, Mr. President, I'd like to actually thank Senator Krueger, because she was there, as was I, for all 95 hours of those hearings.

And I also want to compliment our colleagues, because so many of our colleagues showed up to raise very significant, very important issues in regards to the Governor's

budget proposal.

As Senator Flanagan pointed out, it has been an extraordinarily transparent process as we've gone through this journey.

And I also want to point out, I know that there was a concern about middle-class New Yorkers, as Senator Flanagan stated. Under our higher education plan, we have significant measures that would help middle-class New Yorkers. But on top of that, in our tax relief plan that we put forward, there is significant relief, 25 By 25. And what that means is the middle-income tax rate would be reduced by 25 percent by the year -- and that is actually taking it down to an historic level. And so I want to point those out.

As far as Senator Krueger's question -- and by the way, we are adhering to the 2 percent voluntary spending cap. This body has been extraordinarily responsible from a fiscal standpoint, very accountable, where we've actually spent less than 2 percent.

This budget proposal that we are putting forward right now increases State Operating Funds by 1.9 percent, which is under

the cap. The State Operating Fund spending is $96.2 billion. And the way that's broken out, $258 million increase from the Executive recommendation of $95.9 billion; a $1.9 billion increase from fiscal year 2016, which is 1.98 percent; and All Funds spending is at $155.1 billion, an increase of 1.96 percent.

So our package encourages job growth, provides tax relief, and invests in education.

As far as the question by Senator Krueger, you're just wondering how we have been able to do that. We actually have done reestimates in personal services, based -- the Governor overstates spending on salaries and fringe benefits.

And so, for example -- and I have it right here -- the reestimates include $35 million from retirement vacancy savings. The Executive books savings from retirement on a full annual basis, when in reality people retire at different times during the year. We were smoothing that out.

And as I said, $300 million from a personal services spending base reestimate. In

our reckoning, the Executive overstates spending projections on personal services by overstating the average salary of employees that work for the Executive-controlled agencies and uses that as a base to inflate overall personal services and general state charges projections in the financial plan.

So those are just two examples of how we're able to achieve that.

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

SENATOR YOUNG: Certainly.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: So again, your plan cuts $979 million from General Fund cuts and avails. You also cut $928 million from capital funds. But at the same time, in your resolution, you show significant increases over multiple years in capital monies and expenses.

So I guess, trying to shorthand, would a five-year plan in fact be able to stay within the target you propose that you were doing this year, which is to stay within the 2 percent?

SENATOR YOUNG: Yes.

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

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Thank you.

So, Mr. President, the reason that I am so concerned that the numbers don't appear to add up when you look at the budget resolution and you look at the financial plan is because of the history in this state. Between 1996 and 2008, under Pataki and then Bruno and Skelos, the state budget grew nearly 100 percent from 62 billion to $121 billion. In that same time period, the state debt grew from $31 billion to $54 billion, causing the debt load attributable for each man, woman and child in New York to almost double.

Today we are looking at a one-house budget bill -- well, we're actually looking at a resolution, and the resolution doesn't necessarily match the language in the one-house budget bill that tells us we're going to be able to reduce taxes dramatically, which we would all

love to hear, but apparently increase spending.

So it seems to me that means we either are raising our borrowing or something isn't quite adding up, which is one of the things that is triggering my concern here.

So if I may, through you, Mr. President, this budget proposal being brought before us today, how much would be the reduced state contributions towards the City of New York in its budget? What's the cut to New York City's budget in this one-house budget bill?

SENATOR YOUNG: Thank you, Mr. President. Through you. Maybe my colleague doesn't realize this. Just as part of an answer to the statement that she just made, capital spending is excluded from state operations.

And again, I would like to stress that this house has been extraordinarily fiscally prudent over the past few years. We have kept spending of state operations under the 2 percent cap, voluntarily.

And also, if my colleague wants to talk about history, we could talk about 2009 and 2010, when they were in control of this house and taxes were increased by $14 billion, spending was

increased by $14 billion, at a time when the economy was tanking and New Yorkers could least afford those types of irresponsible policies.

However, we are adding up the answer to the question. And the answer is $867 million.

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

SENATOR YOUNG: Certainly.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Thank you. This one-house budget bill also proposes a cap of 2 percent on the New York City property tax. How much would that cost the City of New York per year or even over the next four years?

SENATOR YOUNG: Through you, Mr. President. As Senator Krueger may know, there is a crisis in New York State as far as the tax burden goes. And it actually has exacerbated the affordable housing crunch that we see. The taxes are too high in New York City. And as a result, it has dampened, in many cases, economic growth. It's really created some problems.

We believe that the city actually

has been raising taxes by gaming the system by changing assessments. And it's created this heavy, heavy burden on middle-class New Yorkers who may own their own homes, but at the same time on businesses that operate in New York City.

The 2 percent property tax cap would be the beginning of bringing more of a responsible approach to taxation in New York City. Frankly, the entire structure needs to be overhauled. But this could be a good beginning.

SENATOR KRUEGER: Through you, Mr. President. I'm going to speak on the bill for now, simply because there are so many of my colleagues who have issues to raise and I don't want to use up too much of the time. Perhaps I can come back at the end with some additional questions.

I want to thank my colleague for her answers. Again --

ACTING PRESIDENT GRIFFO: Senator Krueger on the bill.

SENATOR KRUEGER: Thank you. There are things you can like in any given one-house bill, but there are too many things to dislike here.

My colleague's proposal that somehow putting a cap on property taxes for New York City will address the assessment problem will not, in fact. There is an assessment issue. There is a fundamental problem with how property taxes are calculated throughout the State of New York that I think does require full reform. But just for the record, simply applying a 2 percent property tax cap in New York City -- which is not, by the way, suffering from the same property tax crisis as much of the State of New York -- would lose the City of New York an estimated $8.4 billion in revenue over the next four years.

The proposal that my colleagues have put forth today would, as suggested, reduce the state revenue to the City of New York by approximately 800 to 900 million this year, but growing exponentially in the years following.

We are proposing in this budget to radically change gambling law in New York State. I heard Senator Flanagan say we should have hearings on mayoral control. I don't think hearings are a bad idea ever. I certainly think before we allow online poker or that we allow fantasy gaming before a court case is even

decided to suddenly become legal in the State of New York, we ought to have hearings about that rather than slide that in through a budget bill when most New Yorkers don't even know that that's what we are proposing today.

I think that the proposal on paid family leave should be exceptionally scrutinized, because while -- if you read the text of the bill, we are accepting the paid family leave proposal of the Governor. But when you read the resolution, there's a big "however" right there in print: The program should also be evaluated for benefit level, duration of program goals, how long you might have to work before you were eligible, how long you might be eligible when there's an interplay with federal nonpaid medical leave, what the sustainability is, what the phase-in should be.

For the record, I don't think this is paid family leave the way most people think it's being proposed by the Governor, my conference, the other house.

The same is true with minimum wage. There is a reference to exploring minimum wage but no proposal to actually concretely see an

increase for the millions of New Yorkers who would be moved out of poverty and on their way towards living wages for themselves and their families with an actual living wage bill.

There are specific cuts to higher education that I know some of my other colleagues are going to speak about. I just want to go on record right here, Mr. President, the language in the resolution says that because CUNY has had a few anti-Semitic incidents, we should cut funding for higher education for 500,000 students in the City of New York.

Well, none of us endorse anti-Semitism, racism, attacks on anyone for gender, sex, race religion, anywhere. Unfortunately, we live in a society where those incidents occasionally happen everywhere. Can you imagine saying we're going to cut our funding to higher education because any specific university had an incident? We'd pretty much not be able to fund any school system, any university system.

And so it's exceptionally disturbing that that argument was being made here today.

While we all are delighted to see an

increase in public education K through 12, again, in the absence of seeing the funding runs per district, my understanding is the proposal being raised in this one-house bill would actually reduce the formula for high-needs districts in the basic educational funding formula. That's completely unacceptable.

I've received a note saying I'm out of town -- time. I'm not out of things to talk about, but I am out of time, Mr. President. Thank you very much.

ACTING PRESIDENT GRIFFO: It's good to know that you are in town, Senator Krueger.

Senator Peralta.

SENATOR PERALTA: Thank you, Mr. President. I don't know how many times I have to get up and say deja vu on this floor.

ACTING PRESIDENT GRIFFO: Senator Peralta, do you want to speak on the bill?

SENATOR PERALTA: On the bill, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Peralta on the bill.

SENATOR PERALTA: Thank you.

This is deja vu, Mr. President.

Another year has passed, and here we go again. We stand here today debating our one-house budget resolution and again, a vital increase in New York's minimum wage is missing from the text. Again, no DREAM Act. But today I'm going to focus my remarks on the minimum wage, because I'm pretty sure I'll get another opportunity to discuss DREAM since this is a one-house resolution.

We must act now. For too many years we have continued to kick this can down the road. Don't get me wrong, we've taken a step forward on this issue in the past, bringing the state's minimum wage up to $9 an hour as of this year. But that's the problem here. It's just a step. And while we can continue to take our baby steps on this issue, low-wage workers in New York continue to face economic hardships that destroy not only their own health and welfare but also that of their families.

I commend Governor Cuomo for his leadership on the fight for the $15 an hour as part of the budget season. While many are quick to criticize the utility of $15 minimum wage in New York, it should be noted that if a 1970s

minimum wage were modified based on inflation, today's minimum wage would be just about that amount.

I understand that my Senate Republican colleagues are looking for more information on minimum wage, so let me give you some. Official reports indicate that about 730,000 New Yorkers are earning wages at or below the current minimum wage of $9 an hour. As much as the rhetoric dictates otherwise, this is not just a New York City issue. For instance, over 32,000 New Yorkers in the Department of Labor's Central New York region are living at this income rate, and over 61,000 in the Department of Labor's Western New York region are doing the same.

What does living on the minimum wage mean for New Yorkers? Well, it's a bleak picture across the state. It is estimated that statewide, the typical minimum-wage worker earns under $16,000 a year. Erratic and inconsistent work schedules are pervasive in these jobs, making the ability to secure a second line of income impossible in many cases.

Sixteen thousand dollars a year

means individual workers are often at or near official poverty guidelines throughout the state. And in fact, last year's Fast Food Wage Board determined that 60 percent of the state's minimum-wage fast food workers received some sort of public assistance. This is compared to 25 percent across all of New York's working families.

This isn't simply unjust from the standpoint of being rewarded for hard work, it's also absurd from a fiscal perspective.

The negative effect of the current minimum wage on the state's resources is crystal-clear. The minimum wage also fails to meet financial self-sufficiency standards that are set by our own Department of Labor. Take the family of two living in Senator DeFrancisco's district, for instance. The Department of Labor estimates that the family would need to earn $33,000 a year to get by without help. Similarly, let's take the same family in Senator Young's district, which would need $31,974 to do the same.

So clearly $16,000 doesn't come close to cutting it, especially when one member

of that family, that two-person family, is a child who clearly isn't part of the workforce.

Well-compensated workers are also stronger consumers in our state's economy. It is common sense that a discount store employee should be able to afford a necessary item of clothing within their employer's own inventory, and that a supermarket cashier should similarly be able to afford a healthy meal. This is just good business for employers.

The anecdotal evidence on this is also clear. Take the story of the low-wage-earning mother who testified before the Wage Board last year that she and her infants were forced to share a tightly packed apartment with strangers. Or take the story of the low-wage-earning man who wakes up every morning at 7 a.m. to head to his first job, only to nap for a few hours before heading to his second, and that sometimes starts at midnight. Some would call him lucky to even have two jobs. Frankly, I call the need for this insanity.

Research presented to last year's Wage Board also concluded that the current minimum wage is taking its toll on low-wage

workers physically and emotionally, leading to overcrowded, unsafe living spaces, heavy debt, the inability to cover necessities such as heat and light, lack of sleep and exhaustion, depression, homelessness, inadequate nutrition intake, living in crime-ridden neighborhoods, the inability to afford or attend higher education opportunities, physical ailments such as shortened life expectancy, hypertension, diabetes, obesity and chronic stress.

We can and we must do better than this for all New Yorkers. I encourage my colleagues to reconsider their stance on the Fight for 15. It is beyond time to bring this workable, livable minimum wage to our great state.

