NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 14, 2018

1:15 p.m.

REGULAR SESSION

SENATOR JOSEPH GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The Senate will come to order.

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

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

ACTING PRESIDENT GRIFFO: In the absence of clergy today, I ask that we all bow our heads in a moment of silent prayer and reflection as we recall Psalm 34:18: "The Lord is close to the brokenhearted and saves those who are crushed in spirit."

I ask that we all now bow our heads in a moment of honor and remembrance to those who died at Parkland High School and all others who have suffered the loss of life through violence. Please bow your heads and continue to stand in silent remembrance and tribute.

(Whereupon, the assemblage respected a moment of silence.)

ACTING PRESIDENT GRIFFO: The reading of the Journal.

THE SECRETARY: In Senate,

Tuesday, March 13th, the Senate met pursuant to adjournment. The Journal of Monday, March 12th, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT GRIFFO: Without objection, the Journal will stand 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.

SENATOR DeFRANCISCO: Mr. President, on page 19 I offer the following amendments to Calendar 293, Senate Print 5982, by Senator Jacobs, and ask that said bill retain its place on the Third Reading Calendar.

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

SENATOR DeFRANCISCO: Would you

recognize Senator Valesky, please.

ACTING PRESIDENT GRIFFO: Senator Valesky.

SENATOR VALESKY: Thank you, Mr. President.

On behalf of Senator Hamilton, I offer the following amendments to Calendar 578, Senate Bill 5454A, and ask that said bill retain its place on the Third Reading Calendar.

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

SENATOR VALESKY: And also on behalf of Senator Hamilton, I move that Bill 7918 be discharged from its respective committee and be recommitted with instructions to strike the enacting clause.

ACTING PRESIDENT GRIFFO: It is so ordered.

Senator DeFrancisco.

SENATOR DeFRANCISCO: If we can stand at ease for -- moments.

ACTING PRESIDENT GRIFFO: The Senate will stand temporarily at ease.

(Whereupon, the Senate stood at

ease at 1:19 p.m.)

(Whereupon, the Senate reconvened at 1:22 p.m.)

ACTING PRESIDENT GRIFFO: The Senate will come to order.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, would you please recognize Senator Stewart-Cousins.

ACTING PRESIDENT GRIFFO: Can I have some order in the house, please.

Senator Stewart-Cousins.

SENATOR STEWART-COUSINS: Thank you, Mr. President.

SENATOR DeFRANCISCO: Excuse me, Senator Stewart-Cousins. I apologize, I should have first called up the resolution.

SENATOR STEWART-COUSINS: Okay.

SENATOR DeFRANCISCO: Can we please call up the resolution that's on for consideration today.

ACTING PRESIDENT GRIFFO: The Senate is in order, and the Secretary will read.

THE SECRETARY: Resolution Number 4168, by Senator Flanagan, in response to the 2018-2019 Executive Budget submission

(Legislative Bills 7500B, 7503B, 7504B, 7505B, 7506A, 7507B, 7508B and 7509B) to be adopted as legislation expressing the position of the New York State Senate relating to the 2018-2019 New York State Budget.

SENATOR DeFRANCISCO: Now, Mr. President, would you please call up Senator Stewart-Cousins on the resolution.

ACTING PRESIDENT GRIFFO: Senator Stewart-Cousins.

SENATOR STEWART-COUSINS: Thank you again, Mr. President.

So we sit here today just about two weeks before our budget is due. And I think we all know that this will be a very long two weeks. The reality is the State Budget has become more than a fiscal document, it has become a policy document. It is the main tool that our state government uses to advance policies.

And this document offers a stark contrast between the Democrats and the Republicans. The alternative offered by the Senate Republicans simply does not tackle the issues facing our state and really shows in many ways how out of step with the rest of the state

you've become.

Mr. President, as we sit here today, just hours after students here in this state and across the nation stood together and said, Enough is enough -- enough with the mass shootings, enough of gun violence. They're demanding from us real solutions. And yet this document does nothing to address the proliferation of guns and the growing numbers of mass shootings. I have to say, frankly, it's mind-boggling and sends the absolute wrong message.

Yet again, Albany is rocked by another scandal, and this document does nothing to address ethics. Yet the majority of people as we know and all of us agree, the majority of people in government work, work hard, we do the right thing. But it really doesn't mean that this body can sit back and do nothing.

The budget plan also does nothing about our abysmal voting participation rates. The resolution fails to properly address the tax crisis that the Trump administration has created with their crazy tax scheme. The resolution fails to adequately fund our schools and once again favors charter schools over public schools.

This plan doesn't include the Child Victims Act and justice for so many survivors. Mr. President, let's be clear. A passing mention is really not enough. We need real action and a real plan.

This plan once again leaves our Dreamers behind, and it doesn't include the DREAM Act. The plan doesn't adequately deal with the growing infrastructure crisis, especially our crumbling MTA. The plan doesn't deal with the crisis that's facing NYCHA, doesn't deal with our shrinking affordable housing market across the state. The plan doesn't deal with so many important issues involving women's health and including finally codifying choice in our State Constitution.

This plan once again continues to ignore the LGBTQ community and even rejects the proposal to outlaw the use of gay or trans panic as defense for murder.

This plan does nothing to fix our criminal justice system. We need to end cash bail. We need to ensure New Yorkers' rights to a speedy trial, to halt the unconstitutional and lengthy incarceration of our citizens while they

await justice.

This plan doesn't even recognize New York's need to do more to protect our environment and water supply in the face of the president and his allies' deregulations and climate change denial.

The stakes for New Yorkers have never been higher. And the Republicans' budget plan simply does not address the many needs of our constituents.

We have the ability to pass a sound fiscal document and stand up for New Yorkers and our constituents' rights. I urge all of my colleagues to appreciate that fact and, over the coming weeks, work towards that end. Know that the Senate Democrats will continue to advocate for our plans to be included in the final State Budget, because New Yorkers deserve better than what is being presented and will ultimately, I assume, pass today.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Stewart-Cousins.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Would you

please now call on Senator Klein.

ACTING PRESIDENT GRIFFO: Senator Klein.

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

This is certainly, as was said by Senator Cousins, the start of the budget marathon. This is our ability in the State Senate to put forth a one-house budget resolution which talks about the things that we hope to get into the final budget. And I think the resolution before us is sort of a good place to begin, and it includes a lot of what the Independent Democratic Conference has advocated for for the past several months and sometimes the past several years.

First, it recognizes -- finally -- that we owe a debt to the 400,000 residents of NYCHA. You know, over the years myself and my colleagues in the IDC have done numerous reports showing that there's problems with lead and mold and faulty boilers. Unfortunately, every time we pass what I think was the real reform that was needed, an independent monitor, unfortunately, it never made it into the budget nor it never passed

the Assembly.

But I think the time to act is now, because I think what we've seen -- which I think everyone will agree upon -- that NYCHA is truly the worst landlord in the City of New York.

So in this document it contains a state independent monitor, which will actually make sure the money is spent quickly and wisely, the over $300 million that we advocated in previous years and was actually put into the budget. We also give the City Council, for the first time, oversight over NYCHA. We open up the 311 program in the City of New York to NYCHA tenants to make sure they get their complaints done in an expedited fashion. We also include design-build language to expedite the repairs for NYCHA.

We also require a bill that was just passed the other day by Senator Savino to make sure that individuals who are doing mold remediation actually are licensed, like everybody else has to do except if you work for NYCHA.

We also make sure that we have a subway system and a mass transit system in the City of New York that actually serves commuters.

We all know about the Summer of Hell. We have to make sure that every season afterwards aren't all seasons of hell.

We put forth again a solution where we make sure that while the state pays 50 percent of the $840 million plan to make very needed repairs, that the city comes up with their fair share, the other 50 percent. You know, the time for finger pointing and the back-and-forth has to end. Because every day we don't do something for our mass transit system, it's only the commuters that actually suffer.

We also for the first time have our Home Stability Support program, which I think is a major step in ending our homeless problem, especially in the City of New York and some of our other large cities.

You know, in the City of New York the solution for many, many years has been to turn hotels and motels into homeless shelters. Most of them are in horrible condition. Most of them are paying anywhere from $400 to $500 a night, on average, to house a homeless family -- instead of turning around, taking that money and putting it towards increasing the voucher

allowance.

You know, the way we end the homeless problem is by keeping people in their homes, making sure they don't get evicted, making sure they have the rent to pay to live in their own homes, not in some seedy motel, not in some homeless shelter that's less than safe. So I think this program is going to go a long way towards really helping to alleviate our homeless problem.

We also advance legislation which I've carried for some time, again, making sure that anyone who is actually in a homeless shelter is safe and secure, making sure that dangerous sexual predators aren't living in family shelters. You know, every year we put out a list and every year that list keeps growing. We have dangerous sexual predators living in homeless shelters with families, exposed to their kids each and every day.

We all know that we're not doing the same thing when it comes to our schoolkids, because we have a 1,000-foot rule: No dangerous sexual predator can live within a thousand feet of a school. Well, why is that same individual

allowed to live in a homeless shelter?

I want to also commend Senator Flanagan and the Republican Conference because this is the first time that this house is saying yes, they will discuss moving forward voter reform, things like early voting, no-excuse absentee voting. It also includes language to start the discussion on criminal justice reform, such as bail reform, speedy trial requirements, and automatic discovery.

But again, with every document that has so many positives, there's also things that I believe are extremely important that we need to get done. You know, as was said earlier, it's supposed to be a budget document, but over the years this budget has become a policy document. It's okay with me, because I think we got a lot of great policies over the years like paid family leave, like a $15 minimum wage, like marriage equality.

But at the same time, I think moving forward it becomes even more important this year that we take care of the 42,000 Dreamers, we make sure that every woman in the state has a right to choose what they want to do with their own

bodies. And at the same time I think, even though I think and I believe and I'm very proud of the fact that I was the sponsor of the SAFE Act in the State Senate, the toughest gun law in the nation, which bans assault weapons, bans high-capacity magazines, makes sure to get guns out of the hands of the mentally ill -- we still need to do I think a little more.

And Senator Savino has a bill which almost is identical to what the Governor proposed in his budget, which would take weapons out of the hands of those convicted of domestic violence.

So again, as I said, we're almost at the finish line, and I hope we get these other things done which are so important to all New Yorkers before we actually go over that finish line.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Klein.

Senator Young.

SENATOR YOUNG: Thank you, Mr. President.

I want to thank all of my

colleagues. This is a special day. As you know, we are passing the Senate's one-house budget resolution. And our one-house budget is a responsible spending plan that promotes affordability, opportunity and security.

Crafted with input from both Republicans and Democrats, it should serve as a blueprint for creation of a better budget and a stronger, safer and more prosperous New York State.

We have several categories that we have focused on, and the first has to do, Mr. President, with affordability. We reject every single one of the new taxes and fees proposed by the Governor, totaling $1 billion, including a new tax on Internet purchases and new DMV fees.

New Yorkers already pay more than enough in taxes. They're in fact drowning in taxes, in many cases, and they need and deserve to have tax relief. This Senate budget plan does that.

We decouple the state and federal tax codes. This is important legislation that Senator Felder put forward previously that we

passed. But we decouple the state and federal tax codes to prevent New Yorkers from taking a $1.5 billion state tax hit as a result of the recent federal tax changes.

We make the property tax cap permanent to provide certainty for homeowners and seniors, and also to build on the $23 billion that taxpayers have already saved from this historic reform that was won by Senate Republicans.

Since property taxes are a top obstacle to affordability, we extend the property tax rebate check and reject the Governor's cap on STAR benefits, so that every taxpayer gets all of the relief that they deserve. And we begin the process of phasing out property taxes altogether for seniors, so that they can afford to live in New York and not have to leave New York.

Unlike some in Albany, we recognize you do not balance the budget by raising taxes, you do it by controlling spending. And so with this budget, for the eighth year in a row we adhere to the self-imposed spending cap to maintain fiscal discipline and to protect taxpayers. This has saved taxpayers billions of

dollars since 2011. We believe that it's time to write the spending cap into law so that the state always lives within its means and never again spends more than what the taxpayers can afford.

We cut taxes for small businesses so that they can use the savings to grow and create thousands of jobs for workers. And that's what every family needs, Mr. President. Every family needs to have good-paying jobs.

We advance a comprehensive regulatory reform package to cut red tape and eliminate regulations that are unnecessary and duplicative and prevent businesses from succeeding and growing. This package curtails the overuse of emergency regulations, makes improvements to job impact assessments of proposed regulations, establishes a small business liaison in each state agency, which is very important, and provides for review of unfunded mandates on local governments, among other reforms.

We actually end the START-UP NY program that was created by the Governor, because it has not worked. And we actually, under our plan, redirect $44.5 million in advertising money

to initiatives that we know do work. We need a smarter, more comprehensive economic development strategy that focuses on lower taxes, lower energy costs, less regulation and creation of a more hospitable environment for businesses.

We provide record funding for local schools, an increase of $1 billion over last year. And to ensure every child has access to a first-class education and the opportunity that comes with that education, we provide more funding for nonpublic and charter schools.

We provide $35 million to reverse a proposed cut to Bundy Aid to colleges in the Executive Budget, so that students can gain access to financial aid, so that they can have the dream of being successful and going to college so that they can be successful in life.

We increase capital funding for SUNY by $255 million and CUNY by $55 million, and advance a five-year capital plan for both so that they can make new investments for the future.

We increase income thresholds to help more New Yorkers who are struggling with the high cost of higher education, and we protect taxpayer dollars from being used to give free

college tuition to people who are here illegally.

We restore more than $10 million of the Governor's proposed agriculture cuts -- very important to our economy across the state -- and provide an additional $5 million to support the state's number-one industry.

