

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 March 29, 2018

11 2:16 p.m.

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13
14 REGULAR SESSION

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18 SENATOR JOSEPH GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

9 ACTING PRESIDENT GRIFFO: In the
10 absence of clergy, I ask all present to please
11 bow your head in a moment of silent reflection
12 and/or prayer as we reflect on 2 Corinthians: So
13 now finish doing it as well so that your
14 readiness in desiring it may be matched by your
15 completing it out of what you have.

16 SENATOR DeFRANCISCO: Thank you,
17 Mr. President, for reciting that in English.

18 (Laughter.)

19 ACTING PRESIDENT GRIFFO: The
20 reading of the Journal.

21 THE SECRETARY: In Senate,
22 Wednesday, March 28th, the Senate met pursuant to
23 adjournment. The Journal of Tuesday, March 27th,
24 was read and approved. On motion, Senate
25 adjourned.

1 ACTING PRESIDENT GRIFFO: Without
2 objection, the Journal stands approved as read.

3 Presentation of petitions.

4 Messages from the Assembly.

5 Messages from the Governor.

6 Reports of standing committees.

7 Reports of select committees.

8 Communications and reports of state
9 officers.

10 Motions and resolutions.

11 Senator DeFrancisco.

12 SENATOR DeFRANCISCO: Yes, there's
13 a March 29th Resolution Calendar on the desks. I
14 move to adopt it.

15 ACTING PRESIDENT GRIFFO: The
16 Resolution Calendar is before the house. All in
17 favor of adopting the Resolution Calendar signify
18 by saying aye.

19 (Response of "Aye.")

20 ACTING PRESIDENT GRIFFO: Opposed?

21 (No response.)

22 ACTING PRESIDENT GRIFFO: The
23 Resolution Calendar has been adopted.

24 Senator DeFrancisco.

25 SENATOR DeFRANCISCO: The Senate

1 will stand at ease.

2 ACTING PRESIDENT GRIFFO: The
3 Senate will stand at ease until further notice.

4 (Whereupon, the Senate stood at ease
5 at 2:17 p.m.)

6 (Whereupon, the Senate reconvened at
7 11:13 p.m.)

8 ACTING PRESIDENT GRIFFO: The
9 session will come to order. Session is returned
10 to order.

11 Senator DeFrancisco.

12 SENATOR DeFRANCISCO: If anyone
13 would desire to go home at an unreasonable hour
14 rather than an impossible hour, why don't we
15 start.

16 There'll be an immediate meeting of
17 the Finance Committee in Room 332.

18 ACTING PRESIDENT GRIFFO: There is
19 an immediate meeting of the Finance Committee in
20 Room 332, an immediate meeting of the Finance
21 Committee in Room 332.

22 The Senate is at ease temporarily.

23 (Whereupon, the Senate stood at ease
24 at 11:14 p.m.)

25 (Whereupon, the Senate reconvened at

1 11:28 p.m.)

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

4 Senator DeFrancisco.

5 SENATOR DeFRANCISCO:

6 Mr. President, is there a report from the Finance
7 Committee at the desk?

8 ACTING PRESIDENT GRIFFO: There is
9 a report of the Finance Committee, and the
10 Secretary will read.

11 THE SECRETARY: Senator Young, from
12 the Committee on Finance, reports the following
13 bills:

14 Senate Print 7501, Senate Budget
15 Bill, an act making appropriations for the
16 support of government: LEGISLATURE AND JUDICIARY
17 BUDGET;

18 Senate 7505C, Senate Budget Bill,
19 PUBLIC PROTECTION AND GENERAL GOVERNMENT BUDGET;

20 Senate 7506B, Senate Budget Bill,
21 EDUCATION, LABOR, HOUSING AND FAMILY ASSISTANCE
22 BUDGET.

23 All bills reported direct to third
24 reading.

25 SENATOR DeFRANCISCO: I move to

1 accept the report of the Finance Committee.

2 ACTING PRESIDENT GRIFFO: All in
3 favor of accepting the Committee on Finance
4 report say aye.

5 (Response of "Aye.")

6 ACTING PRESIDENT GRIFFO: Opposed?

7 (No response.)

8 ACTING PRESIDENT GRIFFO: The
9 Finance Committee report is accepted and before
10 the house.

11 Senator DeFrancisco.

12 SENATOR DeFRANCISCO: Now we have
13 Senate Supplemental Calendar 28A, and the first
14 bill on the calendar is Calendar Number 732,
15 Print 7501. Can we call that one up.

16 ACTING PRESIDENT GRIFFO: The
17 Secretary will read.

18 THE SECRETARY: Calendar Number
19 732, Senate Budget Bill, Senate Print 7501, an
20 act making appropriations for the support of
21 government: LEGISLATURE AND JUDICIARY BUDGET.

22 SENATOR GIANARIS: Lay it aside.

23 ACTING PRESIDENT GRIFFO: Lay the
24 bill aside.

25 The Secretary will continue.

1 THE SECRETARY: Calendar Number
2 733, Senate Budget Bill, Senate Print 7505C,
3 PUBLIC PROTECTION AND GENERAL GOVERNMENT BUDGET.

4 ACTING PRESIDENT GRIFFO: Senator
5 DeFrancisco.

6 SENATOR DeFRANCISCO: Is there a
7 message of necessity at the desk?

8 ACTING PRESIDENT GRIFFO: There is
9 a message at the desk.

10 SENATOR DeFRANCISCO: Can we take
11 up that message.

12 ACTING PRESIDENT GRIFFO: All in
13 favor of accepting the message of necessity at
14 the desk signify by saying aye.

15 (Response of "Aye.")

16 ACTING PRESIDENT GRIFFO: Opposed?

17 (No response.)

18 ACTING PRESIDENT GRIFFO: The
19 message is accepted.

20 The bill is before the house.

21 SENATOR GIANARIS: Lay it aside.

22 ACTING PRESIDENT GRIFFO: The bill
23 is laid aside.

24 THE SECRETARY: Calendar Number
25 734, Senate Budget Bill, Senate Print 7506B,

1 EDUCATION, LABOR, HOUSING AND FAMILY ASSISTANCE
2 BUDGET.

3 ACTING PRESIDENT GRIFFO: Senator
4 DeFrancisco.

5 SENATOR DeFRANCISCO: Is there a
6 message of necessity at the desk?

7 ACTING PRESIDENT GRIFFO: There is
8 a message at the desk.

9 SENATOR DeFRANCISCO: Can we take
10 that message up.

11 ACTING PRESIDENT GRIFFO: All in
12 favor of accepting the message of necessity at
13 the desk signify by saying aye.

14 (Response of "Aye.")

15 ACTING PRESIDENT GRIFFO: Opposed?

16 (No response.)

17 ACTING PRESIDENT GRIFFO: The
18 message of necessity is accepted.

19 SENATOR GIANARIS: Lay it aside.

20 ACTING PRESIDENT GRIFFO: The bill
21 is laid aside.

22 SENATOR DeFRANCISCO: Can we now
23 take up the controversial reading of that
24 calendar.

25 ACTING PRESIDENT GRIFFO: The

1 Secretary will ring the bell.

2 The Secretary will read Calendar
3 Number 732.

4 THE SECRETARY: Calendar Number
5 732, Senate Budget Bill, Senate Print 7501, an
6 act making appropriations for the support of
7 government: LEGISLATURE AND JUDICIARY BUDGET.

8 ACTING PRESIDENT GRIFFO: Senator
9 Krueger.

10 SENATOR KRUEGER: Thank you.

11 If the sponsor would please yield to
12 some questions.

13 ACTING PRESIDENT GRIFFO: Senator
14 Young, do you yield?

15 SENATOR YOUNG: Yes.

16 ACTING PRESIDENT GRIFFO: The
17 sponsor yields.

18 SENATOR KRUEGER: Thank you. So
19 this is the first budget bill we are dealing with
20 on the floor. So according to Section 16,
21 Chapter 1 of the Laws of 2007 --

22 SENATOR YOUNG: Mr. President,
23 could I just correct something?

24 SENATOR KRUEGER: Certainly.

25 SENATOR YOUNG: This is the second

1 budget bill that we're considering.

2 SENATOR KRUEGER: Thank you. This
3 is the second budget bill we are taking up this
4 year. Thank you, Senator Young.

5 And relating to Section 16 of
6 Chapter 1 of the Laws of 2007, it requires, prior
7 to a vote on the budget bills, a summary report
8 to be placed on the desks of its members that
9 itemizes the impact of proposed budget changes
10 and, where practical, impacts on local
11 governments, the state workforce, and All Funds
12 spending.

13 Is this report on our desks?

14 SENATOR YOUNG: Through you,
15 Mr. President, no, it's not.

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

19 SENATOR YOUNG: Yes.

20 ACTING PRESIDENT GRIFFO: The
21 sponsor yields.

22 SENATOR KRUEGER: Since it's not on
23 our desks, does the sponsor know when we should
24 be expecting this report and why we're not
25 getting it now?

1 SENATOR YOUNG: Through you,
2 Mr. President. Actually these are the printed
3 bills that are ready to be passed. And so you
4 have all of the background information on these
5 particular bills, and you will be getting the
6 rest of the report very shortly.

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

10 SENATOR YOUNG: Yes.

11 ACTING PRESIDENT GRIFFO: The
12 sponsor yields.

13 SENATOR KRUEGER: Thank you.

14 So we don't have the report, but I
15 believe we do know that there's a \$4.4 billion
16 deficit for the fiscal year starting April 1st,
17 with the Governor proposing almost a billion
18 dollars in revenue proposals. Do we know if
19 there's a financial plan for a three-way
20 agreement that might be coming to us any time
21 soon?

22 SENATOR YOUNG: Through you,
23 Mr. President, yes, I have details on a financial
24 plan, and I would be happy to answer any
25 questions that Senator Krueger may have.

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

4 SENATOR YOUNG: Yes.

5 ACTING PRESIDENT GRIFFO: The
6 sponsor yields.

7 SENATOR KRUEGER: Thank you.

8 So there's a three-way agreement to
9 close the \$4.4 billion financial gap.

10 SENATOR YOUNG: Correct.

11 SENATOR KRUEGER: But we don't have
12 a report on our desks showing us any numbers.

13 SENATOR YOUNG: Through you,
14 Mr. President, I've already answered that
15 question.

16 SENATOR KRUEGER: Through you,
17 Mr. President, the sponsor has offered to answer
18 any questions on the financial plan that we do
19 not yet have on our desks. Can she give us an
20 outline of what that three-way financial plan
21 might be?

22 SENATOR YOUNG: Sure. The enacted
23 budget is a fiscally responsible budget that will
24 promote economic growth by rejecting tax
25 increases, controlling spending, and making

1 targeted, sound investments. State Operations
2 Funds spending, which excludes capital, increases
3 by 2 percent from 98.1 billion to 101.1 billion,
4 an increase of \$2 billion. All Funds spending
5 increases -- excuse me. In addition, the Senate
6 budget includes \$400 million in additional
7 program spending, excluding direct school aid,
8 and there also is new capital money included.

9 So the enacted budget is funded as
10 follows: \$750 million in additional tax revenue
11 agreed upon by the Executive and both houses, and
12 this is used to offset the cost of the tax
13 package; \$112 million in available additional
14 spending under the 2 percent State Operating
15 Funds spending cap; \$400 million in agreed-upon
16 table targets, adjustments and reestimates in the
17 spending base to finance other initiatives.

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

21 SENATOR YOUNG: Yes.

22 ACTING PRESIDENT GRIFFO: The
23 sponsor yields.

24 SENATOR KRUEGER: So I do
25 understand that we're in a complicated situation

1 because we're here at 11:30 p.m. moving some of
2 the bills because they were ready to go with
3 messages of necessity. Unfortunately, we do not
4 have a fully fleshed-out financial plan or budget
5 report.

6 And I appreciate the sponsor's
7 answers to my questions, and I'm not going to
8 bring them up on each of the three bills that we
9 do tonight. But in the absence of any real
10 detail at this point on any individual bills, can
11 the sponsor commit to me that prior to doing
12 bills beyond these three bills, we will be able
13 to see the full financial plan as the Budget
14 Reform Act requires?

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

17 SENATOR KRUEGER: Great. Thank
18 you, Mr. President.

19 And one additional question, through
20 you, Mr. President.

21 ACTING PRESIDENT GRIFFO: Will the
22 sponsor continue to yield?

23 The sponsor yields.

24 SENATOR KRUEGER: Thank you.

25 Can the sponsor estimate for me --

1 and for each of the bills, I'll just ask all
2 three now -- what the estimated fiscal impact of
3 each of the three bills we are dealing with
4 tonight are? Either is or are, Mr. President.