Stats show that raising this wage to $15 would directly benefit 2.3 million people working in New York. This is a quarter of the state's entire workforce. Now, this is real progress.

And finally, I will note that the workers to be affected by this increase, 80 percent of them are over the age of 25 in the City of New York, and 70 percent of them are over

the age of 25 in upstate New York. Now, that's a fact.

In closing, I encourage all of us here to do the right thing, to do the fiscally smart thing, and to do it now. Let's raise the state wage, statewide minimum wage to $15 an hour and continue to set New York forward as the national standard-bearer and economic leader it has always been.

And let's not even get me started on DREAM. Because although you have increased income eligibility from 80,000 to 100,000 a year for middle-class New Yorkers, this resolution creates a fund of $60 million a year for scholarship awards for students who attend SUNY who have a household income eligibility of over $100,000 a year. But there's no language on who qualifies for these scholarships, there's no language on who chooses these students, there's no language on how much is doled out to each individual student, et cetera, et cetera, et cetera.

So you can find $60 million for scholarships for well-to-do households, instead of helping Dreamers or households making under

$100,000 -- which are the bulk of these students -- but you can't find money for those individuals that need it the most.

So for this and so many other reasons, I'm going to be voting in the negative, Mr. President. Thank you very much.

ACTING PRESIDENT GRIFFO: Thank you, Senator Peralta.

Senator Stavisky.

SENATOR STAVISKY: Thank you, Mr. President.

I have a number of questions if there -- would somebody be kind enough to yield?

ACTING PRESIDENT GRIFFO: Senator Young?

Senator Young yields.

SENATOR STAVISKY: To start with, the Republican budget resolution accepts the 30 percent shift in CUNY costs to the City of New York. Can you explain the reasoning behind that?

SENATOR YOUNG: Yes. Thank you very much, Senator, for that question.

Through you, Mr. President, the 30 percent figure was determined because the

mayor of the City of New York currently and has for quite a while had the ability to appoint 30 percent of the Board of Trustees for the CUNY system.

SENATOR STAVISKY: Would the Senator continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR STAVISKY: That was not spelled out in your budget resolution in Part C. There are some other issues that are spelled out in Part C. Would you care to discuss the other reasons for the shift?

SENATOR YOUNG: Well, that's part of it. I mean, that's -- if you're asking where we came up with the 30 percent figure, that's where we came up with that 30 percent figure.

However, you are correct, there have been several very egregious incidents that have occurred on CUNY campuses, anti-Semitic instances. And I can go through those if you'd like; I have a list right here. The feeling is is that the CUNY system has not done enough to address those incidents. And we would like to

see them corrected.

SENATOR STAVISKY: Will the Senator continue to yield?

SENATOR YOUNG: Would you like for me for read some of them?

SENATOR STAVISKY: No.

SENATOR YOUNG: Okay.

SENATOR STAVISKY: Well, all right -- no, not necessary. I think we're all familiar with what happened at the CUNY campuses.

ACTING PRESIDENT GRIFFO: Senator Stavisky, do you want to ask a question?

SENATOR STAVISKY: I was asked whether I wanted to hear the list, and my answer was no.

I would appreciate it if the Senator would continue to yield.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR YOUNG: Certainly.

SENATOR STAVISKY: Are you aware that the Anti-Defamation League, which is considered the preeminent organization, the world's leading opponent of anti-Semitism, on March 4th of this year sent a letter to the City

University of New York and to Chancellor Milliken, and thanked them for taking steps to renew allegations of anti-Semitism on several of its campuses and for establishing a task force for a more understanding and respectful environment. Are you familiar with that?

SENATOR YOUNG: Through you, Mr. President, we did receive a letter on late Friday from the Anti-Defamation League. However, we still feel that the action that has been taken isn't strong enough, and it was done very late. And we just got that letter.

But, you know -- I mean, if you want to go through a list, this list is horrifying as to what has been happening on those campuses. And it's not only happened to the students -- who feel unsafe, by the way -- it actually has happened to some of the faculty. And I believe that the CUNY system has a responsibility, number one, to keep its students safe. And number two, it should support its faculty and staff.

SENATOR STAVISKY: Will the Senator continue to yield?

SENATOR YOUNG: Certainly.

ACTING PRESIDENT GRIFFO: The

Senator yields.

SENATOR STAVISKY: Are you familiar with the Academic Engagement Network that sent a letter to the chancellor on March 7th thanking them for what they have done in confronting this ugly issue of anti-Semitism?

SENATOR YOUNG: Again, that just came to us. It came at the same time as the letter. And so we're reviewing that.

But again, these are significant issues that have to be addressed.

SENATOR STAVISKY: Would the Senator continue to yield?

SENATOR YOUNG: Certainly.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR STAVISKY: There's a lengthy article from Truth Revolt, the 10 worst anti-Semitic campuses in the country. And unfortunately, three of them are in New York State: Columbia University, Cornell University, and Vassar. And the things that were written about are just as egregious as what happened on the CUNY campuses.

For example, at Vassar apparently

there was a posting of an anti-Semitic German cartoon dating from the Nazi regime on their Twitter account. At Vassar, the Students for a Just Palestine vandalized a pro-Israel Wall of Truth and harassed students taking a course involving a trip to Israel to study water supply issues.

And it goes on. There are incidents at a number of campuses; unfortunately, three in New York State. Are you familiar with that?

SENATOR YOUNG: No. But you know, Senator, we would not condone any kind of racist activity anywhere.

I would like to ask, however, what is the group Truth Revolt? I've never heard of them. So who is behind them?

SENATOR STAVISKY: Well, let me mention -- let me ask you, let me finish. I'll follow up on the question I was asking.

Is any Bundy Aid being restricted from these private colleges for anti-Semitic occurrences?

SENATOR YOUNG: No.

SENATOR STAVISKY: Would the Senator continue to yield?

SENATOR YOUNG: But again, you know, that's not the only formulation that we used as far as the CUNY system goes.

And by the way, this is the Governor's proposal and -- I would like to clarify, too. So this proposal on CUNY is actually to deal with Operating Aid. The colleges and universities that you reference actually don't receive Operating Aid from New York State government. They do receive Bundy Aid, but it's a totally different funding stream.

SENATOR STAVISKY: Would the Senator continue to --

SENATOR YOUNG: Except for Cornell. Which I would like to say that's a land grant college, which I'm very familiar with, as former Agriculture chair in the Senate. So I would clarify that.

SENATOR STAVISKY: Would the Senator continue to yield?

ACTING PRESIDENT GRIFFO: Senator Young, do you yield.

SENATOR YOUNG: Sure.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR STAVISKY: I'm glad you mentioned Cornell, because it's a wonderful institution, particularly the statutory colleges.

SENATOR YOUNG: I think you've visited there; right?

SENATOR STAVISKY: My father was an alumnus of the College of Agriculture, which is why I care so much about the university. I've been there many times.

But the point, I think, and what I would like the Senator to respond to, is the fact that despite Cornell's SJP chapter used open force to intimidate Jewish and pro-Israel students on campus, they've erected mock checkpoints, et cetera -- despite that fact, could you explain the $4 million increase in funding to Cornell?

SENATOR YOUNG: Senator, you know, you're trying to compare apples and oranges. And I can't --

SENATOR STAVISKY: Well, it's agriculture.

SENATOR YOUNG: No, you're trying to compare apples and oranges and you're talking about other universities that have had incidents.

I cannot say off the top of my head without researching those particular instances as to what the response from the university actually was. If you're equating CUNY's response, which was weak up until now, with their responses, I can't compare those because I don't know what they were.

But I will tell you that we do not condone any kind of racist activity, any kind of prejudicial activity. But I think that you're trying to compare different incidents which maybe do not equate to the same level, or you're not letting us know what the university's response was, how rapid it was, what exactly they did to address each situation.

So until you do that, you know, I can't really comment on what you're putting forward.

SENATOR STAVISKY: Let me just ask one --

ACTING PRESIDENT GRIFFO: I'm going to request that the Senators --

SENATOR STAVISKY: Would the Senator continue to yield?

ACTING PRESIDENT GRIFFO: I'm going

to request that the members direct through the chair during debate, please.

SENATOR STAVISKY: Would the Senator continue to yield?

SENATOR YOUNG: Yes. Through you, Mr. President.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR STAVISKY: Was this reasoning that you outline in your Article VII in Part C, in the Governor's original proposal? Did he cite the anti-Semitism as the cause for the --

SENATOR YOUNG: What we're saying -- and I guess -- you know, I guess I will read some of the incidents that have occurred at CUNY campuses, you know, if you really want to go there.

At John Jay College, which specializes in criminal justice, Jewish students have been the target of so many slurs that at least three have transferred. One John Jay administrator responded to a Jewish student's concerns by saying, "What are these white kids complaining about?"

On November 12th, at Hunter College,

during a demonstration for free tuition, Jewish students were denounced as racist sons of -- I'm not going to say the word -- fascists and Nazis, and were greeted with comments such as "Jews out of CUNY." One student tweeted at the time "Full-blown anti-Semitism allowed at my college. I witnessed this and froze in fear."

At Brooklyn College, the pro-Palestinian group disrupted a faculty meeting last week and called a professor wearing a yarmulke a Zionist pig. At the College of Staten Island a pro-Palestinian demonstrator told a Jewish student last November: "I don't hug murderers." Swastikas also defaced the college's desks and walls.

These are the things that have been happening at CUNY. And these are the things that the Senate Republican Conference is saying are intolerable and need to be addressed.

SENATOR STAVISKY: On another subject, would the Senator yield?

SENATOR YOUNG: Certainly.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR STAVISKY: Last June we

passed a maintenance of effort legislation almost unanimously. It included the assumption of fringe benefits and rental, building rental and so forth for both CUNY and SUNY. The Governor vetoed it on the basis of including it in budget negotiations.

Have any of those costs been restored in your budget resolution?

SENATOR YOUNG: Yes. The language is in there.

SENATOR STAVISKY: Which ones? Would you -- would the Senator continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR STAVISKY: Which?

ACTING PRESIDENT GRIFFO: She's inquiring as to which.

SENATOR STAVISKY: Which items have been restored?

SENATOR YOUNG: The maintenance of effort all has been restored. So fringe benefit, hospital subsidy, salary increases. And actually it includes other mandatory costs.

SENATOR STAVISKY: Let me ask one

last question because my time is almost up.

SENATOR YOUNG: Sure.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR STAVISKY: One of the interesting programs -- if the Senator would yield.

ACTING PRESIDENT GRIFFO: She does.

SENATOR STAVISKY: Okay. One of the serious problems at the CUNY community colleges is the long period it takes for students to graduate. Seventeen percent of the students graduated on the community college level graduated in three years.

CUNY had a program called ASAP -- $2.5 million was taken out of the budget for the ASAP program. But those students who participated in the ASAP program, their three-year graduation rate was 57 percent. Stories have been written about the program in the New York Times, it's been praised widely. President Obama has cited the ASAP program as a jewel.

And yet it will has been eliminated from your budget resolution. Can you explain

why?

SENATOR YOUNG: It wasn't eliminated from our budget resolution. The Executive did not restore it.

SENATOR STAVISKY: And you did not restore it.

SENATOR YOUNG: The Executive did not restore it.

SENATOR STAVISKY: Thank you, Senator Young.

On the bill very briefly.

ACTING PRESIDENT GRIFFO: Senator Stavisky on the resolution, briefly.

SENATOR STAVISKY: On the resolution, I'm sorry.

I find this very troubling in terms of penalizing students, because CUNY has been the door to educational opportunity, to economic improvement. It has been such an important aspect, particularly for the immigrant community.

City College goes back to 1847, and it was founded in 1847 to educate the sons of immigrants. And that mission really hasn't changed. CUNY has been the steppingstone for so many people. So many of our relatives graduated

from the City University of New York.

And to subject it to a $485 million cut -- and who determines the trustees to me is less important than the effect it's going to have on students looking for a job. And I respectfully request that in final budget negotiations that this cut be restored.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Squadron.

SENATOR SQUADRON: Thank you, Mr. President. If the sponsor would to yield.

ACTING PRESIDENT GRIFFO: Senator Young, do you yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SQUADRON: Thank you.

I'd like to talk about S6411. This was the Governor's ethics reform package. I notice that in the resolution it says the Senate will consider modification to the Governor's good government ethics reform package. It talks a lot about a full-time Legislature, some other issues.

