

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 April 2, 2020

11 9:57 a.m.

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13
14 REGULAR SESSION

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17
18 SENATOR BRIAN A. BENJAMIN, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

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

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

8 ACTING PRESIDENT BENJAMIN: In the
9 absence of clergy, let us bow our heads in a
10 moment of silent reflection or prayer.

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

13 ACTING PRESIDENT BENJAMIN: The
14 reading of the Journal.

15 THE SECRETARY: In Senate,
16 Wednesday, April 1, 2020, the Senate met pursuant
17 to adjournment. The Journal of Tuesday,
18 March 31, 2020, was read and approved. On
19 motion, Senate adjourned.

20 ACTING PRESIDENT BENJAMIN: Without
21 objection, the Journal stands approved as read.

22 Presentation of petitions.

23 Messages from the Assembly.

24 Messages from the Governor.

25 Reports of standing committees.

1 Reports of select committees.

2 Communications and reports from
3 state officers.

4 Motions and resolutions.

5 Senator Gianaris.

6 SENATOR GIANARIS: Good morning,
7 Mr. President.

8 We will start today's work with an
9 immediate meeting of the Finance Committee in
10 Room 332.

11 ACTING PRESIDENT BENJAMIN: There
12 will be an immediate meeting of the
13 Finance Committee in Room 332.

14 SENATOR GIANARIS: The Senate
15 stands at ease.

16 ACTING PRESIDENT BENJAMIN: The
17 Senate stands at ease.

18 (Whereupon, the Senate stood at ease
19 at 9:58 a.m.)

20 (Whereupon, the Senate reconvened at
21 10:21 a.m.)

22 ACTING PRESIDENT BENJAMIN: The
23 Senate will return to order.

24 Senator Gianaris.

25 SENATOR GIANARIS: Is there a

1 report of the Finance Committee at the desk?

2 ACTING PRESIDENT BENJAMIN: There
3 is a report of the Finance Committee at the desk.

4 The Secretary will read.

5 THE SECRETARY: Senator Krueger,
6 from the Committee on Finance, reports the
7 following bills:

8 Senate Print 7506B, Senate Budget
9 Bill, an act to amend the Education Law;

10 Senate Print 7501, Senate Budget
11 Bill, an act making appropriations for the
12 support of government: LEGISLATURE AND JUDICIARY
13 BUDGET.

14 All bills reported direct to third
15 reading.

16 SENATOR GIANARIS: Move to accept
17 the Finance Committee report.

18 ACTING PRESIDENT BENJAMIN: All in
19 favor of accepting the Committee on Finance
20 report signify by saying aye.

21 (Response of "Aye.")

22 ACTING PRESIDENT BENJAMIN:
23 Opposed?

24 (No response.)

25 ACTING PRESIDENT BENJAMIN: The

1 Committee on Finance report is accepted and
2 before the house.

3 SENATOR GIANARIS: Can we now take
4 up the reading of the supplemental calendar,
5 please.

6 ACTING PRESIDENT BENJAMIN: The
7 Secretary will read.

8 THE SECRETARY: Calendar Number
9 636, Senate Print 7506B, Senate Budget Bill, an
10 act to amend the Education Law.

11 ACTING PRESIDENT BENJAMIN: Senator
12 Gianaris.

13 SENATOR GIANARIS: Is there a
14 message of necessity at the desk?

15 ACTING PRESIDENT BENJAMIN: There
16 is a message of necessity at the desk.

17 SENATOR GIANARIS: Move to accept
18 the message of necessity.

19 ACTING PRESIDENT BENJAMIN: All in
20 favor of accepting the message of necessity
21 signify by saying aye.

22 (Response of "Aye.")

23 ACTING PRESIDENT BENJAMIN:
24 Opposed?

25 (No response.)

1 ACTING PRESIDENT BENJAMIN: The
2 message of necessity is accepted, and the bill is
3 before the house.

4 Read the last section.

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

7 ACTING PRESIDENT BENJAMIN: Call
8 the roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BENJAMIN: Senator
11 Borrello to explain his vote.

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

14 These are obviously challenging
15 times. And as I said before, my first budget.
16 Again, my thoughts and prayers go out to all
17 those on the front lines in this fight, our
18 healthcare workers.

19 But in this case we have others on
20 the front lines that have continued to be ignored
21 by this body, and those are the members of
22 law enforcement.

23 We heard from them, when this bail
24 reform bill passed last year, how devastating it
25 would be, and unfortunately they were correct.

1 And now, under the same process of the budget,
2 hidden away and not discussed -- not with law
3 enforcement, not on a wide scale -- we're seeing
4 the same sledgehammer that destroyed our judicial
5 system try to be used again to fix it. And
6 that's just not how it should work.

