NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 14, 2022

2:09 p.m.

REGULAR SESSION

SENATOR JAMAAL T. BAILEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT BAILEY: The Senate will come to order.

I ask everyone present to please rise and recite the Pledge of Allegiance.

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

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

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

ACTING PRESIDENT BAILEY: The reading of the Journal.

THE SECRETARY: In Senate, Sunday, March 13, 2022, the Senate met pursuant to adjournment. The Journal of Saturday, March 12, 2022, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good afternoon.

Mr. President, on behalf of Senator Skoufis, I wish to call up Senate Print 1735, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 460, Senate Print 1735, by Senator Skoufis, an act to amend the General Business Law.

SENATOR GIANARIS: Move to reconsider the vote by which the bill was passed.

ACTING PRESIDENT BAILEY: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is restored to its place on the Third Reading Calendar.

SENATOR GIANARIS: I offer the

following amendments.

ACTING PRESIDENT BAILEY: The amendments are received, and the bill will retain its place on the Third Reading Calendar.

SENATOR GIANARIS: Mr. President, there's a privileged resolution at the desk, Senate Resolution 2081, by Leader Stewart-Cousins. Please take that resolution up and read its title only.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senate Resolution 2081, by Senator Stewart-Cousins, in response to the 2022-2023 Executive Budget submission (Legislative Bills S8000-A, S8001, S8002, S8003-A, S8004-A, S8005-A, S8006-A, S8007-A, S8008-A, S8009-A) to be adopted as legislation expressing the position of the New York State Senate relating to the 2022-2023 New York State Budget.

ACTING PRESIDENT BAILEY: Senator Gianaris.

SENATOR GIANARIS: Mr. President, I expect there's going to be extensive debate on this resolution. For that debate, our Finance

chair, Senator Krueger, will be responding for the Majority.

And we are ready at this time to begin the debate.

ACTING PRESIDENT BAILEY: Thank you, Senator Gianaris.

Senator O'Mara.

SENATOR O'MARA: Thank you, Mr. President. Thank you, Senator Gianaris. Senator Krueger, look forward to some explanations of the Senate one-house budget that we have before us today.

I guess on the resolution for a moment, please, Mr. President.

ACTING PRESIDENT BAILEY: Senator O'Mara on the resolution.

SENATOR O'MARA: It won't be long.

So we have received this Senate one-house budget resolution about 7 p.m. last night. It's 2 p.m. the next day now. So, you know, it's 19 hours for our staff and ourselves to digest what is being proposed as a nearly $230 billion budget.

Increasing spending overall by about 8 percent, increasing the state funds portion of

that spending by over 11 percent year to year, on top of what was in excess of a 10 percent increase in this current year's budget year to year. That's an over 20 percent increase in just state funding over the years, and about a 22 percent increase in overall funding, including the federal money that's come in for us.

This spending, in my opinion and I think from our side of the aisle, is unsustainable, it's unwarranted, and it really doesn't -- the resolution proposed, and we'll get into some of the subject matter here, doesn't respond enough to the issues of the day of everyday New Yorkers, of the overall affordability of living in New York State by New Yorkers.

It does nothing to end the exodus of New Yorkers from New York State as the majorities in both houses, for years now, have worked to massively increase state spending, and further stifling economic activity in New York State when we should be looking to do everything we can to foster a better business climate in New York State so that businesses can provide the opportunities to New Yorkers that we all need to

meet our everyday costs of living, which continue to escalate disproportionately in New York State.

You know, aside from what is now an 8 percent inflation rate nationally, we're adding to that in New York State by going with an 11-plus percent increase of spending in New York State. I will note I believe -- and we'll ask some questions on this in a moment -- that there are not tax increases in this proposal and that the Majority is pursuing the reduction of the middle-class income tax rate that had been put off for a few years. And that's important, I think, to go towards the affordability of New York State.

Beyond that, there isn't much here, frankly, for everyday New Yorkers to meet their budgets and their households, to provide for their families, and to have the economic opportunities of a job in New York State and the dignity and self-respect to go to work and earn a living to provide for themselves, as opposed to sitting back and waiting for further and further handouts from state government and federal government.

So with that, Mr. President, if

Senator Krueger could yield for a few questions, starting out, at least, on the financial plan.

ACTING PRESIDENT BAILEY: Certainly. Senator Krueger, do you yield for a few questions?

SENATOR KRUEGER: Yes, I will, Mr. President.

ACTING PRESIDENT BAILEY: Senator Krueger yields.

SENATOR O'MARA: Now, Senator Krueger, can you explain to us how this level of increased spending of over 10 percent last year, over 11 percent this year, is sustainable to New Yorkers and to New York State government, using up surplus funds we have now, using up federal assistance that's come for COVID? When that money's gone, how is this increased spending going to be sustained?