What does the Senate resolution say

about any changes to campaign finance law?

SENATOR YOUNG: I'm sorry, what's the ending of your question, Senator?

SENATOR SQUADRON: What does the resolution say about any changes to campaign finance law?

SENATOR YOUNG: We reject the taxpayer-funded campaign finance plan that was put forward by the Governor. And the reason that we do is that taxpayers in this state do not want their hard-earned tax dollars going to fund politicians' political campaigns -- paying for robocalls, paying for negative advertising.

And frankly, the New York City system that exists right now has had several instances of corruption. Whether it's aides to John Liu, whether it was Anthony Weiner, whether it was Malcolm Smith, there have been several instances that are associated with the public financing of campaigns. And that's why we believe that this is the wrong way to take.

SENATOR SQUADRON: If the sponsor would continue to yield.

SENATOR YOUNG: Certainly.

ACTING PRESIDENT GRIFFO: The

sponsor yields.

SENATOR SQUADRON: Any other major portions of the Governor's ethics reform proposal that have been rejected by the Senate Majority?

SENATOR YOUNG: Yes, there is another one that was rejected, and that has to do with outside income and jobs.

But I do want to tell you that we have put in several proposals that I think would be very meaningful.

And by the way, I do want to remind the Senator that this body has passed forfeiture of pensions for public officials who are convicted of corruption. And unfortunately, the Assembly has chosen not to advance that proposal. We believe that that would go far in addressing much of the unfortunate incidents that have occurred in this state.

We also advance a proposal for increased disclosure of sources of funding for lobbyists and clients. We advance reforms to ensure that the Senate Ethics Committee provides meaningful oversight and guidance to members and employees of the Senate related to ethical conduct, best practices, and adherence to Senate

policies.

The Senate also would consider amendments to the Constitution to allow the Legislature to have four-year terms, because there seems to be a concern that's been raised about continuous cycles of campaigning.

The Senate will consider whether a political consultant should be permitted to register as a lobbyist. Legislation which would ban such practice has previously passed the Senate.

The Senate advances a proposal to require members of the Regional Economic Development Councils to be subject to the code of ethics and financial disclosure requirements in the Public Officers Law. We feel that this is a very important advancement.

The Senate denies the Executive proposal to subject the Legislature and Legislative Ethics Commission to the same Freedom of Information Law provisions, which you may ask about that too, which Executive agencies are subject. The legislative process is inherently open to the public for input, scrutiny and review. And in contrast, the public is made

aware of many Executive agency activities only after they occur. And as such, for purposes of the Freedom of Information Law, these branches are treated differently. And I do want to stress that that's how it's done on the federal level also.

The Senate advances a proposal to provide attorney's fees when an agency unreasonably denies a Freedom of Information request.

And the Senate advances a proposal that limits the time state agencies would have to appeal Article 78 Supreme Court judgments against them for violations of the Freedom of Information Law.

And the Senate believes that comprehensive ethics reform must ensure that the public trust is restored in government.

So we have several measures that we are putting forward as far as ethics reforms go.

SENATOR SQUADRON: If the sponsor would continue to yield.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SQUADRON: Thank you for

reading that last line of the resolution: "Comprehensive ethics reform must ensure that the public trust is restored in government."

When you look at things that have led to doubt of the public's trust and have led the public for good reason to wonder who folks in Albany are working for, the two major issues are one that I appreciate the sponsor was clear was left out, which was any limitation on outside income beyond what exists today. And secondly, as I read it, any closure of the LLC loophole or mention of the LLC loophole was also left out. Is that correct?

SENATOR YOUNG: Yes.

SENATOR SQUADRON: If the sponsor would continue to yield.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: She yields.

SENATOR SQUADRON: During last year's LLC debate -- and I know there's a certain Groundhog Day feel, probably, to my standing and talking about this issue, and to the debate we're having -- in last year's debate the Finance chair at the time said: "I don't think it's a

loophole. It's a way to raise money in a campaign. And if it's in use by everyone, that's not a loophole."

Is that the view that the current chair of Finance shares?

SENATOR YOUNG: I can't comment on last year's debate, I'm sorry, I didn't -- I'm sorry, I don't remember it from last year.

But I will say this, that if we do any reforms along those lines, that it has to be across the board. And it's an uneven playing field otherwise. And so that's what we would have to look toward.

SENATOR SQUADRON: If the sponsor would continue to yield.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SQUADRON: So does the sponsor believe that the LLC loophole is in fact a loophole that allows corporate entities to be treated as individuals for purposes of big money contributions to politicians?

SENATOR YOUNG: Through you, Mr. President, I don't believe that it's actually

a loophole. And it's the law. And so people should adhere to the law.

SENATOR SQUADRON: Will the sponsor continue to yield?

SENATOR KLEIN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SQUADRON: And just a brief point of fact, I don't in fact believe that it is the current law and am party to a lawsuit to that effect. But it is the current practice.

And to move on to my question, does the sponsor feel that since last year's debate, when we talk about restoring public trust in government, there have been any activities or anything that's happened that should cause the Majority Conference to revisit its long-standing unwillingness to close the LLC loophole?

SENATOR YOUNG: Through you, Mr. President. As I stated previously, we have taken several actions in this house. One has to do with the stripping of pensions from public officials. Unfortunately, the Assembly has failed to do that. That's why we've put together this whole package of ethics reforms that we feel

would be very relevant to making New York State be able to move ahead on these issues.

SENATOR SQUADRON: If the sponsor would continue to yield.

SENATOR YOUNG: Sure.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SQUADRON: So from that response, it sounds as though the corruption trials of the leaders of both houses of the Legislature, including the person who was the leader of this house at the time of last year's budget debate, in which outside income and the LLC loophole figured prominently, does not cause the sponsor or the Majority Conference to believe that that long-standing position should be revisited?

SENATOR YOUNG: Through you, Mr. President, I think that we've taken action along those lines. And it not only deals with pension stripping, but it also deals with term limits for legislative leaders.

And I think that if we're able to get the other house to agree to those things, that would solve a lot of the issues that, you

know, have come forward in recent history.

SENATOR SQUADRON: If the sponsor would continue to yield.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SQUADRON: Thank you.

In the fall, my office put out a report showing over 11,000 LLC contributions to political committees from January 2014 to January 2015, totaling more than $20 million, including 22 different LLCs contributing nearly $2 million that listed 1200 Union Turnpike in New Hyde Park, New York, as its address.

Does the sponsor think that that is an important factor when we talk about restoring the public's faith in our government?

SENATOR YOUNG: Through you, Mr. President, I would have to look at the report. I haven't seen it.

SENATOR SQUADRON: If the sponsor would continue to yield.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SQUADRON: I notice that the Majority Leader said -- and I appreciated hearing this at the opening of today's debate -- that conversations have to take place when it comes to ethics reform moving forward. I know we heard the same thing last year. In fact, shortly after Leader Flanagan was elevated to that role, he said the same thing in regard to the LLC loophole. At the time that a committee took up closure of the LLC loophole after the budget, there was some suggestion there would be further conversation about that bill before it was subsequently muzzled.

Does the sponsor believe that conversations do have to take place this legislative session, in public, about closing the LLC loophole?

SENATOR YOUNG: Through you, Mr. President, I believe that we will continue to have discussions about ethics reforms. And as I said, we have passed some things so far and will continue to consider other measures.

SENATOR SQUADRON: If the sponsor would continue to yield.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SQUADRON: I don't mean to repeat myself, but I just want to be very clear. Should those conversations -- through you, Mr. President, should those conversations include public discussion of closure of the LLC loophole and limits on outside income?

SENATOR YOUNG: Through you, Mr. President. As I said, we will be looking at all different proposals that are out there and having a discussion about those measures.

SENATOR SQUADRON: If the sponsor would continue to yield.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SQUADRON: When we talk about ethics reform, it seems that severe and significant consequences for violations of the public trust are important. Pension forfeiture speaks to this. I think that preventing such actions is also important.

Does the sponsor feel that we need to be passing provisions urgently this year, in

this year's budget, that change the culture of Albany to make wrongdoing less likely?

SENATOR YOUNG: Through you, Mr. President. As I said, we have passed, for example, stripping of pensions for public officials who are corrupt and have been convicted.

I think it's those types of measures that go very far in being deterrents. But at the end of the day, if somebody's going to take a bribe, for example, there are already a lot of laws against that. And that's been proven as people have gotten into trouble and been convicted.

So we're taking action, we've taken action, we'll continue to take action along those lines. And we want to do commonsense things that are meaningful not only to the process here in Albany, but also to the people in New York State.

And I will tell you, when you talk to individuals across the state about wanting the pensions stripped from public officials, that is something that people overwhelmingly support. And that's why I'm so happy that we have taken action along those lines.

SENATOR SQUADRON: If the sponsor would yield for a final question.

ACTING PRESIDENT GRIFFO: Does the sponsor yield to a final question?

SENATOR YOUNG: Yes.

SENATOR SQUADRON: I agree about pension forfeiture, which my conference, I believe, has voted in favor of as well.

Just to be clear, as conversations happen in the Majority Conference about what folks are hearing around the state, are folks hearing that treating limited liability companies like individuals, so as to allow small numbers of heavily invested interests to contribute unlimited and often anonymous sums, is something that people around the state support?

SENATOR YOUNG: I'm sorry, could you repeat that again?

SENATOR SQUADRON: Does the Majority Conference hear around the state that allowing limited liability companies to be treated as individuals so that they can contribute unlimited and often anonymous sums is something that people support?

SENATOR YOUNG: Through you,

Mr. President, that isn't something that I've heard from one constituent in my district about.

But I would like to -- am I allowed to ask him a couple of questions?

ACTING PRESIDENT GRIFFO: Senator Squadron, do you yield?

SENATOR SQUADRON: Of course.

SENATOR YOUNG: Senator Squadron, part of our package that we have put forward would actually consider whether a political consultant should be permitted to register as a lobbyist. Legislation which would ban such practice has previously passed the Senate.

Now, there are different organizations out there that routinely use firms that do this. Is that something that you support?

SENATOR SQUADRON: The sponsor said that that bill has been through the house, so I will look at how I voted on it and let you know.

SENATOR YOUNG: But if it's something that, for example, you know, somebody -- maybe you voted on it but you actually are somebody who maybe would utilize that in practice, is that something that should

be looked at?

SENATOR SQUADRON: If the sponsor would clarify. If I would utilize what in practice?

SENATOR YOUNG: So, for example, you know, if that's something that a certain group actually did routinely, is that something that you would be willing to denounce today, then, if that's a measure that you support?

SENATOR SQUADRON: I'm sorry, if the sponsor would just describe the activity.

SENATOR YOUNG: I'm just saying that that's part of our proposal, that whether a political consultant should be permitted to register as a lobbyist.

SENATOR SQUADRON: Whether political consultants should be allowed to register as lobbyists?

SENATOR YOUNG: Right. And then whether, you know, certain groups actually use lobbyists and political consultants that do both.

SENATOR SQUADRON: I'm having a little trouble understanding the sponsor's question.

SENATOR YOUNG: Okay, so I guess

you're not going to answer it.

SENATOR SQUADRON: I think those who lobby on legislation, resolutions, state action, must register and should register --

SENATOR YOUNG: Okay, so I guess you're not -- that's fine, Senator --

SENATOR SQUADRON: -- as well --

SENATOR YOUNG: If you're not going to answer, that's fine --

SENATOR SQUADRON: -- as well -- Mr. President?

ACTING PRESIDENT GRIFFO: Senator.

SENATOR SQUADRON: Thank you.

As well, I think it's critical that anyone who is exerting influence in those kinds of direct ways register.

In the case of this bill, the sponsor said the bill referenced in the resolution has moved through this house. Rather than us sort of trying to find the right words for it, I said I would get my voting record on it and share it with the sponsor.

ACTING PRESIDENT GRIFFO: Senator Young, do you wish to ask Senator Squadron if he continues to yield?

SENATOR YOUNG: No, I think I'm done. Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Okay. Senator Squadron, then you have the floor.

SENATOR SQUADRON: Thank you. On the bill.

ACTING PRESIDENT GRIFFO: On the resolution, Senator Squadron.