7 The fallout was a major increase in
8 crime. And we heard in the hearings that we held
9 what the fixes should be. First and foremost,
10 judicial discretion, which is not in here. You
11 cut open a gushing wound in our judicial system
12 that has impacted victims of crime and the people
13 on the front lines of law enforcement, and you've
14 handed them a Band-Aid now to try and fix it.
15 It's simply not enough.

16 And it should be done in an open
17 process outside the budget so we can discuss it
18 openly and let the people decide what's best for
19 the judicial system of New York State.

20 So as a result of that and many
21 other reasons, I'll be voting no.

22 Thank you, Mr. President.

23 ACTING PRESIDENT BENJAMIN: Senator
24 Borrello to be recorded in the negative.

25 Senator Lanza to explain his vote.

1 Senator Lanza not to explain his vote.

2 Announce the results.

3 THE SECRETARY: In relation to
4 Calendar Number 636, those Senators voting in the
5 negative are Senators Akshar, Amedore, Biaggi,
6 Borrello, Boyle, Flanagan, Funke, Gallivan,
7 Griffo, Helming, Jacobs, Jordan, Lanza, LaValle,
8 Little, O'Mara, Ortt, Ramos, Ranzenhofer,
9 Ritchie, Rivera, Robach, Salazar, Serino and
10 Tedisco.

11 Ayes, 36. Nays, 25.

12 ACTING PRESIDENT BENJAMIN: The
13 bill is passed.

14 THE SECRETARY: Calendar Number
15 637, Senate Print 7501, Senate Budget Bill, an
16 act making appropriations for the support of
17 government: LEGISLATURE AND JUDICIARY BUDGET.

18 ACTING PRESIDENT BENJAMIN: Read
19 the last section.

20 THE SECRETARY: Section 5. This
21 act shall take effect immediately.

22 ACTING PRESIDENT BENJAMIN: Call
23 the roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BENJAMIN:

1 Announce the results.

2 THE SECRETARY: Ayes, 40. Nays,
3 21.

4 ACTING PRESIDENT BENJAMIN: The
5 bill is passed.

6 Oh, sorry, please read the
7 negatives.

8 THE SECRETARY: In relation to
9 Calendar Number 637, those Senators voting in the
10 negative are Senators Akshar, Amedore, Borrello,
11 Boyle, Flanagan, Funke, Gallivan, Griffo,
12 Helming, Jacobs, Jordan, Lanza, LaValle, Little,
13 O'Mara, Ortt, Ranzenhofer, Ritchie, Robach,
14 Serino and Tedisco.

15 Ayes, 40. Nays, 21.

16 ACTING PRESIDENT BENJAMIN: The
17 bill is passed.

18 Senator Gianaris, that completes the
19 reading of the supplemental calendar.

20 SENATOR GIANARIS: Mr. President,
21 at this time we are awaiting the final budget
22 bill, on state operations, so we will stand at
23 ease until that is ready.

24 ACTING PRESIDENT BENJAMIN: The
25 Senate will stand at ease.

1 (Whereupon, the Senate stood at ease
2 at 10:25 a.m.)

3 (Whereupon, the Senate reconvened at
4 2:02 p.m.)

5 ACTING PRESIDENT BENJAMIN: The
6 Senate will return to order.

7 Senator Gianaris.

8 SENATOR GIANARIS: Mr. President,
9 there will be an immediate meeting of the
10 Finance Committee in Room 332.

11 ACTING PRESIDENT BENJAMIN: There
12 will be an immediate meeting of the
13 Finance Committee in Room 332.

14 SENATOR GIANARIS: The Senate will
15 stand at ease.

16 ACTING PRESIDENT BENJAMIN: The
17 Senate will stand at ease.

18 (Whereupon, the Senate stood at ease
19 at 2:02 p.m.)

20 (Whereupon, the Senate reconvened at
21 2:25 p.m.)

22 ACTING PRESIDENT BENJAMIN: The
23 Senate will return to order.

24 Senator Gianaris.

25 SENATOR GIANARIS: Is there a

1 report of the Finance Committee at the desk?

2 ACTING PRESIDENT BENJAMIN: There
3 is a report of the Finance Committee at the desk.

4 The Secretary will read.

5 THE SECRETARY: Senator Krueger,
6 from the Committee on Finance, reports the
7 following bill:

8 Senate Print 7500C, Senate Budget
9 Bill, an act making appropriations for the
10 support of government: STATE OPERATIONS BUDGET.

11 All bills reported direct to third
12 reading.

13 SENATOR GIANARIS: Move to accept
14 the Finance Committee report.

15 ACTING PRESIDENT BENJAMIN: All in
16 favor of accepting the Committee on Finance
17 report signify by saying aye.

18 (Response of "Aye.")