We also advance key elements of the conference's Growing Strong plan to boost agriculture, protect family farms, and create new jobs.

We also have a lot of measures under the category of security. For example, we make new investments to ensure that our schools are as safe as possible so teachers can teach and students can learn, starting with a provision to allow districts to put in place an armed resource officer, fully aidable, at their option.

We create a school services mental health coordinator program to identify, address and report issues of mental health before a situation escalates or a tragedy occurs. To increase readiness, we require schools to conduct at least two active shooter drills every year.

And we propose the largest-ever state commitment, $265 million, to address the

heroin and opioid crisis and to get individuals the treatment that they need and deserve. Senate Republicans have led on this issue, first creating a joint Senate task force and then delivering record funding to support prevention, expand treatment, and encourage recovery.

The spike in the number of overdose deaths called by fentanyl and its analogs is of particular concern, and we are advancing a comprehensive package in the budget to address this problem and other related issues. As long as this need is great, our fight will continue.

We provide new funds to accelerate the cleanup and recovery for communities surrounding Lake Ontario. I know this is very important to our members, who have led on this issue. These communities were devastated by last year's flooding, and we take meaningful steps to ensure residents and businesses are better prepared next time. And unfortunately, my colleagues, I do believe there will be a next time.

The Senate provides $1.2 million in additional resources, an increase of $800,000 over current funding levels, to support

initiatives and recommendations of the Senate Task Force on Lyme and Tick-Borne Disease. We have Senator Serino, Senator Amedore, several of our colleagues who have also led on this very, very critical issue that has affected so many people's health across the state.

The Senate provides $10 million in funding for 21st-century counterterrorism technology, to secure public areas and air space. And as part of the Senate budget resolution, we affirm our strong support for amendments to both the civil and criminal statutes of limitations to further protect children from dangerous sexual predators.

And finally, Mr. President, we include our sweeping sexual harassment legislation that we just passed this week that will protect every New Yorker.

When it all boils down, we will have spent a lot of time negotiating, debating, disagreeing, agreeing as we go through this process. And while we do that, we need to always keep at the forefront what this budget is really about. And this budget is about people. It's about the people in the state. It's about making

people's lives better.

And I look forward to working with all of our colleagues to come to a final budget, on time, that improves the lives of people and gives every New Yorker the opportunity to succeed.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Young.

Senator Krueger.

SENATOR KRUEGER: Thank you, Mr. President.

If the sponsor would please yield to some questions.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: Senator Young yields.

SENATOR KRUEGER: Thank you.

In the sponsor's presentation she stated that the Republican one-house budget resolution before us reduces or rejects $1 billion of the Governor's revenue proposals. But I'm looking at the financial plan, and it only shows a reduction of $511 million. So I'm wondering where the other half a billion is.

SENATOR YOUNG: Through you, Mr. President, we do reject all -- every single tax and fee increase that was proposed by the Governor. There are revenues from, for example, the conversion of Fidelis to Centene. Those are included in there. So we found other revenues or kept some of the revenues that were under the Governor's plan.

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

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: So I believe the Governor's budget projected a billion from the Fidelis-Centene plan. How much does your proposal project?

SENATOR YOUNG: Through you, Mr. President. Actually, Senator Krueger, that figure is not correct. The Governor's proposal actually had $750 million included from the conversion.

SENATOR KRUEGER: Correct. You're right.

SENATOR YOUNG: We reduced that by $250 million. Right now I believe that there are discussions underway regarding that issue. They are not concluded yet. So we felt that it would be prudent to still keep the funding in there but reduce it by $250 million.

SENATOR KRUEGER: Okay. So through you, Mr. President. You know, there are so many interesting things to discuss. I will just highlight, this package shows tax relief of tax increase rejections of $511 million, not a billion. But it's not as interesting as many of the other issues.

Through you, Mr. President, to continue. If the sponsor would yield.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR YOUNG: Yes.

SENATOR KRUEGER: Thank you.

So just to clarify, the Republicans have rejected the possible revenue from carried interest loophole. That's correct?

SENATOR YOUNG: Through you, Mr. President. Yes, as I said, we've rejected every tax and fee increase that was proposed by

the Governor.

And the reason that we did that is that we want to give taxpayers real relief. And we feel raising taxes in New York State will place a heavier burden on the people of this state, destroy jobs. We already have had too many people leave the state because of the heavy tax burden. We are looking to cut taxes, not increase taxes, because that's the positive thing to do.

SENATOR KRUEGER: Excuse me, Mr. President. I was just conferring.

You know, I want to thank the sponsor for her answers, but I would like to speak on the bill.

ACTING PRESIDENT GRIFFO: Senator Krueger on the bill -- on the resolution.

SENATOR KRUEGER: On the resolution, excuse me.

So yes, she made a full presentation or a presentation of what is in this resolution. I just want to highlight that from a revenue perspective, imposing Internet fairness is not a new tax. It actually is required already under law that when you buy something on the Internet

and you don't pay sales tax at the time of purchase, you're supposed to pay it when you file your state taxes. Unfortunately, that's not what happens. So we have unfairness where bricks-and-mortar stores have to make sure they collect and pay their sales tax, and Internet providers get an unfair advantage.

So it would generate revenue we're supposed to be entitled to in this state, and actually the federal data shows it could be billions of dollars, but we just simply don't collect it. That's not a new tax, it's a fair and equitable collection of taxes that we don't yet have.

We also -- they reject the changes to ESCOs, both collection of taxes and actually keeping the limitations on these energy service companies that are actually charging us, as consumers, far more than utilities. And so it's tragic, in my opinion, that this resolution rejects the positive changes that have been proposed to protect consumers from the ESCO companies around the state that are in fact draining our bank accounts without our realizing it when we sign up for them. Sometimes we don't

even know we signed up, we just see our energy bills going up.

There are so many things in this resolution that are bad for New Yorkers. And it is about the people. I completely agree with Senator Young when she talked about this budget, it's about the people.

So to highlight, one of the proposals that has been rejected from the Governor's budget is the requirement to license and regulate student loan servicers.

For people who don't know, New York State's student loan debt -- alone, just in New York -- has more than doubled during the last decade, growing to $82 billion, $82 billion in student loan debt in our state. And our student loan servicers, the primary links between lenders and borrowers, have the power to either help borrowers remain current on their account or allow them to default.

They also can direct what kind of loans you get directed to. And the research shows that they are directing them to the highest-cost loans instead of the lowest-cost loans. So they are helping to create an enormous

student debt crisis, and they don't have any obligation to help resolve it or prevent it from happening in the first place.

And finally, finally in the Governor's budget proposal he has some excellent language to license and regulate student loan servicers. We license and regulate mortgages after we had a mortgage crisis, and yet we don't recognize we have a student loan debt crisis. But we're choosing not, in this resolution, to offer the same protections to our students facing billions of dollars of debt.

We also, just to highlight -- and I know that some of my colleagues will be speaking in more depth, so I'll be just highlighting -- that we fail to extend the sunset provision on the state's MWBE program for five years. So it's a fascinating question what happens if we do away with MWBE in the State of New York. And unfortunately, we make the decision in the Republican resolution to allow it to sunset.

The Republican resolution has also created new funding streams for charter schools, but it's not exactly clear what the money will go for. So there's a line discussing $150 million

more for charter schools to be paid out in April, May, June of 2018, but there's no detail about who gets it or why, and what's the justification for the distribution, or how that decision has been made.

It is also eliminating the limit the state has had on the number of charter schools in the State of New York.

It also, in this resolution, goes into quite a bit of detail about trying to protect our schools from dangerous firearms, but it almost identically parallels the one-house bills we debated here the other day where, just to point out and refresh our memories, none of the proposal actually reduces the number of guns that are available to young people, and so it's seriously questionable how it's going to help us.

In energy, which is one of the crucial issues facing us in the state, both the cost of energy and the kind of energy and environmental conservation we have, it rejects NYSERDA being able to expand renewable energy options. It actually limits whether the state's Power Authority can create cleaner, more renewable sources of energy. And if they -- it's

a little confusing, because in one place it says they can't do it at all and in another place it says if they do it, they have to do it at a far lesser cost per kilowatt hour than existing energy that might be dirty energy.

That's not how we address the future of our energy needs or our environmental needs. So it actually pushes us backwards on climate change and our carbon footprint. And I just don't understand why anyone in the 21st century would be wanting to go backward on these critical issues.

It also accepts, which I do not support, the Governor's sweep of RGGI for $23 million.

And while somebody may or may not discuss the changes in hunting law, which do seem a small item in a resolution this large, it allows you to shoot a bow or to hunt across a highway. Just think about it. I am hoping that the language includes you have to aim very high when shooting across a highway. Just a thought.

Good government and ethics. It's not here. They took it out. You might agree or disagree with any number of the Governor's

proposals -- I know that I have colleagues who are going to speak about that. But it just takes it away.

It also rejects the $7 million in funding to assure that we could have early voting in this state. Seven million dollars. It doesn't seem like that much, but it's enough to ensure that our counties actually can implement early voting to increase the possibilities of people being able to vote while it's competing with their need to work and their childcare and, in some areas, having incredibly long lines when you try to vote all at once on one day.

In healthcare, it accepts the discontinuance of the cost-of-living adjustments for DOH providers. These are the front-line men and women who do the hardest work in our state, providing care and services for family planning, school-based health programs, chronic disease programs, WIC and maternal and child health programs. They didn't get COLAs when others did, we need to ensure that they do, and this would discontinue that opportunity.

It also rejects the extension of Medicaid prescription drug caps, which are

expiring in 2019, which can drive up the cost of prescriptions for our poorest residents in New York. That's not good for anyone. When people can't afford their drugs, they get sicker and they can be a public health risk to the rest of us. So I do not understand the decision to make that kind of rejection from the Governor's budget proposal.

As I believe was mentioned by my leader, there's a rejection of funding for the DREAM Act for our college students. It also rejects important opportunity program funds that help some of our lowest-income students be our most successful students in our public universities. I know I have a colleague who will be speaking about that.

There's a lot to be said about housing and NYCHA. Let me just say we all are concerned enormously. The Senate Democrats proposed a $500 million infusion into NYCHA. The Senate Republicans have proposed zero infusion of money to help NYCHA and NYCHA tenants.

They again, as always, reject the funding for the Tenant Protection Unit. Thank goodness it continues anyway each year, even

though they always reject that. Gee, it sounds horrible, "protect tenants." I heard someone speak about the importance of ensuring we do something about preventing people from losing their homes and becoming homeless. What a shame that we also fight against having the staff to do exactly that in the state's housing agency.

In human services, they reject the Governor's proposal to provide fair treatment for rent supplements for people with HIV/AIDS outside of the City of New York. We already do the right thing in the City of New York. But why, if you're living with AIDS and are low-income, should you have to not be provided the same services and rental assistance outside of the City of New York?

To continue, there are so many things that are missing or have been removed from this resolution that were in the Governor's budget proposal.

I'm sorry, I'm just -- it rejects the Governor's proposal for civil asset forfeiture, which is a fundamental reform we need in our criminal justice system.

It also rejects the Child Victims

Act. Yet again, another year we're not going to address the needs of victims of sexual and physical abuse by adults in positions of power. How many decades will New York State be out of the norm of protecting our young people from this kind of abuse? It's just breathtaking to me that we have again removed this proposal for consideration.

It also does not address -- in fact, entirely eliminates -- proposals for speedy trial reform, for bail reform, for discovery reform. We all like to talk about why we need to do criminal justice reforms. We all like to talk about wanting to close Rikers sooner than later. None of that happens unless you're doing the kinds of reforms that were cut out of this resolution.

We eliminate geriatric parole. Elderly people in our prisons who all the research shows are beyond the age where they will continue to commit crimes, costing the State of New York far, far more than the normal prison costs, but we won't consider geriatric parole.

All right, I talked about taxes. Transportation. Oh. So some of us live in the

12-county region that the MTA is responsible for mass transit in. And those of who live there have a litany of complaints and problems because of the inadequacy of the MTA. You would think there might be some new money or some new solutions for the MTA within the budget resolution. One might not like some of the Governor's proposals -- I don't actually like all the Governor's proposals -- but you'd think there would be alternative proposals. There are not. The Republican resolution simply basically ignores anything going on in the MTA 12-county region, which is more than a little disturbing for the half of the state's population that live in those counties and need a solution to our mass transit problems.

The Women's Agenda of the Governor. It's basically rejecting or ignoring any of the proposals in the Women's Agenda. In fact, it doesn't even include the sexual harassment language that was in Senator Young's bill the other day. And I stood on this floor and explained why that didn't go far enough, but we needed to move forward. But we seem to have dropped out any proposal or language or clarity

about what should be done about the very serious problems with sexual harassment.

We seem to have thrown out the language to expand and protect reproductive rights for the men and women of this state. I had a discussion with one of my colleagues yesterday who assured me, "We're all protecting women already. There are no problems." Yes, the problems remain. We're not protecting all women, thank you so much.

But the Governor's proposals that were rejected in this resolution take a step in the right direction, even if I would like it to go further. But apparently, if I were to vote for this resolution, I would be saying that I'm rejecting any changes for women in our state in policy, and that's completely unacceptable.

You know, I'm going to now give many of my colleagues an opportunity to highlight and reinforce issues that they are particularly concerned about. And then, with Mr. President's permission, if there is still time left at the end, I will continue.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank

you, Senator Krueger. And we will keep that in mind, based on the time allocations.

Senator Kaminsky.

SENATOR KAMINSKY: Thank you.

Will the resolution sponsor yield for some questions?

ACTING PRESIDENT GRIFFO: Senator Young?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: Senator Young yields.