SENATOR SQUADRON: The resolution. Thank you, Mr. President. I did that last year as well. Thank you for clarifying two years in a row. I'll see you at the same time, same place, next year. Hopefully a different outcome.

(Laughter.)

ACTING PRESIDENT GRIFFO: Take a vote on that?

(Laughter.)

SENATOR SQUADRON: Different places, just to be clear.

Mr. President, when you look at this resolution and you look at the Governor's budget proposal, there is a significant spending component. And of course that's a critical portion of what we do up here, critical and related policies. The budget is our opportunity

to not just ensure that state spending is effective and efficient and makes the best use of the taxpayers' dollars; it's also an opportunity for us to really get at the core of our state government and how it functions.

In fact, approving a spending plan of well over a $100 billion, over 150, to -- without also cleaning up state government and creating people's faith or recreating people's faith in state government is an enormous mistake. And that's what this resolution risks doing.

We heard repeatedly about the pension forfeiture issue. To be clear, that is something that I have voted for, many members of my conference, my conference as a whole has voted for. We believe that's important. However, that does not get at the core of what we've seen in the most disturbing cases out of this house and the other house in recent years.

Since this time last year, this time last year the former chair of Finance and I had a spirited conversation about the destructive influence of the LLC loophole on state politics and government, on the fact that corporate entities should not be treated as individuals,

should not have the ability to contribute unlimited sums.

Subsequently, a significant corruption trial, federal corruption trial on the former leader of this house and the other house, proceeded. And lo and behold, the LLC loophole figured prominently.

And yet when it comes to fixing the LLC loophole, when it comes to doing something about the kind of influence, pernicious influence that it has, we're in the same place we were last year.

We're hearing about the very, very weak tea of ethics reform that wasn't rejected from the Governor in this resolution, but we're not hearing even a commitment to have a public conversation about closure of the LLC loophole. We're not hearing even a commitment to have a public conversation about the influences of outside income.

You know, if a fire is raging in someone's living room, you don't go into the kitchen and unplug the toaster. You go into the living room and you put out the fire.

But that's not what's happening here

at all. And the problem is that people's faith in our government has been destroyed. And it will not be able to be rehabilitated until we do something about these core issues.

That's why, despite a number of good things and some other things I'm concerned about in this resolution, there is no way I can vote for a resolution that yet again is going to let a status quo that has done so much damage continue in Albany.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Rivera.

SENATOR RIVERA: Thank you, Mr. President. Would the Senator yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR RIVERA: Thank you, Mr. President.

I want to -- some of my colleagues have gone to different areas that I might want to come back to when I'm speaking on the bill, but for now I have a couple of questions regarding the health portion of the resolution.

SENATOR YOUNG: Sure.

SENATOR RIVERA: Let's start out -- through you, Mr. President -- with the Medicaid growth formula. Could you explain to me what this particular budget resolution does regarding the Medicaid growth formula as it relates to the Governor's proposal?

SENATOR YOUNG: It's the same.

SENATOR RIVERA: Through you, Mr. President if the sponsor will continue to yield.

SENATOR YOUNG: Sure.

ACTING PRESIDENT GRIFFO: The sponsor yields.

Could I have some order in the house, please. Could you take conversations of staff outside the chamber, please.

SENATOR RIVERA: Thank you, Mr. President.

And what is the fiscal impact that that would have on the city's budget?

SENATOR YOUNG: Through you, Mr. President. I just had to check about the actual figure.

The actual figure is $182 million.

And it's the Governor's proposal, but the Governor has publicly stated that he would work with the city on this issue.

SENATOR RIVERA: Through you, Mr. President, if the sponsor will continue to yield.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR RIVERA: As you stated earlier, Senator, the Senate Majority resolution accepts this. The question that I have is what is the reasoning behind this shift of cost? Through you, Mr. President.

SENATOR YOUNG: Through you, Mr. President. This actually has to do with the tax cap, because the city gets reimbursed for Medicaid costs at the same -- you know, the same way that counties around the state do. And one of the rationale -- one of the reasonings, I should say, for helping the counties with the Medicaid growth is that they have the property tax cap, as we know, that puts constraints on the growth of counties' budgets. The city is under no such constraint.

And as a matter of fact, the taxes that are collected every year in the city continue to skyrocket. The city actually is sitting on a very large reserve fund right now. And so the rationale is that the city should not be getting the same benefit as the counties do upstate when the counties are under property tax caps and the city is not.

SENATOR RIVERA: Through you, if the sponsor will continue to yield.

ACTING PRESIDENT GRIFFO: Will the sponsor yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR RIVERA: Thank you. I want to move on to a second issue, and that is the issue of Health Republic. As all of our colleagues are aware of the failure of that particular company, could you tell me what this resolution says about Health Republic as it relates to the Governor's proposal and what the Senate Republican Conference proposes to be done about this particular issue?

SENATOR YOUNG: Through you,

Mr. President. This actually is a three-part process that has been identified.

First, we would repeal prior approval for future issues to change the system as to how it's structured now.

We would also have the Department of Financial Services to expedite the liquidation process to determine the losses, which we need to have an exact figure.

And finally, we would require the Governor to identify funds to reimburse the hospitals and the doctors that have been hurt through this ordeal.

SENATOR RIVERA: Through you. Mr. President, if the sponsor would yield.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR RIVERA: Thank you, Mr. President.

So there is -- on page 20 of the resolution, there is a paragraph that relates to Health Republic. I'm trying to look to see if there is a corresponding language within the bill language itself.

SENATOR YOUNG: Yes, Senator, there is, in Part C.

SENATOR RIVERA: Part C.

SENATOR YOUNG: Yes.

SENATOR RIVERA: Thank you.

Through you, Mr. President, if the sponsor will continue to yield.

SENATOR YOUNG: Certainly.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR RIVERA: I want to move on to a third issue. Since I don't have that much time, I just want to make sure that I'm clear on some of these things before I speak on the bill.

The third issue -- through you, Mr. President -- the New York State of Health. Could you tell me what the resolution does regarding the New York State of Health, or the health exchange in the State of New York?

SENATOR YOUNG: Through you, Mr. President, nothing.

SENATOR RIVERA: Through you, Mr. President, if the Senator would continue to yield.

SENATOR YOUNG: Yes. Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR RIVERA: Thank you.

Since nothing means that it's not funded at all, what happens to the millions of folks that have already used it or the hundreds of thousands of people that could potentially use it. Would it cease to exist? I'm not sure what would happen to the exchange.

SENATOR YOUNG: Mr. President, the Governor said it would be self-sustaining when he set it up. And so we're just, you know, going ahead with the Executive proposal.

SENATOR RIVERA: Through you, Mr. President, if the sponsor would continue to yield.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR RIVERA: So you're referring to what the Governor said originally as far as over time it would become self-sustaining. Is it self-sustaining now? Does it no longer require funding?

SENATOR YOUNG: Through you,

Mr. President, no one has said otherwise.

SENATOR RIVERA: Through you, Mr. President, if the Senator would continue to yield.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR RIVERA: "Nobody has said this." I'm trying to understand the phrase.

Is the current -- is the New York State of Health self-sustaining so it no longer requires funding? Is that what you're saying? Through you, Mr. President.

SENATOR YOUNG: Through you, Mr. President, it does have funding.

SENATOR HANNON: {Inaudible.}

SENATOR YOUNG: Wait, wait, wait.

Correct?

SENATOR RIVERA: I was about to say.

SENATOR YOUNG: So I've been given a clarification. The enrollment system for the counties has funding, but there isn't any funding for the exchange.

SENATOR RIVERA: Through you, Mr. President, if the Senator would continue to

yield.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR RIVERA: So once again through you, Mr. President, if there is no funding, if this proposal were to be accepted and become law, then the exchange would cease to exist. So that means what happens as far as the ability of people to be able to sign up in the future?

SENATOR YOUNG: Through you, Mr. President, would it be okay with you if Senator Hannon actually discusses this, as chair of the Health Committee?

SENATOR RIVERA: We've discussed it many times, I'm sure. It will be perfectly fine.

ACTING PRESIDENT GRIFFO: Without objection -- without objection, the chair will recognize Senator Hannon.

SENATOR HANNON: I presume the question is what is the future of the exchange. If that's the question --

SENATOR RIVERA: That is the question, Mr. President.

ACTING PRESIDENT GRIFFO: That is the question.

SENATOR HANNON: -- then the proposal --

SENATOR RIVERA: That is one question, Mr. President.

SENATOR HANNON: The resolution doesn't alter what the Executive has done. The Executive did not propose really funding the exchange. To the extent they might have tried to do that, it was removed.

So we would go along with the absolute words, the words per se that the Executive used when they set up the exchange, which was it will be self-sustaining.

Now, along the way the computer system for enrollment in the exchange is the same mechanics, the same computer as the enrollment system that takes over enrollment for Medicaid from the counties. So that part of it is funded.

But the exchange, there's nothing negative about the exchange. It would continue, as far as we know. If there's anything that has been done to jeopardize the future of the exchange, I believe it is the Basic Essential

Health Plan, which took about 200,000 people out of the people covered by the exchange and put them in a separate plan, thereby reducing the total number of people in the exchange. They're still being covered getting their healthcare. But if you have a per unit cost for people, you've just lowered the number of people covered.

SENATOR RIVERA: Through you, Mr. President, if either Senator would yield.

ACTING PRESIDENT GRIFFO: Senator Hannon, do you continue to yield?

SENATOR HANNON: Yes, Senator Hannon will.

ACTING PRESIDENT GRIFFO: Senator Hannon yields.

SENATOR RIVERA: Thank you, Mr. President.

Moving on to one more issue, the End of AIDS Task Force, the end of AIDS or the ending the epidemic report that was put out just a few months ago, there were some -- and obviously it was put together by the Governor, the task force itself and the report was put out by that entity. The proposals were accepted, so to speak. It was agreed that these things need to happen. And it

was funded at a particular level in the Governor's proposal.

What are the changes, if any, in the Governor's -- I'm sorry, in the resolution before us?

SENATOR HANNON: We have left the funding level at what the Governor proposed.

SENATOR RIVERA: Thank you.

Through you, Mr. President, if the Senator would yield for a few more questions.

ACTING PRESIDENT GRIFFO: Senator Hannon, do you yield?

SENATOR HANNON: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR RIVERA: Actually, I want to go back -- through you, Mr. President, I want to go back to Health Republic to talk about Health Republic for just a couple -- for just a little bit.

There is -- related to Part C and then -- and what is in Part C related to Health Republic, as we talked about earlier, there's one part that is in there related to prior approval. But as far as the other two parts that were

discussed by Senator Young, where are those? Are they in Part C or are they someplace else?

SENATOR HANNON: I'm sorry, Senator, I didn't get the question. They were trying to give me the answer before I got the question.

SENATOR RIVERA: Yes, Mr. President, I will ask again.

So in Part C there's a reference, as Senator Young referenced earlier, there was part of the -- as far as the proposal to address the heath republic issue. There are two other ones related to DFS determining losses. And the third one, the question is where is that? Is that in Part C as well or --

SENATOR HANNON: It's there. There's three things.

If you're going to do the getting rid of prior approval, that's designed to make sure in the future that the same type of circumstance and bad political judgment that led to the bankruptcy of Health Republic doesn't occur again, because we have another mechanism called medical loss ratio which ensures that people get their money for medical coverage and

that there can be a viable vehicle for going forward. That was one.

The second is liquidation. You can't move forward with ascertaining people's claims until there's something for them to file. And unless there's liquidation, there's no way for people to actually file. The hospitals, the nursing homes, the doctors are left surveying their members, and hopefully they get an accurate picture that way. But in terms of legality, you really need to have liquidation so people can file claims.

And part of the second, the corollary to that is when they make a filing of claims you assert what is available as assets to that bankrupt individual, the liquidated individual. So you don't know the assets. So that has to be done as a process.

And third, the idea was to take one of the settlement funds that we've had through the largesse of the initiative of the Attorney General, and those are one-shot settlement funds, and use one of those as the corpus for the liquidation.

SENATOR RIVERA: Thank you,

Mr. President. On the resolution.

ACTING PRESIDENT GRIFFO: Senator Rivera on the resolution.