19 ACTING PRESIDENT BENJAMIN:
20 Opposed?

21 (No response.)

22 ACTING PRESIDENT BENJAMIN: The
23 Committee on Finance report is accepted and
24 before the house.

25 SENATOR GIANARIS: Can we now take

1 up the reading of the supplemental calendar.

2 ACTING PRESIDENT BENJAMIN: The
3 Secretary will read.

4 THE SECRETARY: Calendar Number
5 638, Senate Print 7500C, Senate Budget Bill, an
6 act making appropriations for the support of
7 government: STATE OPERATIONS BUDGET.

8 ACTING PRESIDENT BENJAMIN: Senator
9 Gianaris.

10 SENATOR GIANARIS: Is there a
11 message of necessity at the desk?

12 ACTING PRESIDENT BENJAMIN: There
13 is a message of necessity at the desk.

14 SENATOR GIANARIS: Move to accept
15 the message of necessity.

16 ACTING PRESIDENT BENJAMIN: All in
17 favor of accepting the message of necessity
18 signify by saying aye.

19 (Response of "Aye.")

20 ACTING PRESIDENT BENJAMIN:
21 Opposed?

22 (No response.)

23 ACTING PRESIDENT BENJAMIN: The
24 message of necessity is accepted and the bill is
25 before the house.

1 The Secretary will read.

2 THE SECRETARY: Calendar Number
3 638, Senate Print 7500C, Senate Budget Bill, an
4 act making appropriations for the support of
5 government: STATE OPERATIONS BUDGET.

6 ACTING PRESIDENT BENJAMIN: Read
7 the last section.

8 THE SECRETARY: Section 5. This
9 act shall take effect immediately.

10 ACTING PRESIDENT BENJAMIN: Call
11 the roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BENJAMIN:
14 Announce the results.

15 THE SECRETARY: In relation to
16 Calendar Number 638, those Senators voting in the
17 negative are Senators Akshar, Amedore, Borrello,
18 Boyle, Flanagan, Funke, Gallivan, Griffio,
19 Helming, Jacobs, Jordan, Lanza, LaValle, Little,
20 O'Mara, Ortt, Ranzenhofer, Ritchie, Robach,
21 Serino and Tedisco.

22 Ayes, 40. Nays, 21.

23 ACTING PRESIDENT BENJAMIN: The
24 bill is passed.

25 Senator Gianaris, that completes the

1 reading of today's supplemental calendar.

2 SENATOR GIANARIS: Mr. President,
3 at this time can you recognize Senator Flanagan
4 for remarks.

5 ACTING PRESIDENT BENJAMIN: Senator
6 Flanagan for remarks.

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

9 Thank you to Senator Gianaris,
10 Senator Krueger, Senator Lanza, and
11 Senator Stewart-Cousins.

12 I've been thinking a lot throughout
13 the morning, and I was talking with Senator Lanza
14 before we came in. You know, there are times I
15 would come up here on a Sunday night and come
16 over to the Capitol, and there was a tranquility
17 and a serenity, in part because it was night and
18 no one was really here. And I got a chance to
19 walk around and reflect, truly reflect on how
20 magnificent this building is, and this place.

21 So today there's a calmness, but
22 it's not serene. And it's not really tranquil.
23 And I live my life as a very positive person. So
24 I come in here today with my colleagues with an
25 open heart but a heavy heart. And I just think

1 about how incredibly important the work that we
2 do is.

3 So I want to say thank you at large
4 for the opportunity to be part of this august
5 body. I want to say thank you to everyone who's
6 here -- properly spaced. Properly spaced, I
7 might add. But we are doing the people's
8 business.

9 So I say thank you to everyone, God
10 bless you all of you. And that includes every
11 single person who is in and around the halls of
12 this chamber and this Capitol. Because this
13 place still has to operate. And thank God we
14 have the people that we do to take care of us.

15 But you know what, this is about the
16 human experience. And however one approaches
17 their life and seeks good in others and for
18 others, I would from the bottom of my heart ask
19 that people find time to contemplate and to think
20 well of Senator Jim Seward.

21 Senator Seward tested positive. So
22 did his wife. And he's having a tough time. So
23 when I think of him, I think of our colleagues
24 who have had the same type of issue in the
25 Assembly. And no matter what our differences

1 are, part of the insanity of this place is that
2 it becomes like a family. It just does.

3 Mr. President, I look at you and I
4 think of your little girl. I look at Senator
5 Lanza, I think of his three children and how we
6 talk about that all the time. And then I think
7 of my own family, and I think about how anxious
8 they are and the fear that they have, real
9 fear -- the nervousness, the anxiety -- when less
10 than a month ago people were starting to pay
11 attention, but nowhere near the way they are now.