SENATOR KAMINSKY: Through you, Mr. President, can the Senator please tell us what ethics reforms, if any, are in the resolution?

SENATOR YOUNG: Through you, Mr. President, I'd like to read the section that deals with good government and ethics reform.

Under the Article VII proposal, the Senate will consider modifications of the Executive Article VII entitled "Good Government and Ethics Reform." The Senate and the Assembly have already acted to amend the constitution to strip corrupt public officials convicted of felonies of their pensions. Voters approved this

measure in November, and the Legislature will have to act to pass a law to make this complete.

In addition, the Senate and the Assembly have already acted to require any member of the Legislature earning more than $5,000 in income through outside employment to submit a written request for an advisory opinion to the Legislative Ethics Commission to ensure the employment is consistent with the Public Officers Law.

The Senate remains opposed to taxpayer-funded campaigns and does not believe that a full-time professional legislature best represents this state. Taxpayers in this state already are overburdened, and we know that taxpayers do not want to pay for politicians' campaigns. The Senate is open to discussing proposals that increase access to voting while ensuring proper compliance with the Election Law.

The Senate believes any voter reform proposal must include adequate funding for counties.

Further, the Senate denies the Executive proposal to subject the Legislature and the Legislative Ethics Commission to the same

Freedom of Information Law provisions to which the executive agencies are subject. The legislative process is inherently open to the public for input, scrutiny and review, and that's how it should be.

In contrast, the public is made aware of many executive agency activities only after they occur. As such, for purposes of the Freedom of Information Law, these branches are treated differently. This differentiation is one that is recognized at the federal level as well.

In addition, with respect to the Legislative Ethics Commission, confidentiality encourages individuals to proactively seek ethics guidance. Any ethics reform requires balanced and measured actions to ensure that New Yorkers are best served by their public officials.

SENATOR KAMINSKY: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAMINSKY: Through you, Mr. President. Other than laws that have already been enacted, are there any measures in this

resolution that provide ethics reform and specific ethics strictures to members of the Legislature.

SENATOR YOUNG: As I just read to you, Senator, we do say that we will be discussing those for the final budget.

SENATOR KAMINSKY: And will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAMINSKY: Is there any reason why they're not contained in this document?

SENATOR YOUNG: Because I think that there are various opinions between the two houses and the Governor, so we'll be discussing those as we go through the process.

SENATOR KAMINSKY: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAMINSKY: Am I correct that the sponsor started serving in this body in

2005?

SENATOR YOUNG: That's correct. Actually, on May 10, 2005, to be exact.

SENATOR KAMINSKY: And will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAMINSKY: Is the sponsor aware that since that time, 13 Senate colleagues have been either convicted by a jury or pleaded guilty after being indicted?

SENATOR YOUNG: Yes, Mr. President, I am painfully aware of that. And that's why this body has taken very strong action. I believe that stripping corrupt politicians of their pensions will be a deterrent.

But we actually have several pages of reforms that we have made since 2005, Senator. And if you would like to see those later today, I would be actually very willing to discuss those with you.

But we have passed measure after measure after measure on ethics reform, and I believe that's why these corrupt politicians are

getting caught, because we have taken action in the Senate to address this issue, and we will continue to have discussions about what the best next steps are as far as addressing corruption.

SENATOR KAMINSKY: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAMINSKY: It's the Senator's contention that Senate reforms are leading to increased convictions of elected officials? Am I understanding that correctly?

SENATOR YOUNG: Yes, I believe that we have made several reforms over the years to address this issue. And like I said, we are open to further reforms as we go along. And I look forward to actually passing the law to make sure that people are actually stripped of their pensions if they are convicted of corruption.

SENATOR KAMINSKY: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAMINSKY: Is there anything in the current resolution that would require political advertisers on social media to have to disclose who paid for such advertising?

SENATOR YOUNG: Through you, Mr. President, I believe that's one of the items that is being discussed at the leaders' table.

SENATOR KAMINSKY: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAMINSKY: Is there a reason why the Senate one-house resolution is not in favor of such a reform?

SENATOR YOUNG: Basically I read to you what we cover, and we do say in our resolution that there are several outstanding items that will be discussed as we move toward a final budget.

SENATOR KAMINSKY: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAMINSKY: Can the sponsor tell us why there are pages and pages of specifics in the resolution about everything from specific items for OTB to specific health centers, but ethics reform or reform of social media is not specifically laid out in this document?

SENATOR YOUNG: Through you, Mr. President. Actually, you know, on our side of the aisle we believe that the budget should be focused on fiscal issues. We need to have a budget that reflects all of the fiscal needs of New Yorkers. A lot of the policy issues we think that the Governor included in his budget proposal can be addressed separately.

SENATOR KAMINSKY: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAMINSKY: Does the Senator or the conference she represents understand the -- or believe in the benefit to having more transparency in political ads so that voters could know where the information comes from

that's being put into their Facebook feed?

SENATOR YOUNG: Through you, Mr. President. As I said, these are outstanding issues. They will be discussed as we move forward. We do not feel, however, that those are budgetary issues.

SENATOR KAMINSKY: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAMINSKY: Can the sponsor please explain what the appropriation for a million dollars for the OTB broadcast system is for?

SENATOR YOUNG: Through you, Mr. President, I do have the answer for Senator Kaminsky.

And basically, that allocation allows the OTBs to upgrade their equipment. Several of the OTBs do not have the proper equipment, especially in broadcasting, to be state-of-the-art. And as you know, that's a revenue source for New York State in the budget process, and a lot of the gaming revenue actually

goes toward funding education. So that's what that allocation would be used for.

SENATOR KAMINSKY: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR KAMINSKY: Is the sponsor aware of any reforms to our electoral process, such as early voting, that might be contained in the resolution?

SENATOR YOUNG: Through you, Mr. President, I already read you the section on that, that we are open to discussions on that particular issue.

SENATOR KAMINSKY: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAMINSKY: Is the sponsor aware of the national change in tax policy that limits New Yorkers' ability to deduct state and local taxes?

SENATOR YOUNG: Through you,

Mr. President. Yes, we are. And that's why we passed Senator Felder's critical bill earlier this year that decouples the federal from the state taxes. And that will save taxpayers in the state $1.5 billion.

In addition, I believe that we will be discussing several other proposals as we move forward.

SENATOR KAMINSKY: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAMINSKY: Is it the sponsor's understanding that despite decoupling, that the federal change to SALT will still raise millions of New Yorkers' taxes.

SENATOR YOUNG: Through you, Mr. President. As I said, these are issues that are outstanding. They are going to be negotiated. And so I look forward to the discussion.

SENATOR KAMINSKY: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAMINSKY: Through you, Mr. President. So the sponsor and I are in -- can I say fairly the sponsor and I are in agreement that something else has to be done to ensure, beyond what's in this resolution, to ensure that New Yorkers' taxes aren't going up in light of the SALT change?

SENATOR YOUNG: Through you, Mr. President, I don't think that's a question.

And by the way, we are debating what actually is in the resolution.

SENATOR KAMINSKY: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAMINSKY: Okay. Is the sponsor aware of a provision in the resolution that lowers the age for crossbow hunting?

SENATOR YOUNG: I'm sorry, would you repeat that? I didn't hear it.

ACTING PRESIDENT GRIFFO: Please repeat.

SENATOR KAMINSKY: Is the sponsor aware of a provision in the budget that lowers the age for crossbow hunting?

SENATOR YOUNG: Through you, Mr. President, yes. Lowers the age.

SENATOR KAMINSKY: And would the sponsor agree with me that that is a policy provision that has no fiscal impact, such as a number of the ethics or electoral reforms I spoke about earlier?

SENATOR YOUNG: Through you, Mr. President. Yes, there is a fiscal impact, because the state collects license fees.

SENATOR KAMINSKY: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAMINSKY: In the Governor's budget he allocated $7 million for early voting, which would obviously deal with a lot of the impact on local boards of elections. Is there a reason why in this resolution that $7 million was struck?

SENATOR YOUNG: Through you,

Mr. President --

SENATOR KAMINSKY: Stricken, I should say. Excuse me.

SENATOR YOUNG: Through you, Mr. President, yes. A lot of our county Boards of Elections, county legislators across the state, especially in upstate New York, have deep concerns about another unfunded mandate. And there's concerns about whether that $7 million, even if we decided to do early voting, would be enough money.

So this actually warrants further discussion. This state has put too many unfunded mandates on local governments. That's why people are drowning in property taxes. This conference and our side of the aisle has taken leadership actions to address the property tax situation. And so we have the property tax cap, we have the STAR program. We have been working to reduce costs on local government because those costs are passed along to taxpayers.

One of the number-one reasons people have left this state is because of the heavy property tax burden. My colleague brings up some of the federal tax actions and whether or not

that will affect taxpayers. We need to make sure that we are doing the right thing on behalf of property taxpayers and taxpayers across this state.

SENATOR KAMINSKY: On the bill, Mr. President. Excuse me, on the resolution.

ACTING PRESIDENT GRIFFO: Senator Kaminsky on the resolution.

SENATOR KAMINSKY: Thank you.

As I read through this document, I'm troubled by the games and obfuscations that it represents and the reform that the Long Islanders I represent are calling for.

You know, if you live down where I am in Long Island, you recently had your senate senator, your county executive, your speaker of the Assembly all indicted. And I can go on and on with a much larger list. And when you look at a recent Pew poll from May of 2017, 18 percent of Americans trust their government. And we in this body are doing nothing to address that.

We talk about what we did last year and what we did the years before that, but we've got a lot to do. There aren't even any ideas proposed in this.

And we also know that our electoral process has far too little participation. But we have to call it what it is. Some people benefit from that, and some don't. And so this document says nothing about that except for cutting early voting. And the argument made for cutting it is that it doesn't have enough money. So instead of adding to it, like is done with so many other provisions, it's cut. Which doesn't make a lot of sense.

We have to do more along these measures. People want to know that when they're on their Facebook feed and someone sends an ad there, they want to know who paid for it so they can evaluate it. There's no reason not to support that.

And importantly, when we move on to the tax question, it's essential that we get it right in this budget. The Long Islanders I represent are at their breaking point. They're paying up to $300-plus to take a railroad that hasn't been working, their property taxes are sky-high, people want to move out of the state, and the federal government's response to New York is drop {clapping hands} dead.

And it's up to us in this body to push back on that as hard as we can. And the answer we get in this budget is it's up for discussion. We have to do better than that.

And in the next few weeks, I hope we come back with a better answer. I want to support that. I want to be able to say to the Long Islanders I represent that our Senate stood up for them and was able to make it more affordable to live on Long Island and throughout the state than put forth any political document.

We've got a lot to do. But the Long Islanders I represent, when they have been voting of late, talk about affordability and they talk about corruption. And unfortunately, on this resolution I feel it falls short in both.

I look forward to working on both sides of the aisle with everyone in the next few weeks to try to make it better.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Bailey.

SENATOR BAILEY: Thank you, Mr. President. Will the sponsor yield for a couple of questions?

SENATOR YOUNG: Yes, Mr. President.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR YOUNG: Before I begin, though, I just want to clarify something that was just said by my colleague Senator Kaminsky.

ACTING PRESIDENT GRIFFO: Without objection.

Senator Young.

SENATOR YOUNG: We are focused -- we are focused on tax relief in our proposal, as you know. As far as the changes to the federal program and the impact, we passed Senator Felder's bill. We don't know right now whether the federal government would accept some of the Governor's proposals. And I think the worst thing that could happen would be that we pass something and then the federal government -- people take advantage of it, and then the federal government pulls the rug on it.

So we need to be very deliberative and careful about what we are doing, because we don't want, at the end of the day, to have people impacted in a negative way by this.

So thank you.

Senator Bailey.

ACTING PRESIDENT GRIFFO: Senator Bailey.

SENATOR BAILEY: Through you, Mr. President, is the sponsor aware of the My Brother's Keeper initiative in the State of New York?

SENATOR YOUNG: Through you, Mr. President, yes, I am aware of it.

SENATOR BAILEY: Will the sponsor continue to yield?

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR BAILEY: Through you, Mr. President. Can the sponsor explain why $18 million, the entire appropriation, was cut from My Brother's Keeper in the Senate one-house resolution?

SENATOR YOUNG: Through you, Mr. President, we actually increase Foundation Aid. So those costs could be covered through Foundation Aid.

SENATOR BAILEY: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR BAILEY: Is the sponsor aware of lagging graduation rates in black and Latino communities which the My Brother's Keeper initiative is designed to influence?

SENATOR YOUNG: Through you, Mr. President. Basically, through Foundation Aid -- that aid is very flexible. And we want to invest in education. That's the why we increased the Governor's numbers by a billion dollars. And so that funding would be able to be used for such a program, such an endeavor.

SENATOR BAILEY: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR BAILEY: Would it be accurate to say that the -- in this resolution that initiatives for housing and tenants are included?

SENATOR YOUNG: I'm sorry?

SENATOR BAILEY: Would it be accurate to state that in this resolution that

there are initiatives that include housing initiatives for tenants?

SENATOR YOUNG: So there are initiatives for tenants. So for example, there's the TRIE program, the Tenant Rent Increase Exemption, based on the very popular SCRIE program for senior citizens, and also the DRIE for disabled citizens.

And basically what it does, it provides relief to people who earn $50,000 a year or less who are paying a very large share of their income toward rent. And we believe that that's the way we should go. We should truly help people who are struggling who don't have the financial resources to pay their rent. That's why we felt very strongly we would put the TRIE program in this bill to help tenants.

SENATOR BAILEY: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR BAILEY: Through you, Mr. President. So if we are looking to ensure that tenants are a focus, why are we cutting the

for the Tenant Protection Unit?