5 SENATOR YOUNG: Through you,
6 Mr. President, \$100 billion of State Operating
7 Funds, which is equivalent to a 2 percent
8 increase.

9 SENATOR KRUEGER: I'm sorry,
10 Mr. President, perhaps I didn't ask the question
11 right. The three bills we're taking up tonight
12 that are Article VII bills, there's a \$100
13 billion fiscal cost for these three bills in
14 total? Excuse me, one approp and two Article
15 VIIs.

16 SENATOR YOUNG: Through you,
17 Mr. President, just to answer Senator Krueger's
18 question, we calculate the entire fiscal impact
19 of the -- we don't break it out by bills. It's
20 not broken out by bills. We look in the context
21 of the entire budget.

22 SENATOR KRUEGER: So the answer for
23 the entire budget is -- if I could ask you to
24 repeat the number. Through you, Mr. President.

25 SENATOR YOUNG: Through you,

1 Mr. President, \$100 billion in State Operating
2 Funds, which is equivalent to a 2 percent
3 increase.

4 SENATOR KRUEGER: Thank you,
5 Mr. President.

6 ACTING PRESIDENT GRIFFO: Thank
7 you.

8 Is there any Senator that wishes to
9 be heard?

10 Seeing none, hearing none, the
11 debate is closed.

12 The Secretary will ring the bell.

13 Read the last section.

14 THE SECRETARY: Section 5. This
15 act shall take effect immediately.

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 60.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 The Secretary will continue. The
23 bell has been rung; we're on the controversial
24 calendar.

25 THE SECRETARY: Calendar Number

1 733, Senate Budget Bill, Senate Print 7505C,
2 PUBLIC PROTECTION AND GENERAL GOVERNMENT BUDGET.

3 ACTING PRESIDENT GRIFFO: Senator
4 Gianaris.

5 SENATOR GIANARIS: Mr. President, I
6 believe there's an amendment at the desk. I ask
7 that the reading of the amendment be waived and
8 that Senator Hoylman be heard on the amendment.

9 ACTING PRESIDENT GRIFFO: Senator
10 Gianaris, in accordance with Article VII, Section
11 4B, I have reviewed the amendment and I rule it
12 nongermane and out of order.

13 SENATOR GIANARIS: I appeal from
14 your decision, Mr. Chair, and ask that Senator
15 Hoylman be heard on the appeal.

16 ACTING PRESIDENT GRIFFO: The
17 appeal is so noted, and Senator Hoylman is
18 recognized on the appeal.

19 SENATOR HOYLMAN: Thank you,
20 Mr. President.

21 This budget bill, as we know, is
22 about public protection and good government
23 {sic}. And quite simply, the public protection
24 and general government bill -- the amendment that
25 I'm offering would protect the public by flushing

1 out potentially thousands of child sex abusers
2 who are still at large and in contact with kids.

3 We have, Mr. President, failed the
4 survivors of child sexual abuse and our own
5 children. We have failed them at the expense of
6 monsters, monsters and money monsters. Now, the
7 monsters are the 40,000 predators estimated still
8 at large in the State of New York -- 40,000
9 predators who still could have contact with any
10 of our children or grandchildren in this chamber.

11 And the money monsters,
12 Mr. President? Well, I know some of my
13 colleagues think that we've been doing the
14 bidding of religious groups or youth
15 organizations by stalling the Child Victims Act
16 for the last decade, and particularly this
17 session, after it was included in the Governor's
18 Executive Budget.

19 But the truth is the money monsters
20 are the financial interests. The truth is the
21 money monsters are the insurance companies. The
22 American Insurance Association, a trade group
23 representing more than 320 insurance companies,
24 spent \$130,000 on lobbying, including opposing
25 the Child Victims Act and lifting the statute of

1 limitations. These are the money monsters.

2 The monsters, Mr. President, are
3 those predators who, if not for the Child Victims
4 Act being passed this session, now have continued
5 free rein, continued free rein to stalk their
6 victims.

7 I'll mention one victim, a survivor
8 named Kat Sullivan, who was molested in 1998 at
9 the Emma Willard school by a man that was her
10 history professor and her soccer coach. She
11 writes: "Here's what I want you to know. I was
12 not the first student that my molester harmed in
13 his teaching and coaching career. I was also not
14 the last student he abused. I want you to know
15 that I told four top school administrators at the
16 Emma Willard School in Troy that I had been raped
17 by one of their peers within 30 hours."

18 Instead of calling the nurse or 911
19 or her parents, they chose to interrogate Kat
20 Sullivan for hours. "After that," she writes,
21 "they interrogated my friends. After that, they
22 gaslit me for hours to convince me that I had
23 misunderstood my molestation."

24 She writes: "Too many children are
25 hurt by sexual assault. My rapist," she says,

1 "is a member of the Historical Commission of
2 South Hadley, Massachusetts." He still coaches
3 soccer. And she has no legal recourse.

4 These are the stories we've all
5 heard in this chamber from survivors time and
6 time again. By omitting, by intentionally
7 omitting the Child Victim Act for consideration,
8 we've aided and abetted these predators. Maybe
9 we're accomplices to these crimes, to the worst
10 crimes imaginable, taking the innocence away from
11 a child.

12 Mr. President, it's these monsters
13 and it's the insurance companies, it's
14 Wall Street that is concerned about the
15 policyholders. Yes, it is the church. Yes, it's
16 youth groups. Yes, it's public schools. But
17 they're concerned about the bottom line.

18 And that's why you get quotes like
19 from Maggie Seidel, who's a spokesperson for the
20 industry. She says that while the group supports
21 the idea of expanding the statute of limitations
22 for future acts of sex abuse, she's concerned,
23 she's concerned -- thank you, Maggie -- about the
24 one-year lookback period so victims can file
25 lawsuits that were previously forbidden by the

1 old statute of limitations. This is being
2 reported tonight by NBC News.

3 These are the money monsters. So,
4 Mr. President, we have failed miserably, failed
5 miserably in our responsibility to protect our
6 children with the Child Victims Act, failed
7 miserably, Mr. President, in our solemn duty to
8 identify predators, failed miserably,
9 Mr. President, in holding the financial interests
10 accountable.

11 So I urge my colleagues to vote with
12 me on this amendment. Thank you.

13 ACTING PRESIDENT GRIFFO: The
14 question before the house is on the procedures of
15 the house and the ruling of the chair.

16 All those in favor of overruling the
17 ruling of the chair say aye.

18 SENATOR GIANARIS: Show of hands,
19 please, Mr. President.

20 ACTING PRESIDENT GRIFFO: A show of
21 hands has been requested and so ordered.

22 THE SECRETARY: Ayes, 28.

23 ACTING PRESIDENT GRIFFO: The
24 ruling of the chair stands.

25 Senator Gianaris.

1 SENATOR GIANARIS: Hello again,
2 Mr. President.

3 I believe there's another amendment
4 at the desk. I ask that the reading of that
5 amendment be waived and that Senator Bailey be
6 heard on the amendment.

7 ACTING PRESIDENT GRIFFO: Senator
8 Gianaris, upon review of the amendment before the
9 house, in accordance again with Article VII,
10 Section 4B, I rule it nongermane and out of
11 order.

12 SENATOR GIANARIS: I would like to
13 appeal your ruling, Mr. President, and ask that
14 Senator Bailey be heard.

15 ACTING PRESIDENT GRIFFO: The
16 appeal has been so noted. And, Senator Bailey,
17 you may be heard.

18 SENATOR BAILEY: Thank you,
19 Mr. President.

20 I would really like all of my
21 colleagues to understand why this amendment is so
22 important. Because we get here because -- before
23 I get to that, let's talk about some statistics
24 and about why this amendment is so comprehensive
25 and it's so appropriate to be able to fix our

1 broken election system within the state.

2 So one, early voting. Over 35
3 states have early voting. It simply makes sense
4 that we do not restrict the folks in our state
5 who want to make a difference in our democracy to
6 be able to vote on one Tuesday or, in this case,
7 Thursday, Primary Day, and another Tuesday in
8 November to decide the fate of our cities,
9 municipalities, state and our country. We should
10 be able to vote early.

11 With the Senate Democratic
12 Conference's Voter Empowerment Act, we want to
13 modernize our voter registration system. In the
14 day and age of smartphones and being able to get
15 information at the blink of an eye, our Boards of
16 Elections and our municipalities should be able
17 to get people registered faster. And that's what
18 we aim to do.

19 We also want automatic voter
20 registration, Mr. President, for eligible
21 citizens at designated government agencies. And
22 we want people to start registering early. At
23 the age 16 and 17, we want you to be able to
24 preregister to vote.

25 You know, I recall being 18 years

1 old -- and I mentioned this last year during my
2 hostile amendment on voter registration. I was
3 given a lottery ticket in one hand, when I turned
4 18, and a voter registration in the other. I
5 lost on the lottery ticket, but I won with the
6 voting registration card. Because that is how I
7 change my communities. That is how we change our
8 communities, Mr. President. And I believe that
9 we should have that opportunity to do so even
10 earlier.

11 We also want to change party
12 enrollment. A change of enrollment would take
13 25 days after such changes were applied for.
14 Right now, if you want to change your party
15 enrollment to get involved in voting for whatever
16 candidate it is that spurs you on to vote, you
17 can't change your party if you want to vote with
18 them, Mr. President.

19 That seems -- in a day where we can
20 get so much data so quickly, that seems rather
21 arcane in a state that in my opinion is number
22 one. But why are we number 41, Mr. President, in
23 voter turnout? Why? Because we don't have early
24 voting. Because we disenfranchise people.

25 If you are a person who works,

1 Mr. President, and you work at 4 a.m. to go to
2 your job and you arrive at 6 a.m. -- sometimes
3 you're working a single shift, but if you have to
4 pay the bills, you may work a double that day,
5 Mr. President. And after you work that double
6 that day, you might have to go pick up your kids.
7 And it's not that you don't want to participate
8 in democracy, Mr. President. It's that you can't
9 because you have to feed your children. You have
10 to go to work.

11 So we're making people choose
12 between choosing their fate and who represents
13 them and choosing to live. It's not a fair
14 choice, Mr. President.

15 We're talking about early voting, we
16 talk about our friends and colleagues in red
17 states or blue states or purple states --
18 whatever color states you want to call them, they
19 have early voting. My friends in the South, they
20 call it getting their souls to the polls. You
21 get fed spiritually on Sunday at church, and then
22 you to go to vote for your candidate of choice.

23 Because what if you have that
24 situation that I mentioned earlier,
25 Mr. President, where you are unable to vote? Not

1 because of lack of desire or a lack of
2 willingness to participate in the process.
3 Because you can't. Because life is happening
4 around you, Mr. President.

5 Forty-one. Forty-one. I don't know
6 about you, Mr. President; I think everybody in
7 this chamber should believe that New York State
8 is number one. I want to come back to that
9 central point. But the only way we can be number
10 one, my colleagues, is if we get voter reform.
11 Early voting, automatic registration.

12 Mr. President, I will not belabor
13 the point any further. I would encourage all of
14 my colleagues to vote against -- respectfully
15 vote against your amendment and vote in favor of
16 what I'm saying right now. Thank you. In favor
17 of the amendment.

18 (Laughter.)

19 ACTING PRESIDENT GRIFFO: You had
20 an outstanding rap earlier this evening, too,
21 Senator Bailey.

22 SENATOR BAILEY: It's budget time,
23 Mr. President.

24 (Laughter.)

25 ACTING PRESIDENT GRIFFO: Will

1 Smith would be proud.

2 The question before the house is on
3 the procedures of the house and the ruling of the
4 chair.

5 All those in favor of overruling --
6 SENATOR GIANARIS: Show of hands,
7 please.

8 ACTING PRESIDENT GRIFFO: -- the
9 ruling of the chair say aye.

10 SENATOR GIANARIS: Show of hands.

11 ACTING PRESIDENT GRIFFO: A show of
12 hands has been requested and so ordered.

13 THE SECRETARY: Ayes, 28.

14 ACTING PRESIDENT GRIFFO: The
15 ruling of the chair stands.

16 Senator Gianaris.

17 SENATOR GIANARIS: Mr. President, I
18 believe there is another amendment at the desk.
19 I ask that the reading be waived and that
20 Senator Kavanagh be heard.

21 ACTING PRESIDENT GRIFFO: Senator
22 Gianaris, the amendment before the desk has been
23 reviewed and, in accordance with Article VII,
24 Section 4B, is ruled nongermane and out of order.

25 SENATOR GIANARIS: I appeal from

1 your decision, Mr. Chair, and I ask that Senator
2 Kavanagh be heard on the appeal.