12 I look at my colleague and friend
13 Senator Gianaris. A couple of weeks ago he and I
14 had a debate. We banged elbows a little bit on a
15 debate, and the world has radically changed just
16 in those few weeks. Radically changed. And
17 nowhere has it changed more significantly than in
18 the State of New York.

19 I have been blessed to have three
20 children. And my daughter, who is the apple of
21 my eye, is an actress. So I pay attention to
22 some music, Broadway shows, can't wait for them
23 to open back up. And there's a song from a play
24 called Rent: "Seasons of Love." And it talks
25 about 525,600 minutes. And that's the number of

1 minutes in a year: 525,600 minutes. It's a
2 fabulous song.

3 So how do you measure a year? In
4 daylight, in sunsets, in midnights, in cups of
5 coffee, in inches and miles, in laughter and
6 strife. And now we measure it in life and death,
7 in a way that I don't think any one of us could
8 have predicted.

9 I look at our Majority Leader, she's
10 trying to do everything humanly possible within
11 her power to do the right thing. And yet the
12 scope of what she's looking at is unalterably
13 changed, from St. Patrick's Day forward.

14 So now I think of a wide variety of
15 groups -- our first responders, our EMTs, our
16 police, our doctors, our nurses, our volunteers.
17 People who drop everything. And one of my
18 hospital CEOs gave me a good description, talking
19 about nurses in particular. They're like --
20 yeah, they run in. They don't walk in, they run
21 in. And thank God we have people that do that.
22 We are all immeasurably blessed because of that.

23 And I think of basic things too.
24 We're all eating. You know, we all get to go to
25 the food store and things like that. Somebody's

1 out there doing the work so that we can do our
2 jobs. And yet people are walking around nervous.
3 And it's understandable.

4 In terms of our colleagues,
5 Senator Stewart-Cousins and I had spoken -- and
6 this is not a time to debate. And certainly
7 we're not engaging in a debate. But I was
8 dubious about -- as to whether or not I should
9 even get up and speak. Because arguably we're
10 talking not to an empty chamber per se, but this
11 will be memorialized in the record and the
12 transcript of the New York State Senate.

13 And my colleagues, out of deference
14 to the process and to the leader and to the
15 Majority, we didn't engage in debate. Maybe a
16 very little bit. But in reality, I'm standing
17 before you as a representative of our conference.

18 So when I see our new colleague
19 Senator Borrello get up and offer heartfelt
20 comments, I know where he's coming from. When I
21 hear Senator Amedore talk about what it means to
22 be a businessperson, I understand where he's
23 coming from.

24 And I could speak to every single
25 person in our conference as to their qualities,

1 as to their temperament, as to their disposition,
2 and to the gut-wrenching feeling that each and
3 every one of us have. I know I feel it. I know
4 I should be here, but oh, man, I am like jonesing
5 to be home. And I also know I have to be
6 incredibly careful when I get that opportunity to
7 go home.

8 Senator Gianaris and I were talking
9 about our mothers. Right? Senator Lanza, we
10 were talking about his father. You want to go
11 and knock on that door in the morning, give that
12 big hug? You can't do it. So we have to do it
13 metaphorically. We have to find some way to
14 continue the human existence and make people feel
15 good about where we are.

16 Yesterday we got the daily update.
17 And Morgan, who works right here, has helped us
18 out. There were roughly 83,000 cases yesterday.
19 Now there's over 92,000. Yesterday there were
20 about -- there were 1941 deaths in the State of
21 New York. This morning's report was 2,373.
22 Twenty-four hours, that's the difference we've
23 seen.

24 So when we get involved in the
25 discussions on this budget, I want to make a few

1 brief comments as to approach. I respect very
2 deeply the work of my colleagues in the Majority
3 and their efforts to bring forth the blueprint
4 for New York as they see it, working with the
5 Assembly and working with the Governor.

6 Our conference would have taken a
7 slightly different tack. I think we would have
8 been more focused on let's handle what is before
9 us, the public health crisis, the pandemic, in
10 lead of a lot of other things that are worthy of
11 consideration, but at a different time and under
12 different circumstances.

13 Simple things. Public financing of
14 campaigns. I don't think the public is worried
15 about that right now, I really don't. Banning
16 polystyrene. Maybe a laudable goal, but frankly
17 that's the stuff that everyone's using to get
18 takeout food right now. Things like that.

19 I actually have been a strong
20 supporter of prevailing wage for working men and
21 women. I just don't know or think that this is
22 the right time given the gravity of what we're
23 facing in our economy.

24 Two other quick things. There's a
25 bond act that's in this budget. And I've always

1 been a pretty strong supporter of bond acts for
2 this reason -- because the public decides. In my
3 opinion and a lot of the opinion of my
4 colleagues, now is not the time. I don't know
5 how we can go out and ask somebody to support an
6 environmental bond act when unemployment claims
7 are rising at a meteoric pace.