SENATOR RIVERA: I thank both Senator Young and Senator Hannon for some of their answers, because I just wanted to clarify. And we could obviously be speaking about this for a very long time, but I have many of my colleagues that want to chime in. So I will only reiterate a few things of the discussion that we just had and actually go back to what some of my colleagues discussed before.

First of all, I have to say that ever since I saw the initial Governor's proposal related to Medicaid growth for the City of New York, or the Medicaid growth formula, I was appalled, to say the least. I do not feel that there is an actual reason for this. I cannot find it. I'll speak briefly about CUNY, which I think falls in the same category.

To say that we are going to cut -- because there's no other way to say it. We can call it shifts in cost, but it's really a cut of $180 million just in the first year to basically institutions that provide basic healthcare to the

State of New York, is appalling to me. And we need to -- and I was hoping that my colleagues would both acknowledge that and include it as the Assembly did in their one-house budget resolution. Unfortunately, that was not the case.

There was a few more issues that we talked about. We talked about Health Republic just quickly. We would like -- I would like to have a conversation with you later, Senator Hannon, because I've got to tell you, I didn't find it. The things that you're referring to, I do not see them in there. There is -- I see language that refers to the issue but no real solution to it.

And I believe, as we've talked about before, that we all agree that there is so much money that -- so many services that have already been provided, so much money that providers are owed, we need to do something in the state to make sure that they stay whole, and that's something that needs to be done.

There's a couple of more issues in health, but I'll just -- I do want to make sure that I mention just a couple of more things in

other issues because I have the opportunity.

I cannot express with more strong -- my strong feelings about CUNY. It is hard for me to stand here and be not visibly angry at the idea that we are going to cut $485 million from a set of institutions that provide education to the people that reside in my district, to the people of New York City.

Again, I do not see that there is a real reason behind that. And I find it incredible that this is what we're really talking about.

And the fact, again, that this resolution does not address that and instead talks about these shifts and tries to look for a reason.

Certainly anti-Semitic attacks should not be tolerated. But it seems that if you have institutions or organizations that for a living talk constantly about anti-Semitism and fighting it, and they recognize the efforts of CUNY and they have recognized that CUNY has done a good thing in trying to stop them, and then using that as a reason, seems to me to be disingenuous at best.

I also believe that regarding the minimum wage, we need to make sure that we implement it. And my colleague Senator -- my colleague back there spoke about it at length, so I will not go into it too much more.

There are a couple of other issues, but -- and certainly everything that was said by Senator Squadron back there regarding ethics reform and what we needed to do in this budget resolution, which is not there.

I will just -- and I'm sorry that I'm going over. I will just, again, reiterate that there are way too many things in this budget resolution that strike at the heart of the constituency that I represent. And just -- it was repeated earlier, $867 million cut to the City of New York. It's unconscionable. I could not vote for this resolution in any way, shape or form. I vote in the negative.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Latimer.

SENATOR LATIMER: Thank you, Mr. President. Will the Senator yield for some questions on education issues?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR LATIMER: Thank you, Senator.

Can you outline in very general terms how the Senate Majority modifies the Executive's budget regarding overall funding for education? Just the skeletal outline of funding.

SENATOR YOUNG: Certainly, Senator.

In our one-house budget resolution the Senate puts forward a year-to-year increase of $1.6 billion. And basically that is comprised of three major things.

First of all, it has been this chamber that has fought so hard to fully get rid of the Gap Elimination Adjustment, which members in this house know was passed in 2009 and 2010, and it was something that many of my colleagues on my side of the aisle -- actually, all of them -- voted against. Unfortunately, it was forced through. It's a fiscal gimmick that basically gives funding to our school districts on one hand and on the other hand claws it back, takes it away. It has hurt the learning

opportunities for our children across the state ever since it was put into place. And that's why we feel so strongly about getting rid of the gap elimination for good.

We include $434 million to fully eliminate the Gap Elimination Adjustment this year. Not over two years, as the Governor would like to do, but fully get rid of it this year.

On top of it, we have about $880 million put forward for Foundation Aid. That's a significant number. And then the rest of the budget has to do with expense-driven aids.

SENATOR LATIMER: Will the Senator continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR LATIMER: Thank you.

The $1.65 billion in the aggregate represents about $700,000 more than the Governor's $991 million. And if that is true and the restoration of GEA -- which I have supported, and the majority of my colleagues on this side of the aisle have voted for when it's come before us -- represents $244 million additional money in

order to fully repeal GEA, out of what appears to be, unless I'm mistaken, $700,000 more in spending.

So if that is true, if those numbers are accurate, there's about $450 million additional money, and I'd like to see if you can highlight, Senator, how that $450 million is allocated vis-a-vis Foundation Aid.

SENATOR YOUNG: Certainly, Mr. President. Through you.

And so earlier in the discussion, when Senator Krueger got up and spoke and asked questions, we went over this information. But I don't mind going through it again.

Basically, we have been able to do several things in regards to the Executive Budget proposal. And we have cuts that we've put forward in spending that he would like to do, and that's to the tune of $45 million in State Operations. We also implement $484 million in targeted reductions and reprogramming actions. And those include reestimations, too, reestimates, including $35 million from retirement vacancy savings, $300 million from a personal services spending base reestimate.

And when you put that with the fact that there was a consensus on the revenue agreement that we just had of $225 million -- and as you know, that was a three-way agreement that there was $225 million extra to spend, and also we would put forward $53 million in settlement funds -- that gives us the ability to fund eliminating the Gap Elimination Adjustment this year and actually add to Foundation Aid.

SENATOR LATIMER: Thank you. Will the Senator continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR LATIMER: Thank you.

One of the repurposings that appears to be in this is elimination of $100 million for community schools. What was the Senate Majority's rationale for that elimination?

SENATOR YOUNG: Through you, Mr. President. Actually, we don't eliminate it. It's still within the Foundation Aid formula.

SENATOR LATIMER: If the Senator will continue to yield.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR LATIMER: So within that Foundation formula addition there is already actually $100 million that would be used for community schools. Is that officially targeted as such, or will that be something that will reduce what non-targeted community school Foundation Aid would be?

SENATOR YOUNG: Through you, Mr. President, Foundation Aid is Operating Aid. So to establish a community school, for example, there's $100 million that could be part of the Foundation Aid formula. And those are all local decisions.

SENATOR LATIMER: Thank you.

There's other questions to be asked, but I'm afraid, time being of the essence, I'll just ask one more question with the indulgence of the President and the Senator.

The changes to charter school operations in the Senate Majority's resolution is rather dramatic. Can you explain what the structure and the function of those changes are?

SENATOR YOUNG: Thank you,

Mr. President. Through you.

Basically what the budget resolution would do would be to allow charter schools to continue to operate at a high level and service, as public schools, children across the state.

SENATOR LATIMER: Well, if the Senator will yield.

SENATOR YOUNG: Certainly.

ACTING PRESIDENT GRIFFO: The sponsor yields to an additional question.

SENATOR LATIMER: I think we'll try to get a little more specificity on that as we go to the conference committees. It's a very important policy issue.

Another important policy issue is whether or not there are any resources targeted to districts that have an increase in ELL students. Does the Senate Majority make any provision in this resolution for that purpose?

SENATOR YOUNG: Through you, Mr. President, that actually is accounted for in the Foundation Aid.

SENATOR LATIMER: Mr. President, Madam Senator, thank you very much for your time.

SENATOR YOUNG: Thank you.

ACTING PRESIDENT GRIFFO: Thank you, Senator Latimer.

Senator Hoylman.

SENATOR HOYLMAN: Thank you, Mr. President. Would the sponsor yield to a few questions?

SENATOR YOUNG: Of course, for you.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Thank you. Thank you. And she's been working hard this afternoon.

My specific question, Mr. President, initially concerns the capital budget, the Environmental Protection Fund. Could the sponsor explain the difference between the one-house resolution and the Executive's budget proposal in the area of climate change mitigation and adaptation programming?

SENATOR YOUNG: Thank you. Through you, Mr. President. And the type is small, so I'm glad I have my glasses on.

We made a couple of minor adjustments. Probably the most significant is through adaptive infrastructure, where we took it from 23 down to 72.5. And what we were able to

do is shift that money to other priorities that have to do with protecting the environment.

SENATOR HOYLMAN: Will the sponsor continue to yield, Mr. President?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Thank you.

Would the sponsor acknowledge -- it seems to me that the climate change mitigation and adaptation program goes from 32.5 million in the Governor's programming to about half that under your one-house bill, $16.750 million. Do you see those figures?

SENATOR YOUNG: Yes, that's correct.

And as I said, that money isn't taken out of the environmental budget, it actually is just used for other priorities that protect and clean the environment.

SENATOR HOYLMAN: Would the sponsor continue to yield, Mr. President?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Would the sponsor acknowledge that in fact while the sponsor says this money is going back into environmental programs, it is in fact being taken out of the climate change mitigation programming?

SENATOR YOUNG: Through you, Mr. President. You know, I do want to say there are so many things that are still included under this whole mitigation and adaptation.

I think I already answered the question as to where the bulk of the money came out of; it was actually out of the adaptive infrastructure line. And that money is being used, under our plan, to protect the environment.

SENATOR HOYLMAN: Would the sponsor continue to yield, Mr. President?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Through you, Mr. President, is it the sponsor's position and the conference's position that it supports the validity of human-induced climate change?

SENATOR YOUNG: Through you, Mr. President. We do support the whole notion of

climate change because the weather is changing all the time. What we have questions about is whether it's human-induced or not.

But with that being said, we do feel very strongly and have always prioritized protecting the environment. And that's why you see so many initiatives under our budget plan that works for clean water, clean air, all the things that are important to the citizens of this state. We have initiatives included in our one-house proposal that affects all of those very vital endeavors.

SENATOR HOYLMAN: Would the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Through you, Mr. President. So the sponsor has stated that the conference -- the one-house budget does not support the validity, the scientific validity of human-induced climate change.

SENATOR YOUNG: Through you, Mr. President, that is not what I said. So I would appreciate the Senator not putting words in

my mouth. What we're saying is is that we believe there's climate change. At the same time, we are putting forward very many initiatives that protect clean air, clean water, protect the environment, clean up brownfields, for example. All of those initiatives are included in our one-house budget proposal.

SENATOR HOYLMAN: Would the sponsor continue to yield, Mr. President?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Through you. I just -- I really have to drive this point home, Mr. President.

I have yet to hear from the sponsor whether the one-house budget and her conference in fact support the validity, the scientific validity of human-induced climate change -- not climate change that may have occurred due to the expiration of natural gases without man's contribution to that scientific phenomenon.

SENATOR YOUNG: Through you, Mr. President. If you look at our one-house budget resolution, we have several initiatives,

including under the Governor's climate change mitigation and adaptation, that are included in our one-house budget resolution. They're here. They're here in black and white. And that's my answer.

SENATOR HOYLMAN: Through you, Mr. President, will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: So the sponsor refuses to acknowledge that their budget actually supports the acknowledgement of manmade or human-induced climate change. But I want to turn to --

ACTING PRESIDENT GRIFFO: Senator Hoylman, are you on the resolution?

SENATOR HOYLMAN: -- another --

ACTING PRESIDENT GRIFFO: Senator Hoylman, are you on the resolution?

SENATOR YOUNG: Through you, Mr. President, I --

SENATOR HOYLMAN: Through you, Mr. President, if the sponsor would continue to

yield.

SENATOR YOUNG: Through you, Mr. President. Again, I would appreciate the Senator not putting words in my mouth or actually putting forward something that is not something that I said. So if we could stick to the facts.

As I said, we have included many vital environmental programs for clean air, clean water, reducing greenhouse gases, cleaning up the environment. Those are in here.

Now, whether he wants to parse words on his side or not is his problem. But I will say that we are strong supporters of protecting the environment, and the proof is in the pudding, the proof is in our one-house budget resolution.

ACTING PRESIDENT GRIFFO: Senator Young has answered the question. Senator Hoylman, do you want to continue to ask questions or do --

SENATOR HOYLMAN: Would the sponsor continue to yield?

SENATOR YOUNG: No.

ACTING PRESIDENT GRIFFO: -- you want to speak on the resolution?

SENATOR HOYLMAN: Would the sponsor

continue to yield?

SENATOR YOUNG: No.

ACTING PRESIDENT GRIFFO: Senator Hoylman.