3 ACTING PRESIDENT GRIFFO: The
4 appeal is so noted.

5 And Senator Kavanagh, you may be
6 heard.

7 SENATOR KAVANAGH: Thank you,
8 Mr. President.

9 We're about to debate the Public
10 Protection and General Government bill, and
11 frankly nothing gets more general government than
12 the most basic questions about how we run our
13 elections and how we run our campaigns.

14 The truth is that there are many,
15 many ways we need to update our electoral
16 process. My colleague Senator Bailey has already
17 spoken very eloquently about some of them, and I
18 won't take time eulogizing the amendment that the
19 Majority of this house just saw fit to avoid
20 considering on the merits here.

21 But over the last few months, we've
22 really seen a groundswell of support throughout
23 New York State for the notion that we need to let
24 New Yorkers vote in fair and open elections. And
25 Senator Bailey has already spoken about the ways

1 we need to modernize the election administration
2 itself. Early voting has been a central piece of
3 that campaign around the state, and I applaud him
4 for bringing that amendment forward.

5 However, there's another really
6 basic aspect of our elections that is long
7 overdue for us to address and ought to be
8 addressed in this bill, and that is the manner in
9 which our campaigns are financed. And I know I
10 have a colleague who was a predecessor here who
11 spoke a number of times on this measure -- and I
12 spoke about it in the other house on a number of
13 occasions, and that house had passed it -- and
14 that is the closing of the LLC loophole. And
15 this amendment would address that by closing the
16 loophole.

17 It's very hard to understand -- with
18 all great respect for the chair, it's very hard
19 to understand how this amendment would not be
20 germane to this bill. This is the bill in which
21 we have the opportunity to make changes to our
22 campaign finance system. This is a bill in which
23 the Governor has put language on this issue
24 before. And it is in a context in which we are
25 passing a budget of nearly \$170 billion.

1 It is extraordinarily important that
2 we take steps tonight, as part of the process of
3 passing this budget, to restore people's faith
4 that we are all here just for the interests of
5 our voters and our constituents and not for some
6 of the monied interests that have far too many
7 ways to pour campaign cash in, in almost
8 unlimited ways, and largely anonymously. The LLC
9 loophole is the best example of that,
10 Mr. President.

11 The LLC loophole, as many of you
12 know, my colleagues, allows people to create LLCs
13 and have those LLCs be treated as if they were
14 totally separate contributors, not subject to the
15 normal limits that apply to contributors. They
16 are not subject to -- if I create an LLC, they
17 are not subject to the limits that apply to me,
18 they are not subject to some of the disclosure
19 requirements. It's often very difficult to
20 determine who controls an LLC. And more than
21 that, they're not subject to the limitations that
22 apply to corporations.

23 And we had some scandals in this
24 chamber and the other chamber that rocked Albany
25 to its core a few years ago where the leaders of

1 both houses of the Legislature left after some
2 very serious charges were leveled against them.
3 And in both of those scandals, there was an
4 entity that was responsible for abusing the LLC
5 loophole in such a way they were able to
6 contribute millions and million of dollars in
7 that election cycle through 50 separate entities
8 controlled by basically a handful of people.

9 That situation left many in New York
10 wondering whether this legislative body and the
11 other legislative body on the other side of this
12 house were really willing to take seriously the
13 question of why we have campaign finance systems
14 and why we have reporting mechanisms if we have
15 allowed that level of anonymity and that level of
16 money to flow from a single entity.

17 This is problematic because it
18 allows a certain business entity structured in a
19 certain way to fill the system with cash in a way
20 that other contributors don't allow. It drowns
21 out the voices of individual voters who are not
22 able to marshal enormous amounts of money for our
23 elections. And again, the anonymity creates a
24 system where no one even knows until long after
25 the fact who is contributing to our elections.

1 It flies in the face of common sense
2 that we would not address this. The other house,
3 very shortly after that scandal, addressed this
4 situation promptly under a new speaker by passing
5 a law that is very similar to the one we're doing
6 today. The Assembly once again has put this in
7 their one-house budget. The Governor has
8 proposed this repeatedly as part of the Executive
9 Budget. And yet this house again and again has
10 refused to take it up.

11 Mr. President and my colleagues,
12 let's put this on the floor for a debate now and
13 let's get it passed as part of this budget.

14 ACTING PRESIDENT GRIFFO: The
15 question before the house is on the procedures of
16 the house and the ruling of the chair.

17 All those in favor of overruling the
18 ruling of the chair signify by saying aye.

19 SENATOR GIANARIS: Show of hands,
20 please.

21 ACTING PRESIDENT GRIFFO: A show of
22 hands has been requested and so ordered.

23 THE SECRETARY: Ayes, 28.

24 ACTING PRESIDENT GRIFFO: The
25 ruling of the chair stands.

1 Senator DeFrancisco.

2 SENATOR DeFRANCISCO: It is now
3 11:59. Mr. President, pursuant to Rule 6,
4 Section 2, I move that we remain in session to
5 complete action on the measures that preceded
6 12:00 midnight this evening, and to continue
7 discussion on any measures that may come before
8 the Senate or for which a message of necessity
9 will be or has been received by the Governor.

10 ACTING PRESIDENT GRIFFO: Without
11 objection, in accordance with Rule 6, Section 2,
12 the Senate will remain in session.

13 Senator Gianaris.

14 SENATOR GIANARIS: Good morning,
15 Mr. President.

16 ACTING PRESIDENT GRIFFO: Good
17 morning.

18 SENATOR GIANARIS: In a minute, it
19 will be the morning.

20 There is yet another amendment at
21 the desk, Mr. President. I ask that the reading
22 of the amendment be waived and that Senator
23 Persaud be heard on the amendment.

24 ACTING PRESIDENT GRIFFO: Senator
25 Gianaris, we have reviewed the amendment that is

1 before the desk and, in accordance with
2 Article VII, Section 4B, rule it nongermane and
3 out of order.

4 SENATOR GIANARIS: I would like to
5 appeal from your decision and ask that Senator
6 Persaud be heard on the appeal.

7 ACTING PRESIDENT GRIFFO: The
8 appeal is so noted.

9 And Senator Persaud, you may be
10 heard.

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

13 Good morning, everyone.

14 MULTIPLE SENATORS: Good morning.

15 SENATOR PERSAUD: Why are we
16 talking about gun violence again in this budget?
17 Here we are, we're voting on a budget bill that
18 in my opinion is incomplete. Why is it
19 incomplete? It's incomplete because we're not
20 listening to the people of the great State of
21 New York when they tell us that we need gun
22 control in New York, when they tell us that the
23 time is now to act.

24 I know many of my colleagues will
25 say to me, Well, we don't need to control the

1 usage of guns. Well, I will tell you that we do.
2 And many people across this great state will
3 continue to tell you this.

4 The Senate Democratic Conference has
5 five bills that we have put forward on gun
6 control, five bills that we think are extremely
7 important in New York State. I urge my
8 colleagues to look at these five bills.

9 We're looking at a budget where
10 we're talking about legislation to prevent police
11 officers from raping detainees, we're protecting
12 victims of sexual coercion, we're talking about a
13 lot of things. But we're really not acting on
14 the issues that are really, really important to
15 New York State.

16 Senator Hoylman has a bill that bans
17 bump stocks. We hear that often, and my
18 colleagues will say, Why are we talking about
19 this in New York? Because what happens with the
20 use of bump stocks affects us here in New York.
21 We are trying to prevent what happened in
22 Las Vegas from happening in New York. That's why
23 we're talking about it. That's why we're
24 encouraging our colleagues to look at that bill,
25 pass that legislation. Let New York be in the

1 forefront. Don't let what happened in Las Vegas
2 happen in New York.

3 Then Senator Kavanagh has a bill,
4 it's the ERPO bill, where we're talking about
5 keeping guns out of the hands of people who pose
6 a threat to themselves and to others. Why is
7 that important? Last week in my district someone
8 who should not have had a weapon, someone who
9 fell into this category, killed three family
10 members and himself.

11 Three family members, think of it.
12 Included in that group of people, those four
13 people who were killed, was a one-year-old girl,
14 a little baby, who was shot in the head. Think
15 of this. Picture this. You see a one-year-old
16 baby shot in the head because this person who had
17 a weapon should not have had it. There were all
18 the signs there. People knew he had emotional
19 problems. But no one talked about taking the
20 weapon away.

21 Last Friday I went to that funeral.
22 There were three bodies laid out, three bodies.
23 Friday morning, there were three bodies; Friday
24 afternoon, the one-year-old baby. That should
25 never happen. That should never happen in the

1 State of New York.

2 Then Senator Gianaris has a bill.

3 It's a bill that will ensure the gun control
4 measures that we've already taken are taken in a
5 timely and accurate manner.

6 These are the things that we should
7 continue to look at. Background checks are
8 important. Why are background checks important?
9 Many of you, if you have to be certified for
10 something, you have to wait for background checks
11 to be done. And if in the background check
12 doesn't come back in a timely manner, you're not
13 granted that position, you're not granted that
14 certification.

15 It should be the same way if you're
16 applying for a gun license. If the background
17 check is taking longer than it should, that
18 should raise a red flag that something is not
19 right. It may be that it comes back and it's
20 fine, but we should be waiting that time. We
21 shouldn't say: Oh, well, the time is up, let it
22 go through. If it goes through, we'll have
23 somebody who should not have had a weapon killing
24 four family members.

25 Senator Kaminsky has the bill to

1 ensure that teachers are able to teach and not
2 have weapons in the classroom. We've heard the
3 talk over the past few weeks that we should arm
4 teachers. But we've also seen in some places, in
5 three instances already, where teachers who were
6 armed in the classroom accidentally fired those
7 weapons because they panicked.

8 A teacher should be in a classroom
9 to teach. We talk about education. Here,
10 tonight, we're going to be talking about
11 increasing funding for education because we want
12 our kids to be in schools where they're being
13 taught academics, not where the teacher has to
14 worry about is my gun secure and should I be here
15 to protect someone if somebody walks in the
16 classroom. They should be there to teach the
17 children. That's what we're here for.

18 And then finally, gun violence
19 research. I have legislation out there. My
20 colleagues, you've not put it forward. Why? Why
21 shouldn't we learn about the underlying issues of
22 gun violence in our communities?

23 Maybe in some of your communities
24 you don't have the issue of gun violence because
25 your kids are always around guns and they are

1 accustomed to it and you don't think there's
2 anything wrong with it.

3 But in some of the communities we
4 represent, gun violence is a problem, and we have
5 to find out why. What are the underlying causes
6 of people thinking it is okay to pick up a gun
7 and create havoc in a community?

8 So my colleagues, as we're talking
9 about this budget bill this evening, think of it,
10 the importance of legislation on gun violence.
11 If you want to see four people in your community
12 killed by someone who is emotionally disturbed
13 because you don't think ERPOs should be
14 legislated, or you don't think we should wait a
15 couple of additional days for a background check,
16 then that's on you. But gun violence is
17 something that we must take seriously in this
18 great State of New York.

19 Thank you all very much.

20 ACTING PRESIDENT GRIFFO: Senator
21 Kavanagh.

22 SENATOR KAVANAGH: Thank you,
23 Mr. President.

24 I have risen to speak on this issue
25 a few times in the last few weeks, and I don't

1 want to add on too much to the very eloquent
2 words of my colleague Senator Persaud.

3 But again, we have some of the
4 strongest gun laws in the country. And as a
5 result of that and as a result of some very good
6 police work throughout our state and as a result
7 of very good community intervention programs that
8 this house and the other house and the Governor
9 and the City of New York and many others have
10 seen to fit to fund, we have some of the lowest
11 rates of gun death and we have made a lot of
12 progress.

13 Notwithstanding that, we still have
14 900 New Yorkers on average killed by guns every
15 year, and many, many more who are seriously
16 injured. And as much as we can take pride in our
17 progress relative to other states and we can look
18 to the federal government who might be able to do
19 some additional things, we still have a lot of
20 work to do.

21 The rate of gun death in New York
22 State is about four times the rate in wealthy
23 kind of stable democracies in this world. It is
24 little comfort to New Yorkers that the rate for
25 the entire United States is 11 times that

1 international rate. Four times more than you see
2 in other countries is far too many. And 900
3 deaths is too many.

4 About half of those deaths,
5 Mr. President, are suicides. And yet we have
6 taken few steps to address emerging awareness of
7 how significant access to guns is in terms of the
8 likelihood that somebody is going to succeed in
9 committing suicide.

10 And Mr. President, this budget
11 notwithstanding, an agreement just a few weeks
12 ago by each of the three parties to this, that
13 gun violence ought to be addressed -- the
14 majority of this house had a proposal, the
15 majority of the other house had a proposal, and
16 the Governor has a proposal, and yet this budget
17 has really scant material on anything that's
18 going to matter in our fight against gun
19 violence.