SENATOR YOUNG: So through you, Mr. President, actually one of the issues that I'm concerned about has to do with the Office of Rent Administration. And right now there are a lot of tenant-driven complaints that have gone to the Office of Rent Administration. And those are actual problems, those are problems that exist now. Tenants have raised a red flag about certain conditions in their dwellings.

And as a result, the Office of Rent Administration is backlogged. It is backlogged on addressing those concerns. I feel that they should focus on addressing actual concerns first.

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

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR BAILEY: Through you, Mr. President. It was mentioned in the text of the resolution that the Majority Conference is willing to negotiate around speedy trial, bail reform, and discovery. Can the sponsor explain why a counterproposal was not introduced if you

are willing to negotiate?

SENATOR YOUNG: Well, through you, Mr. President, we want to look at all options that are on the table.

I think it's a lot like the Raise the Age issue, where we negotiated it last year and I believe that we came up with a good product. But there's some questions, open questions. We have been actually approached by district attorneys from across the state who have issues. So we want to work together and actually hear the voices of everybody who is impacted and come up with a final result.

SENATOR BAILEY: Thank you.

On the resolution, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Bailey on the resolution.

SENATOR BAILEY: I thank the sponsor for yielding to these questions. And as was mentioned previously by many of our colleagues, we will have a long and protracted -- hopefully not too protracted -- two weeks here in Albany while we hash out the budgets and do the work for the people we represent on both sides of the aisle.

As you know, Mr. President, I'm a huge proponent of music, and this reminds me of a 1993 song by Tupac Shakur, "Keep Ya Head Up," where he said "We got money for war, but can't feed the poor." And quite literally, if you look in this resolution, you have $200 million for expenses that can be used in case of a war, but we cut Breakfast After the Bell, Mr. President.

My Brother's Keeper initiatives, we were the first state in the entire nation to take President Obama's challenge on for My Brother's Keeper. And while I understand the sponsor's information about the Foundation Aid, My Brother's Keeper is essential to ensuring that black and brown children have just as large a chance of success.

The Tenant Protection Unit is vital in the City of New York. It is vital. It keeps people in their homes, and it penalizes bad landlords. This is something that we need to fund.

Many of my colleagues are going to speak about NYCHA, so I will speak briefly on it. I understand that public housing is intended to protect those of us who have the least. And if

basic shelter is something that we need and that we require, we have to actually put the money into the budget, as opposed to simply just saying that we're going to do something about it. It's a step, but it's not all the way where we need to be.

And concerning criminal justice reform, it's about fairness, Mr. President. We are not looking to have defense-bar-laden work product, nor do we want a prosecutorial-heavy work product. We want criminal justice to be fair in the State of New York. And speedy trial, bail and discovery have to be in this budget.

You know, Mr. President, I -- this is my second budget in my first term, and I look at it as a work in progress. And I'm confident that we will continue to work together. But as currently constructed, this is insufficient. And to go back to what Tupac would say, he said that "there ain't no hope for the future." But I believe there is hope. And I hope that we can work across the aisle on this one.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Kavanagh.

SENATOR KAVANAGH: Thank you, Mr. President. Would the sponsor yield for a question?

SENATOR YOUNG: Sure. And --

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR YOUNG: Mr. President, before we begin, I just want to address something that my colleague Senator Bailey said.

ACTING PRESIDENT GRIFFO: Without objection.

Senator Young.

SENATOR YOUNG: He's somebody who I respect very much. But I just want to let you know that with the Governor's proposal on the criminal justice pieces, there's a lot of divergent opinion out there. And even advocates who want to have bail reform, speedy trial, discovery, came in today to express their concerns over the Governor's proposal.

So I just want to let you know that. I think there has to be more discussion to come up with a final product.

Yes, Senator Kavanagh.

ACTING PRESIDENT GRIFFO: Senator

Kavanagh.

SENATOR KAVANAGH: Through you, Mr. President. Am I correct that this resolution includes many provisions that are intended to address gun violence in our state?

SENATOR YOUNG: Through you, Mr. President. We actually are very willing to discuss gun violence. We do have a lot of school safety issues, and -- but that topic is one of those topics that I think as we go along through the process, the leaders will be talking about it at the table, and so we'll have more to come.

SENATOR KAVANAGH: Will the sponsor yield for another question, Mr. President?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR KAVANAGH: Through you, Mr. President, am I mistaken that the package of bills that were presented in this chamber by the majority very recently as a package of bills to address gun violence are largely incorporated into the documents we're reviewing today?

SENATOR YOUNG: Through you, Mr. President, I'd like to clarify something.

We're focused on school safety. And I think that's very important. We have seen failures that occurred in Florida. We have several measures that I think are common-sense, good measures to address safety.

And I want to tell you, we have been talking to our school districts, our superintendents, our school boards, our teachers from across the state. They also are very concerned about school safety. And we have resoundingly heard from our own districts, people in our own districts, that they strongly support the school safety measures that we have passed and that we are advocating for in the budget.

SENATOR KAVANAGH: Mr. President, I'm new in this chamber, but if the sponsor would yield for additional questions.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAVANAGH: I forgot to ask that --

SENATOR YOUNG: I won't hold it against you that you're new.

SENATOR KAVANAGH: Mr. President, I

would just note I'm new to this chamber, and this chamber has a lot more restrictions on the amount of time one may spend asking questions than another chamber I've served in. If I would -- I would just appreciate it if I could sort of get direct answers to the questions.

Is the -- is there a bill in this package that was part of the majority package that purports to be a school safety and gun violence prevention that includes addressing situations in which people fire a gun, not just in a school but in a business or near a church or near a gathering of 25 or more people?

SENATOR YOUNG: Through you, Mr. President, yes. And that actually is a very good bill that I sponsor, Senator Murphy sponsors.

And basically what it would do is classify mass shootings as domestic terrorism. And there actually exists a federally authorized agency set up that was set up after 9/11 that deals with terrorism, foreign terrorism especially, in general. It actually requires coordination by federal law enforcement officials, the FBI, the CIA, state troopers,

state law enforcement, and also local law enforcement.

One of the big failures that we have seen in other instances is the fact that law enforcement was not communicating about a threat. And we feel very strongly that a lot of these issues could be resolved if law enforcement worked together.

What happened in Florida was that that perpetrator had been reported to the FBI, to the local officials, to social services. The school district banned him from coming in the school. And yet nobody did anything to avoid the situation.

And I do want to tell you too that we fund several mental health programs through this initiative. And I think that mental health is one of those big issues in this state. And I have said this over and over again, we need to do more for mental health. I brought it up in the hearing when the commissioner came in. We need to do more for mental health services because that is truly an underaddressed need in this state.

SENATOR KAVANAGH: Mr. President,

if I could just comment momentarily on the bill. We debated the particular provision that the sponsor is speaking of last week. And I would just note that the bill does not characterize mass shooting as terrorism, it characterizes any unlawful discharge of a firearm even if there's no intent to harm any person as an act of terrorism.

The reason I raise this --

SENATOR YOUNG: Because I would think --

ACTING PRESIDENT GRIFFO: Senator Young --

SENATOR YOUNG: -- I would think any kind of incident --

ACTING PRESIDENT GRIFFO: Senator Young --

SENATOR YOUNG: -- would have to be investigated. I can't believe that my colleague doesn't want it investigated.

ACTING PRESIDENT GRIFFO: Senator Kavanagh on the resolution?

SENATOR KAVANAGH: Again, on the bill.

The reason I raised this is that it

is clear that the majority, in crafting this resolution today, believes that it is appropriate subject of discussion to address the scourge of gun violence we've seen around the country, and they have many proposals that they've put into this bill, some of which are worthy of consideration and many of which colleagues on my side of the aisle voted for just a week ago.

My question is -- and if the sponsor would yield for a question.

ACTING PRESIDENT GRIFFO: Does the sponsor yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: Senator Young yields.

SENATOR KAVANAGH: My question is, is the sponsor aware that the Governor put a proposal in the Executive Budget specifically to remove firearms from people who have been convicted of domestic violence?

SENATOR YOUNG: Through you, Mr. President, that is one of the very important issues that we plan on negotiating and discussing at the leaders' table.

SENATOR KAVANAGH: Mr. President,

can I -- if the sponsor would yield for another question.

SENATOR YOUNG: Sure.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAVANAGH: Mr. President, we have been -- to the sponsor, we've been speaking about these issues for many years, we have many proposals. There are laws that have been on the books for many years that are intended explicitly to prevent people from having guns who are likely to harm themselves or others.

If the majority believes that the budget is an appropriate document in which to address gun violence, why are there no provisions in the majority's proposal that are intended to remove guns from the hands of people likely to harm themselves or others?

SENATOR YOUNG: Through you, Mr. President, I would love to address that particular issue that you're raising. Because Kendra's Law is a very strong law that we actually passed in 1999 to get mental health treatment to people who are a danger to themselves or others.

And we have worked on this side of the aisle to make Kendra's Law permanent, to actually improve it, and unfortunately there are members on your side of the aisle who vote against it and the Assembly, which you previously served in, actually has blocked many of the reforms and enhancements to Kendra's Law.

Currently right now under state law, if somebody was receiving mental health treatment, mental health professionals can make a judgment recommendation about a person's firearms. So that already exists in New York State law.

SENATOR KAVANAGH: Mr. President, would the sponsor yield for another question?

SENATOR YOUNG: Yes.

SENATOR KAVANAGH: Is the sponsor's intent by reviewing current law to assert that there are no additional laws necessary to remove guns from the hands of people who might cause harm to themselves or others?

SENATOR YOUNG: Through you, Mr. President. Yes, I believe that through Kendra's Law there are many measures that we could pass to address the issue.

And on top of it, as I previously stated, we will be discussing these issues at the leaders' table.

SENATOR KAVANAGH: Mr. President, if the sponsor would yield for another question.

SENATOR KLEIN: Sure.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAVANAGH: Through you, Mr. President, is there anything in Kendra's Law that causes someone to surrender firearms?

SENATOR YOUNG: Through you, Mr. President, Kendra's Law actually requires someone -- you can go through a court process, which due process is always a very important component under our justice system and our freedom in America. But there's a due process proceeding that occurs under Kendra's Law to determine whether someone is a danger to themselves or others.

And if it is determined that they are a danger, they can get assisted outpatient treatment. If they do not comply, then they can be involuntarily committed after 72 hours. So there are provisions in Kendra's Law that would

address this.

And as I said, we need to do more for mental health. And I would love to have a discussion with you about making improvements to Kendra's Law, because they are there. I spoke with one of the main advocates, D.J. Jaffe, who is an expert in these issues, and he is saying to me the legislation that I sponsored in Kendra's Law is very important, because he sees this every single day and he believes that we should make positive changes to make that law even stronger.

SENATOR KAVANAGH: Mr. President, on the bill. Again --

ACTING PRESIDENT GRIFFO: Senator Kavanagh on the resolution.

SENATOR KAVANAGH: There are basically no laws in place that would address situations like we saw in Florida if they were to occur in New York.

And again, we have proposals that are supported by members on both sides of the aisle. And I hope that if the sponsor and others on the other side of the aisle are willing to -- if this is one of the topics they're willing to have continued discussion on, I would hope that

those discussions can include bills that are intended to ensure that people who commit domestic violence, people who can be adjudicated to be a danger to themselves or others, cannot be armed.

Because all the school safety in the world is not going to meaningfully reduce the rates of gun deaths in this state without laws that will permit families and law enforcement and others from disarming people who are genuinely dangerous.

Would the sponsor yield for a few other questions on other topics?

SENATOR YOUNG: Yes, Mr. President. And also, through you, I do want to clarify something my colleague just said.

He said there's nothing in here that would address what happened in Florida. I strongly disagree. This proposal has 18 parts that deal specifically with those tragic events that occurred in Florida, so that we can avoid the same thing happening in New York State. So what you said, Senator, with all due respect, was not correct.

ACTING PRESIDENT GRIFFO: Senator

Kavanagh.

SENATOR KAVANAGH: Mr. President, I guess just to respond, there will be a transcript of this conversation, and the sponsor mischaracterized what I said.

I said that there was nothing in this budget that would allow someone like the person who perpetrated the violence in Parkland, Florida, to have their guns removed. And although there are several provisions, some of which are worthy to address school security, we will not tackle the unique problem of gun violence, which is unique to America, unless we get serious about ensuring that very dangerous people who can be adjudicated to be dangerous or have convictions of crimes that prove them to be dangerous, are not able to arm themselves with guns like the weapon that the shooter in Parkland, Florida, had or the many other weapons that are available in our state and many other states.

If I may, the sponsor had previously yielded to question. If I may ask the question now.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: Senator Young yields.

SENATOR KAVANAGH: Thank you, Senator Young.

I just want to go back briefly to something that Senator Kaminsky touched on. We've been discussing for many years in this state early voting. There are bills on both sides of the aisle. There's a proposal by the Governor on that. There's a proposal by a member of the majority to implement early voting around the state.

Why is it in this budget, if we all recognize that early voting costs money, and if the Assembly is willing to put up some money for that, why is that not something that the majority in this resolution has a proposal on?

SENATOR YOUNG: So through you, Mr. President, if the Senator actually looked into the Governor's proposal, what it does is it raids Aid to Localities from local governments. So it takes that money away from them to fund this. And I don't think that's the right direction to take.

SENATOR KAVANAGH: Mr. President, a

question on another subject.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAVANAGH: Thank you.

Does the resolution include language authorizing the City of New York to utilize design-build for the reconstruction of the Brooklyn-Queens Expressway?

SENATOR YOUNG: Yes. Through you, Mr. President, the answer is yes.