8 And even legislation on sick leave
9 or bail, whatever it may be -- but sick leave in
10 particular, changing significantly a law where
11 people are more worried about their jobs as
12 opposed to whether or not they're going to have
13 the appropriate sick leave.

14 But as I said, we want to get into
15 the rough and tumble on that, we just don't think
16 the time is now. And we do have to pass our
17 budget, and we do have to meet our obligations.
18 We just think it should have been done in a
19 different way.

20 And I respect the fact that the
21 Majority will take a different approach, and
22 that's why they're in the Majority. And they
23 have that right and prerogative.

24 So now, too, I'm thinking about the
25 Governor and the federal government. When I

1 looked at what was in this budget, I picked out
2 one thing. There's over a billion dollars in
3 funding for education. There's about
4 \$800 million in higher education. There's
5 \$25 billion in authority for things that may
6 come.

7 But the thing that I saw that my
8 constituents are going to want to know about --
9 and they're going to want to thank the federal
10 government, the president, Senator Schumer,
11 Senator Gillibrand, all of our delegation from
12 New York -- they're not only going to want to
13 thank them for that additional unemployment
14 benefit, they're going to want to thank them for
15 that check that otherwise would not have come.
16 But they're also going to want to thank them for
17 almost -- and I want to repeat this number --
18 almost \$40 billion in relation to unemployment
19 insurance.

20 So when the Department of Labor gets
21 50,000 calls a week, and last week they got over
22 8 million inquiries, that shows you what people
23 are focusing on. That shows you where people's
24 heads are at.

25 So when I go home, I don't really

1 want to talk about polystyrene. I want to be
2 able to say to somebody, you know what, the
3 Department of Labor, they took a huge shift and
4 brought in 1500 new people -- whatever the number
5 may be -- to process your claim, to make sure
6 your family is well taken care of.

7 And with all the things the Governor
8 has done, I have to say I'm a little surprised
9 that we haven't seen something much more
10 forthright in that area. It will probably come.
11 Maybe it will come after this debate and maybe
12 after this conversation. But we're at a time
13 where I think that's what people are really
14 looking at.

15 Now, having just said what I did, I
16 want to be clear -- I said it before -- the
17 Governor deserves tremendous praise for his
18 yeomanlike efforts, 24 hours a day, on behalf of
19 everyone in the State of New York. The calm, the
20 repose, the occasional humor and making people
21 feel better, trying to make people feel better,
22 giving them a sense of purpose, giving them a
23 sense of hope. Showing them accomplishments.
24 Showing how many more people have gotten tested.
25 Showing how many more people are getting better.

1 Those are all good signs. And you all know we're
2 not even close, we're not even close to being
3 finished.

4 But as I said before, I live my life
5 as a very positive person. We are absolutely
6 going to get through this. Absolutely. And it's
7 because we know how to stick together. We'll
8 have our differences, but we know how to stick
9 together.

10 I want to support
11 Senator Stewart-Cousins in those types of
12 efforts. I want to support my colleagues because
13 it's good for the people that we represent. Our
14 obligation is fundamental, it's basic, but it's
15 strong, too.

16 And there are two people who are not
17 here that I want to just speak to very briefly
18 because I think they are characteristic of every
19 member in this house.

20 Senator LaValle sits right there, 44
21 years in the Senate, the dean of the Senate. I
22 looked at his chair the other day, it's got
23 tattered edges. That's based on his longevity.

24 Senator Montgomery is not here
25 today, but she's the dean of your conference and

1 the longest-serving member in your conference.

2 They represent what is good about
3 every member in this chamber -- their longevity,
4 their service, their passion, their dedication
5 and their devotion. And God knows they will be
6 missed.

7 And it's kind of weird because
8 Senator Borrello came in -- right? Newest
9 member? If anyone had ever said this is what
10 your first budget is going to be like, he
11 probably wouldn't have signed his oath of office.
12 But he's here.

13 And I've never seen anything like
14 this. And I never thought, my God, today being
15 the closure of the budget, that every one of us,
16 this may be our last day here for session. I
17 mean, I hope not. I don't. But if that's what
18 it is, that's what it is. But I know we're
19 meeting our obligation today.

20 So as I said, with humility and
21 respect, we would have taken a different tack. I
22 know there's good things in here to help people;
23 I'm not going to dismiss that. But there are
24 things that should have been debated outside of
25 the budget, and there will be time for those

1 things.

2 So again, I am honored and
3 privileged to be standing here. The fact that
4 anyone would take the time to listen to my
5 comments makes me a very grateful person. And as
6 I said, I feel like I am being representative of
7 the people of the Senate Republican Conference.