20 I want to talk particularly about
21 the extreme risk protection order bill. We've
22 discussed it in this house before. But this is a
23 bill that will allow law enforcement or family
24 members or household members to go to a judge,
25 present evidence that someone is likely to harm

1 themselves or others, and have an order issued
2 that temporarily suspends that person's access to
3 a firearm.

4 There are extraordinary protections,
5 due process. This is a bill that takes the
6 Second Amendment and the due process rights of
7 the respondent to that order very seriously. The
8 respondent has a prompt right to a hearing to
9 contest the order within three to six business
10 days. That's extraordinarily fast for our
11 judicial system. And yet this house is turning
12 our backs on so many people who have called for
13 us to take steps forward to address our gun
14 violence.

15 Specifically, my colleague mentioned
16 a few of them. We had nearly a million people in
17 this country stand up a few weeks ago and March
18 for our Lives. That's what they called the
19 protests, and it is indeed an accurate reflection
20 of what that was about. Nearly 200,000
21 New Yorkers saw fit to march for that a few weeks
22 ago.

23 But it's not just those New Yorkers
24 we're turning our backs on. This bill has been
25 called for specifically by -- many, many parties

1 in the state have called for us to enact this in
2 the State Budget. The New York Post
3 editorialized this week saying this is a bill
4 that this house and the other house and the
5 Governor should agree on and sign into law in
6 this budget.

7 It's been endorsed by organizations
8 that do the gun violence work around the country
9 and in New York State, including New Yorkers
10 Against Gun Violence, Giffords Courage to Fight
11 Gun Violence, Everytown, Moms Demand Action, the
12 Brady Campaign, Citizens Crime Commission of
13 New York, the Coalition to Stop Gun Violence, and
14 Prosecutors Against Gun Violence.

15 But that might not be surprising to
16 people in this house, because those are
17 organizations that have consistently supported
18 gun violence prevention measures like this.

19 But they have been joined now by the
20 people in this state whose job it is to protect
21 people from this kind of gun violence. We
22 have the District Attorneys of the Bronx and
23 Brooklyn and Manhattan and Staten Island and
24 Queens and Suffolk County and Westchester County
25 who have all called for this measure to be

1 included in this budget tonight. We have the
2 Nassau Police Commissioner who has called on us
3 to include this measure in the budget tonight.
4 We have our healthcare workers, 1199 and the
5 nurses, we have the Greater New York Hospital
6 Association, and they have called for this
7 measure to be included in this budget tonight.

8 The mental health community. We had
9 a debate on this floor just the other day about
10 some very important provisions to extend our
11 ability to get people mental health treatment
12 when they need it, even if we need to go to a
13 court for an order. But Mr. President, there is
14 very little in that existing law called Kendra's
15 Law. We voted for that extension overwhelmingly
16 in this house. There is very little in that law
17 that will deal with a situation where someone is
18 likely to harm themselves or others and to
19 address that situation promptly by getting the
20 gun out of that person's hands until the
21 evaluation can be done.

22 We have the National Alliance for
23 Mental Health's New York State Chapter calling
24 for us to do this tonight. We have the Mental
25 Health Association of New York State, the Mental

1 Health Association of New York City, the Mental
2 Health Association of Orange County, Mental
3 Health America of Dutchess County. And they
4 again have all urged us to include this provision
5 in this budget tonight.

6 And yet, Mr. President,
7 notwithstanding the continuing scourge of gun
8 violence around this country, notwithstanding far
9 too many preventable gun deaths in this state, we
10 are turning our backs on this measure tonight.
11 And I again urge my colleagues to vote for this,
12 which is a very germane measure in the context of
13 a public protection budget bill, and let's get
14 this included in the budget tonight.

15 Thank you, Mr. President.

16 ACTING PRESIDENT GRIFFO: The
17 question before the house is on the procedures of
18 the house and the ruling of the chair.

19 All those in favor of overruling the
20 ruling of the chair say aye.

21 SENATOR GIANARIS: Show of hands,
22 please, Mr. President.

23 ACTING PRESIDENT GRIFFO: A show of
24 hands has been requested and so ordered.

25 THE SECRETARY: Ayes, 28.

1 ACTING PRESIDENT GRIFFO: The
2 ruling of the chair stands.

3 The bill-in-chief is before the
4 house.

5 Senator Parker.

6 SENATOR PARKER: Thank you,
7 Mr. President. On the bill.

8 ACTING PRESIDENT GRIFFO: Senator
9 Parker on the bill.

10 SENATOR PARKER: As we begin the --
11 I guess the beginning of the end of this budget
12 process, you know, we should all be reminded
13 about what budgets are about.

14 And first let me thank everybody in
15 both houses of the Legislature and the Governor,
16 but most particularly the staff, for all the
17 important work they've done on this budget. We
18 in the State of New York have the third-largest
19 budget in the country after the federal
20 government and the State of California.

21 And, you know, I really believe this
22 is the most important thing that we do. Right?
23 And not because budgets are -- and our budget is
24 so big in the amount of money in it, but that
25 budgets ultimately, Mr. President, are about

1 values. It's about what do we think is important
2 here, and what we think is important in the
3 state.

4 And so they say if you want to know
5 what people really value, see what they put their
6 money towards. And I think that coming from the
7 Empire State and growing up here my entire life,
8 having an opportunity to serve in the State
9 Legislature here around such accomplished people,
10 I've gotten an appreciation for what the process
11 is and what we've been doing here. And I think
12 that's why I'm so terribly disappointed this
13 particular year about what we've decided our
14 values are here in the State of New York.

15 And in this particular bill that
16 we're discussing and debating tonight -- or this
17 morning -- you know, it really deals a lot with
18 our criminal justice system. And one of the
19 biggest problems that we've had since I've gotten
20 here is that we continue to fund the upstate
21 economy through the prison industrial complex.
22 And I really think that that's the wrong way to
23 do it. I think that it's not long-term good for
24 our state. I don't think it's even long-term
25 good for the counties in which they believe that

1 this is how they should operate.

2 And then on top of that, we began a
3 process of some reforms last year with Raise the
4 Age in which we went through the painstaking
5 process of, you know, changing that system and
6 moving the ball down. We were hoping this year
7 that we would see some smarter, some safer, some
8 fairer criminal justice proposals that were
9 discussed in the Governor's Executive Budget that
10 have not made this final version that sits before
11 us today.

12 And so our failure today has been a
13 failure not just of policy but a failure of
14 conscience. We've decided that Kalief Browder's
15 life, you know, meant nothing. We've decided
16 that the people who have sat in jails around the
17 State of New York without what they're
18 constitutionally guaranteed -- which is a speedy
19 trial -- we've decided that we don't care about
20 them.

21 By putting this bill in front of us
22 today, we've decided that all those folks sitting
23 in jail because they didn't have a couple of
24 hundred dollars for bail, we've decided that
25 their lives don't matter. That right now we've

1 decided that it's okay for us to fail the people
2 of the State of New York by not bringing forward
3 criminal justice reforms that frankly are
4 commonsense and, if nothing else, certainly
5 fairer and certainly more just than what we
6 currently have on the books.

7 And so I stand here, Mr. President,
8 very disappointed at this proposal. That within
9 the context of this public protection budget, we
10 fail to deal with the issues of smart discovery
11 in the state, which certainly would have opened
12 up the process and made it not just commonsense
13 and fairer, but would have speeded up the process
14 of trials in the state.

15 We decided that we were going to
16 fail the people of the State of New York by not
17 doing something around speedy trials directly.
18 We decided that we were going to fail the people
19 of the State of New York by not doing bail
20 reform.

21 And we continue to -- we continue
22 just, I guess, just not to care. Like I just
23 don't even understand how this stuff makes it
24 into the Executive Budget and we don't even have
25 a valid discussion about these issues, let

1 alone -- you know, I'm not asking for anything,
2 you know, we're supposed to do like, you know,
3 public hearings or anything like that, or reports
4 on the issues. I'm just saying, you know, we
5 haven't even had a robust discussion about this
6 amongst ourselves.

7 And so these failures to include
8 bail reform and reduced pretrial detention ensure
9 that race and wealth will continue to be the
10 factors that dictate people's ability to navigate
11 the criminal justice system, as opposed to the
12 Constitution. Right? Because we're not even
13 talking about people who have been convicted yet.
14 Right? Right? Right. We're not even talking
15 about people having been convicted. We're
16 talking about people who have been accused of a
17 crime and literally the second part of their
18 crime was they were too poor or too unconnected
19 to be able to make it out of a jail in order to
20 come back to have their day in court.

21 And so we've decided that we're
22 going to in some cases keep them in unlawful
23 confinement for years. For years. In the case
24 of Kalief Browder, he spent three years in a jail
25 and even had he, on the day that he got arrested,

1 been convicted, he would have spent less time in
2 jail for his sentence had he been convicted, had
3 he been found guilty, than he did on pretrial.

4 We can do better. We must do
5 better. But unfortunately, this part of the
6 budget doesn't do better.

7 As you've heard from the various
8 amendments that were offered up to this budget,
9 we also failed to do anything significant around
10 the issue of gun violence. We've done a lot and
11 we've gone a long way. Because of the work of
12 the people in this chamber and the leadership of
13 the Governor, we are one of the safest states in
14 the country as relates to gun violence. But we
15 again can do better. And we need to do better.

16 The proposals that you heard being
17 put forward by Senator Persaud and Senator
18 Kavanagh needed to be considered for this budget
19 and should have part of this conversation. We
20 really need to do a lot better around making sure
21 that people who show signs of mental illness
22 don't have access to guns. And we could have
23 done that in this budget. And we could have done
24 that without any significant, you know,
25 violations or encroachment on the Second

1 Amendment.

2 I don't see why it would have hurt
3 to make a bump stock illegal to own. It's a
4 simple loophole. We should have just done that.
5 That should have been common sense, and it should
6 have been done. But again, we failed the people
7 of the State of New York. We failed the children
8 of the State of New York by not saying it's okay
9 to make you safer than you were yesterday.

10 And so we're going to go through
11 this budget process and probably through the rest
12 of the session, if things remain ceteris parabus
13 without doing anything significant to make our
14 streets safer, our schools safer, our communities
15 safer.

16 And of course we have not done
17 anything significant around voting rights. And,
18 you know, this is really -- again, for the Empire
19 State, you know, we have an archaic voting system
20 here. And it is a system that is based on
21 antiquated schedules, on harvest schedules.
22 Which, you know, are important in some context,
23 but we have technology that makes those schedules
24 not important in the context of our voting system
25 anymore.

1 You know, why the only time that we
2 can vote are these very narrow times, the fact
3 that we don't have early voting in this state is
4 a travesty. It's a travesty. I mean, this is a
5 state -- you know, it's supposed to be the Empire
6 State. We should be giving our citizens every
7 advantage. And what do we decide to do is we
8 decided that we're going to once again fail them
9 by not giving them the democracy that they not
10 just need and deserve, but the democracy they've
11 asked for.

12 It would be different if people had
13 not been lining these halls demanding these
14 proposals. But every day they come, they do what
15 we've told them to do, participate in the
16 process. They've come to see us, they've
17 explained their positions, they've provided
18 background materials. And we've decided that we
19 don't care about them. And we don't care about
20 providing a real democracy.

21 We can do better. And that's the
22 sad part. And we should do better.

23 And so, Mr. President, I
24 unfortunately am going to vote no on this. I
25 think that, you know, a balanced and on-time

1 budget is the duty of this body, but when we have
2 ignored the policy concerns of the people of this
3 state, I certainly can't stand by and continue to
4 turn a blind eye to what the people of the State
5 of New York have asked me to do and asked us to
6 do.

7 And so I know that we can do better,
8 I'm hoping that we do better in other chapters of
9 this legislation. But on this section, I vote
10 no.

11 ACTING PRESIDENT GRIFFO: Senator
12 Rivera.

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

15 As some folks know, I'm also a
16 political science professor. I've been teaching
17 political science since 1999. And one of the
18 things that I talk about when I'm in whatever
19 class that I'm teaching, there's one part of it
20 that deals with process.

21 Now, if you talk to some of our
22 colleagues in the media, they'll tell you that
23 process isn't sexy. I've heard that quote many,
24 many times. As a matter of fact, many political
25 consultants will tell you the same thing: To

1 talk about process, it's just not sexy. Not
2 something that we should really linger on.

3 But I want to linger on it for a few
4 minutes, because it is about 12:25. For the
5 seven folks that are watching: Hello, how are
6 you? Good morning in America, and good morning
7 in New York.