SENATOR KRUEGER: Thank you.

Thank you, Mr. President. I'd like to thank the sponsor -- excuse me, my colleague for the question. And I think I need to put it in the context of what we're doing with the one-house, as he raised some issues about the context that he perhaps was misinformed about our

one-house.

The things he was laying out, Mr. President, that he hopes for all New Yorkers are exactly the things we are trying to do in this one-house budget. We have heard the working people -- the people of New York State who have come off of two years of COVID, the people of New York who have come off of years and years of underinvestment in the programs and services they need -- crying out for help. And we are attempting to respond to them in this budget.

So we are investing in childcare so that mothers and fathers can go to work and be assured that their young children are taken care of, are helped with education and protected so that they can go and earn more money for themselves.

We are investing in desperately needed home care services at the other end of life -- as you're older, as you're disabled, you're in a situation where you can't even get home care services so that a family member may have to give up a job in order to stay home with you, and you may not get the care you need at all and may be trapped alone. Meanwhile, the wage

rates for home care workers and other low-income workers in the healthcare professions -- they're crying out for more people to come into these fields. We need people to work in these fields, but we need to be able to pay them a wage that even provides them enough money to pay for a car to drive to their job in upstate New York. And right now the wages are so low they can't even afford to take the jobs.

We hear the people of New York talking about needing to make sure that our public college system is invested in at the level that assures our young people are getting the education they need to compete in a 21st-century labor market. Do you know that New York's young people are going to other states' public university systems because they can't get what they need in our CUNY and SUNY systems, because we have failed to underwrite them at the level they need to be underwritten to ensure New Yorkers can graduate, get jobs here, stay here and raise their own families here? That's what we hear people crying out for.

So we are putting significant new investments in the infrastructure for care for

people, for jobs for people, and of course for the fundamentals of infrastructure in the very traditional sense of making sure that we have roads and bridges and buildings that are going to hold up and ensure that we can get to and from the jobs, get to and from the cities and towns, invest in our public transportation system, invest in all the things that the research shows drive people and businesses to New York and keeps them here.

So I'm very, very proud of the investments we are attempting to make through our one-house budget bill. And yes, to answer Senator O'Mara's question, we are spending a bit more money than the Governor originally laid out. And we are changing how she would be using some of the funds because we believe there are better uses. But we do believe this is sustainable, particularly because investing in job creation, investing in our small businesses, investing in our higher education, investing in our childcare means there's more opportunities for more people to go back into the labor market or join the labor market and, of course, become taxpayers into the state's revenues into the future.

So he's correct that we are increasing the operating spending by about $9 billion in the Executive Budget over what the Governor recommended. But in fact we all agreed, including my colleague Senator O'Mara, that there was an additional $1.2 billion in revenue consensus offsets, and that we are including that and spending that.

We all know that the Governor held $2 billion for a pandemic assistance account. We're programming that into issues that we think are the critical things to spend money on this year.

We are fast-tracking casinos a year early so that we anticipate $3 billion in casino licenses. We are decreasing the rate at which the Governor proposed debt prepayment. We're not not paying our debts; I assure you we are. But the Governor proposed a fairly dramatic speedup, spinup, of prepaying debt, and so we reduce that from $3 billion to 1.5 billion, and that gives us another billion and a half dollars.

And yes, the Governor also had a robust proposal to increase the amount of our reserves in a Rainy Day Fund, which she proposed

at approximately 3.2 billion and we're reducing to 1.8 billion -- am I getting that right?

Excuse me. She proposed a $5 billion Rainy Day Fund contribution, and we are reducing that by 1.8 billion, leaving 3.2 billion to go into the reserve fund this year.

We're also hoping that our federal government will continue to follow through on a number of the commitments that they have verbally made but not completed the legislative assignments on. So we also want to make sure, in an era where there are New Yorkers at risk of eviction and homelessness, that there are landlords who can't be paid because there isn't the money in their tenants' pockets to pay them -- we are hoping very much that the federal government will make good on a commitment to increase the amount of money they are sending us to help landlords who are owed money and tenants who owe money. And everybody wants them to be paid, we just need the money to do so.

So I think that's the general outline of the answers to your questions, Senator O'Mara.

SENATOR O'MARA: Thank you, Senator.

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

ACTING PRESIDENT BAILEY: Senator Krueger, do you continue to yield?

SENATOR KRUEGER: Happily.

ACTING PRESIDENT BAILEY: The Senator yields.

SENATOR O'MARA: Just to clarify some of these numbers that we've opened up with on the overall.

Last year's budget increased spending year to year by over $11 billion, and that was the significantly largest increase in the prior decade of state spending. Would you agree with that, Senator Krueger?