SENATOR KAVANAGH: If the sponsor would yield for an additional question.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor will yield.

SENATOR KAVANAGH: Is the sponsor aware that that provision, which would have no cost to the state, would save the taxpayers at least $100 million and speed up a critical transportation project that will affect the entire metropolitan region of New York by two full years?

SENATOR YOUNG: Through you, Mr. President, yes. The city expects that that measure that we include in our proposal would

save about $100 million.

SENATOR KAVANAGH: Mr. President, another question, if the sponsor would yield.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR YOUNG: Yes.

SENATOR KAVANAGH: Can the sponsor explain why the majority's language for that very sensible cost-free proposal that will prevent traffic from being snarled in the New York City area and save $100 million with no cost to the state, why approval of that in the Senate resolution is conditioned on approving a separate proposal that may be worthy about ensuring that cops -- that is, a police officer in every single school in New York City?

SENATOR YOUNG: Through you, Mr. President, we believe that both proposals are very important, so we will be negotiating those as we move forward.

SENATOR KAVANAGH: Mr. President, if the sponsor would yield for another question.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KAVANAGH: Is it the intent of the majority to reject BQE design-build? The language seems to be written in such a way that you can't accept one without the other, it's conditioned on a deal to put a police officer in every single school.

Is this an example of the majority, if they don't get their way on a certain policy issue, however legitimate, suggesting that perhaps it's time for traffic problems in Brooklyn, to borrow a phrase from New Jersey?

SENATOR YOUNG: Through you, Mr. President. No.

SENATOR KAVANAGH: So, Mr. President, I have just one more question on this topic.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor will yield.

SENATOR KAVANAGH: Is it the sponsor's assertion that it is not the intent of the majority to condition design-build for the BQE on an unrelated proposal related to police officers in schools?

SENATOR YOUNG: Through you,

Mr. President. They are both, as I previously stated, they're both very important issues and we will be discussing them as we move forward.

SENATOR KAVANAGH: Again, Mr. President, just once more, if I can get an answer to this question. Is it the intent -- if the sponsor would yield.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR YOUNG: Yes.

SENATOR KAVANAGH: Is it the intent of the majority to condition the BQE design-build proposal on a separate, unrelated, perhaps worthy proposal that we have additional police officers in schools, or is it the intent of the majority to support BQE design-build on its own merits?

SENATOR YOUNG: Through you, Mr. President, I have answered that question several times, and so I stand by my previous answers.

SENATOR KAVANAGH: Okay. Thank you, Mr. President. Thank you to the sponsor.

ACTING PRESIDENT GRIFFO: Senator Hoylman.

SENATOR HOYLMAN: Thank you,

Mr. President. Would the sponsor yield for some questions?

SENATOR YOUNG: Yes.

SENATOR HOYLMAN: Thank you.

Through you, Mr. President, what is the cost of the resolution to the taxpayers of New York?

SENATOR YOUNG: Through you, Mr. President, I have those figures right here. Let me find them. Excuse me, Senator, I found it.

So our budget is a fiscally responsible one that actually -- state operations fund spending, which excludes capital increases, by 1.8 percent, from $98.1 billion to $99.9 billion, an increase of $1.8 billion from the fiscal year 2018. Which is approximately $51 million less than the spending increase of $1.85 billion, or 1.9 percent, that was proposed by the Executive.

So All Funds spending increases from $164.4 billion to $168.5 billion, an increase of $4 billion over 2018.

SENATOR HOYLMAN: Would the sponsor continue to yield?

SENATOR YOUNG: Yes.

SENATOR HOYLMAN: And how much revenue are you raising to pay for your budget? Through you, Mr. President.

SENATOR YOUNG: Through you, Mr. President. We had a good discussion on this earlier, but we are not including any tax increases in our plan.

SENATOR HOYLMAN: Would the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Through you, Mr. President. Could the sponsor describe to me the majority's proposal on addressing the issue of child sexual abuse in Part P of the resolution? The public protection portion.

SENATOR YOUNG: Through you, Mr. President. That again is going to be discussed at the leaders' table. We are open to discussions about that particular issue. So we look forward to continuing to work on that.

SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Is the sponsor aware that there has been proposals for the better part of a decade on reforming New York's outdated laws on child sexual abuse, which rank New York among the worst states, the most punitive states, in terms of allowing the survivors of child school abuse to file claims either in civil or criminal court?

SENATOR YOUNG: Yes.

SENATOR HOYLMAN: Would the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Is the sponsor aware that approximately 40,000 young people under the age of 18 are sexually abused in the State of New York annually?

SENATOR YOUNG: Through you, Mr. President, what we should stick to are what actually is before us in this resolution. So if you could ask questions about that, that would be

appreciated.

SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: In the resolution preceding this document, you state that "The Senate will consider modifications to the Child Victims Act. The Senate believes that prospective reforms to the criminal and civil statute of limitations would help prevent child sexual abuse in the future."

Am I correct to understand that the majority resolution is opposed to a lookback window to allow current survivors to retroactively file claims in civil court?

SENATOR YOUNG: Through you, Mr. President, it is mentioned in our proposal because there will be discussions at the leaders' table about that issue.

SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The

sponsor yields.

SENATOR HOYLMAN: Does the sponsor understand -- does the sponsor fully realize the cost to the State of New York for crimes of child sexual abuse, as much as $250 million to the Medicaid budget?

SENATOR YOUNG: Through you, Mr. President. We all agree that child victimization is a very serious and important issue, and we look forward to the discussions at the leaders' table.

SENATOR HOYLMAN: Would the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: Senator Hoylman, are you asking questions or -- you were seeming to comment on the resolution.

SENATOR HOYLMAN: I'm asking questions.

ACTING PRESIDENT GRIFFO: So could you pose a question.

SENATOR YOUNG: Great to have him pose, Mr. President, as a question.

SENATOR HOYLMAN: I guess my very blunt question is, Why don't we have a proposal

before us today on the serious issue of child sexual abuse, which the sponsor has acknowledged to be one in which we have had not just months of discussions, but years?

SENATOR YOUNG: Again through you, Mr. President, that seems more like a statement than a question.

ACTING PRESIDENT GRIFFO: Senator Hoylman.

SENATOR YOUNG: As I said, this issue will be discussed at the leaders' table, and we look forward to those discussions.

ACTING PRESIDENT GRIFFO: Senator Hoylman.

SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Through you, Mr. President, could the sponsor explain to me why the Executive proposal to remove a reform of our law that would close a loophole that allows individuals to use the so-called gay and trans panic defense isn't in the resolution?

SENATOR YOUNG: So through you, Mr. President, that actually was included in the Governor's 30-day amendments. And all of those issues will be brought forward during the leaders' discussions.

SENATOR HOYLMAN: Would the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Does the sponsor know that this defense is used by individuals who attack another in court to seek the acquittal based on the sexual orientation or gender identity of the victim?

SENATOR YOUNG: Through you, Mr. President. As I stated previously, that these issues will be discussed at the leaders' table.

SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Would the sponsor

explain to me why the conference's resolution removes the Executive's proposals relating to congestion pricing in New York City?

SENATOR YOUNG: Through you, Mr. President, I think that's a very complex issue and -- so we need to continue to have discussions about it, because it is something that will affect a lot of people, obviously. But the leaders will be talking about that issue too.

SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Would the sponsor tell me, if she may, how much money is dedicated to the MTA in this resolution?

SENATOR YOUNG: Through you, Mr. President. There's over $5 billion dedicated to the MTA, and that includes operating aid and capital.

SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The

sponsor yields.

SENATOR HOYLMAN: Could the sponsor tell me how much money is committed to the New York City Housing Authority in this resolution?

SENATOR YOUNG: Through you, Mr. President. This budget actually brings forward and continues a commitment that we made of $300 million for NYCHA. And that allocation that was previously agreed upon by the Assembly, by the Senate and by the Governor extends over five years.

SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: So let's be clear, there is no new money dedicated to the New York City Housing Authority in the resolution before the Senate.

SENATOR YOUNG: So through you, Mr. President, actually last year we committed $200 million every year for the next five years. So there's -- I'm sorry. For the next five

years. So that money is included in this budget.

SENATOR HOYLMAN: On the bill, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Hoylman on the resolution.

SENATOR HOYLMAN: I thank the sponsor for her answers to my questions.

I find this budget resolution incredibly perplexing, mostly because many of the big issues are being -- are to be discussed later at the leaders' table. Well, what about us? What about every member who's here? What about our districts? What about NYCHA? What about LGBT folks? What about survivors of child sexual abuse?

It's not enough, Mr. President, to say that we'll be discussing that later. That makes me think that my constituents are a bargaining chip. And my constituents are not a bargaining chip for the Senate majority. We need to know now what the commitment is on the part of the majority for important issues affecting the everyday lives of New Yorkers, whether it's criminal justice, whether it's infrastructure, whether it's public housing.

And I'm sorry, but this is a fake budget. This is a budget that is going to be discussed in some smoke-filled room without input from the members of this body.

So I'm very disappointed that we are giving a pass to crucial issues like gun reform when today, today, millions of students across this country walked out, young people who seem to have more courage than us, to address head-on the issues of gun violence.

I'm very disappointed that this resolution doesn't contain an issue that advocates have been championing for over a decade, to seek justice in the area of child sexual abuse. We had advocates today who last night pulled up the Senate resolution and saw the language -- where it should have been "Child Victims Act," it said "intentionally deleted."

It's not good enough, Mr. President, that we are putting these issues off to the leaders' table. So I'll be voting strenuously no. Thank you.

ACTING PRESIDENT GRIFFO: Senator Sanders.

SENATOR SANDERS: Thank you,

Mr. President. Good to see you up there. You're holding out?

ACTING PRESIDENT GRIFFO: Doing well, Senator Sanders. Thank you for your concern.

SENATOR SANDERS: Thank you, sir.

Will the sponsor yield for several questions?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SANDERS: Good to see you.

SENATOR YOUNG: Good to see you too.

SENATOR SANDERS: Is the sponsor aware that Article 15A, the MWBE provision, will expire on the 31st of December of this year?

SENATOR YOUNG: Through you, Mr. President. Actually I'm going to reference Part Q of the resolution. And it says: The Senate is firmly committed to reforms related to minority and women's business development that will reduce barriers to the program, create meaningful opportunities for businesses, and enhance the business climate of the state.

"The Senate will thoroughly examine the Executive proposal to extend for five years the provisions of the law relating to minority and women's business development and consider modifications relating to the certification process and requirements, the personal net worth requirement, the availability of certified businesses in our state, enhancements in mentoring, agency reporting and other issues, to ensure its effectiveness.

So right now, we want to discuss the program because there are concerns about whether it's as effective as it needs to be. And there may be changes that we need to make to it so that more people, number one, can access the program -- and I will tell you from personal experience, it can take a business up to two years to get certified by the state. I believe that that is far too long a time period to wait.

And so there are several changes that I believe need to be made to the program so that, number one, more people can access it and, number two, it doesn't hurt local people from getting jobs.

SENATOR SANDERS: Through you, Mr. President. I also read that --

ACTING PRESIDENT GRIFFO: Senator Sanders, do you want to continue to ask questions or speak on the resolution?

SENATOR SANDERS: Oh, no, no, no. I want to ask the sponsor a question.

ACTING PRESIDENT GRIFFO: So the sponsor does yield.

And I'm going to continue to ask for some quiet in the house, please, so that members can hear each other during exchange.

Senator Sanders.

SENATOR SANDERS: I read that same passage. And while I agree with you on some of the positions, I first wanted to know, are you aware that this is going to sunset on the 31st of this year?

SENATOR YOUNG: Through you, Mr. President, yes. And that's why we put that language in there, because we think it's a very important issue to resolve.

SENATOR SANDERS: Will the sponsor yield for a question?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SANDERS: Through you, Mr. President. Is the sponsor aware of the Supreme Court Croson decision which explicitly allows and disallows different provisions, different things that we can do and cannot do and the times that we can do it?

SENATOR YOUNG: Through you, Mr. President, I'm not sure what that has to do with our budget resolution before us.

SENATOR SANDERS: Will the sponsor yield for a question?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SANDERS: To get to my question, if the Supreme Court says that we can't do something in a certain time, it does not matter what our decision does, we've missed our window. We have to start all over again.

So my question is, by not authorizing this, are you aware that you are in effect eliminating the program?

SENATOR YOUNG: Through you,

Mr. President, I strongly disagree with my colleague. We are not in any shape or form saying that we would eliminate the program. What we want to do is improve the program so that it can be more effective.

We are aware that it sunsets in 2018. But I'll remind my colleagues, this is a resolution that actually kicks off intense negotiations between both houses and the Governor. So this is on the list of things that will be discussed, because that's how the process works.

SENATOR SANDERS: Will the sponsor yield for a question?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SANDERS: Earlier I heard a motto I believe that you -- that the majority came up with: Affordability, opportunity -- and I did not get the last part. What was the last part of that?

SENATOR YOUNG: Through you, Mr. President. Senator, security.

SENATOR SANDERS: Security.

SENATOR YOUNG: Yes.
SENATOR SANDERS: Thank you.
Will the sponsor yield for a question?
SENATOR YOUNG: Yes.
ACTING PRESIDENT GRIFFO: The sponsor yields.
SENATOR SANDERS: Does affordability, opportunity, and security include the women and minorities of this state?
SENATOR YOUNG: Through you, Mr. President, I believe that it does. And that's why we included this language in our proposal, so that we can strengthen the existing MWBE program and actually make it more workable across the state.
SENATOR SANDERS: On the resolution, Mr. President.
Thank you. Thank you. First I want to thank the sponsor.
ACTING PRESIDENT GRIFFO: Senator Sanders on the resolution.
SENATOR SANDERS: Mr. President, Langston Hughes, one of our great poets, spoke and said that America has to be America for

everyone. I would suggest that by deleting 15A or threatening this, we are in effect saying that America, or at least New York State, will not be New York State for everyone.