8 This is a time that -- we've done
9 this before. We've been here before on other
10 times, very late, talking about issues that
11 should take us so much longer to discuss. Things
12 that should be done in the middle of the day,
13 perhaps having a hearing or two to talk about
14 some of these issues, and we do not do that. Or
15 to take, as many of my colleagues have pointed
16 out -- and I will briefly talk about them in a
17 second -- issues that New Yorkers want for us to
18 get done. Issues that people think are essential
19 for New Yorkers to get done. And there was this
20 whole conversation for the last couple of months
21 saying we're going to get it done in the budget,
22 even just a few days ago, and yet they are not
23 here.

24 So process is important to talk
25 about. We should not be doing this at this time

1 of night. We should not be not including a very
2 important part of this body. We have our leader
3 sitting over there who represents the rest of us
4 in the Democratic Conference, and we in turn
5 represent about 7 million people who were not in
6 that room.

7 And therefore, when we're talking
8 about the Child Victims Act, voting reform,
9 criminal justice reform, gun reform, et cetera,
10 these are all things that we would have fought
11 for because we know New Yorkers want them. And
12 yet they're not here.

13 Funny enough, it was our staff that
14 told us that usually these bills are hundreds of
15 pages long. And yet we're debating a bill that's
16 25 pages and another one that's 30. That should
17 tell you a little bit about what is not in it
18 that should be in it.

19 The Child Victims Act, as my
20 colleague Brad Hoylman talked about at length, we
21 should be defending children all across the
22 state. We should be giving victims who were
23 attacked as children, who were victimized as
24 children, the ability to hold their accusers
25 accountable. We're not doing that.

1 Voting reform. Whether it is early
2 voting, modernizing the process or closing the
3 LLC loophole, these are all things that we need,
4 both to make sure that people can participate
5 more in government and so that we don't have, as
6 some of my colleagues talked about them, the
7 money monster trying to influence the process.
8 We did not get that done.

9 Criminal justice reform. Whether it
10 was what my colleague Senator Parker talked about
11 at length -- whether it's bail reform, speedy
12 trial, discovery reform -- there was even a
13 reform related to charitable bail, which is a
14 bill that I proudly passed in this body back in
15 2011 that would have changed a little bit of the
16 charitable bail parameters. We're not doing that
17 either.

18 Last but certainly not least, gun
19 reform. We have to be reminded one more time
20 about all the horrors that are happening across
21 the country and some of the things that we can
22 do. Because as my colleagues have pointed out --
23 Senator Kavanaugh certainly did -- about how we
24 have some of the most restrictive gun laws in any
25 state in the country, but we still don't have

1 extreme risk protection orders. We still have
2 not outlawed bump stocks. We're still having a
3 conversation about arming teachers. These are
4 all things that are not in here. And were we in
5 the room, they would be.

6 So as my -- I will conclude by
7 saying the following. My colleague Senator
8 Parker began his presentation talking about how
9 values -- how the values that we hold dear shape
10 what we do in government and shape what we defend
11 in this document. So if we are to say that a
12 bill that was incorrectly identified by one of my
13 colleagues, but I know why he did it -- he said
14 "public protection and good government." Senator
15 Hoylman misspoke. But when he misspoke, it's
16 because that's what he thinks we should have.
17 And sadly, we do not.

18 So the bill that we have before us,
19 Mr. President, does not do any of these things
20 that we talked about. It needs to do these
21 things. The values that we hold important in the
22 State of New York, that certainly every single
23 person in my Democratic conference would have
24 been fighting for in that room, and would have
25 been able to get done, didn't get done because we

1 were not there.

2 And ultimately we are being asked to
3 vote on the budget that is in front of us, the
4 bill that is in front of us. As I've pointed
5 out, as many of my colleagues have pointed out,
6 it lacks so much. It does nothing to move
7 forward the state, which is unfortunate, sad and
8 tragic. Mr. President, I'll be voting in the
9 negative.

10 Thank you, Mr. President.

11 ACTING PRESIDENT GRIFFO: Senator
12 Kaminsky.

13 SENATOR KAMINSKY: Will the sponsor
14 yield for a few?

15 ACTING PRESIDENT GRIFFO: Senator
16 Young, do you yield?

17 SENATOR YOUNG: Yes.

18 ACTING PRESIDENT GRIFFO: The
19 Senator yields.

20 SENATOR KAMINSKY: Through you,
21 Mr. President. Does the sponsor remember several
22 days ago, when we were debating the one-house
23 bill, you talked about how some of the gun safety
24 measures would be in the budget discussions and
25 wouldn't be brought up at that time?

1 SENATOR YOUNG: Through you,
2 Mr. President, this budget is focused on fiscal
3 issues. And I'd like to remind the Senator that
4 we started out with a \$4.4 billion deficit that
5 had to be cured, had to be solved. The Governor
6 unfortunately inserted too many policy proposals
7 in his budget proposal, and we are focused on
8 fiscal issues.

9 And I want to let the members know
10 the end product that we are passing has done so
11 many great things. It has solved the budget
12 deficit without raising taxes. As you may
13 recall, there was a billion dollars of tax hikes
14 included in the Governor's original proposal.
15 The people of New York State are already taxed
16 too much. We were able to solve that. We were
17 able to increase education aid, state education
18 aid, by \$1 billion, we were able to fund vital
19 health plans, able to restore critical programs
20 like agriculture, cancer services, provide
21 capital, provide infrastructure.

22 So yes, we are focused on fiscal
23 issues in the budget, and that's what's
24 appropriate.

25 SENATOR KAMINSKY: Will the sponsor

1 continue to yield?

2 SENATOR YOUNG: Yes.

3 ACTING PRESIDENT GRIFFO: The
4 sponsor yields.

5 SENATOR KAMINSKY: Through you,
6 Mr. President. But the Senator is surely aware
7 that there are non-fiscal-policy issues in the
8 budget, and the extreme risk protection order is
9 not one of them; correct?

10 SENATOR YOUNG: Through you,
11 Mr. President, I will answer questions about
12 items that are in the budget.

13 SENATOR KAMINSKY: Will the sponsor
14 continue to yield?

15 SENATOR YOUNG: Yes.

16 ACTING PRESIDENT GRIFFO: The
17 sponsor yields on condition.

18 SENATOR KAMINSKY: So when we stood
19 here a week ago we were told we can't discuss
20 something because it will be discussed later in
21 the further budget discussions. And my question
22 is, why is the extreme risk protection order not
23 contained in this budget?

24 SENATOR YOUNG: Through you,
25 Mr. President, it's not a fiscal issue. We

1 have between the time that we pass the budget
2 until the end of session in June to talk about
3 policy initiatives.

4 Now is the time to pass a budget.
5 The people of New York State depend on us getting
6 a budget done on time. That's what this body is
7 doing right now. So I believe very strongly that
8 during the state budget we should focus on budget
9 issues.

10 SENATOR KAMINSKY: Will the sponsor
11 continue to yield?

12 SENATOR YOUNG: Yes.

13 ACTING PRESIDENT GRIFFO: The
14 sponsor yields.

15 SENATOR KAMINSKY: But the sponsor
16 does agree there are many items right in these
17 bills in front of us that are non-fiscal-policy
18 issues that made it into the budget; correct?

19 SENATOR YOUNG: Through you,
20 Mr. President, the state budget is focused on
21 fiscal issues.

22 SENATOR KAMINSKY: Will the sponsor
23 continue to yield?

24 SENATOR YOUNG: Yes.

25 ACTING PRESIDENT GRIFFO: The

1 sponsor yields.

2 SENATOR KAMINSKY: Well, whether
3 it's focused or not focused, there are definitely
4 items in here, such as not having -- police
5 officers not having sexual intercourse with
6 someone they're watching -- that has no fiscal
7 impact -- that are right in front of us that made
8 its way into the budget; correct?

9 SENATOR YOUNG: Through you,
10 Mr. President, that is not a question.

11 SENATOR KAMINSKY: That was a
12 question.

13 Can I -- can I rephrase the
14 question?

15 ACTING PRESIDENT GRIFFO: Are you
16 asking the Senator to yield?

17 SENATOR KAMINSKY: Yes.

18 ACTING PRESIDENT GRIFFO: Senator
19 Young, do you yield?

20 SENATOR YOUNG: Yes.

21 ACTING PRESIDENT GRIFFO: The
22 Senator yields.

23 SENATOR KAMINSKY: Do you agree
24 that the item in front of us about custodial
25 intercourse -- that is now illegal in the

1 budget -- is a non-fiscal item that made its way
2 in the budget just like the extreme risk
3 protection order could have?

4 SENATOR YOUNG: Through you,
5 Mr. President, there are some issues that were
6 left over in the budget, but a lot of them were
7 taken out because some of the major issues need
8 thought put into them. And as I said, there's
9 plenty of time between now and the end of the
10 session to focus on those non-related budget
11 issues.

12 Right now we have the duty and the
13 responsibility as Senate members to pass a
14 fiscally responsible, accountable budget. This
15 is what we're doing right now. And that's where
16 we should stay focused, Mr. President.

17 SENATOR KAMINSKY: Will the sponsor
18 continue to yield?

19 SENATOR YOUNG: Yes.

20 ACTING PRESIDENT GRIFFO: The
21 sponsor yields.

22 SENATOR KAMINSKY: Is it your
23 position that the extreme risk protection order
24 is something that you're prepared -- that the
25 conference is prepared to vote on in the next few

1 weeks or in the rest of session?

2 SENATOR YOUNG: Mr. President, I am
3 talking about issues that are related to the
4 budget that are included in the budget that we
5 are passing right now, and that is all that I
6 will discuss.

7 SENATOR KAMINSKY: Will the sponsor
8 continue to yield?

9 SENATOR YOUNG: Yes.

10 ACTING PRESIDENT GRIFFO: The
11 sponsor yields.

12 SENATOR KAMINSKY: Why was early
13 voting removed from the budget?

14 SENATOR YOUNG: Through you,
15 Mr. President, that is not even part of the bill
16 before us.

17 SENATOR KAMINSKY: Will the sponsor
18 continue to yield?

19 SENATOR YOUNG: Yes.

20 ACTING PRESIDENT GRIFFO: The
21 sponsor yields.

22 SENATOR KAMINSKY: That is my
23 point. Why is it not in the bill before us?

24 SENATOR YOUNG: Through you,
25 Mr. President. This is a three-way agreed-upon

1 budget between the Senate, the Assembly, and the
2 Governor. So if you have questions, maybe you
3 should direct some of those questions about some
4 things -- why some things weren't included to
5 them also.

6 But I am going to discuss the
7 document before us, the financial plan for this
8 coming year for the State of New York, and that's
9 the appropriate thing to do.

10 SENATOR KAMINSKY: Will the sponsor
11 continue to yield?

12 SENATOR YOUNG: Yes.

13 ACTING PRESIDENT GRIFFO: The
14 sponsor yields.

15 SENATOR KAMINSKY: Are there any
16 measures in the budget before us that will make
17 the children in our schools safer in light of the
18 rash of gun violence we've seen in our schools?

19 SENATOR YOUNG: Through you,
20 Mr. President, we passed an entire package of
21 school safety legislation previously in this
22 house. Several of our members worked very hard
23 to put that together. And we have received
24 accolades across the state. I am getting
25 thank-yous every single day about the school

1 safety package that we already passed in the
2 Senate.

3 Yes, I would love to have some of
4 those issues, especially because it costs money
5 for some of those issues, to be included in the
6 budget. Unfortunately, we could not get
7 agreement from the other entities that are
8 involved in negotiations to get it done. I wish
9 it were in here.

10 SENATOR KAMINSKY: Will the sponsor
11 continue to yield?

12 SENATOR YOUNG: Yes.

13 ACTING PRESIDENT GRIFFO: The
14 sponsor yields.

15 SENATOR KAMINSKY: Is there
16 anything in the budget before us that pertains to
17 ethics reform in light of the rash of the
18 indictments and convictions of legislators from
19 both parties we've seen recently?

20 SENATOR YOUNG: Through you,
21 Mr. President. As I said, we are focused on
22 fiscal financial issues related to the New York
23 State budget. That is before us. And as I said,
24 we have plenty of time before the end of session
25 to discuss other matters.

1 SENATOR KAMINSKY: Will the sponsor
2 continue to yield?

3 SENATOR YOUNG: Yes.

4 ACTING PRESIDENT GRIFFO: The
5 sponsor yields.

6 SENATOR KAMINSKY: Is it the
7 position of the Senate that it's not problematic
8 that like 15 people that were elected with us
9 have gone to jail for corruption?