SENATOR HOYLMAN: I perhaps have touched a nerve. But I'll continue.

On the bill, Mr. President.

ACTING PRESIDENT GRIFFO: On the resolution, Senator Hoylman.

SENATOR HOYLMAN: Mr. President, would the sponsor yield to questions about another area, the Diesel Emissions Reduction Act?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Thank you, Mr. President. And thank you to the sponsor.

The Senate one-house budget resolution delays implementation of the Diesel Emissions Reduction Act -- DERA, as we've called it -- until 2018. Can the sponsor explain what the requirements of DERA are, for the benefit of the chamber?

SENATOR YOUNG: Through you, I don't have everything in front of me. I do know

that there are ramifications. So, for example, vehicles I believe have to be retrofitted with very expensive systems that cost anywhere between $15,000 and $60,000.

One of the things I would like to point out is that this would be on the private sector. However, under the Governor's budget proposal, there is nothing that would address our state vehicles -- for DEC, for DOT, for the MTA, for all the state agencies. And so what I would think should happen or what I would hope the Governor would do at some point is start to work on the state vehicle fleet.

SENATOR HOYLMAN: Would the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Thank you. Through you, Mr. President.

Can the sponsor tell us when DERA was originally passed by this Legislature?

SENATOR YOUNG: Through you, Mr. President. Actually, I'm looking at my information, and it was 2009.

SENATOR HOYLMAN: Would the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: I believe it was 2006.

But can the sponsor tell us -- Mr. President, through you -- what the original implementation date for DERA was?

SENATOR YOUNG: Through you, Mr. President, it was December 31, 2010.

SENATOR HOYLMAN: Through you, Mr. President, would the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Is the sponsor aware that the EPA recognizes and warns that fine particulates and diesel exhaust post a significant health risk and can aggravate a whole host of respiratory conditions -- asthma, bronchitis -- cause lung damage and even premature death?

SENATOR YOUNG: Yes.

SENATOR HOYLMAN: Mr. President, would the sponsor continue to yield?

SENATOR YOUNG: Yes.

SENATOR HOYLMAN: Thank you. Through you, Mr. President.

Is the sponsor familiar with -- the original legislation back in 2006, the fiscal impact of the bill was described on the sponsor's memo as follows: Any fiscal implications of retrofitting vehicles will be offset by savings in health costs attributable to reductions in airborne fine particulate matter and ozone. Is the sponsor familiar with that original memo?

SENATOR YOUNG: No, I'm not. I don't have it in front of me. I don't have it available.

SENATOR HOYLMAN: Would the sponsor continue to yield, Mr. President?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Thank you. Through you.

Does the sponsor -- now that we've

established that that was the original memo, does the sponsor no longer agree with the assessment or does the sponsor feel that the negative health impacts caused by diesel emissions are secondary to the costs of implementing the law?

SENATOR YOUNG: Through you, Mr. President. I don't have that report in front of me, I don't have that information in front of me. I would say, however, that I believe that we need to move ahead in working on clean air initiatives, and that's why we have some included in the state budget.

At the same time, however, we should be realistic about implementing these types of initiatives. And again, as I said, I believe that the state should lead by example.

So, for example, currently DOT has 847 vehicles still needing retrofits. That is a significant number. The MTA has 218 vehicles that are noncompliant.

And as I said, there are several state agencies -- DEC, DOT, the Thruway, Office of Parks, Recreation and Historic Preservation -- that all have vehicles that are not retrofitted.

So I believe that I would like to

have the Governor actually put forward initiatives to do so first so that we can make progress on this issue.

SENATOR HOYLMAN: Would the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Through you, Mr. President. In terms of being realistic, is the sponsor aware that the Clean Air Task Force, in a comprehensive analysis of health impacts of diesel emissions found that in Monroe County the risk of cancer from diesel soot is 89 times higher than the EPA's acceptable level? In Suffolk County, it's 153 times higher than the EPA's acceptable risk level. In Nassau County, it's 263 times higher than the EPA's acceptable risk level. And most importantly to me, in Manhattan, where my Senate district is located, the average lifetime diesel soot cancer risk for a resident is one in 893, the worst in the entire country.

Is the sponsor familiar with these facts?

SENATOR YOUNG: Through you, Mr. President, I'm not familiar with what task force that is. If the Senator could explain that.

SENATOR HOYLMAN: It's the Clean Air Task Force. It was a comprehensive analysis of diesel emissions across the State of New York. It's a nonprofit, nonpartisan organization.

ACTING PRESIDENT GRIFFO: Senator Hoylman, you have the floor still.

SENATOR HOYLMAN: Will the sponsor continue to yield?

ACTING PRESIDENT GRIFFO: Senator Young, do you continue to yield?

SENATOR YOUNG: Through you, Mr. President. Actually, by taking these trucks off the road, it would have a negligible impact on emissions.

And the other thing to point out is that aren't enough retrofits available to do these trucks. And so it would have a severe economic impact because you'd have to take all these trucks off the road and you wouldn't be able to have the retrofits available to make them be in service.

SENATOR HOYLMAN: On the bill, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Hoylman on the resolution.

SENATOR HOYLMAN: Mr. President, I think we've heard this afternoon that this bill, the Senate one-house, actually in fact questions the validity, the validity of billions of measurements by scientific experts on the validity of manmade climate change.

I heard the sponsor say, Mr. President, quote, We believe there is climate change but we have questions about the human component. That is counter to the vast majority of scientific evidence, and it causes me great concern to hear that coming from this conference this afternoon.

I feel similarly about the Diesel Emissions Reduction Act, a bill that this chamber has continued to delay. And the impact has continued to be extremely harmful to not just my constituents but to constituents all across the State of New York.

The tenth anniversary of the delay of DERA occurs today. Senator Marcellino

originally sponsored the bill, and he, I'm sure, knows about the real-life consequences in his district. In 2010 it was found that delay of implementation of DERA has resulted in 179,000 workdays lost, over 39,000 asthma attacks, over 2,000 heart attacks, 1,159 premature deaths, and health impacts costing a total of nearly $9.6 billion.

I say, Mr. President, that this is a measure that we cannot afford to delay further due to the health impacts. And I urge this chamber to embrace the scientific validity of human-induced climate change and, as a result, support the Governor's climate change mitigation and adaptation program to its full amount.

So I'll be voting no. Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Hamilton.

SENATOR HAMILTON: Yes, Mr. Chairman. I'd like to talk on the one-house bill, please.

ACTING PRESIDENT GRIFFO: Senator Hamilton on the resolution.

SENATOR HAMILTON: The resolution,

yes.

Education is a vital component to the viability of this state. We must educate our children and give them the resources they need to be successful young men and women in our great State of New York.

This bill is not addressing the failing schools that we have throughout the state. We are called the Empire State, but our educational system is ranked 34th in the United States. That is something that is unacceptable.

The Department of Education is not educating our kids. Only 20 percent of our young men and women of color are ready for college.

I see nothing in this one-house resolution on technology. Technology is the moving engine in this country and in the world, and we're not investing more money in STEM programs, we're not putting more money in hiring teachers who can teach our kids how to code and computer technology.

In my district we've had three workshops already for young children on how to code, how to be web designers, and they should

avail themselves of technology and how it can be a step forward in living the American dream.

Right now with a coding degree -- certificate, rather -- you can have a high school diploma and make $80,000 a year.

In my district I'm truly upset with some of the schools and the reading scores. In Public School 327 the reading scores are 7.4 percent of kids reading at grade level. In Public School 323, 10.3 percent of the children are reading at grade level. At Public School 165, 8.7 percent of the children are reading at grade level. In Public School 284, it's only 2.1 percent of the children are reading at grade level.

That is criminal in this great country that we have one school where only 2.1 percent of the kids are reading at grade level. What future do they have if our educational system is not delivering the best that it can be?

In Public School 298, only 5.9 percent of our children are reading at grade level.

So I'm concerned about the community schools and what we're going to do in the State

of New York in this great chamber on making sure all kids have equal access to a quality education. Every child in this state should have equal access to quality education. No child should be left behind. All children should be moving together.

So in this great chamber of the State Senate, it's not a Republican issue, it's not a Democratic issue, it's a human issue for the viability of our young children in our great state.

So, Mr. Chairman, I'd like the sponsor to please yield to a question.

ACTING PRESIDENT GRIFFO: Senator Young, do you yield?

SENATOR YOUNG: Sure, Senator.

SENATOR HAMILTON: Thank you, Senator. I'll be brief.

But I just want to find out, Senator, the Governor has allocated $100 million for our low-performing schools. In the Senate one-house bill --

SENATOR YOUNG: I'm sorry, for our local what?

SENATOR HAMILTON: The Governor

has, in the Executive Budget, provided $100 million for community schools. And community schools provide wraparound resources as far as after-school programing, psychologists, psychiatrists, training for parents.

And I want to know what can we do or what can the Senate Republicans do to make sure that this money that has not been allocated can in some way get back into the community schools? And I know that you mentioned that the money is going to be put into the foundation -- is it foundation? The --

SENATOR YOUNG: Thank you. Through you, Mr. President.

SENATOR HAMILTON: -- yes.

SENATOR YOUNG: So as I stated previously, the community schools have not been taken out. But they're included under the Foundation Aid. So that if a local community, a local school district wanted to create a community school, that ability still is there under our plan.

SENATOR HAMILTON: Yes. Would the sponsor please answer a question?

ACTING PRESIDENT GRIFFO: The

sponsor yields.

SENATOR HAMILTON: Thank you for that information. I just want to make sure that the children in our district do receive the funding. I just mentioned we have six schools where children only -- the maximum, 10 percent are reading at grade level, down to 2.1 percent is reading at grade level.

And also I want to make sure we have technology in our schools. We are hiring people from other countries to come into our state and work, but we don't have a strong technology component in our state so our children can compete for the jobs that are being televised on TV as far as the Nano Research Center, as far as the Solar Panel Center. In my district, a lot of the kids who are being educated now cannot apply for these jobs.

SENATOR YOUNG: Thank you. Through you, Mr. President. Senator, as you may recall, last year the voters of this state, in a referendum, approved the $2 billion Smart Schools Act, which is $2 billion in infrastructure for technology. And as you know, the people in this chamber passed the resolution so that we could

have that referendum.

So there is money there that has been passed, and basically what the city would have to do would be to apply for some of those funds to fund technology.

But I agree with you, it's very important.

SENATOR HAMILTON: Thank you.

May the sponsor please yield to a question.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR YOUNG: Yes.

SENATOR HAMILTON: Thank you, Senator, for answering my questions. I greatly appreciate it.

SENATOR YOUNG: Oh. Thank you. Thanks, Senator.

ACTING PRESIDENT GRIFFO: Senator Panepinto.

SENATOR PANEPINTO: Yes, Mr. Chairman, will the sponsor yield for a question?

SENATOR YOUNG: Sure.

ACTING PRESIDENT GRIFFO: The

sponsor yields.

SENATOR PANEPINTO: Mr. Chairman, the Senate resolution has language to provide money for nuclear plant closures. And as Senator Young knows and is well aware, Mr. Chairman, her district and mine are adversely affected by the closures of NRG coal plants.

I'd like to know why is it that the Senate one-house bill doesn't include any money for those coal plant closures, but accommodates nuclear closures.

SENATOR YOUNG: So through you, Mr. President, there are actually two separate issues there. So Senator Panepinto referenced funding for nuclear plants. And that isn't anything to do with a closure, necessarily, it just would allow it to be able to continue to operate.

I think what you're referencing in regards to NRG is to have funding available to communities that are impacted by the closure of plants, power plants. And so in our language we just say that fund would be increased.

SENATOR PANEPINTO: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR PANEPINTO: Where is that language in the one-house resolution, that the plant closure, the coal plant closures will be addressed?

SENATOR YOUNG: Through you, Mr. President, it's actually included under local governments.

SENATOR PANEPINTO: It is.

SENATOR YOUNG: Yes.

SENATOR PANEPINTO: Thank you very much.

Will the sponsor continue to yield?

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR YOUNG: Yes.

SENATOR PANEPINTO: Mr. President, I have some questions for the sponsor on AIM funding. It looks, from the one-house resolution, that there is not a significant increase in AIM funding. I'd like to know if the majority in the house took AIM funding into consideration in putting forth their one-house

budget resolution.