SENATOR KRUEGER: I believe that numerically that's correct. And that was heavily due to a massive surge of federal revenue just at the last few days before we completed last year's budget.

SENATOR O'MARA: Through you, Mr. President, if the Senator will continue to yield.

ACTING PRESIDENT BAILEY: Do you yield, Senator Krueger?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: Senator Krueger yields.

SENATOR O'MARA: Well, I would submit that the lion's share of that increased spending last year was due to the insatiable desires of these majorities to continue to spend. And last year you had Governor Cuomo over a barrel with the investigations that were going on, and took full advantage of that situation to increase spending by 11 billion.

This year, in addition to that new spending of 11 billion last year, we're looking at -- while Governor Hochul only increased the budget by 3.2 percent in her proposal, with a spending increase of $3.7 billion, you raised that by 9.1 billion, so it's $12.8 billion increased spending from year to year. Is that correct?

SENATOR KRUEGER: Yes, that sounds about right.

SENATOR O'MARA: How much --

ACTING PRESIDENT BAILEY: Senator

O'Mara, are you asking the sponsor to yield?

SENATOR O'MARA: Yes, through you, Mr. President, if the sponsor would yield for a question.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: How much of the federal pandemic relief -- which was I think about $12.7 billion -- how much of that is being utilized to balance this budget?

SENATOR KRUEGER: $2.4 billion.

SENATOR O'MARA: And then how much of that has been spent already? How much of that $12.7 billion has been spent already?

ACTING PRESIDENT BAILEY: Senator O'Mara, are you asking Senator Krueger to yield?

SENATOR O'MARA: Yes, I am, sorry.

ACTING PRESIDENT BAILEY: Do you yield, Senator Krueger?

SENATOR KRUEGER: Thank you. I believe about 4.5 billion has been spent already.

SENATOR O'MARA: Through you,

Mr. President, if Senator Krueger will continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Of course.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Of the -- I forget, so I'll just ask this question, Senator Krueger. Of the budget surplus funds that we have -- I forget the exact amount off the top of my head right now; you mentioned it before -- how much of those surplus funds are we spending in this year's budget?

SENATOR KRUEGER: We're continuing to make deposits into the reserve fund. So we're doing 3.2 billion into the reserve fund.

So the Governor's Executive Budget would have put 5 billion in, and we are putting 3.2 billion in.

SENATOR O'MARA: So we're putting -- through you, Mr. President, if the Senator would yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Through my numbers that I have in my head -- and they're rough, they may not be exact, so correct me if I'm wrong -- that we have somewhere in the range of surplus revenues in our budget of $10 billion, and we're only putting 3.2 of that into reserves for future years? So we're spending close to $7 billion of that in this year's budget?

SENATOR KRUEGER: Give us a minute. (Pause.)

Through you, Mr. President, if I could ask Senator O'Mara to clarify where he thinks the 10 billion surplus is. (Pause.)

I'm sorry, Mr. President, I was asking if you could ask Senator O'Mara to clarify where he thinks the 10 billion surplus is.

ACTING PRESIDENT BAILEY: Certainly.

Senator O'Mara, can you clarify the question, please?

SENATOR O'MARA: Through you, Mr. President, that $10 billion figure is a

combination of federal pandemic funds that have come in and increased revenues throughout the fiscal year above what was budgeted?

SENATOR KRUEGER: I apologize, can I please ask him to rephrase the question again for us, the original question.

SENATOR O'MARA: Yes, through you, Mr. President.

Senator Krueger, year to year, from last year to this year -- in this year's current budget, what is the anticipated revenue surplus?

SENATOR KRUEGER: Over what we projected? So when we end this year, how much additional revenue will we expect to still have over what we had earlier anticipated, is that what the question is?

SENATOR O'MARA: Yes.

SENATOR KRUEGER: Through you, Mr. President. While you can always label things differently, we believe that the -- that the Governor originally said there was 5 billion that she would put into reserves, and now we're reducing that to 3.2 billion to go to reserves. So that would be the surplus.

SENATOR O'MARA: Through you,

Mr. President, if the Senator would yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Yes, I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Senator, the figures I have are that revenues exceeded expectations by about $4.5 billion in the last -- the prior fiscal year, and they're on track about the same. So roughly $9 billion over last year and this current year?

SENATOR KRUEGER: So if we're counting last year plus the future year -- so the year we're ending plus the future year, and that's approximately 9 billion, close to 10 billion above what was originally projected, right, from different revenues -- we are spending some in the coming year in our proposal and we are still having 3.2 billion to go into reserves. Plus the five from this year.

SENATOR O'MARA: Can you clarify that? Where does that five fit in there?