10 SENATOR YOUNG: Through you,
11 Mr. President. I believe that that question is
12 inappropriate and not related to the budget.

13 SENATOR KAMINSKY: Will the sponsor
14 continue to yield?

15 SENATOR YOUNG: If they are related
16 to the budget, I will answer the question. If
17 not, no.

18 ACTING PRESIDENT GRIFFO: Senator
19 Kaminsky, will you keep the questions confined to
20 the document before you?

21 SENATOR KAMINSKY: Sure.

22 Will the sponsor continue to yield
23 for one additional question?

24 SENATOR YOUNG: If it's related to
25 the budget.

1 SENATOR KAMINSKY: Yes,
2 Mr. President. With respect to -- with respect
3 to Kendra's Law, which the sponsor has brought up
4 previously, does the sponsor acknowledge that
5 taking weapons away from someone through the use
6 of Kendra's Law is quite more lengthy than the
7 extreme risk protection order?

8 SENATOR YOUNG: Through you,
9 Mr. President, that is totally unrelated to the
10 budget, so I'm not going to answer that. We
11 already passed Kendra's Law, and I thank my
12 colleagues for supporting it. Not related to the
13 budget.

14 SENATOR KAMINSKY: Will the sponsor
15 continue to yield?

16 SENATOR YOUNG: No.

17 ACTING PRESIDENT GRIFFO: Senator
18 Kaminsky, would you like to speak on the bill?

19 SENATOR KAMINSKY: No, I'll explain
20 my vote later. Thank you.

21 ACTING PRESIDENT GRIFFO: Senator
22 Hoylman.

23 SENATOR HOYLMAN: Thank you,
24 Mr. President.

25 Would the sponsor yield for just a

1 couple of questions?

2 SENATOR YOUNG: Sure.

3 ACTING PRESIDENT GRIFFO: The
4 sponsor yields.

5 SENATOR HOYLMAN: Thank you.

6 Through you, Mr. President. Could
7 the sponsor explain why the Majority omitted the
8 Governor's proposal to lift the statute of
9 limitations in crimes of child sexual abuse and
10 provide a one-year lookback window that was also
11 proposed by the Assembly?

12 SENATOR YOUNG: Through you,
13 Mr. President. As I stated, that is a policy
14 issue. We are focused on budgetary issues. We
15 will have plenty of time to discuss non-budget
16 issues, once we get this passed, before the end
17 of session.

18 SENATOR HOYLMAN: Will the sponsor
19 continue to yield?

20 SENATOR YOUNG: Yes.

21 ACTING PRESIDENT GRIFFO: The
22 sponsor yields.

23 SENATOR HOYLMAN: So is the sponsor
24 effectively saying that the reason it was not
25 included in the budget is because it was a

1 non-budget issue that results in no cost savings
2 to the State of New York?

3 SENATOR YOUNG: Through you,
4 Mr. President. The three parties, the Governor,
5 the Assembly and the Senate, agreed that it would
6 not be included in the budget.

7 SENATOR HOYLMAN: Would the sponsor
8 continue to yield?

9 SENATOR YOUNG: Yes.

10 ACTING PRESIDENT GRIFFO: The
11 sponsor yields.

12 SENATOR HOYLMAN: My question is
13 why the -- not the other parties, who are not
14 here to speak for themselves -- but why the
15 Senate Majority, the sponsor of this resolution,
16 decided not to include the --

17 SENATOR YOUNG: Through you,
18 Mr. President, I've answered this question
19 several times. But we had a \$4.4 billion deficit
20 that we had to resolve. We were able to do that.
21 We've been able to remove the oppressive tax
22 hikes that were included in the original
23 proposal. We were able to actually increase
24 state aid to education by a billion dollars. We
25 were able to provide funding to critical health

1 programs. We were able to restore agriculture,
2 we were able to restore cancer services, we were
3 able to provide infrastructure, we were able to
4 do roads and bridges, fund the MTA, all the
5 things that are important to the members of this
6 house.

7 SENATOR HOYLMAN: Would the sponsor
8 continue to yield?

9 SENATOR YOUNG: Yes.

10 ACTING PRESIDENT GRIFFO: The
11 sponsor yields.

12 SENATOR HOYLMAN: Through you,
13 Mr. President. Is the sponsor aware of any cost
14 savings that would be possible through lifting
15 the statute of limitations for crimes of child
16 sexual abuse?

17 SENATOR YOUNG: Through you,
18 Mr. President, I am focused on answering
19 questions that are in this document before us.
20 And I would ask, Mr. President, that you keep the
21 questioners focused on issues that are related to
22 the budget document before the house.

23 ACTING PRESIDENT GRIFFO: Senator
24 Hoylman.

25 SENATOR HOYLMAN: She's admonishing

1 you, not me, on that one.

2 ACTING PRESIDENT GRIFFO: Well,
3 then I would direct you to continue to keep
4 questions pertinent to the document before you.

5 Senator Gianaris, why do you rise?

6 SENATOR GIANARIS: Point of order.
7 With due respect to --

8 ACTING PRESIDENT GRIFFO: Would you
9 state your point of order.

10 SENATOR GIANARIS: With due respect
11 to the sponsor, I would suggest that she
12 shouldn't be able to choose when she can speak on
13 subjects that are not in this bill and when she
14 cannot. Because just the previous comment was
15 about tax proposals the Governor made that are
16 not contained in this bill, as well as other
17 issues that are not directly related to this
18 bill.

19 So when it suits the sponsor, she
20 feels free to talk about things not directly
21 related to this bill, but when it doesn't, she
22 asks you to admonish our members.

23 SENATOR YOUNG: Through you,
24 Mr. President --

25 ACTING PRESIDENT GRIFFO: Please,

1 Senator Young -- Senator --

2 SENATOR YOUNG: Through you,
3 Mr. President --

4 ACTING PRESIDENT GRIFFO: Senator
5 Young, please.

6 Senator Gianaris, your point is not
7 well taken. The --

8 SENATOR GIANARIS: Oh, really.
9 (Laughter.)

10 ACTING PRESIDENT GRIFFO: That is
11 the ruling of the chair, and it is consistent in
12 the fact that you have a budget document before
13 you, the sponsor has answered questions. The
14 sponsor has indicated that she would like to keep
15 questions specific to the document and the
16 financial issues relative to that document before
17 the house.

18 So I would ask the members to
19 continue to respect that. And that is the
20 purview and the prerogative of the sponsor, and
21 that is the ruling of the chair.

22 Senator Young.

23 SENATOR YOUNG: Thank you,
24 Mr. President.

25 ACTING PRESIDENT GRIFFO: Senator

1 Hoylman.

2 SENATOR HOYLMAN: With all due
3 respect, the fact that the Executive has proposed
4 lifting the statute of limitations, the Assembly
5 has proposed lifting the statute of limitations,
6 the Senate removed that provision as an
7 intentional omission, I think does make it
8 actually part of this document. Because it was
9 removed in negotiations.

10 SENATOR YOUNG: That's not a
11 question.

12 ACTING PRESIDENT GRIFFO: The
13 document before you is the document that is being
14 addressed currently, Senator Hoylman.

15 SENATOR HOYLMAN: Is the sponsor
16 aware -- through you, Mr. President --

17 ACTING PRESIDENT GRIFFO: Do you
18 want the sponsor to yield?

19 SENATOR HOYLMAN: Yes, sir.

20 ACTING PRESIDENT GRIFFO: Senator
21 Young, would you yield?

22 SENATOR YOUNG: Yes.

23 ACTING PRESIDENT GRIFFO: Senator
24 Young yields.

25 SENATOR HOYLMAN: Is the sponsor

1 aware that there is a cost savings of
2 approximately \$250 million through lifting the
3 statute of limitations for crimes of child sexual
4 abuse and providing a one-year lookback period
5 for current adult supervisors survivors?

6 SENATOR YOUNG: Through you,
7 Mr. President, there was none provided by the
8 Governor in the financial plan regarding any
9 savings.

10 So again, I am focused on the
11 document before us. And I would ask that my
12 colleague ask questions about the document that's
13 before the house.

14 SENATOR HOYLMAN: Would the sponsor
15 continue to yield?

16 ACTING PRESIDENT GRIFFO: The
17 sponsor will yield on condition.

18 SENATOR HOYLMAN: Would the sponsor
19 know what the savings are related to establishing
20 sexual coercion as a crime?

21 SENATOR YOUNG: Through you,
22 Mr. President, that's not in this bill either --
23 I'm sorry, it is in the bill.

24 Through you, Mr. President, there is
25 no fiscal implication to that.

1 SENATOR HOYLMAN: Would the sponsor
2 continue to yield?

3 SENATOR YOUNG: Yes.

4 ACTING PRESIDENT GRIFFO: The
5 sponsor yields.

6 SENATOR HOYLMAN: If there are no
7 fiscal implications to establishing sexual
8 coercion as a crime, why is it in this document?

9 SENATOR YOUNG: Through you,
10 Mr. President. As I stated before, there were
11 some issues that were removed from the budget for
12 further discussion. And there's plenty of time
13 between now and the end of session to consider
14 those items.

15 SENATOR HOYLMAN: On the bill,
16 Mr. President.

17 ACTING PRESIDENT GRIFFO: Senator
18 Hoylman on the bill.

19 SENATOR HOYLMAN: I wish to point
20 out that it is a fiction that the sponsor is
21 purporting to not discuss items that have been
22 intentionally removed by the sponsor in the
23 three-way negotiations. We should be discussing
24 items that have been proposed by the Assembly,
25 items that have been proposed by the Executive,

1 and items that have been proposed by the Senate.

2 This is a three-way agreement. And
3 the fact that some items are not here in this
4 document is a collective decision, but it is also
5 a decision that was forecast by the Majority when
6 they released their one-house resolution omitting
7 certain items, including the Child Victims Act.

8 I'll be voting in the negative, but
9 I think we understand that by hiding behind the
10 fiction of fiscal discipline and responsibility
11 while admitting that there are items in the PPGG
12 budget bill that have no fiscal implications, is
13 disingenuous at best.

14 Thank you, Mr. President.

15 ACTING PRESIDENT GRIFFO: Senator
16 Krueger.

17 SENATOR KRUEGER: Good morning,
18 Mr. President. On the bill.

19 ACTING PRESIDENT GRIFFO: Senator
20 Krueger on the bill.

21 SENATOR KRUEGER: So this has been
22 a fascinating discussion. I've heard my
23 colleagues talk about the problems with process
24 and whether something should or shouldn't be in a
25 bill when it was in a bill but then it wasn't in

1 a bill, and whether something that doesn't appear
2 to have a fiscal impact really does have a fiscal
3 impact.

4 I would argue it's not just process,
5 it's actually who's in the room deciding what the
6 laws of the State of New York will be and what
7 the budget of the State of New York will be.

8 And I would argue, in my decision to
9 vote against this bill, it is because I don't
10 think the right people were making the decisions.
11 I believe that my colleagues in the Democratic
12 Conference actually would have given us a much
13 better product here tonight in negotiations with
14 the two other parties, the Executive and the
15 Assembly.

16 So when I hear everyone waxing
17 poetic about the fact that we're not doing the
18 Child Victims Act within the budget, I know that
19 there absolutely is a fiscal, Senator Hoylman,
20 about failing to do this. There is a true cost
21 to human beings and to the State of New York to
22 have damaged people go without their opportunity
23 to be made whole, and that has real fiscal costs
24 for us.

25 I know that when we don't do voting

1 reforms and people don't have the opportunity to
2 vote and participate in democracy, there are real
3 fiscal costs and human costs to the State of
4 New York.

5 I know that when we don't have the
6 right commonsense gun policies, trust me, we all
7 know we pay a major price, fiscally and
8 otherwise, as the young people of this country
9 are showing us and telling us every day in every
10 location of this country.

11 And when we don't close things like
12 the ethics loopholes and the LLC loopholes, I
13 dare one person who watches Albany to with a
14 straight face tell me that our inadequate
15 campaign finance reforms haven't cost us
16 literally hundreds of millions of dollars in bad
17 budget policy decisions, year in, year out, in
18 this state.

19 I see omitted from this bill the
20 opportunity to have done bail reform, the
21 opportunity to have done speedy trials,
22 appropriate discovery, allowing people out on
23 pilot projects when they are no longer recognized
24 as being a risk to society -- of the simple
25 concept of allowing people out on geriatric

1 parole when we know that they are too old to
2 actually be a risk to society but in fact their
3 cost in prisons can be twice as much per year as
4 the rest of the prison population.

5 I might not have liked the original
6 proposals by the Governor. I don't think I
7 actually did, by the way. I wanted better. I
8 think if some of us were in the room, we would
9 have gotten better. All we got tonight was
10 "omitted from the bill," "omitted from the bill,"
11 "omitted from the bill." The numbers and the
12 parts just go on and on.