That MWBE is not affirmative action, as worthy as affirmative action may be. While affirmative action speaks and says how a group has been held back and therefore should be moved ahead, MWBE merely says that we will have an open playing field, an even playing field for everyone. And it puts that in effect by law.

By us not saying that we uphold that American tradition of an even playing field, we are in effect saying that we're not going to have America be America for everyone.

The best that we can say about that, I would argue, is that we are prepared to kick the can down the road. That we're saying that we legislators, having been brought together by the great people of New York State, are not prepared to legislate. We are not prepared to get out there and do the business of the people. We are not prepared.

We are prepared to say we're going to send this to some smoke-filled back room where

only God knows who's in there, since we're not represented in it. We don't know what's going on, and we don't know -- we legislators don't even know how the sausage will be made on this issue.

So I'm really perturbed by that. But I'm not just perturbed by that one. And kicking the can down the road is not what the people of my district sent me up here to do. They said, Grapple with the tough issues of the day. It may be hard, you'll have to work with people across the aisle. They said get out there and come home with something real.

They did not tell me to come home saying, Well, I left it for three guys somewhere else to make the decision. They did not send me here saying that I sat by while American values were threatened. I didn't come here for that. Nor did I come here to -- for the issue of NYCHA, where we on one hand give a lot of words of what we need to do with NYCHA, but we're cutting lead protection. My God, do we really hear ourselves? We're cutting lead protection out of the budget, mold remediation.

We're not putting our money where

our mouths are. We're saying we said that it's going to take at least $500 million of new money, not the same old repurposed money that year after year we say, Okay, it was for that then, it's for this now -- and we never see it. And from my part of town, that's a shell game. You put your something here and you move it here, and the next thing you know, you always have it and you never get it. Everybody on my block knows that you never go near those cards when that shell game is being played.

And this is a shell game. We need $500 million of new money to really impact on the people that we say that we're going to do about it. No money for the SNUG program in Queens. Now, the SNUG program is a very effective antiviolence program. I agree that Brooklyn needs it. I agree that all kinds of places need it. We need it in Queens too. We've got violence.

Come on. Geriatric parole. This is a no-brainer. When a guy is too old to do any crime and the only way that we're keeping him in jail is -- he's costing the people of our great state way more than it's worth. When a person is

infirm or too old, then my God, let him out so at least my taxpayers can save some money.

Women's Agenda -- why are we arguing this in the 21st century? We should have already agreed to this long ago and gone on with it.

And the same is true with ethics. This week we've had another wake-up call. How many wake-up calls do we need before we wake up to the call?

My colleagues will speak on other issues, so I will leave it at that. But my friends, there comes a time when it takes a certain amount of courage to be a legislator. I'm hoping that that time is now. I'm hoping that good people on both sides of the aisle will get out there and say, Well, you know what, there's a certain logic that's missing and we're not going to do this. We're not going to do the old business of kicking the can down the road and let some three guys figure this somewhere.

That we all get together and say, You know what? Women can decide things too. And all of us in this room can decide things too. That's what we were sent here for.

Thank you very much, Mr. President.

I do want to thank the sponsor for yielding to those questions. Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Benjamin.

SENATOR BENJAMIN: Through you, Mr. President, will the sponsor yield for a few questions?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR BENJAMIN: Let's start with design-build. In the resolution, I see that there's design-build for the BQE. Do you specify design-build for NYCHA in this resolution?

SENATOR YOUNG: Through you, Mr. President. Actually, as I had stated previously, we did make a significant commitment to NYCHA.

However, I have to say I am shocked and appalled by the fact that the person leading NYCHA is still there. She should have been fired long ago. Number one, for incompetence and mismanagement and, number two, for --

(Reaction from members.)

SENATOR YOUNG: -- for forging --

ACTING PRESIDENT GRIFFO: Order in the house, please. The Senator has the floor.

SENATOR YOUNG: -- federal documents on lead exposure for children who live in those buildings.

SENATOR BENJAMIN: Through you, Mr. President, I'm not sure I heard an answer to my question.

ACTING PRESIDENT GRIFFO: Senator Young, do you yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: Senator Benjamin, you may pose your question.

SENATOR BENJAMIN: So let me re-pose my question, because I think there was a different answer that you gave. That I don't agree with, but let's move on.

Does this resolution provide to NYCHA design-build authority? I think that's the question.

SENATOR YOUNG: Okay. Through you, Mr. President, that's one of the items that I believe will be discussed moving forward. As I stated previously, this really just kicks off the discussion by passing this resolution. And the

different houses, the two houses will be talking on it, and also the Governor.

SENATOR BENJAMIN: Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR BENJAMIN: Through you, Mr. President, why was the BQE authorized for design-build and NYCHA isn't? Why wasn't that also put into -- for the negotiation and the conversations later?

SENATOR YOUNG: Okay, through you, Mr. President, it may be helpful to the Senator if I read the part about the New York City Housing Authority.

SENATOR BENJAMIN: Sure.

SENATOR YOUNG: Excuse me, I'm losing my voice.

The Senate understands that the New York City Housing Authority is in crisis. Tenants are faced with issues of long wait times to repair lead, mold, roofs and boilers. The Senate is open to discussing methods to reduce these long wait times, including but not limited

to expanding the use of alternative project delivery methods for the New York City Housing Authority for independently monitored project-specific purposes, which may include the remediation and abatement of lead and mold as well as projects related to the repair, construction or installation of roofs and boilers.

So we are looking forward to having those further discussions.

SENATOR BENJAMIN: Okay.

SENATOR YOUNG: So that's included in there.

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

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR BENJAMIN: Okay. So tied to that piece about the BQE, there was authorization for placement of NYPD officers in every school in New York City. Does the sponsor believe that there's a school officer -- I'm sorry, an NYPD officer needed in every single school in New York City?

SENATOR YOUNG: Through you, Mr. President. This is optional, I believe.

SENATOR BENJAMIN: Was it? Oh.

SENATOR YOUNG: Okay. Through you, Mr. President, I stand corrected. Actually, it would allow for a police officer to be stationed in every New York City school.

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

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR YOUNG: Yes.

SENATOR BENJAMIN: Maybe I read this wrong, but it says it requires placement of NYPD officers at every school.

SENATOR YOUNG: Through you, Mr. President. Yes, it does in New York City, correct.

SENATOR BENJAMIN: Okay. Okay. Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR YOUNG: You know what would

be helpful to me, Senator? Could you tell me what page you're on?

SENATOR BENJAMIN: Oh, sure. I'm on page 56.

SENATOR YOUNG: Okay, thank you.

SENATOR BENJAMIN: So the sponsor yields.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR BENJAMIN: So if an NYPD officer is required in every school in New York City, can the sponsor let us know what would be the cost for this proposal?

SENATOR YOUNG: Through you, Mr. President, there already are school safety officers at every school. So basically what this does, it just changes the school safety officer into a police officer. So the costs would be not that much to make this change.

SENATOR BENJAMIN: Okay, thank you for that. All right.

Will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR BENJAMIN: Okay. Moving on to a question here -- I see -- and this is on page 23, I believe, that you're asking for the City Council to oversee activities of NYCHA and also asking for an office of an independent monitor to oversee NYCHA.

Can you explain -- can the sponsor explain what would be the difference in those two -- between those two overseeing roles, between the City Council and this office of an independent monitor?

SENATOR YOUNG: Through you, Mr. President. The way that this proposal would work is that the City Council would have oversight over NYCHA. The state would have a monitor who would also be involved.

I think there's a lot of concern, frankly across the state, about the conditions at NYCHA. And something needs to change, because what's happening now just is not working. And we do believe there needs to be more oversight over what's happening at NYCHA. {inaudible} -- question.

SENATOR BENJAMIN: Sure.

Can I make a statement? I don't

know how to -- how does that work, I just say something? On the -- I'm sorry, on the -- so on the resolution.

ACTING PRESIDENT GRIFFO: Senator Benjamin on the resolution.

SENATOR BENJAMIN: As it relates to NYCHA, I do agree that there are a number of concerns and issues that need to be addressed. I do believe that there are multiple factors at play. I agree with the spirit of oversight. I think the issue is that we are talking about providing oversight without providing the appropriate resources for the majority of the capital needs that are required at NYCHA. We're talking about somewhere around $20 billion of capital improvements.

The sponsor was not able to explain to me why design-build for NYCHA is not included in this resolution, while mentioning the fact that there are things that need to be changed. One of the things that needs to change is that NYCHA needs the ability to quickly address some of the issues, and so I'm surprised that that's not in the resolution.

Will the sponsor continue to yield,

Mr. President?

ACTING PRESIDENT GRIFFO: Senator Young, do you yield for questions?

SENATOR YOUNG: Sure.

ACTING PRESIDENT GRIFFO: Senator Benjamin.

SENATOR BENJAMIN: So I see on page 20 that there's $4.5 million cut from the Tenant Protection Unit. Is that correct?

SENATOR YOUNG: Yes.

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

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR BENJAMIN: Thank you.

Does the sponsor believe that protecting tenants is an important priority of the State of New York?

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

And so just so the Senator knows -- I know he's new to the Senate. But in the past we have proposed language that would clearly

outline what the TPU would be authorized to do, and the Governor unfortunately has rejected the language. And so thus we continue to reject the funding.

SENATOR BENJAMIN: So through you, Mr. President, will the sponsor continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR BENJAMIN: I see. So if the Governor had proposed the language that the majority was comfortable with as it relates to TPU, the sponsor would be in favor of the funds for TPU?

SENATOR YOUNG: Through you, Mr. President. Yes, we would consider it.

SENATOR BENJAMIN: You'd consider it, okay. Thank you.

Next question. On the DREAM Act -- turn to page 19, if we may. The language as I see it here -- sorry, excuse me. Give me a second. Oh. The Senate -- I just want to read this real quick. The Senate rejects the Governor's proposal to allow undocumented

students' eligibility to receive Tuition Assistance Program funding. This rejection of the DREAM Act results in a $27 million decrease in the total TAP appropriation.

The question is, is the sponsor in favor or against the DREAM Act?

SENATOR YOUNG: Through you, Mr. President. What we hear from our constituents from across the state is that they have very deep concerns about American citizens -- their children, their family members -- being able to afford college.

And so basically they -- because they have these concerns, giving their hard-earned tax dollars to people who are here illegally, they seem to be overwhelmingly against that. So there are issues that are related to that.

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

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR YOUNG: Yes.

SENATOR BENJAMIN: So was that a --

was that stating that because some of the taxpayers are concerned with this, as a result the majority is against the DREAM Act?

SENATOR YOUNG: Through you, Mr. President. As I stated, the people who we represent have deep concerns about the DREAM Act.

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

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR BENJAMIN: Does the sponsor believe that undocumented students have the right to be educated in the State of New York?

ACTING PRESIDENT GRIFFO: Senator Benjamin, could you direct questions directly to items within the resolution, as opposed to the sponsor's opinions?

SENATOR BENJAMIN: Oh, I'm sorry. I will rephrase that.

Based on page 19, the DREAM Act language, would the -- the undocumented students that are on page 19, as they're referred, does the sponsor believe that they have rights to an

education in the State of New York?

SENATOR YOUNG: Through you, Mr. President, we are discussing the DREAM Act and whether we accept or reject the Governor's proposal. And so the Senate rejects it.

SENATOR BENJAMIN: Through you, Mr. President. So if the -- so if we reject the money for the students to go to school, then that means we reject them getting educated in the State of New York, is that correct?

SENATOR YOUNG: Through you, Mr. President. I would like to point out that several years ago there was a law that was passed that provides in-state tuition to undocumented people. That exists. But what we're talking about are people's hard-earned tax dollars going to fund people who are here illegally for a college education.

And people have concerns about that, because in many cases these same taxpayers can't afford to send their own children to college. And we believe that this is an issue of fairness.

SENATOR BENJAMIN: Fairness, okay.

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

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR BENJAMIN: Moving on to criminal justice reform. I'm glad that the sponsor mentioned fairness, because I'd like to start on that -- with that with a question. In the language -- let me see here. I want to make sure on I'm on the right page.

On page 41, the Senate majority states that they're open to negotiation on speedy trial, bail, and automatic discovery reform, and this is a matter of a fair criminal justice system. And you don't want to sacrifice public safety.

So my question is, does the sponsor believe it's fair that about 65 or so percent of those in Rikers Island right now are awaiting trial and have not yet been convicted of a crime?

SENATOR YOUNG: Through you, Mr. President. The Senator may have missed my previous comments, but we have concerns from both sides of the issue on these criminal justice reforms that the Governor put in his Executive proposal.

And as I stated, people who are for bail reform, speedy trial, discovery, all those issues, came in today to see the Senate majority to express their concerns about the Governor's language.

So we are working to hear from all stakeholders in this so that we can resolve the concerns. There are concerns on the side that are against these particular proposals, but the people who actually support the ideas in concept also have concerns about what the Governor included in the budget.

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

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR BENJAMIN: Does the majority have an opinion or position on speedy trial, bail and automatic discovery reform?

SENATOR YOUNG: Through you, Mr. President. So we had a good discussion earlier, I believe with Senator Bailey. But we talked about the fact that last year we had the

Raise the Age proposal and there was a lot of intensive work that was done on that through negotiations. And I believe at the end of the day we came up with a good product.

And so because so many of the advocates on both sides of the issue have concerns, I believe that we should have similar discussions about the Governor's proposal because nobody supports it right now among the advocacy groups.