SENATOR KRUEGER: Okay. Yes. So there was a projected 10 billion over the two

years. The Governor is putting 5 billion away from this year that we are ending, the '21-'22 year, and then she was also planning to put 5 billion in the '22-'23 year, but we are only leaving her 3.2 billion for an additional reserve.

SENATOR O'MARA: Through you, Mr. President, if the Senator would yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Of course.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Of that then $2 billion that you're taking away from reserves that Governor Hochul had put in, what is that going towards?

SENATOR KRUEGER: That is part of the $9 billion of increased spending that our one-house budget lays out in totality.

So it's not that the 2 billion is specifically for Item A versus Item B; it is money that we are defining as available for increased expenditures that are quite broad and quite transformative across any number of

important issues.

SENATOR O'MARA: Thank you, Senator.

Mr. President, through you, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes, I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Thank you, Senator Krueger.

Out of those surplus funds that are -- that you're allowing in the Governor's Executive Budget to go towards reserves, can you outline where those monies are going to be put into reserves, and for what purposes? And is this one-house changing the funds from what the Governor had proposed?

SENATOR KRUEGER: So the Governor proposed 5 billion going into reserves in the coming year. In our analysis, she's only left with 3.2 billion to go into reserves. The reserves are not defined as for specific items.

(Pause.) I love the questions,

thank you. I'm learning more every day.

So there are statutory reserves and non-statutory reserves. So there's 920,000 of statutory reserves -- 920 million. What's 920,000? It's petty cash -- 920 million in statutory reserves, and we aren't touching that. That will continue to go so. And then the remaining reserves will go into the general reserves. The economic uncertainties reserve.

SENATOR O'MARA: Through you, Mr. President, can you -- can the sponsor answer another question.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: I'll do my damndest to try, yes, sir, Mr. President.

(Laughter.)

ACTING PRESIDENT BAILEY: The sponsor will do her damnedest.

(Laughter.)

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Of that fund, what is the outline for uses of that money in that fund?

SENATOR KRUEGER: For which one, the statutory reserve or the economic --

SENATOR O'MARA: Economic uncertainties fund.

SENATOR KRUEGER: Not defined. You know, you hit another bad period, tax revenues go down, another pandemic hits, the federal government changes hands and stops sending to the states, et cetera, et cetera.

SENATOR O'MARA: Through you, Mr. President, if the sponsor will yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes, I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Of the money going into reserves, how much of that is going to pay down the debt that the state owes to the federal government for the Unemployment Insurance Fund that the state borrowed and it now has a balance of about $9 billion still owed to the federal government?

SENATOR KRUEGER: So neither the Governor's proposal for the reserves nor our

proposal for the reserves specifies that any of it goes back to the federal government for the UIB borrowing. But there is 600 million within our budget proposal to help repay the interest -- is it the interest or the actual underlying -- so the 600 million goes to helping with the underlying debt.

And just to remind everyone, when we borrow from the federal government to pay out UIB, as we did during the pandemic because we had so many unemployed people, technically UIB is not an on-budget or General Fund expenditure, it is a separate program paid for by businesses.

So yes, this has to be paid back, hopefully at the lowest or zero interest possible. Hopefully the federal government may decide to allow us to discount some of what we owe them. But it's actually not a budget item per se, it's a separate item.

SENATOR O'MARA: Through you, Mr. President, will the Senator yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR O'MARA: Senator Krueger, we have seen quite a few other states in the nation that racked up pretty incredible unemployment debt to the federal government during the pandemic that have utilized their pandemic relief to help pay down that debt so that ultimately businesses and employers don't have to pay that back over a series of years for that debt.

Why are we in New York choosing a different course of action? And why is it appropriate to -- over the period of this lingering debt, for however long it lasts -- why should we be requiring employers to shoulder that burden from the pandemic which will further tighten their businesses and their ability to hire people to work?

SENATOR KRUEGER: We actually, in a separate section of our one-house, are moving to delay some of what they would otherwise owe. That's 600 million.

And you ask an excellent public policy question about why do different states make different decisions with their money. So

one of the answers -- I'd have to go back to earlier decisions in the state -- we actually don't, per business, collect as much from businesses for unemployment costs as many states. We're behind on having increased our scale of what we collect.

So it left us with less money than some other states, but it's still the fundamental question of who is obligated to pay for unemployment benefits. And the design and model has been that businesses are responsible for paying for unemployment benefits. The workers pay into it when they're employed, and the state holds the funds and distributes them.

But I don't think that this state has had a public policy debate about changing the rules of the road so that unemployment benefits are not an obligation of business but rather an obligation of the General Fund or the taxpayer.

What I am very proud of is that we are investing a large amount of money within our one-house budget in helping the smallest businesses with their debts and to help them stay open, or even to reopen when they've been forced to close, to get workers back to work so that

they're building up the tax revenue and actually paying into the unemployment fund, which will help it bounce back more quickly.