SENATOR YOUNG: Through you, Mr. President. There is -- the Senator is correct, there is no increase in AIM, with the exception of the village per capita, which is a $2 million allocation.

SENATOR PANEPINTO: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR PANEPINTO: Mr. President, the tax cap has been a popular but controversial issue. And I want to know from the sponsor if there was any consideration given to capital expenditures for municipalities across the state who are running into great difficulty with a property tax cap set at .12 percent in many municipalities.

SENATOR YOUNG: Through you, Mr. President, the property tax cap has put the brakes on runaway property tax hikes in New York State. That's why it's so popular with taxpayers across the state. And there is nothing in our one-house budget resolution along those lines to

alter the property tax cap.

SENATOR PANEPINTO: Thank you. That's all I have, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Serrano.

SENATOR SERRANO: Thank you very much, Mr. President.

I actually don't have any questions for the sponsor; I will just speak on the resolution.

ACTING PRESIDENT GRIFFO: Senator Serrano on the resolution.

SENATOR SERRANO: And this is an issue that is very easy for everyone here in this chamber, it's one that has universal support. And that has to do with our state parks. Our state park system is the envy of any other state's here in the nation. We have an amazing state park system. And it is supported in a very bipartisan manner in this chamber as well as on the other side of the building.

I recall back in 2009 when I was at that time chair of the committee that oversaw parks, there was a proposal that would seek to close about 91 state parks throughout the State

of New York. And there was a major pushback by many members who are still here, who are still part of this chamber. And it was a really beautiful moment, I believe, for the Senate because it was one in which there was no partisan divide at all. We all agreed that our parks are extremely important.

So we have Governor Cuomo, who has been an outspoken proponent of our state parks and has really done a great job to find additional funds for the many improvements that are needed. While I said earlier we have an amazing state park system, it's a very old one. It's aging. The infrastructure is in much need of repair. So the needed capital funds to make our parks not only viable but safe is one that I would hope remain in the budget as it was proposed by the Executive.

However, in this resolution I see an elimination of the $92.5 million that would have gone a long way for capital projects for our state parks.

So I know that, again, we're still early on in the negotiating season, and I really hope that this money finds its way back into the

enacted budget. I don't really need to explain to anyone here, I think we're all -- you know, I'd be preaching to the converted. We all believe wholeheartedly how important our parks are, not only to recreational and exercise opportunities, but to the health of all New Yorkers, especially the youth in our communities.

So unfortunately, with this elimination from the resolution, I'll be voting no. But I hope going forward we will see a restoration of these funds.

Thank you.

ACTING PRESIDENT GRIFFO: Senator Krueger.

SENATOR YOUNG: May I just clarify on the Senator's last point?

ACTING PRESIDENT GRIFFO: Sure.

SENATOR YOUNG: As we know, in the Senate we strongly support our state parks. The reason that we took the Executive proposal out as far as capital goes is that there is no detail as to how that money will be spent. And what we're basically saying to the Governor is we strongly support our parks, we want this capital funding to go forward, but at the same time we need to

know how the money is going to be spent.

And we're very hopeful that the Governor will cooperate and get that detail to us very shortly.

ACTING PRESIDENT GRIFFO: Thank you, Senator Young.

Senator Krueger.

SENATOR KRUEGER: Thank you, Mr. President.

I think to close for my conference, I want to thank all of my colleagues for their contributions to the discussion today.

I want to thank very much Senator Young for her strong support for a resolution that frankly doesn't really have that much to support it. So good try, but I don't think you're actually convincing too many of us.

I just want to go over a few of the things that make it so clear to me why people should be voting no today on this one-house resolution.

I suppose, just to start, the discussion we just had about the New York Works funding for New York State parks. If in fact the Governor's proposal didn't lay it out well

enough, surely the right answer is lay out the details of how to spend the $92 million for our parks that they so woefully need our help. Don't say we didn't think it was a really good answer, so we're cutting the money out for them.

We're very concerned about rejecting the modified design/build proposals for Penn Station and Javits. We're very concerned that -- while we are glad to see increases in public education funding, the concept that we are being told there will be some changes in the Foundation Aid formula but we won't really know what it is until afterwards, we won't know whether high-needs districts are actually going to see a reduction compared to low-needs districts -- that is a serious concern for us.

Again, as my colleagues said, we certainly support increased funding for education and doing away with the GEA at this point in time. But we want the details of how that money is going to be spent.

We're very concerned, frankly, that we would reject a continuation of mayoral control without any explanation of what would happen if mayoral control sunsetted after going through

this exact exercise a year ago and eventually ending up with a one-year extension.

We're very concerned that our colleagues saw fit to reduce oversight in PSC's proposal to review municipal and investor-owned utility rate requests. We are paying some of the highest energy rates in the country. We should be doing more oversight, more questioning, not less.

We are concerned that we're sweeping RGGI and then we're using the money for things that perhaps we shouldn't be subsidizing, particularly unclean energy.

We're concerned that we are yet again pushing -- I guess you're kicking the can of energy efficiency and diesel cleaning down the road. We've been kicking it down the road for too many years.

My colleague Senator Squadron waxed poetic about all the things we're not doing with ethics reform. I think it's really hard for any of us to go home and explain to our constituents why we wouldn't be doing ethics reform this year now.

As I say often to people, if we're

not going to do things now, are we ever going to do them? I don't think so. And so to stand here today and say you're supporting a budget bill with none of the ethics reforms being called for, I just don't know how any of us could go home and explain that we voted yes on this without those things.

I find it completely unacceptable that yet again we are not increasing AIM funding to our localities, who are so desperately in need -- even as more and more of our school districts end up falling into the high-risk categories because of the 2 percent cap.

We have to reevaluate that action, but we certainly can't pretend it's all working fine. And we certainly can't pretend that applying a model to New York of a 2 percent cap on its property taxes would do anything but continue the loss of revenue for the City of New York -- which, for the record, sends more money to Albany than it gets back. But despite that, we are attempting to cut a radical amount out of state funding for the City of New York for this year.

Albany is also facing this problem

in this package. And again, AIM funding, which desperately needs rational distribution and a significant increase, sees none here.

We see a shift of new Medicaid cost growths to New York City -- not every other locality, just New York City. And the argument -- and well pointed out by my colleagues this was the Governor's proposal -- simply stating you're going to cut funding for specific localities but they'll figure it out doesn't mean they figure it out. It just means you're cutting the money.

We are concerned that -- we're very concerned, as you heard, about cutting $485 million out of the CUNY system, 500,000 low-income students struggling to get the higher education they need to be taxpayers, be our future. I can't imagine any justification for it. I truly can't imagine that my colleagues here on the floor want to argue it's because there are some anti-Semitic incidents.

I was looking up racist incidents, anti-Semitic instances, rape cases on SUNY and CUNY campuses throughout our state. Bad things happen. If we chose to cut 30 percent of the

college's budget every time an incident like that happened, I can guarantee you nothing but a worse outcome. And that's exactly what will happen for the CUNY system if this cut is allowed to take place.

As my colleagues pointed out, many of us are so disturbed that yet again we're rejecting DREAM Act funding, which is a small amount of money that will have an enormous impact for young people who are just trying to get a college education so they can get good jobs in our communities. How can that be such an evil idea?

I'm concerned that we're cutting a hundred million out of affordable housing -- I'm sorry, Mr. President?

ACTING PRESIDENT GRIFFO: Excuse me. Can I have some order in the chamber, please.

Thank you, Senator Krueger.

SENATOR KRUEGER: Thank you, Mr. President.

I'm very concerned that this resolution proposes cutting $100 million out of homeless housing and supportive housing, and

another $50 million out of the support services for the same programs.

I'm very concerned that yet again, people here seem to have an enormous problem with the Tenant Protection Unit in the housing agency. What's a housing agency supposed to do? Protect people in housing. It's not radical. And yet here we constantly have to fight just to continue that program.

There's so many things to be concerned about. I don't even know if every one got raised or not. I raised the concerns about paid family leave. You say you support it, but then you have a whole section on ifs, ands or buts.

We're cutting the Urban Youth Job Tax Credit by $50 million. We are rejecting yet again the Raise the Age proposal in criminal justice reform, for the second year in a row. Many of us understand why that is so important to the young people in this state, and yet, yet again, we're rejecting this proposal.

In revenue, you know, we have some good things. I'll say that. And yet we're proposing to increase a tax deduction for college

-- who would be opposed to that? -- but it starts at people who earn $100,000 and it goes up without a cap. That means we could be giving Donald Trump's family a new scholarship tax credit. Why would we be doing that? We could be giving people who go to Trump University a tax credit. It's even scarier, either side.

So the concept of an uncapped new tax deduction or credit that starts at $100,000 and just keeps going up -- please stop. Start lower, stop lower. Don't do it this way.

Some of us have differing opinions on the Educational Income Tax Credit, EITC. I personally don't like any of the proposals, but this proposal, as opposed to the Governor's, would do away with the grants to low-income families, would allow LLCs to be able to take up to a million-dollar tax deduction. Why do we keep allowing LLCs to run the State of New York and take all of our tax money on top of everything else?

It would allow charters back into the program. It would take the funding out of the poorer schools. It's a bad model of a bad proposal.

To continue, we also -- we actually take New York's refinancing money away as well. I'm not sure if that got included in the $870 million estimate from earlier in my discussion with my colleague.

I really think when you're dramatically increasing gambling, through fantasy sports and online poker, there should be a serious discussion, there should be debate. My colleague Senator Bonacic, the chair of that committee, pointed out there was one hearing on one of the topics in his committee, and one hearing in the Assembly on one of the topics. I don't really think that meets my test. But thank you for pointing that out to me.

We should be asking hard questions before we go down those roads in New York State.

MTA and transportation bond money for roads, bridges, the MTA, rail. We all talk a good line, but you sort of get back to that point, where's the beef? There's not the actual money there.

So we all say we're very concerned about this, but where's the beef? When are we going to finally actually address the real

capital needs of roads, bridges, rail, the MTA's needs?

I'm just checking to see what else I might have left out.

SENATOR HANNON: {Inaudible.}

SENATOR KRUEGER: Excuse me? The Valley Girl?

I'm sorry, Mr. President, I don't -- if through you, Mr. President, Senator Kemp Hannon would yield.

ACTING PRESIDENT GRIFFO: Senator Hannon, do you yield?

SENATOR KRUEGER: I couldn't hear you, Senator. Could you please say what you said?

SENATOR HANNON: Yeah, after your fourth sigh, I said "You're our version of the Valley Girl."

SENATOR KRUEGER: Ah. Thank you.

ACTING PRESIDENT GRIFFO: Senator Krueger, you may continue.

SENATOR KRUEGER: I don't speak Valley Girl, so that's why I didn't get the reference.

(Inaudible comment.)

SENATOR KRUEGER: This -- don't feel compelled.

I don't know, Mr. President, people are getting a little rude down here on the floor. Although I think one of our reporters tweeted that he liked the off-the-record comments more than the on-the-record comments. So hopefully he might tweet away, Mr. Vielkind.

So in closing, there are so many reasons to vote no on this resolution that even though we could each find things we like in this one-house resolution, I certainly hope that in the weeks to come we will be negotiating to a much better place for the people of New York State.

Because we can get there, Mr. President. We can actually get to a budget, a package of budget bills that do make sense and are justified and that we could all possibly vote yes on.

I vote no, Mr. President. And I hope my colleagues will join me in voting no.

Thank you very much.

ACTING PRESIDENT GRIFFO: Thank you, Senator Krueger.

The resolution is before the house. I will ask the Secretary to call the roll on the resolution.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: I'm going to recognize some members who would like to explain votes, but I'm going to ask everyone to keep it within the two minutes. I will be very strict in invoking Rule 10-E.

Senator Espaillat to explain his vote.

SENATOR HAMILTON: Thank you, Mr. President. I rise to explain my vote on this resolution.

ACTING PRESIDENT GRIFFO: Excuse me, Senator Espaillat. Can I have some order in the house, please.

Senator Espaillat.

SENATOR ESPAILLAT: Yes. NYCHA for the first time got $100 million last year. That complex of city-owned property is really deteriorating. It's wear and tear. It's like your pads on the brakes; every so often you need to fix them, you need to change them.