SENATOR BENJAMIN: Thank you.

On the bill -- I mean on the resolution.

ACTING PRESIDENT GRIFFO: Senator Benjamin on the resolution.

SENATOR BENJAMIN: I do appreciate the Senator's responses to my questions.

I have some serious concerns as it relates to NYCHA, as it relates to criminal justice reform, as it relates to education and other issues. I believe that as a state, when we talk about fairness, we should make sure that we're considering everyone and not just talking about fairness for a few. It is important that we be open-minded and make sure that we try to

hear all points of view.

And I do thank this body for hearing me, and I will not be in support of this resolution. Thank you.

ACTING PRESIDENT GRIFFO: Senator Montgomery.

SENATOR MONTGOMERY: Thank you, Mr. President. I will just speak on the resolution.

ACTING PRESIDENT GRIFFO: Senator Montgomery on the resolution.

SENATOR MONTGOMERY: Briefly. Thank you.

As some of -- I've heard very often people refer to especially elected officials, that we speak out of both sides of our mouths. So I'm looking at this budget resolution, and it seems to be speaking out of both sides, if you will, and in many ways contradicting itself within the budget document.

And I just wanted to point out a couple of instances of that that I see readily and very, very troubling. It is what our statement -- what this document says to what we think about young people in our state,

opportunities for young people especially, and moreover, how we're willing to spend on some things but not the young people that we represent and we hope to be our future.

For instance, there is -- I'm looking at -- under the -- on page 5, I believe it's for education. There is a proposal that we should have the commissioner create certain programs, curriculum for certain programs, support certain programs. This would be the Commissioner of Education. For instance, we address -- the document says the commissioner should create a youth violence pilot program. So fine. The commissioner should create a prevention of child sexual exploitation program. Okay. The commissioner should create a peace conflict resolution pilot program.

So we direct the commissioner to create all of these programs, but then in the next paragraph or the next section we say we limit the Board of Regents' power. Now, it's as if we don't understand that the Board of Regents and the commissioner work together, so many of the proposals for education policy in our state actually come out of the Board of Regents and the

commissioner, working together, to propose that we do certain things.

But now our document says, this resolution -- not mine, it's yours. Our resolution says, Oh, let's make sure that anything that the Regents -- and I gather we understand, certainly we should understand that when we say Regents, we mean the state education commissioner -- that any decision, any rule, regulation, amendment, anything that they do, that has to go through the Office of the Budget.

Okay. If that's the case, then you know I'm interpreting this as you saying even though you've laid out all of these things that you want them to do, you don't really want them to do it. Because you know when it goes through the budget, that's like the dead zone for everything.

So the other thing that I'm looking at is while we complain about all of the different things that are wrong with -- as it relates to achievement of young people in our state, we have a resolution which agrees to -- so we all know that we can -- the Governor can propose, and we can have a discussion, and I'm

happy to do that. But this says we agree to $31.1 million in cuts to programs, higher education opportunity programs in our state. That means that that's much less funding for young people.

And we also propose that programs like the Early College Program, which is not higher ed, but it connects secondary with higher education -- extremely important, has worked very well across the state in all of the school districts, including schools in districts like mine -- My Brother's Keeper, we propose -- you're saying let's not fund that at all, let's just cut out all of the funds for that.

So that's why I say this is a total contradiction. It's very sad. I feel very bad about it.

And then let me just finally say one other area of contradiction that is very troubling, and that is you want a youth violence pilot program. Okay, fine. You want to study -- you want to study some more youth programs. I don't see the funding for it, but I see the study for it. So that's fine.

But you say, Oh, by the way, let's

cut $40 million out of the City of New York for the Close to Home program. Isn't that supposed to be what we did in relationship to Raise the Age? Yes. But so let's not fund that anymore, or let's let them go off on their own, raise the money as best they can. Forget about them.

So we don't want to fund the Close to Home? That is a working program that deals with the whole issue of youth violence.

So as I said, very disappointing, contradictions all over the place. We say we care about young people, but we certainly are not willing to put in the resources and even support what we already have and what we know that works.

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

ACTING PRESIDENT GRIFFO: Senator Stavisky.

SENATOR STAVISKY: Thank you, Mr. President.

As far as higher education goes, I think there's some really good parts but also some parts where we need a little more clarification. So if the sponsor would yield.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: Senator, do you yield? The Senator yields.

Senator Stavisky.

SENATOR STAVISKY: On page 7 of the budget resolution, you talk about your support for the ASAP program. It's the last paragraph under "Article VII proposal." You indicate that it's an important component in achieving success, et cetera, and you say the Senate supports the expansion of the program.

And yet I don't see it in the list of items to be restored from the Governor's -- to the Executive Budget proposal.

SENATOR YOUNG: Okay. So through you, Mr. President, so we have language in there -- you're right, that recognizes the ASAP program is an important component in achieving success. And so by acknowledging that, we would -- you know, what we're saying is that we support that particular program.

SENATOR STAVISKY: If the Senator would continue to yield.

SENATOR YOUNG: Sure.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR STAVISKY: Then why is --

SENATOR YOUNG: Through you, just to finish the second half of that answer, that program has been largely funded by the city, by New York City.

SENATOR STAVISKY: If the Senator would continue to yield, there's a $2.5 million cut in the ASAP program in the Governor's Executive Budget, and yet it's not restored in your budget resolution.

SENATOR YOUNG: So through you, Mr. President, there is a $2.5 million cut to the program. And that is a program that the Assembly has been very interested in, so they restored that funding last year and we expect that they will do the same, they will try to do the same in these budget negotiations that are upcoming.

SENATOR STAVISKY: Would the Senator continue to yield?

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR STAVISKY: The ASAP program is a remarkable program. It's in the community colleges at CUNY. And the New York Times, for

example, a number of years ago wrote about how successful it was.

How it works is because of the fact that the students, the college students, receive special guidance from counselors. They receive a MetroCard -- many of them can't even afford that. They receive a MetroCard. They receive -- their attendance is monitored. They receive this intense counseling, and it works.

And I ask why the other programs have not been restored. There's a whole litany of programs, the opportunity programs. Why have you not included the restoration of the other programs or even commented on them the way you did on ASAP?

SENATOR YOUNG: So through you, Mr. President, there are programs that the Governor cut, unfortunately, that the Senate actually supports. And so that's why every year the Assembly wants to restore those programs and have those under their part of the budget. We have programs that we restore as a Senate. And we've always supported, in the final product, those particular programs.

So the Assembly feels very strongly

that they would like to be the ones that fund those projects and those programs at the table. And -- but we support them also.

SENATOR STAVISKY: Thank you. If the sponsor would continue to yield.

SENATOR YOUNG: Sure.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR STAVISKY: The second area I'd like to discuss is on page 56 and 57 of your budget resolution. It deals with maintenance of effort.

As you know, both houses passed a maintenance of effort bill. The Governor vetoed it, saying it really belongs as part of the budget, and I happen to agree. And yet unfortunately you have a -- it's Part U of Article VII. This is on the top of page 57.

And it says: The Senate advances language amending the maintenance of effort provisions to expand state obligations to SUNY and CUNY.

Would you expand upon that and tell us exactly what you have in mind?

SENATOR YOUNG: Thank you, Senator,

for that question.

So in our proposal what we would do is put in $64 million for operating and then restore $78 million to the hospitals.

SENATOR STAVISKY: If the Senator will continue to yield.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR STAVISKY: The maintenance of effort was used to cover some of the costs that are not really anticipated in parts of the budget negotiations. Part of it is for property rentals, contract obligations, things that have already been negotiated in their contracts. How is this going to be resolved?

SENATOR YOUNG: So through you, Mr. President. As you know, we voted for that bill in this house too, so it's of great concern to us. And frankly it was disappointing that that particular initiative was vetoed by the Governor.

So if there are funding sources that we can discuss moving forward so we can continue to help our campuses across the state, we're

hoping that we can come up with some solutions.

SENATOR STAVISKY: And yet you have not included it in your budget resolution, the amounts.

SENATOR YOUNG: So again, we're hoping that we can come up with some solutions in those areas.

SENATOR STAVISKY: All right. If the Senator would continue to yield.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR STAVISKY: Continuing to Part P, it says: The Senate advances language repealing a statute that would implement a new chargeback methodology.

SENATOR YOUNG: So through you, Mr. President, this is actually the chargebacks that go back to the counties, county governments. And so some counties have concerns with it, so I think that it warrants further discussion.

SENATOR STAVISKY: If the Senator would continue to yield.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The

sponsor yields.

SENATOR STAVISKY: A number of the counties at the upstate SUNY institutions have complained about the chargeback. How is this going to affect the other colleges, such as the Fashion Institute of Technology, which is technically a community college and would be affected by this program?

SENATOR YOUNG: So through you, Mr. President, actually FIT and those institutions would be treated the same. It doesn't change anything.

SENATOR STAVISKY: Doesn't change the --

SENATOR YOUNG: Right. Right.

SENATOR STAVISKY: Because I know we passed the legislation a number of years ago.

SENATOR YOUNG: Right.

SENATOR STAVISKY: On another subject, if the Senator would yield.

SENATOR YOUNG: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR STAVISKY: On page 37, Part W.

SENATOR YOUNG: Yes.

SENATOR STAVISKY: You say the Senate advances language allowing for a restructuring of the Higher Education Services Corporation board. How would you restructure the board?

SENATOR YOUNG: Thank you. Through you, Mr. President. The way we would restructure it, we would allow the Senate and the Assembly to appoint members to that board.

SENATOR STAVISKY: And what is the current method?

SENATOR YOUNG: Through you, Mr. President. So it's my understanding it's all political appointees.

SENATOR STAVISKY: Let me rephrase the question. The Governor appoints the members of the board --

SENATOR YOUNG: Right. So we felt very strongly that the Legislature, a coequal branch of government, should have input too. And so we would propose that the Senate would appoint a member and the Assembly would have the same opportunity.

SENATOR STAVISKY: And if the

Senator would continue to yield.

SENATOR YOUNG: Yes.

SENATOR STAVISKY: When was the last time the board met?

SENATOR YOUNG: Through you, Mr. President, I think it was May of last year; but I'm not sure that that's in the budget resolution.

SENATOR STAVISKY: No, I'm sure it's not.

SENATOR YOUNG: Right.

SENATOR STAVISKY: But that's my point, that --

SENATOR YOUNG: Yes. Okay.

SENATOR STAVISKY: -- if the Senator would continue --

SENATOR YOUNG: Gotcha.

SENATOR STAVISKY: The point, Mr. Chairman, is that the board hasn't met.

SENATOR YOUNG: Right. And so I think, you know, if they haven't met -- I think there needs to be more accountability in the system, more transparency. And I feel that our proposal would be able to address some of the concerns that we share.

SENATOR STAVISKY: If the Senator would continue to yield.

SENATOR YOUNG: Yes.

SENATOR STAVISKY: There are many important issues before the HESC board, such as part-time TAP. From what I understand, that has not been -- it's been allocated, but it hasn't been implemented. How do you propose to resolve this?

SENATOR YOUNG: Well, through you, Mr. President, I think if we have representation on the board, those questions may be raised through the process.

SENATOR STAVISKY: Thank you. And thank you for your responses.

On the bill.

ACTING PRESIDENT GRIFFO: Senator Stavisky on the resolution.

SENATOR STAVISKY: I'm sorry, the resolution.

The fact that so many opportunity programs were cut is really doing a disservice, and it's providing education for those who can afford it. And that's not really the purpose of public higher education. So we all agree that --

or at least this side of the aisle agrees that we must restore those opportunity programs.

Secondly, we believe that there are certain other additions, they've been outlined by -- in our announcement. But we believe that -- obviously we support the Bundy Aid restitution, because the $35 million is a terrible cut. It doesn't -- it's really a pass-through where the beneficiaries are the students. Most of that $35 million goes for scholarships.

We support increasing TAP. We support your proposal to increase the base aid for the community colleges. We support, certainly, the student loan forgiveness program. That is an extremely important issue.

The increase in capital spending for SUNY and CUNY, we agree with the majority on that issue. The restoration of the childcare for the community colleges, extremely important. And we agree with you that that money should be restored. And lastly, we do support the expansion of the STEM programs to the nonpublic colleges.

But we balance the good and the bad.

And take a look -- unfortunately, I mean, the lady up there in the stained glass window, balancing, standing on the scales. It's not an even scale. And it's balanced, unfortunately, the wrong way, and I intend to vote no on the resolution.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Stavisky.

Senator Krueger, there's a -- on the allocation, still an additional five minutes, and we will recognize you.

SENATOR KRUEGER: Thank you, Mr. President.

I rise to round up at the end. Oh, I'm sorry, you -- one moment, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Krueger, do you yield to Senator Rivera?

SENATOR KRUEGER: Yes, Mr. President, I yield to Senator Rivera.

ACTING PRESIDENT GRIFFO: Senator Rivera.

SENATOR KRUEGER: Leave me one minute, Senator Rivera.

SENATOR RIVERA: Thank you,

Mr. President, I will do just that. Through you, Mr. President, I will leave Senator Krueger one minute.

I'm not going to ask questions, so I'll speak on the resolution.

ACTING PRESIDENT GRIFFO: Senator Rivera on the resolution.

SENATOR RIVERA: I will not ask questions, one, because many of my colleagues have asked the questions already. And second, because I have noticed that many of the responses have been quite crafty and have kind of ignored the fact that when my colleagues point out that things are not on the resolution, they are pointed out maybe they are, but maybe we'll talk about them later. One of my colleagues mentioned the phrase "kicking the can down the road." Certainly that is accurate.