SENATOR O'MARA: Through you, Mr. President, if the Senator would yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: I'm not suggesting that we change the method of how unemployment is paid for in New York State on -- in a regular environment. We've come through a two-year pandemic that had significant unanticipated layoffs, causing people to go into the unemployment fund, that were no fault of that business. It's no fault of the business either cutting back or laying off employees, it has to do with the pandemic that built up this $9 billion fund.

And the Majority in this house thinks it's reasonable to use only $600 million of in excess of $10 billion available and $12.7 billion in pandemic aid, most of which has

not been spent. Why that greater effort is not being made in these exigent circumstances of the unemployment insurance -- not changing the way we account for unemployment costs going forward, but for this period of time of the pandemic that specifically created this $9 billion debt, why are we not making a greater effort towards paying that down?

SENATOR KRUEGER: I don't think there's $12 billion left of federal pandemic aid. I don't know where that number came from. But -- one second.

But I do think it's still partly an ideological disagreement, Tom -- Senator O'Mara, sorry. That we're trying to make sure that the money that we have available to spend is invested in creating jobs for New Yorkers who need to go to work, who need to make sure that their children are cared for so that they can go to work, as opposed to making the decision to help businesses repay something they owe under the law while we are trying to smooth out and decrease the rate at which they have to pay it back.

But if you look at the history of unemployment benefits, you have your good times

and then you have your times of recession. And during times of recession, you end up spending down a lot more unemployment and you, thank goodness, can turn to the federal government for loans to make sure that those benefits are paid. And then, over time, businesses repay the fund and everybody moves forward.

So the UIB, since it was created, has actually proved to be a model that does over time adjust for the good times and the bad times -- or I suppose, biblically, the fat cow times and the thin cow times. And I have confidence that we will do the same again.

SENATOR O'MARA: Through you, Mr. President, if the Senator will continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor continue to yield?

SENATOR KRUEGER: I do.

ACTING PRESIDENT BAILEY: Senator Krueger yields.

SENATOR O'MARA: Senator, can you point to any other period of time in our UIB program where we have had anywheres close to this number of job losses due to not just a pandemic,

but to anything that was other than unrelated to a specific business?

You know, where in our history -- this seems to be unprecedented, to me, the job losses and the debt that we owe the federal government, that is unrelated to economic -- just economic normal conditions. So, you know, how -- why is this not being treated differently?

SENATOR KRUEGER: I think we would both need to go back and look up the history of UIB and where the unemployment rate has been at different times in our history to know the answer. I certainly don't know that off the top of my head.

I mean, the recent reference is the 2008-'10 economic collapse of much of the world economy. And I think we ended up owing 5 billion back to the federal government at that time, which we were able to pay back under our normal rules of the road.

I'm going to guess that the one previous to that -- it's almost every ten years that you end up with some kind of recession period. But I don't have that data memorized. Perhaps one of the staff can do that homework for

us and get back to me during the course of this debate.

But right now I'd have to say for as long as we've had UIB, we've had a situation where we had our good times and our bad times that were caused by all kinds of reasons, including war, and we've been able to bounce back.

SENATOR O'MARA: Through you, Mr. President, if the Senator will continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Yes, I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Shifting gears off of that topic a little bit, even though I would certainly disagree with you that this pandemic was not -- it was and is unprecedented in the history of the UIB and therefore should be treated differently, rather than just requiring employers to pass that cost on and therefore stifle hiring, in my opinion, and the creation of those job opportunities that New Yorkers

desperately need.

From -- in this budget resolution that's before us, what is the increase in anticipated revenues to New York State from year to year?

SENATOR KRUEGER: So we're showing an 8 percent increase in annual growth under taxes and a 3.2 percent All Funds receipts annual growth rate.

SENATOR O'MARA: Through you, Mr. President, if the Senator would continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: What is the dollar amount of those two figures you gave me from year to year?

SENATOR KRUEGER: Okay. For our growth in taxes, it's 109 million, 109.257 million. And for our total All Funds receipts, it's 234 million, 302,000 -- billion, sorry. Total All Funds -- excuse me. I'm sorry, Tom.

Total All Funds receipts will be 234 billion compared to this year, which was 220 billion. So a 3.2 percent growth. No? (Pause.)

You know what, Tom, I don't want to be on the record reading you the wrong numbers. So something was slightly off.

SENATOR O'MARA: I appreciate clarifying these numbers --

SENATOR KRUEGER: Thank you. So I'll stick with --

(Overtalk.)

CHAIRWOMAN KRUEGER: All right, I'll stick with the tax revenue.

But the total All Funds receipts this year: 227 billion, 138 million. Next year, our projected, 234 billion, 302 million. We like those numbers better.