And so having no funding in the

budget for NYCHA again this year is really a travesty.

The Tenant Protection Unit, which has helped us recuperate thousands of units illegally taken off the rolls as rent-stabilized apartments is also not funded by this budget, and that is also a terrible thing.

The House NY homeless housing program is also a program that lost, in this resolution, $100 million.

The DREAM Act, which is one that was included by the Governor to provide thousands of students the opportunity to access higher education, those that can prove that they were students in a New York State high school, is also not in this bill.

CUNY, as we know, $485 million in state operations for the senior colleges, that was also not included in this particular resolution.

Rent regulation, there's a back-door way to circumvent the $2700 threshold, the limit for rent-stabilization apartments. That's included in this resolution. That's a bad thing for the million -- over a million tenants in

New York City.

And of course there is a provision that does away with unemployment insurance for farmworkers, while we continue not to provide the rights and privileges to farmworkers that every other worker gets in the State of New York.

For those reasons, Mr. President, I will be voting in the negative.

ACTING PRESIDENT GRIFFO: Thank you. Senator Espaillat is recorded in the negative.

Senator Dilan to explain his vote.

SENATOR DILAN: Yes, Mr. President, I rise to explain my vote.

And I just find it unconscionable that the Tenant Protection Unit has received no funding. With so many unscrupulous landlords destroying rent-stabilized units and making them uninhabitable so they can increase their rents is really not acceptable. And this is just a cost of them doing business when they should be charged with a felony for doing so.

I also find it unconscionable that there is no funding for CUNY or Medicaids and that these costs are being shifted to the City of

New York.

And also, I find it very interesting that New York Works, for parks, has received zero funding for the lack of a project list. However, the Department of Transportation, who also failed to have a project list, was funded and is in this resolution.

So for those reasons, I will vote no on this resolution.

ACTING PRESIDENT GRIFFO: Senator Dilan is recorded in the negative.

Senator LaValle to explain his vote.

SENATOR LaVALLE: First I want to compliment our chair of Finance for the job that she did today in explaining this budget.

I think the higher ed budget that was put forth protected students from tuition, made sure that the word "affordability" throughout was defined, and the TAP program, increased tax credits and deductions. And one of the important things that actually came from the members, is to allow individuals to deduct their student loan payments, the interest payments, on their state taxes.

One other thing that was done in

this budget which I think is very, very appropriate is to use the budget to send a message to the City University to say that discrimination cannot be tolerated. When we look at what is happening, the City University, it can escalate to a point beyond discrimination -- of people's feelings -- to physical harm being done.

And so time is of the essence. Time is of the essence. And this is an issue where the Governor and the Mayor need to get together. The Governor certainly has spoken out; the Mayor has to speak out, and we have to put this behind us.

So I think we have put forth a great budget in terms of its tax relief, a great budget in terms of education, higher education, and in the other areas are very, very clearly defined.

I vote aye.

ACTING PRESIDENT GRIFFO: Senator Panepinto.

SENATOR PANEPINTO: Yes, I rise to explain my vote on this budget resolution.

There are some good things in this budget resolution: 1.65 billion in education is much overdue. Paid family leave, you know, I'm

proud that, you know, this body is putting forth paid family leave. Upstate DOT parity, TAP increases, those are all good things.

But, you know, we left out what I think is the most important thing, and that is an increase in the minimum wage.

You know, millions of people in this state, you know, work for poverty wages, and we subsidize corporations like Walmart, Target and McDonald's, by Medicaid. And we should not be subsidizing in the form of corporate welfare these multi-billion-dollar corporations. We should be paying people a living wage so they get off of those rolls. And we as taxpayers should not be subsidizing those corporations.

So mainly for the failure of the budget resolution to support and increase the minimum wage, I'll be voting against the resolution.

ACTING PRESIDENT GRIFFO: Senator Panepinto in the negative.

Senator Breslin.

SENATOR BRESLIN: Thank you, Mr. President.

At the risk of being

semi-repetitive, there were many good things in this budget, many things that all of us as a body can agree with. But there were just too many items that were not addressed properly, in my opinion, or not addressed at all, including but not limited to LLCs, which are long overdue; campaign finance reform -- again, long overdue; mayoral control in New York City, the minimum wage not addressed, the DREAM Act, Raise the Age, and on and on.

And locally the $12.5 million spin up for the great City of Albany, which was in the Governor's presentation, a city that spends -- does not receive taxation for over 30 percent of its properties, which are just state by themselves, and upwards of 70 percent nontaxable property. And it's imperative, with all the services they provide to state workers, including but not limited to people who work in this building.

So with all of those and in particular the local situation, I accordingly vote no.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator

Breslin in the negative.

Senator Stavisky to explain her vote.

SENATOR STAVISKY: Thank you, Mr. President.

I'm very troubled by the $485 million hit that New York City has to take in terms of the CUNY budget. Because everybody here agrees that anti-Semitism is wrong, but the way you fight it is not by hurting the students. You fight it with truth, you fight it with -- through the courts. You fight it by condemning it. You don't punish the students. And they're the ones who are going to suffer with that $485 million cut.

Secondly, the ASAP program and the other cuts to the CUNY community colleges -- a very serious issue, because the program works. The program works, and yet you don't restore the two and a half million dollars that it cost.

The maintenance of effort legislation that we passed, it's got to be enacted. There ought to be parity between SUNY and CUNY. What you do for SUNY, you should do for CUNY, and vice versa.

And lastly, I too am concerned about some other issues that are not in the budget, whether it be campaign finance reform, particularly ethics legislation, mayoral control of schools.

All of these issues compel me to vote no, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Stavisky in the negative.

Senator Rivera to explain his vote.

SENATOR RIVERA: Thank you, Mr. President.

I realize that I had more than a few minutes before, but I felt compelled to stand up again and just reiterate what my colleagues have said, particularly Senator Stavisky just now.

It doesn't matter how many times you say it, this whole idea that you are punishing or that there have been anti-Semitic attacks in CUNY and therefore this is the solution -- it doesn't matter how many times you say it, it does not make it a real reason.

Particularly when the students that are going to be impacted are students that we serve and are students that very likely would be

as appalled at these attacks as any of the folks in this body.

Thirty-eight percent of the students in CUNY are immigrants. Three-quarters of them are people of color. Forty-two percent of them represent the first generation of their family going to college. And we are saying -- yes, we are sending a message to the City University of New York. We're sending a message to those students that we don't care about them. Four hundred and eighty-five million dollars is not chump change. And the impact that that's going to have on these facilities, on these universities, is -- I'll say it again, Mr. President, it is appalling.

I'm voting in the negative on this resolution. Thank you.

ACTING PRESIDENT GRIFFO: Senator Rivera in the negative.

Senator Peralta to explain his vote.

SENATOR PERALTA: Thank you, Mr. President.

I too rise to say that this resolution has no mayoral control, no DREAM Act, no minimum wage. And let's stop the nonsense

about anti-Semitism on the property of CUNY. Let's stop that. Because as it was mentioned here, no one is anti-Semitic here. But that's like equivalent to saying that if there's a racist attack or there's a gender attack or there's an anti-Semitic attack on hospital property, on public school property, then we're going to take money away from those properties because we need to hear more from the hospital, we need to hear more from the public school, we need to hear more from the entity that's getting funded on a city level, on a state level.

Let's stop that argument. That is not real. That is not a real argument. You're going to punish the kids, the students, by taking away more than $485 million, and you're using this argument? Come on, please. The members of the media present today, let's stop this. That is not a real argument. Because CUNY is not anti-Semitic. So what you're telling me is if there's any, any attack that happens in SUNY -- which, by the way, this is only towards CUNY. But if it happened in SUNY then you would stop funding SUNY because it happened on their property? You wouldn't do that. Let's not do

that to CUNY. Please, let's stop the nonsense.

ACTING PRESIDENT GRIFFO: Senator Peralta in the negative.

Senator DeFrancisco to close.

SENATOR DeFRANCISCO: One of the comments that was just made in the closing explanation of a vote is the truest comment that was said today. By saying things over and over and over and over doesn't make it true.

Three quick points.

The ethics legislation that is not sufficient, according to some people today. The fact that it's not in here may just mean it's a bad idea and the Senate thinks it's a bad idea.

There are many people in this house that have certain businesses or professions and would never have run if there was a restriction on outside income.

So what we would do with that reform would effectively mean that only -- we would have a full politician house. This would be a house of politicians with no varied backgrounds that don't have any other information to provide other than what may be politically proper at the time.

Well, that's not a reform, that's a

regression. I would think some people that were relying totally on their salaries here, rather than earning independent income, would be more susceptible to make sure they collect as much money as possible or whatever else they might do, to ensure every two years they're going to have their political career.

I was reminded that $30,000 would be what the $15 minimum wage would be in Syracuse. Well, I know that. But we're talking not about -- we're confusing, no matter how many times you say it, we're confusing living wage with minimum wage.

And you might not know the person who said that about $30,000, that a non-for-profit organization that cares for the toughest kids in our community and gives them tough love and makes sure that they become productive will be paying $2 million more if the minimum wage went into effect. Are those the greedy people?

A daycare center that came in at a news conference I had said that a woman of two -- because I can't limit people, because I've got to have a certain number of people for the kids -- a

woman of two that has two people in her daycare center would pay $6,000 more a year. That's not one of these greedy 1 percenters. So no matter how much you say it, it's going to raise the cost.

The best one, one of the Senators asked about the gaming, we should have more hearings. Well, what our budget says about minimum wage is we should analyze it, we should get a study. Oh, you don't want a study of this, you just want to grab it?

SENATOR GIANARIS: Mr. President.

ACTING PRESIDENT GRIFFO: Senator Gianaris, why do you rise?

SENATOR GIANARIS: Mr. President, I remind you that you said you would be strictly enforcing the two-minute rule. We are well beyond two minutes with this explanation.

SENATOR DeFRANCISCO: Okay, last --

ACTING PRESIDENT GRIFFO: He's not done with the two minutes yet, Senator Gianaris, according to our clock --

SENATOR GIANARIS: That's not true. I was timing it myself, Mr. President.

ACTING PRESIDENT GRIFFO: This

clock here, Senator Gianaris, is what I go by.

Senator -- Senator Gianaris --

SENATOR GIANARIS: Who controls that clock, Mr. President?

ACTING PRESIDENT GRIFFO: Please be seated, Senator Gianaris.

SENATOR DeFRANCISCO: I -- I -- I will --

ACTING PRESIDENT GRIFFO: Senator DeFrancisco, conclude your comments.

SENATOR DeFRANCISCO: I will -- I will stop. It's kind of interesting that we were asked to provide a little more time for the Minority, but a little more time here doesn't -- is not appropriate.

So I'll stop with this. We talked about the high cost of education, but we want to impose the minimum wage on the schools. The schools. So give them a raise and let the schools pay more money so they don't really have a raise in their -- the higher education. Read an article -- and this is the last thing I'll say -- read an article about Oregon's new minimum wage and how tuition went up.

But I guess the way we would solve

that is simply to pay the loans of kids because their tuitions went up.

So just because you say it and you say it loudly doesn't mean it's true. This is a good budget, it's a fair budget, it's a balanced budget. I vote aye.

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Resolution 4330, those recorded in the negative are Senators Breslin, Comrie, Díaz, Dilan, Espaillat, Gianaris, Hamilton, Hassell-Thompson, Hoylman, Krueger, Montgomery, Panepinto, Peralta, Perkins, Persaud, Rivera, Serrano, Squadron, Stavisky and Stewart-Cousins.

Ayes, 39. Nays, 20.

ACTING PRESIDENT GRIFFO: The resolution is passed and adopted.

Senator DeFrancisco.

Senator DeFrancisco, the resolution has passed and is adopted. That concludes the business before the desk.

SENATOR DeFRANCISCO: Not quite, because we have to say happy birthday to Andrew Lanza, whose birthday was this weekend, from what

I understand.

(Applause.)

SENATOR DeFRANCISCO: There being no further business, I move to adjourn until Tuesday, March 15th, at 3:00 p.m.

ACTING PRESIDENT GRIFFO: On motion, with no further business before the desk, the Senate will stand adjourned until Tuesday, March 15th, at 3:00 p.m.

The Senate is adjourned.

(Whereupon, at 6:17 p.m., the Senate adjourned.)