8 So I kind of said this at the
9 beginning. This is about being a human being,
10 trying to be a good person. As we pray for the
11 people that we read about, I would ask again, in
12 sincerity, please think of Jim Seward. I can't
13 think of a finer public servant. And my heart
14 breaks as I speak about him, because there's tens
15 of thousands of Jim Swards in New York at this
16 very moment who need our love, our service, our
17 devotion, our prayers and our support.

18 I thank the Governor. I thank the
19 Majority Leader and all of my colleagues for the
20 work that they do. Mr. President, you're a good
21 man, and it's been a pleasure to watch you serve
22 up there. God bless this chamber, God bless the
23 New York State Senate, the great Empire State of
24 New York, and the United States of America.

25 Thank you.

1 ACTING PRESIDENT BENJAMIN: Senator
2 Gianaris.

3 SENATOR GIANARIS: Mr. President,
4 let me thank Senator Flanagan as well for his
5 words and his service to New York State. He has
6 left a legacy to be proud of.

7 Thank you, Senator.

8 Can you please now recognize
9 Majority Leader Stewart-Cousins.

10 ACTING PRESIDENT BENJAMIN:
11 Majority Leader Stewart-Cousins for comments.

12 SENATOR STEWART-COUSINS: Thank you
13 so much.

14 I said I'm socially distanced, but
15 I'm not distanced from anyone, so I think I'll be
16 at my desk.

17 So again, I wanted to thank you,
18 Mr. President, too. Because, again, none of this
19 is familiar to any of us. And so I really thank
20 you for the work that you've done throughout this
21 and, you know, through all of our opportunities
22 to be together.

23 And to follow up on Senator
24 Flanagan, I -- it wasn't until your final remarks
25 that I realize that maybe this is, you know, the

1 last time that we might be together in this
2 chamber. And I certainly hope not. Because, you
3 know, we have so many colleagues -- of course
4 Senator LaValle, as you mentioned, your
5 longest-serving member, and Senator Montgomery --
6 and I don't want to go through the list because
7 it's a very, very long list -- Senator Seward and
8 yourself. So many who don't plan to come back.

9 And so I hope this is not the last
10 time we get a chance. But I will say it's
11 certainly been a privilege to serve in this body
12 with public servants like you and certainly all
13 of my colleagues.

14 And I know that all of us join you
15 in prayers for Senator Seward and for his
16 recovery. And, you know, it reminds us all that
17 nothing is promised, and we have to value, as you
18 said, the opportunities that we have, not only to
19 be together here but to serve the people of
20 New York. So again, we all pray for Senator
21 Seward.

22 And, you know, I listened to your
23 remarks, and there's so much like my remarks,
24 but -- and you did something different, you spoke
25 extemporaneously, which I usually do. But

1 because your remarks are so similar, I'm going to
2 read my remarks.

3 (Laughter.)

4 SENATOR STEWART-COUSINS: And so,
5 you know, like you, as I look around the chamber,
6 this nearly empty chamber, it really is surreal.
7 You know, actually, for me, it's chilling. In
8 many ways, it's upsetting. But it's a testament
9 to this great institution and the work that
10 continues here.

11 As you said, it's been a month since
12 we stood on this floor and we voted to provide
13 \$40 million to combat this pandemic. It's a
14 month ago today. And I think back to that night
15 because it was the first time, as leader, that I
16 called us back into session. And everybody came,
17 everybody was here. And so there was a sense of
18 urgency that we all had. But even with that
19 sense of urgency, nobody, nobody could have
20 imagined what was going to unfold in the
21 following weeks.

22 And here we are just one month
23 later. And I'll remind you, that day that we
24 were -- that we passed that \$40 million, that was
25 an evening, and the next day we woke up to the

1 first coronavirus case in the State of New York.
2 And it happened to be in my home county, in the
3 city that I represent.

4 And now, as you were saying earlier,
5 a month later, 92,000 of our fellow New Yorkers
6 have been infected with coronavirus; 2,373 have
7 lost their lives. And today we learned that
8 10 million Americans have applied for
9 unemployment, 10 million. These numbers are even
10 beyond chilling and upsetting. These numbers are
11 painful.

12 We all see the terrifying growing
13 curve. We hear these words that we sort of knew
14 but we didn't listen to every day, and certainly
15 not in this context: Apex, social distancing,
16 ICU, intubate, hospitalization rates, death
17 rates. That's our new normal. That's the words
18 of today.

19 And yet as you said, Senator
20 Flanagan, we are in awe of the doctors, of the
21 nurses, of the hospital workers, of the first
22 responders -- of all of the people who are on the
23 front lines, these essential workers, and what
24 they've done. And as we continue to make sure
25 government functions, we are really inspired by

1 those people and their commitment to the greater
2 good.