SENATOR O'MARA: Through you, Mr. President, if the Senator will continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Yes, sir.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: So from my I guess evaluation of those numbers -- I think I'm reading from the same page as you now, from the financial plan -- there's about an $8 billion estimated or anticipated increase in taxes in New York State and an increase of about $7 billion in All Funds revenues.

Those are significant -- that is significantly less, I would say, than the proposed spending increases in this Senate one-house proposal.

Once the surplus monies are expended throughout this year, the coming year and the year after that, how does the Senate Majority intend to continue to sustain that level of spending without the shortfall between revenue increases in spending and therefore, then, without the federal aid that will probably be gone within two years?

SENATOR KRUEGER: So for this year taxes -- projected taxes are still higher than what we're expecting to spend, so we're fine for this year.

We try to do outyear projections; we always end up changing them. But the expectation

is that we will continue to see some tax growth the year afterwards, an outyear. That is an outyear where the Governor is now also proposing putting another 5 billion into reserve funds.

I'm not exactly sure how much we expect to put in the outyear, but that's always another question for us.

But we actually do feel that at the rate of tax growth and the rate of the money that we are expecting to spend if we had our one-year budget -- one-house budget, that we actually would still be fine for this year and at least the year after.

And again, things change rapidly in government. So I should point out what you already know, what we all know: This is an aspirational budget where we hope we can accomplish as much of this as possible. We need to go into negotiations with our colleagues and with the Governor, and we will see where the final numbers end up. But we're feeling pretty comfortable about our ability to meet our responsibilities to the people of New York and meet our aspirational targets.

SENATOR O'MARA: Through you,

Mr. President, if the Senator would yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Yes, I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: I would agree, Senator Krueger, that these are certainly aspirational numbers.

I believe they're unrealistic and unsustainable over the years, particularly with the uncertainty we have going forward with our economy with 8 percent inflation and many economic pundits talking about recession now. That will certainly impact the revenues and receipts of the state going forward.

What do we have in this one-house aspiration to provide for this risk of a recession and a drop in revenues for all of these recurring billions of dollars in expenses that are built into this?

SENATOR KRUEGER: As I mentioned several times, we are putting money into a reserve fund that has already grown by 5 billion this year and would grow by another 3.2 billion

in the coming year.

We live in a tricky age, I agree with Senator O'Mara. I remember standing here two years ago when we were dealing with a budget and literally the words "COVID" and "pandemic" had just first been uttered. And everyone realized that suddenly everything might be changing, and we had no idea what the impact would be on our budget.

And we -- the Governor then asked us to give him extraordinary powers both over emergency situations and to the ability to borrow money. I think we gave him 11 billion supplemental emergency borrowing power at the time. Approximately. And then a year later, we were still literally moving into the final weeks of negotiating a budget, still in panic about what would we do if the federal government didn't come through with the committed but not-yet-delivered funds. And then suddenly they came through with about $13 billion, and overnight we were shifting our math and our realties.

And then over last year, where -- a few weeks before the budget was passed we had no

idea whether we would have enough money to get through the year or not, and we were talking about all kinds of emergency responses, none of which were pretty. And then the money came and then we started taking a look -- and our tax revenues were skyrocketing, and we couldn't even figure out why. So that even during a time of extraordinary difficulty in our economy for large numbers of businesses and people, some people and businesses did extraordinarily well and have triggered larger tax revenues than we imagined.

So based on the last couple of years' experience, I feel that none of us have a great crystal ball about what happens two years out from now.

What I do know is New York State is very good at making adjustments when it has to, even very large adjustments. And so I think as a state, as a government, we want to fight for the best that we can do. We want to both use hope and intelligence to invest in the kinds of programs and services that will strengthen our families, strengthen our businesses, make us more competitive in the world we live in -- and hope it all goes the right direction.

And no, sometimes it's not going to go that way and we're going to need to pivot fast. But if the last couple of years in New York State has taught us nothing else, it's taught us both our endurance and our ability to pivot fast.

SENATOR O'MARA: Thank you, Senator Krueger.

Mr. President, if the Senator will continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: Just wrapping up here. One more specific thing I wanted to get into before I hand it over to my colleagues to continue in various subject matter areas.

An area that has been highlighted both nationally, regionally, and in New York State has to do with manufacturing and, you know, the impacts of the pandemic on the global supply chain, our inability to provide -- to manufacture and provide the products that we need right here

within our state but particularly within our nation as a whole, not being overly dependent in these times.

What in this one-house proposal is there to benefit manufacturers of New York State and to foster further manufacturing activity in New York State? I would note that I think about six or seven years ago we eliminated the corporate franchise tax for manufacturers in New York State. I was a strong proponent of that. And that fell short because it only ended up applying to subchapter C corporations and not so-called pass-through entities such as partnerships, LLCs, subchapter S corporations that were left out, and they make up about 75 percent of all manufacturers in New York State.