13 And while some people like to make
14 the determination that this is fiscal, and this
15 is policy, very rarely in government do the two
16 not go hand-in-hand. I almost never see an
17 issue, Mr. President, that doesn't have a fiscal
18 cost when you're talking about state policy or
19 state law. And I almost never see a fiscal
20 decision that doesn't impact a policy.

21 So I think that we all know these
22 two go hand-in-hand. And we do know that the
23 budget bills are the largest both dollar bills
24 and the largest policy bills that we pass each
25 and every year in this state.

1 And I think the people of New York
2 are tired -- I know I'm tired, but they're tired
3 of our not getting the things done that they
4 truly care about. And for us to pretend we can't
5 do that and be fiscally responsible and close a
6 \$4 billion budget gap is actually an insult, I
7 think, to the people of the state but also to
8 ourselves. I'm quite sure we're capable of both,
9 and we could have delivered both. We're not
10 delivering both in this piece of legislation.
11 Maybe in some other bills, but not in this one.

12 so I also will be voting no,
13 Mr. President. Thank you very much.

14 ACTING PRESIDENT GRIFFO: Senator
15 Kennedy.

16 SENATOR KENNEDY: Thank you,
17 Mr. President. I rise in opposition of this
18 portion of the budget bill today.

19 ACTING PRESIDENT GRIFFO: Senator
20 Kennedy on the bill.

21 SENATOR KENNEDY: On the bill,
22 Mr. President. I rise in opposition to this
23 portion of the bill today.

24 This bill, if you want to call it
25 that, is an abysmal failure. It's an absolute

1 shame. And I have got to tell you -- this is my
2 eighth budget -- this is probably the worst I've
3 felt about a particular portion of a budget bill
4 in those eight budget years. This particular
5 portion of the bill carries no voter reforms, no
6 gun safety measures, no criminal justice reforms,
7 no campaign finance reform, and particularly, the
8 most egregious omission of them all is no Child
9 Victims Act.

10 We are saying, by passing this bill
11 and omitting the Child Victims Act -- which was
12 included in the proposal by the Assembly, which
13 was included in the proposal by the Governor,
14 which is supported by my Democratic Conference --
15 we are saying to the victims of childhood sexual
16 assault that New York State doesn't care about
17 them. We are saying that they, amid their
18 bravery and courage and the #MeToo movement and
19 the #TimesUp movement and coming forward by the
20 hundreds across this great state, that they
21 should go away, that they should keep quiet, that
22 they don't matter, that their abuse doesn't
23 matter.

24 I am disheartened and, quite
25 frankly, after hearing the gory, sickening,

1 heart-wrenching stories firsthand from these
2 victims and survivors from decades ago, never
3 before being closer to the passage of the Child
4 Victims Act, I'm absolutely ashamed that we are
5 not including it in this bill.

6 And because of that, I'm voting no.
7 It's time to give these victims and survivors the
8 justice that they deserve. It's time to give
9 these victims and survivors the closure that they
10 need and deserve once and for all and to hold
11 these abusers accountable. To call them out.
12 They're hiding across this state and across this
13 nation. They've been moved around. By passing
14 the Child Victims Act, it will shine light on
15 these abusers. It's the right thing to do.

16 This Senate, this Legislature, this
17 state government has a moral obligation to the
18 victims and survivors of childhood sexual assault
19 to once and for all pass the Child Victims Act.
20 And the passage of this bill without the Child
21 Victims Act is absolutely dropping the ball.

22 I vote no, Mr. President. And we
23 will continue to fight until we finally get the
24 Child Victims Act passed through this Legislature
25 once and for all.

1 ACTING PRESIDENT GRIFFO: Senator
2 Bailey.

3 SENATOR BAILEY: Thank you,
4 Mr. President. Would the sponsor yield for two
5 brief questions?

6 SENATOR YOUNG: Yes.

7 ACTING PRESIDENT GRIFFO: The
8 sponsor yields.

9 SENATOR BAILEY: All right. So
10 generally speaking, in the public protection
11 portion of the budget, would criminal justice be
12 in the public protection portion?

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

15 SENATOR BAILEY: Okay. And my
16 final question, would criminal justice generally
17 have a fiscal impact upon the State of New York?

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

20 SENATOR BAILEY: On the bill,
21 Mr. President.

22 ACTING PRESIDENT GRIFFO: Senator
23 Bailey on the bill.

24 SENATOR BAILEY: First and
25 foremost, I'd like to thank the staffs on both

1 sides of the aisle, as Senator Parker alluded to,
2 for your diligence and your hard work and, you
3 know, making sure that you put it together. We
4 truly appreciate you.

5 Thanks to all my colleagues and
6 thank you to the State of New York. Our state.
7 Which we're supposed to be protecting in this
8 portion of the budget, but I don't see much
9 public protection. When we don't have an
10 opportunity to vote early, as I mentioned in that
11 little soliloquy I did, we're doing ourselves a
12 disservice, Mr. President. When we don't try to
13 stop the scourge of gun violence, we are not
14 protecting the public, Mr. President.

15 What I really want to talk about, I
16 want to talk about criminal justice reform. I
17 don't know, maybe it will pop up in a bill, if
18 we're lucky, later on. But I don't know if
19 that's going to happen. And if it doesn't, I
20 want to make sure that I'm on the record in
21 speaking about why I think that fiscal issues of
22 criminal justice matters should be included
23 because they matter to our state. Bail reform
24 matters. Your wealth should not determine
25 whether you are free.

1 Speedy trial matters.

2 Constitutionally protected, but that seems to
3 escape us.

4 But most importantly, I want to talk
5 about discovery reform -- in layman's terms,
6 evidence. You should be able to have the
7 evidence in which you're accused of a crime
8 before you. But in New York State, that seems to
9 escape us Mr. President. It's about fairness.
10 This is what our criminal justice system is
11 allegedly predicated upon, but yet it seems to
12 escape us time and time again, day after day.

13 Discovery reform is about fairness.
14 And it is a fiscal issue. Because what happens,
15 Mr. President, when you continue, continue,
16 continue to bring case after case without
17 evidence, we're wasting time. We're wasting time
18 with overtime. We're wasting time when you have
19 able prosecutors who aren't able to concentrate
20 their time on heavy caseloads elsewhere. Or
21 public defenders are wasting their time defending
22 people that should be able to plea, but they
23 don't have the evidence to do that,
24 Mr. President. No advocate worth their salt
25 should do that.

1 But yet we are forced sometimes in
2 this corner, into this circle, where you make a
3 choice between understanding and knowing that you
4 are innocent of what you have been convicted of
5 or taking a little plea and going home. That
6 shouldn't happen, Mr. President. Not here in
7 New York, not anywhere, Mr. President. It should
8 not happen. Discovery reform is simply about
9 fairness.

10 Having practiced civil law in the
11 State of New York, I was aghast to see throughout
12 law school and in my practice time that in a
13 civil matter, when life and liberty are not on
14 the line, discovery is plentiful and your
15 pleadings can be stricken for failure to comply
16 with the judge's order, but yet in a criminal
17 matter, when your life and liberty and your
18 freedom -- your freedom, which we fight for every
19 day, Mr. President -- is on the line, it seems to
20 escape us here in the Empire State.

21 It's a shame. And there may be time
22 to resolve it throughout the rest of the session.
23 But I was looking forward to being able to
24 protect the public in this portion of the bill.

25 Generally speaking, criminal justice

1 reform needs to continue to happen. And I feel
2 as if members of this body and maybe folks in the
3 other body think that it stopped at Raise the
4 Age. But criminal justice reform is not a magic
5 bullet, it's not a silver bullet. We need more.
6 We have to do more. Because the residents of our
7 state are worth more.

8 So for that reason, Mr. President, I
9 will vote no on this bill, and I thank you for
10 your indulgence.

11 ACTING PRESIDENT GRIFFO: Senator
12 Kavanagh.

13 SENATOR KAVANAGH: Thank you,
14 Mr. President. On the bill.

15 ACTING PRESIDENT GRIFFO: Senator
16 Kavanagh on the bill.

17 SENATOR KAVANAGH: Mr. President,
18 there's been a lot of discussion here about the
19 economic aspects of the things we're discussing
20 tonight. You know, I think that we focused in
21 our discussion of gun violence on the obvious
22 enormous human cost -- the 900 people that lose
23 their lives, the additional 1800 or so people
24 every year who are shot and not killed by that
25 violence but whose life is changed irrevocably,

1 and the many, many people that that affects.

2 But since we are talking about a
3 budget tonight and we're talking about dollars
4 and cents, it's fortunate that the Giffords Law
5 Center put out a report just this past January,
6 right around the time the Executive Budget was
7 coming out, called "The Economic Cost of Gun
8 Violence in New York." And in that report they
9 estimate the overall cost of gun violence, if you
10 include all kinds of impacts, is about
11 \$5.6 billion per year in the State of New York
12 alone. The number across the country is
13 estimated to be well above \$200 billion.

14 But if you put aside those indirect
15 costs -- that \$5.6 billion includes all kinds of
16 costs -- there are \$2.1 billion of direct costs.
17 That includes \$106 million every year in
18 healthcare costs. It includes \$203 million in
19 law enforcement and criminal justice expenses.
20 It includes \$12 million in costs to employers.
21 It includes \$1.7 billion in lost income. And of
22 course those are costs that are borne by
23 New Yorkers across the state, including employers
24 and individuals. But many of those costs are
25 borne directly by the taxpayers.

1 So the direct annual cost of gun
2 violence to New York taxpayers -- this includes
3 those costs of law enforcement and criminal
4 justice, it includes healthcare costs that are
5 directly borne by the taxpayers -- is
6 \$433 million. Now, Mr. Speaker, there's --
7 Mr. President, rather, there's nothing that we're
8 going to do that is going to end gun violence
9 entirely in our state. But we -- as has been
10 discussed, we have many, many gun deaths and gun
11 injuries in the state that are eminently
12 preventable by sensible policies that are already
13 in place in other states.

14 If we were to do that, we would have
15 dramatically more money to spend on things that
16 we all care about. I think that's an important
17 aspect of what we're talking about tonight.

18 I will be voting no on this budget
19 because of its lack of content that will address
20 this great scourge of gun violence and the many
21 other omissions from this budget that have been
22 talked about by my colleagues tonight.

23 Thank you.

24 ACTING PRESIDENT GRIFFO: Seeing
25 and hearing no other Senator that wishes to be

1 heard, debate is closed and the Secretary will
2 ring the bell.

3 The Secretary will read the
4 substitution.

5 THE SECRETARY: Senator Young moves
6 to discharge, from the Committee on Finance,
7 Assembly Bill Number 9505D and substitute it for
8 the identical Senate Bill Number 7505C,
9 Third Reading Calendar 733.

10 ACTING PRESIDENT GRIFFO: The
11 substitution is so ordered.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number
14 733, Assembly Budget Bill, Assembly Print 9505D,
15 PUBLIC PROTECTION AND GENERAL GOVERNMENT BUDGET.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

18 THE SECRETARY: Section 2. This
19 act shall take effect immediately.

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT GRIFFO: Senator
24 Gianaris to explain his vote.

25 Can I have some order, please?

1 Thank you.

2 Senator Gianaris.

3 SENATOR GIANARIS: Thank you,
4 Mr. President.

5 We heard during the debate on this
6 bill about how much was omitted -- or, as the
7 legislative lingo goes, intentionally omitted by
8 the Majority from this legislation. And it seems
9 that not only was the substance of these
10 proposals intentionally omitted, but given that
11 we're sitting here at 1 o'clock in the morning
12 and that the debate seemed specifically steered
13 away from even discussing those issues, that
14 there was any discussion of these important
15 things so the public could get a sense of where
16 we stand was also intentionally omitted from this
17 discussion.

18 So whether it be important issues
19 such as the Child Victims Act, efforts to slow
20 down and combat gun violence in our state, voting
21 reforms to allow more people to vote in our
22 state, and of course something near and dear to
23 me, our efforts at criminal justice reform,
24 including bail reform, which are sorely needed,
25 were intentionally omitted from this bill and

1 omitted from discussion because the Majority
2 didn't want to discuss it, even though this is
3 the bill where those proposals would be found.

4 I would daresay that the Majority is
5 not being truthful when they say this is
6 something we're going to take up in the coming
7 months, because we have been dealing with some of
8 these issues for years.