3 We're all here to do a job. And
4 yes, we are scared for our families, for our
5 constituents, for each other. For our staff.
6 For our nation. But we're here because we have a
7 job to do. And that's really what we're doing,
8 albeit it looks very, very different.

9 As you said, usually on budget day
10 this chamber is filled, the hallways are teeming,
11 and depending upon where you are, what side of
12 the aisle, you know, that's what we're doing --
13 we're debating, we're deciding what should have
14 been done, what shouldn't have been done,
15 everybody's got an opinion.

16 And for many there's a sense of
17 expectation, and then for most of us -- probably
18 all of us -- there's just a sense of relief that
19 we were able to get it done.

20 But that is not what it feels like
21 now. Today it really is a job, but it's a job
22 that we do with a very, very heavy weight on all
23 of us.

24 And I, like you and all of our
25 colleagues and the people of this great state,

1 really do want to thank Governor Cuomo. We want
2 to thank him because of the outstanding
3 leadership he has provided during this crisis.
4 New York is New York, and we are New York tough.
5 And Governor Cuomo has shown what that looks like
6 and what that means, the difference it makes when
7 we're facing a crisis like this.

8 And of course like all of us he too
9 has been touched by someone very close to him
10 with corona. So we want to of course wish his
11 brother Chris a full and speedy recovery.

12 And because, again, none of this
13 happens alone, I want to thank Speaker Heastie
14 and his staff for our partnership during these
15 tough times. Obviously, again, Senator Flanagan,
16 you and I have had many phone calls, all hours of
17 the day and night, you know, telling him what I
18 thought, and it was always knocked back. But I
19 really thank you for your, you know,
20 professionalism, your forthrightness and
21 cooperation, and your members', during this time.

22 I want to thank my great Finance
23 chair, Liz Krueger. Liz, dear, there are no
24 questions about your readiness. There never,
25 ever, ever has been. I do want to thank you, as

1 a friend and as a great colleague, for always
2 meeting the occasion and going above and beyond.
3 Thank you very, very much.

4 And my wonderful deputy, Deputy Mike
5 Gianaris, for leading us during this, again,
6 unprecedented time with flexibility, with skill,
7 with just, you know, the agility that we need in
8 order to get through this. I know your buddy
9 Senator Griffo isn't here. But, you know,
10 Senator Lanza, you had to stand in for that. But
11 it was -- you know, even though it was different,
12 the stability of what went on in this chamber and
13 how you ran it made all the difference.

14 I also want to thank my counsel and
15 Finance staff. Words cannot express what they do
16 and how well they've done it, and certainly on
17 both sides of the aisle. Thank you for all of
18 your hard work and your perseverance and the long
19 days and the long nights.

20 And of course I especially want to
21 thank my extraordinary chief of staff and
22 counsel, Shontell Smith. Again, words do not
23 express. And not only Shontell, but in these
24 past few days, to really push the ball forward
25 with her, her deputy, Eric Katz. I want to thank

1 my hardworking Finance secretary, Todd
2 Scheuermann; my communications director,
3 Mike Murphy; and my entire team for making this
4 look a lot easier than it's been.

5 And I also want to thank the
6 Secretary of the Senate, Ale Paulino, for not
7 only making sure all this works, but also our
8 remote access, creating the opportunities for us
9 to conduct our business. Thank you.

10 To my Senate Majority, I do wish
11 that every single person that each of you serve
12 were able to witness firsthand how hard you fight
13 for each and every New Yorker. And how you fight
14 for them and, even in this time of uncertainty,
15 you put your constituents and the people of
16 New York first.

17 So to my conference, your unyielding
18 commitment to advocating for the needs of your
19 communities -- again, another inspiration. And
20 so I thank you for being the most incredible
21 people possible to lead. It is a privilege.

22 And of course to all the members,
23 all my colleagues in the chamber who persevered
24 in these extremely tough times, I appreciate
25 every single one of you. Obviously we

1 disagree -- what we should have done, how we
2 could have done it. It doesn't matter. At the
3 end of the day, we understand why we're here.

4 I think, despite all the back and
5 forth, we can all agree that the budget that we
6 are passing is not the budget any of us had hoped
7 to pass at the beginning of this session. It's
8 not even the budget we envisioned a month ago.
9 Our state's financial situation has been thrust
10 into true economic crisis, and I know everyone
11 understands that.

12 On a normal budget day, I would go
13 through the document, I would highlight all the
14 victories and all the great things we were able
15 to do and to accomplish by marshaling our own
16 resources. But again, this was not a normal
17 budget.