There's so many issues that are either not met, that are not talked about in this resolution, or I think we're going in the wrong direction. Whether it is My Brother's Keeper, $18 million that is not in the resolution. Whether it is the fact that we're not doing anything on protecting young people or any other

New Yorkers from guns, we're just talking about school safety in ways -- that's where that "crafty" word comes in again.

We talked about design-build, but attached to it was this idea that we would put more police officers in schools, and we talked before, a couple of days ago, about how putting more people with guns in schools is not a good idea. Not even the police officers want to do that themselves.

Whether it's the fact that there's no ethics reform in here, the fact that there is no early voting in here. As a matter of fact, there was a conversation about there not being money for early voting. I believe that we all would want people to be more civically engaged. Changing the laws to actually make it easier so people can vote would be a good way to do it.

And as far as covering the expenses, I would suggest that perhaps that $1.2 million for the task force on tick-borne illnesses, or the $5 million for the task force on opioid addiction, to which none of our members in the Democratic Conference belong -- so that's $6.2 million for two Senate task forces. That's

a lot of money that you folks are using. And it's not that I don't think these issues are important, but certainly we should perhaps be included. And I don't know how much paper you can print for $6.2 million.

But in any event, there's no DREAM Act in this resolution. There are changes in -- there are some changes in NYCHA but no real commitment to putting real money into NYCHA, not actually helping NYCHA along. And making sure that that money is lockboxed so that it's going to actual capital improvements that will address the concerns that we're talking about -- like mold, for example.

There's no rental subsidies for people living with AIDS outside of the City of New York. When we're talking about the fact that this is a communicable disease that people that are on public assistance -- we provide that assistance to people living in the City of New York. That does not happen outside of the city. The Governor proposed that that would be the case, and you folks took it out.

There is no Child Victims Act, as was pointed out by one of my conference

colleagues.

Anything related to criminal justice reform, whether it's speedy trial or bail reform or discovery reform, geriatric parole. Gay and trans panic, we haven't even talked about that, the fact that the original proposal included that so it would not be available as a defense, and you folks took it out.

Whether we're talking about -- when we're talking about bail reform, there was actually a change that would expand charitable bail, which is a bill that I passed proudly a few years ago in the Senate. And as opposed to that, we're actually going in the opposite direction as refers to bail reform.

Whether we're talking about all the higher education opportunity programs that were not included.

Or the prison contraband screening. There's actually a bill we just passed this morning in the Crime Victims, Crime and Corrections Committee which addresses prison contraband but does nothing to change the way that the current process works for employees, so staff members are not going to be checked in any

particular way. So if there's any contraband coming that way, it's still going to come.

And I know that you mean by that that I've got -- that she's got a minute left. I will just finish by saying that it's unfortunate that this is what we're -- what we've been -- what we have to do, right, this kicking the can down the road, which you -- apparently the Republican Conference believes is the way to actually deal with these issues.

So this resolution either goes in the wrong direction or takes some issues that we should be talking about and instead says, Oh, we'll talk about it someday. I believe, Mr. President, that this is a resolution that does not really address the issues of this state, and I will be voting in the negative.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Krueger for the closing minute.

SENATOR KRUEGER: Thank you.

Well, I think that my colleague covered a lot of the points. I guess what we've heard here today is it's not soup yet. This is a resolution where so many of the questions are

referred to be discussed at another time. So many of the things that are critical for the people of New York are actually pulled out of the budget rather than new alternative proposals submitted.

On design-build, which you've heard quite a bit about, the City of New York would save billions of dollars getting the work we want them to do done if we allowed them to do design-build. But instead, just one item in design-build is tied into putting police in our schools, which the city reports, as they listen here, would cost them a billion dollars a year.

I know my public schools and my private schools have both told me they do not want police officers in their buildings, thank you very much.

We can and we must do better. We have failed MTA. We are actually coming up with proposals to demand more of NYCHA without providing the money. We are tying the hands of our largest local government and taking and requiring that they spend more money than we think they need to, because we're playing politics and games.

I guess the good news is this isn't really a budget proposal. As Senator Young explained, much of it is just thrown down the line to be discussed. So good, we can continue discussion. But I see no reason why anyone on either side of the aisle should actually vote for this today.

Again, it's not soup yet, Mr. President. I vote no.

ACTING PRESIDENT GRIFFO: Thank you, Senator Krueger.

In accordance with the comments from leaders, we will now have an opportunity to also hear from the Senate Majority Leader.

SENATOR DeFRANCISCO: Who will be here less than momentarily.

ACTING PRESIDENT GRIFFO: We have previously heard from Senator Klein and Senator Stewart-Cousins, and now we will hear from Senate Majority Leader Senator John Flanagan.

SENATOR FLANAGAN: Thank you, Mr. President.

I'm sorry for arriving at the last moment. I know we've had a busy day, a busy couple of weeks. And when Senator Klein and

Senator Stewart-Cousins were speaking, I happened to be down at the Times Union Center in an intimate gathering of about 8,000 1199 members and nurses here advocating and lobbying for healthcare, which is obviously a critical part of our budget.

I did have a chance to listen to a number of the comments that were made by my colleagues. I want to say thank you to everybody for their diligence, for just the respectful nature of the way the discussions took place today. I think they had a much longer discussion in the Assembly, for a variety of reasons.

But I want to focus on a couple of basic things, and I want to start by thanking frankly all the members, but the respective members of the Finance Committees. And I heard comments about policy, I heard comments about fiscal policy and about appropriations in the budgetary process. I look at this in a sort of bifurcated way.

There's no reason at any given time that we can't engage in substantive policy discussions, but I really do feel that the New York State budget should be far more

reflective of simple basic things, like how are we paying for transportation for Medicaid patients? How are we making sure that senior citizens get enhanced exemptions that cost money either to local government or the State of New York? How are we making sure that children have appropriate access not only to elementary and secondary education, but rather to higher education -- which is really an underpinning of what we've advocated from the get-go this year, and that is affordability, opportunity, and security. And I'll repeat: Affordability, opportunity, and security.

Now, I digress for a moment. To Senator Krueger, to Senator Young, to both of my colleagues in particular, let's not overlook the fact of the deliberative nature of what we've been doing since the onset. And I'm being, you know, Captain Obvious with some of this. But the Governor comes out and comes up with his State of the State, there's a brief hiatus, then we have the introduction of the budget. And it's been a little bit unconventional in terms of how it's been presented. Sometimes we're here, sometimes we're there. But the documents ultimately get

out there.

So the Governor comes out with his budget. And as we move into that process, we start the budget hearing process. Now, nobody knows better than the two colleagues I just referenced, who have the patience of saints. Because we had at least 12 different hearings spanning over I think at least three weeks. And there was a hiatus because of the weather, so our last hearing was in the last week of February.

Now, why do I say this and frankly, why do I belabor this point? We have an exhaustive process for issues that are budgetary in nature. If Senator Krueger wants to engage in a discussion with Senator Young about economic development money we spend on advertising, how we're providing tax incentives or tax credits no what the area of the state, that's good. That's good. That's the way it's supposed to be.

But I also think we have to focus on what is our primary responsibility right now. Right now, today, many people feel like this is the true start of the budget process. I don't agree. I think we've been going at this for quite a while, and the product you see here

today, there are some who laud it, some who critique it, but everyone can read it and understand it. And the same process is taking place across the way in the New York State Assembly.

Now, not only have our colleagues engaged in these discussions, but so has the public. You know, with the advent of technology and the ever-changing nature of technology -- remember when people used to write letters? people used to hand-write letters. And people used to type on a typewriter. And you would expect that you would respond in kind. Now, today, some issue can come up affecting any one of us, you can have 5,000 emails within the space of an hour.

So to suggest in some way, shape or form that we don't have public input I think is just inaccurate. So I'm confident that we have a lot of input, not only from the public, not only from our constituents, not only from our not-for-profits, our for-profits, people in the public sector and the private sector, but I believe in the faith of the men and women that work in this chamber.

Everyone comes at it from a different angle. I was watching on TV, I saw Senator Montgomery, I saw Senator Comrie, Senator Stavisky, Senator Bailey, Senator Benjamin, a number of our colleagues getting up and talking about their priorities. Which I think is a reflection of their philosophy and what they believe to be the needs of their district.

So again, we're going back to affordability, opportunity, and security. And some of these things are actually quite simple. We believe in the taxpayer. I don't care if it's federal government policy, state policy, county, town or village -- whenever we ask people for a fee or a license fee or something like that, or a tax, it's all the same person who pays.

So we have to -- whether it's 160 billion or 170 billion, we'd better start thinking about the taxpayer. That's why we don't raise taxes. I repeat, we don't raise taxes. People in the State of New York pay too much money already. We have the highest tax burden in the country, even though we've made some strides.

So we want to make sure that we're having people move in and not move out. And it's

a multifaceted approach. In economic development, we need to review every single program that we have. We need to take a harder, closer look at every dollar that we spend. We need to do simple things like change the regulatory structure -- Senator Jacobs knows this -- in the State of New York to make it easier to do business.

And opportunity, I think of opportunity in the context of everybody. Kids: After-school programs, art, music, theater. Adults: Gainful employment, whether you're a teenager or someone who's a millennial, someone who's middle-aged or maybe in the latter part of your career. That opportunity should transcend everything and apply to everybody.

So again, affordability, opportunity and security. And I'm going to put this in context and I'm going to share my personal opinion. There's nobody in this chamber -- no matter where you live, no matter who you represent, everybody cares about people. Sometimes we come at it from different angles, but when you talk about security, I don't need to sit and talk to Joe Addabbo and ask him, Joe, do

you think we should take care of kids in school? Yeah, everybody believes that.

We have a robust package that we think right now addresses some very acute needs in our schools. I just got out of a meeting with people talking about technology, how you can do more things at schools -- and everyone is exposed to this, the changing nature of this. Two or three weeks ago, now -- there were a thousand companies out there before, now there's 1500 companies out there looking to help out. And frankly, some of them are looking to make a buck, but they're looking to help out with public safety and security.

So when I hear the comments, Well, this policy is not in there, this policy is not in there -- you know, we have, as I said, a deliberative process. But when the Governor comes in and puts a lot of policy proposals, we do actually believe that there should be a differentiation. And I personally believe that, and I've been here for a long time. These are thorny, delicate, substantive issues that require some more extended discussion.

Now, imagine -- I know it's not

going to happen, but imagine if we just finished the budget and left. If we did it the way the Governor wanted, that's probably what we could do. Because the way the Governor crafted his budget proposal, there really is no necessary function for the Senate or the Assembly. Let us figure it out, let DOB do it, let the agency heads do it.

We don't believe that should be the case. We don't want to cede our authority, we don't want to usurp the role of the Executive. So when we talk about issues involving the things that were discussed here today, I don't mind taking time. I don't mind taking time. Because if we're going to do these things, gosh darn it, we need to do them right. We don't have any real room for error, particularly on things like security.

So I'll close where I started. Thank you to everybody. Maybe the wrong phrase is let the games begin. Maybe we've been involved in the games already.

(Laughter.)

SENATOR FLANAGAN: But, you know, look. In reference to the people that I serve

with, and that is individually and collectively as a conference, but everybody here -- ladies and gentlemen, there is no reason in the world that we cannot have an on-time budget. There's no reason in the world that we shouldn't have an on-time budget. And every time I talk about this, I say the same thing. We don't deserve accolades, we don't deserve, Oh, hey, you guys did a great job, you passed a budget on time. That's the law. That's the law. Parker's smiling over there; he knows what I mean.

But that's a function of helping local governments, not-for-profits, taxpayers to know what our blueprint is. And we can do that by March 29th. There's no reason we can't do that. Is it going to be pretty along the way? I don't think so. I don't think so. It's going to be a little rough. I'm looking at Dave Valesky; he's going to be pushing and, you know, looking for things in Syracuse and his area, as is everybody in this room.

So I am confident that we can do this, but we're going to go at it from a different angle. We're going to talk about jobs. We're going to talk about jobs. I don't know

about you, but I looked and I read and I listened, whether it was verbally or in writing, there wasn't a lot of discussion about jobs except for what's coming out of this conference.

So if we're going to have that affordability, we're going to have that opportunity, and by extension we're going to have that security, whether it's for your adult member or family member who happens to be in a nursing home, or your kid who's on a college campus or your young child who's in a preschool program or something like that, or a childcare program, that's all encompassing.

Senator DeFrancisco, he doesn't even have to look at me. It is 4 o'clock. We're done. We're done. I thank everybody. Mr. President, let's get the work of the people of the great State of New York done in a timely fashion, and that means doing our work in earnest so we can finish and be proud on March 29th.

ACTING PRESIDENT GRIFFO: Thank you. Thank you, Senator Flanagan. It may not be let the games begin, but it is March madness.

(Laughter.)

SENATOR DeFRANCISCO: Is there any

further business --

ACTING PRESIDENT GRIFFO: Yes, there is, Senator DeFrancisco.

SENATOR DeFRANCISCO: There is? Well, what might that be?

ACTING PRESIDENT GRIFFO: I'm going to ask the Secretary to call the roll on the resolution.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: Ayes, 32. Nays, 29.

ACTING PRESIDENT GRIFFO: The resolution is adopted.

Senator DeFrancisco, that completes the business before the desk.

SENATOR DeFRANCISCO: Well, now is there any further business at the desk?

ACTING PRESIDENT GRIFFO: There is nothing additionally before the desk.

SENATOR DeFRANCISCO: Well, in that case, I'll move to adjourn until tomorrow, Thursday, March 15th, at 11:00 a.m.

ACTING PRESIDENT GRIFFO: The

Senate stands adjourned until Thursday, March 15th, the Ides of March, at 11:00 a.m.

(Whereupon, at 4:02 p.m., the Senate adjourned.)