9 And in fact I could suggest that the
10 reason that a debate on these discussions is
11 being omitted as part of this bill is because the
12 Majority is embarrassed to defend their positions
13 on these important proposals, whether it's
14 defending children who are victims of sexual
15 abuse or people who are unjustly imprisoned or
16 children who are being massacred in their schools
17 around the country and people who are being
18 subjected to gun violence, or denying people the
19 right to vote. These are things that the
20 Majority has stood in the way of and I would
21 suggest are not engaged in debate or refuse to
22 engage in debate on these matters because they're
23 embarrassed to do so.

24 I vote no because all of these
25 matters are not included in this bill,

1 Mr. President.

2 ACTING PRESIDENT GRIFFO: Senator
3 Gianaris to be recorded in the negative.

4 Senator Kaminsky to explain his
5 vote.

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

8 If I had to describe this particular
9 bill in a phrase, I would say it's out of touch.
10 There are students marching throughout our
11 country who at this moment are begging us to do
12 something to protect them. They are begging us
13 for common-sense gun safety measures, they're
14 begging us to secure their schools. This public
15 protection bill does none of that.

16 And there is no good answer as to
17 why someone would not want a law that allows you
18 to go to court and, with all the strictures of
19 due process, be able to say that somebody should
20 not have a weapon because they're dangerous.

21 And I also daresay, on the issue of
22 ethics, that if any one of us went to a random
23 member in front of a supermarket in our district
24 and said, Do you think your opinion of Albany is
25 that they're high-minded, trustworthy individuals

1 who believe in the best interests of the public,
2 you'd be hard-pressed to find a good amount of
3 them who will tell you yes. For good reason,
4 because people from both sides of the aisle have
5 been hauled out of here in handcuffs year after
6 year after year, and this budget does nothing
7 about it.

8 And people throughout our country
9 are clamoring to get involved. They want to be
10 involved like they are in other states and
11 participate in our democracy. But once again,
12 this state shuts it out and says: Electoral
13 reform? We'll discuss it later. And you know
14 that's not going to happen.

15 And what does this all have in
16 common? It seems to me that some people kind of
17 like the status quo, like the way things are,
18 don't rock the boat, don't change it, it works
19 for us.

20 Well, it doesn't work for me. I
21 vote no.

22 ACTING PRESIDENT GRIFFO: Senator
23 Kaminsky to be recorded in the negative.

24 Senator Bonacic to explain his vote.

25 SENATOR BONACIC: Yes. I've heard

1 the passion and the issues that you've all
2 raised, and your criticism has been directed
3 towards the Majority in the Senate. But what
4 about your Governor, who is a member of your
5 party? Where is he in the fight for the things
6 you ask for? Have you directed your comments to
7 him?

8 Speaker Heastie and the majority of
9 the Democrats in the other house, that has over a
10 hundred members of your party, have you directed
11 your comments to them about the issues that you
12 raise?

13 Because in the collective wisdom of
14 the three parties -- the Governor, the majority
15 in both houses -- they felt that a timely budget
16 was more important. It was more important to get
17 the school aid out so all of the children can be
18 educated with the resources they need.

19 They thought it was more important
20 for higher education, so SUNY and CUNY can get
21 aid for education, as well as the Bundy Aid.

22 They felt it was important that
23 infrastructure, bridges and roads, would have the
24 money that we could proceed with improvements.
25 They thought it was important for capital money

1 and operation money for the MTA.

2 They thought it was important to
3 take care of our handicapped, our disabled, the
4 people in the nursing homes, take care of our
5 hospitals who provide all of the medical
6 services.

7 So at this juncture, they felt that
8 those overriding issues had to be addressed, and
9 it was more important than all of the issues that
10 you've raised. And these were members of your
11 party, with the Governor, who has the most impact
12 on a budget -- maybe you should take it up with
13 him and the majority of the other house of why a
14 timely budget was more important than the variety
15 of issues that you raise.

16 I vote yes. And thank you,
17 Mr. Speaker.

18 ACTING PRESIDENT GRIFFO: Senator
19 Bonacic to be recorded in the affirmative.

20 Senator Krueger to explain her vote.

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

23 I rise to repeat that I am voting
24 no, but I appreciate my colleagues' recent
25 announcements or analysis.

1 So for the record, we could have had
2 a timely budget with everything Senator Bonacic
3 just listed. And we could have gotten the things
4 that my conference are pointing out aren't here.
5 The Governor proposed the things we wanted to
6 have here. The Assembly supported the things we
7 wanted to have here. This issue is specifically
8 between the two sides of this room. And that is
9 why all of these things are omitted that we feel
10 so strongly about should be there that we are
11 actually voting against a budget bill that we
12 know our colleagues in the Assembly either have
13 already voted for or will be voting for, and that
14 it is a three-way agreement.

15 It's just we got a deal that wasn't
16 the best deal for the people of New York. And we
17 actually have a solution for how we'd get a
18 better deal, Mr. President. Which is why it's
19 not contrary to point out, as Senator Bonacic
20 did, that we got many things in time for a
21 budget, but we didn't get many things. And it's
22 actually possible to do both, but we have failed
23 that test.

24 Thank you. I vote no.

25 ACTING PRESIDENT GRIFFO: Senator

1 Krueger to be recorded in the negative.

2 Announce the results.

3 THE SECRETARY: In relation to
4 Calendar 733, those recorded in the negative are
5 Senators Addabbo, Bailey, Benjamin, Breslin,
6 Brooks, Comrie, Dilan, Gianaris, Hoylman,
7 Kaminsky, Kavanagh, Kennedy, Krueger, Montgomery,
8 Parker, Persaud, Rivera, Sanders, Stavisky and
9 Stewart-Cousins.

10 Ayes, 40. Nays, 20.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Senator Young moves
14 to discharge, from the Committee on Finance,
15 Assembly Bill Number 9506B and substitute it for
16 the identical Senate Bill 7506B, Third Reading
17 Calendar 734.

18 ACTING PRESIDENT GRIFFO: The
19 substitution is so ordered, and the Secretary
20 will read.

21 THE SECRETARY: Calendar Number
22 734, Assembly Budget Bill, Assembly Print 9506B,
23 EDUCATION, LABOR, HOUSING AND FAMILY ASSISTANCE
24 BUDGET.

25 SENATOR DeFRANCISCO: Read the last

1 section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 SENATOR GIANARIS: Lay it aside.

8 ACTING PRESIDENT GRIFFO: Lay it
9 aside.

10 Sorry, we're on a controversial
11 vote. Do we have anybody --

12 (Laughter.)

13 ACTING PRESIDENT GRIFFO: The bell
14 has been rung. We're on a controversial vote.
15 We had to do the substitution. The substitution
16 has been done.

17 The bill is before the house, and
18 Senator Parker is recognized.

19 SENATOR PARKER: Thank you very
20 much, Mr. President. On the bill.

21 ACTING PRESIDENT GRIFFO: Senator
22 Parker on the bill.

23 SENATOR PARKER: To quote Senator
24 Benjamin's historic constituent Langston Hughes:
25 "What happens to a dream deferred? Does it dry

1 up like a raisin in the sun? Or fester like a
2 sore -- and then run? Does it stink like rotten
3 meat? Or crust and sugar over -- like a syrupy
4 sweet? Maybe it just sags like a heavy load. Or
5 does it explode?"

6 This bill represents another missed
7 opportunity for this Legislature. And
8 particularly around education, which is so
9 important for every single one of our districts,
10 but particularly in the district that I
11 represent, in which there has been a historical
12 injustice around the Campaign for Fiscal Equity.
13 And once again we have decided, in the context of
14 this budget, not to address that inequity.

15 And again, we fail to listen to the
16 voice of our constituencies, to the people and
17 particularly the most neediest people in our
18 communities, to say that a sound basic education
19 for public schools continues to be one of the
20 most important things that almost everyone
21 needs in their communities.

22 There is approximately \$4 billion
23 still owed to high-needs districts around the
24 state, particularly in New York City. This is
25 a -- unfortunately, in my 16th year, this is

1 something that I have fought for every single
2 year. And it is frustrating. It's beyond
3 frustrating, I know for myself, but it's
4 frustrating I know for the literally generations
5 of children who have gone to school without the
6 resources to get a sound basic education. Again,
7 this Legislature can do better. And we should do
8 better.

9 I also represent, in the
10 21st District -- some of you know I represent
11 part of Canarsie and part of Flatlands, but
12 principally East Flatbush and Flatbush, Midwood,
13 Ditmas Park, Windsor Terrace and Park Slope. I
14 represent the largest concentration of Caribbean
15 immigrants outside the Caribbean in the world.
16 And many of them are Dreamers. And once again,
17 we have denied these young people -- who have
18 done nothing other than be children and be
19 contributors to our society and our state -- an
20 opportunity to get a sound basic education.

21 The doors to higher education once
22 again have just been slammed shut in the face of
23 these Dreamers. These hardworking young people
24 face another barrier when trying to reach for the
25 stars and fulfill their full potential, and it's

1 unnecessarily done so. Again, we can do better,
2 and we should be doing better.

3 And as I close, Mr. President, let
4 me just not forget the fact that in this
5 Governor's Executive Budget, and something that
6 was supported also by the Democratic majority in
7 the Assembly, we had a full Women's Rights Agenda
8 that, you know, has fallen out of this version of
9 the budget and was not supported by the Majority
10 in the Senate.

11 And so we have failed our children,
12 we have failed our Dreamers, and we have failed
13 women in this budget.

14 I don't think that we should be a
15 body that continues to excel in failure. We can
16 do better. And I'm hoping that we continue to
17 have some debate about some of these issues as
18 the session goes on, and that we find it in our
19 hearts to do what the people have sent us here to
20 do and to address their most pressing issues.

21 Thank you, Mr. President.

22 ACTING PRESIDENT GRIFFO: Seeing
23 and hearing no other Senator that wishes to be
24 heard, debate is closed. The Secretary will ring
25 the bell.

1 Senator DeFrancisco.

2 SENATOR DeFRANCISCO: While we're
3 waiting to take the vote, I just would like to --
4 sometimes it's tough to watch the ball game
5 without a program.

6 We did one other budget bill before
7 this, and we've done three today. For those
8 keeping score, we have six more to go. And I
9 will be announcing shortly that we will be having
10 a Republican conference at 8:00 a.m. tomorrow,
11 session at 9:00.

12 So I will make a formal
13 announcement, but I knew everyone was waiting
14 with bated breath for that determination, and I
15 thought I'd provide that to everyone.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

18 THE SECRETARY: Section 2. This
19 act shall take effect immediately.

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT GRIFFO: Senator
24 Gianaris to explain his vote.

25 SENATOR GIANARIS: Thank you,

1 Mr. President.

2 The story of this budget thus far --
3 and I imagine it's not going to change on these
4 important issues by tomorrow, or by later today,
5 I should say -- is what is missing from this
6 budget. And we heard in the PPGG budget all the
7 important issues that were missing, and you heard
8 from Senator Parker on this bill that the DREAM
9 Act, which is an issue of great importance to so
10 many of our constituents and so many of our
11 members, is intentionally omitted, once again,
12 from this bill.

13 I can only imagine what the bills
14 remaining that we're going to take up later this
15 morning, what other important things will be
16 missing. But since the DREAM Act at a minimum is
17 missing from this bill, I will also be voting in
18 the negative on this.

19 Thank you.

20 ACTING PRESIDENT GRIFFO: Senator
21 Gianaris to be recorded in the negative.

22 Announce the results.

23 THE SECRETARY: In relation to
24 Calendar 734, those recorded in the negative are
25 Senators Comrie, Gianaris, Hoylman, Krueger,

1 Parker, Rivera and Stavisky.

2 Ayes, 53. Nays, 7.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 Senator DeFrancisco.

6 SENATOR DeFRANCISCO: Is there any
7 further business at the desk?

8 ACTING PRESIDENT GRIFFO: There is.
9 Senator Gianaris would like to make an
10 announcement.

11 Can I have some order, please.

12 Senator Gianaris.

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

15 The Democratic Conference will be
16 also conferencing at 8 o'clock in the morning in
17 the Democratic Conference Room.

18 ACTING PRESIDENT GRIFFO: There
19 will be a Democrat conference at 8:00 a.m.
20 tomorrow morning, a Republican conference at
21 8:00 a.m. tomorrow morning.

22 There is no further business at the
23 desk, Senator DeFrancisco.

24 SENATOR DeFRANCISCO: I now move to
25 adjourn until tomorrow, March 31st {sic}, at

1 9:00 a.m.

2 Republican conference at 8:00.

3 ACTING PRESIDENT GRIFFO: On
4 motion, the Senate will stand adjourned until
5 later today, Friday, March 30th, at 9:00 a.m.

6 The Senate is adjourned until
7 9:00 a.m.

8 (Whereupon, at 1:21 a.m., the Senate
9 adjourned.)

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