I don't see any proposal in this one-house resolution that focuses either on that, to eliminate the corporate franchise tax to the pass-through manufacturing entities, or anything else in here that's going to help us foster and bolster our manufacturing in New York State -- which are good jobs, but also a matter of security interest to provide for our needs when

we may not be able to get it from around the globe.

SENATOR KRUEGER: So I agree we want to do more to help our local manufacturers and to support manufacturing. Because Senator O'Mara is absolutely right, the supply chain realities were laid out and left this country raw when we couldn't build our own products, when we couldn't make the things we needed when we couldn't get them from anywhere else.

So this conference, and in our one-house, we are very focused on making sure we are investing in small business, because small businesses actually do create the jobs in our economy and can move more quickly and respond more quickly.

So we establish -- excuse me -- the suspension of state taxes -- oh, wait. Excuse me. (Pause.)

We're reducing the gas taxes, so -- which was particularly important for trucking and manufactured products to reduce the prices. So we're lowering the gas taxes by an estimated $648 million.

We are allocating an additional

200 million to the Small Business Seed Funding grant program. Instead of taking money from existing programs, it expands the lists of businesses that can apply to this program as well as allowing those who lost businesses due to the COVID pandemic to get some assistance which they can use to restart small business.

We expand incentives to install renewable energy, like thermal and geothermal and solar products in our homes and our businesses, providing significant tax credits to cover those costs.

And the truth is the faster we are moving to a green economy, and the faster we are moving to things that deal with climate change, the more new manufacturing opportunities there are and will be in our state. In fact, Tom DiNapoli, the State Comptroller, recently put out a report staying that we had already created one million new jobs in New York State thanks to our investment and shift to green environmental standards and green energy.

So the opportunities for job creation from manufacturing of products you and I might never have heard of even yet, are enormous

in the future. And I think that if you review our complete one-house budget you will see we are heavily, heavily committed to investing in climate change and environmental changes that will absolutely help our manufacturing and our small businesses.

SENATOR O'MARA: Thank you, Senator.

Mr. President, I guess on the resolution briefly.

ACTING PRESIDENT BAILEY: Senator O'Mara on the resolution.

SENATOR O'MARA: I'd love to spend the next hour and a half on the Green New Deal, Senator, but I have colleagues that want to ask questions. And as that's going to cost New Yorkers in excess of $300 billion -- and those are numbers by the proponents of these changes.

With all due respect, with your response to my question on what we're doing for manufacturers specifically -- specifically, there's nothing in this one-house budget proposal to specifically help manufacturers in New York State.

I've been a strong proponent of manufacturing since my time in the Legislature. I believe it's where our number-one economic development focus should be, because so many other industries and jobs grow off of the manufacturing sector to provide the opportunities that New Yorkers need so that they can afford the outrageous costs of living in New York that this State Legislature continues to foist upon them, making New York State more and more unaffordable and adding to the exodus of New Yorkers.

And we're doing nothing to foster that base of manufacturing that should be the bedrock of our -- of any economy, but particularly here in New York State, to foster the spinoff businesses and jobs that come with that.

And with that, I will yield my time to my colleagues, Mr. President. Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator O'Mara.

Senator Gallivan.

SENATOR GALLIVAN: Thank you, Mr. President. Would the sponsor or appropriate member of the Majority yield?

ACTING PRESIDENT BAILEY: Senator Gianaris.

SENATOR GIANARIS: Mr. President, it's my understanding these questions relate to the health part of the budget, which will be answered by Senator Rivera.

SENATOR GALLIVAN: That's exactly what I was going to ask. Thank you, Mr. President.

The first area I would like to ask about is the Medicaid global cap that we know was instituted a number of years ago to limit Medicaid growth to the 10-year rolling average of the medical component of the CPI, which is calculated at 3 percent right now.

The Governor in her budget proposed a different formula for the Medicaid global cap. The Senate one-house, though, rejects the extension of the Medicaid global cap -- of the Governor's proposed extension of the Medicaid global cap.

Does the Senate one-house put forth an alternative proposal?

SENATOR RIVERA: Through you, Mr. President --

ACTING PRESIDENT BAILEY: Senator Gallivan, are you asking the sponsor to yield?

SENATOR GIANARIS: I thought I asked that. And yes, I do, Mr. President.

ACTING PRESIDENT BAILEY: Senator Rivera, do you yield?

SENATOR RIVERA: I yield.

ACTING PRESIDENT BAILEY: Just for the record, Senator Gallivan, that's all. Thank you.

SENATOR RIVERA: I yield.

And through you, Mr. President. It's a pleasure to see you, Senator Gallivan.