18 And yes, even in the crisis,
19 however, we did manage to achieve victories for
20 the people of New York. We held the line on
21 education funding in the face of unprecedented
22 revenue loss. And in that context and beyond,
23 it's already been said, but I do want to give a
24 special thank you to Senator Schumer for all of
25 his help and the help especially provided during

1 this crisis, where he was able to direct billions
2 of dollars to state and local government, things
3 that hadn't happened before. And you listed the
4 unemployment insurance that Senators Schumer and
5 Gillibrand and our congressional delegation
6 brought to us.

7 We were able also to protect funding
8 for our healthcare system, for our most
9 vulnerable citizens in the face of a global
10 pandemic. We were able to help small businesses.
11 We stood up for farmers. We've helped stock food
12 banks. We've provided resources to those
13 New Yorkers facing an uncertain future. We
14 provided protection and resources for our first
15 responders, and we continue to improve public
16 safety.

17 The coronavirus has put New York in
18 a position, however, that we never want to be in,
19 in a position in which our state cannot meet the
20 challenges in front of us alone. New York has to
21 have a balanced budget. We can't run deficits.
22 So that's an answer to, you know, what we could
23 and could not do. Our state's residents cannot
24 bear the burden in this critical time of
25 making us whole on their own.

1 So as I thank our Senators, Senator
2 Schumer and Senator Gillibrand, and our
3 congressional delegation for the unprecedented
4 infusion of funding that they fought so hard for,
5 I must also say that we need more, and we need it
6 quickly. We stand ready to help you and do
7 whatever it takes to make the case for this great
8 state.

9 But, however, it's also important to
10 note that when this crisis passes -- and it will
11 pass -- that we as leaders of this state need to
12 take a hard look at how we got here. The
13 coronavirus amplified our fiscal challenges
14 beyond a scope we could ever have imagined, but
15 it did not create those challenges. When we get
16 to the other side of this, we need to challenge
17 our assumptions about how we fund our government
18 and who in our state bears that burden.

19 We need to continue to look to how
20 we fund our schools. We need to look at how we
21 prioritize our spending and why our health
22 system, especially programs for our poorest
23 residents who cannot afford quality healthcare on
24 their own, get hit the hardest whenever a crisis
25 arises. We need to have a serious conversation

1 about shared sacrifices and make sure that
2 everyone is paying their fair share towards
3 creating a sustainable economy that can thrive in
4 good times and withstand bad times.

5 But in the meantime, all of us and
6 all New Yorkers need to rise together to meet
7 this pandemic head-on. On an individual level,
8 that means what we've talked about -- social
9 distancing, washing our hands, checking in on our
10 loved ones who find themselves alone or
11 struggling. And as a government, it means
12 setting an example and following strict social
13 distance even as we do our work. It means
14 standing here in a nearly empty chamber. It
15 means passing a responsible balanced budget that
16 empowers those working so hard to defeat this
17 virus and, as much as possible, blunts the impact
18 of the financial instability all of our families
19 are currently facing.

20 So that's what we're doing today as
21 we pass this budget. It's not the budget we
22 wanted to pass, but it's the budget we needed to
23 pass to keep New York moving, to secure our
24 foundation, and to help to lead our state, our
25 great state through this crisis.

1 Thank you, Mr. President.

2 ACTING PRESIDENT BENJAMIN: Senator
3 Gianaris.

4 SENATOR GIANARIS: Mr. President,
5 allow me just to give a word of thanks to our
6 great Majority Leader Stewart-Cousins. She is
7 not only a historic figure in this chamber, but I
8 like to say that she is the -- no offense to
9 other former Majority Leaders who might be in the
10 room -- but is the best Majority Leader to ever
11 serve in this chamber.

12 And she has proven it these last
13 several weeks, taking on an unprecedented burden
14 of guiding the Senate through this difficult
15 time.

16 And also let me just add, to the 56
17 of our colleagues who are not in the room with us
18 right now, thanks to them as well. This is a
19 group of people that is used to a slap on the
20 back and a shake of the hand, and they've had to
21 learn how to get by without that and how to
22 govern without being physically all together in
23 this room. We've all learned how to use Zoom and
24 other technologies to get us to this point, and
25 I'm sure it won't be the last time.

1 So a thank you to all my colleagues
2 as well for their indulgence and their
3 flexibility in getting us to this point.

4 With that, Mr. President, is there
5 any further business at the desk?

6 ACTING PRESIDENT BENJAMIN: There
7 is no further business at the desk.

8 SENATOR GIANARIS: I move to
9 adjourn, subject to the call of the Temporary
10 President, with intervening days being
11 legislative days.

12 ACTING PRESIDENT BENJAMIN: On
13 motion, the Senate stands adjourned, subject to
14 the call of the Temporary President, intervening
15 days being legislative days.

16 (Whereupon, at 3:05 p.m., the Senate
17 adjourned.)

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