The quick answer to your question is we in the Majority believe -- and I have certainly been saying this over the last couple of years -- that the creation of the cap was an -- it was an artificial construct that served the prior administration more than -- it was more of a messaging tool than a budgetary one. And we want to do away with it.

And so the current proposal that we have in front of us, the current resolution, gets rid of the Medicaid cap altogether.

SENATOR GALLIVAN: Will

Senator Rivera -- Mr. President, would the Senator continue to yield?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR RIVERA: I do.

ACTING PRESIDENT BAILEY: Senator Rivera yields.

SENATOR GALLIVAN: So if I understand correctly, the current proposal gets rid of the Governor's proposed cap on Medicaid spending.

Is there an alternate proposal to ensure that there is some type of check on the spending in the Medicaid program?

SENATOR RIVERA: Through you, Mr. President, I would say that it -- there never was such a control. The global cap, as it was referred to by the prior administration, was not a real thing. It was referred to as a real thing; it never really existed in statute. It existed in the press releases and the press conferences of the Governor, but it did not actually -- it served as a tool so that they could actually put money where they wanted to and keep money from where they didn't want it.

And Mr. President, I'll actually go a little further and I will just say a general comment as far as the budget that we -- well, I'll just say the one-house resolution that we have in front of us is in reference to a budget that was already a pretty good one.

And the reason for that, Mr. President, was that as opposed to spending, as my colleagues will certainly continue to say, I believe that a lot of what's happening here is an investment. It's an investment in a lot of areas that have seen disinvestment and austerity for way too long.

So as it relates to this, Mr. President, I would say that we are -- we believe very strongly, and this is why it's in our one-house budget here, that certainly the increase in Medicaid that the Governor approved -- that the Governor proposed in the budget is a correct amount, at least to start from, but that a cap is no longer necessary. And so we excised it completely.

SENATOR GALLIVAN: Will the Senator continue to yield.

ACTING PRESIDENT BAILEY: Senator

Rivera, do you yield?

SENATOR RIVERA: I do.

ACTING PRESIDENT BAILEY: Senator Rivera yields.

SENATOR GALLIVAN: Well, thank you for the response, Senator Rivera.

So how does the Senate one-house, as it relates to Medicaid spending, ensure accountability in the spending to ensure that we limit fraud and waste and any abuse and that the spending that we are spending for Medicaid is indeed appropriate?

SENATOR RIVERA: Through you, Mr. President, we have a -- the state, as I'm sure that you're aware, has an agency, the OMIG, which actually specifically deals with investigations of fraud and malfeasance in the Medicaid program. And they have been fairly successful at times to find such things.

So we believe that that is -- that already exists, and we fund it -- I forget at what level exactly. We might have actually accepted -- we accepted what the Governor proposed in the one-house -- in her budget proposal, because we believe it is important to

fund OMIG going forward.

SENATOR GALLIVAN: If I can move on, Mr. President, and ask if the Senator would continue -- would yield to a question about the Healthcare Transformation Fund.

ACTING PRESIDENT BAILEY: Senator Rivera, do you yield?

SENATOR RIVERA: Absolutely.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: So the budget -- the Executive Budget transferred a billion dollars from the General Fund to the Healthcare Transformation Account, but yet the Governor provided no details on planned disbursements. Which would mean that the Executive had unilateral authority to spend a billion dollars on unspecified programs.

The question is, how does this one-house budget allocate that billion dollars from the Healthcare Transformation Fund?

SENATOR RIVERA: One second, Mr. President. (Pause.)

Through you, Mr. President, it was actually excised from the one-house budget

proposal.

SENATOR GALLIVAN: Will the Senator continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR RIVERA: Yes, Mr. President.

ACTING PRESIDENT BAILEY: The Senator yields.

SENATOR GALLIVAN: We know that many of our hospitals across this state are distressed. We have a number of different categories that historically the state has provided -- provided funding and support to hospitals.

Does the Senate one-house direct payments to hospitals struggling with financial losses that do not currently meet the definition of "distressed"?

SENATOR RIVERA: Through you, Mr. President. The -- one of the issues that has existed in prior years -- and one of the reasons, by the way, where I have to turn to this amazing group of folks who I will identify later, because they are certainly responsible for what's in

here -- is that there's a lot of these funds that have very similar names, so I always have to check exactly which ones it is that we're talking about.

In this case what I would say is that in past years there had been -- the actual categories are kind of hard to define. We actually have an issue with defining distressed hospitals. We in this one-house budget proposal actually attempt to do that. We attempt to have clear definitions of what distressed hospitals are because we recognize -- Mr. President, through you -- as my colleague says, that there are hospitals all across the state, not only downstate but across the entire state, that are in trouble.

And I would reiterate, Mr. President, that a lot of it has to do with the fact that over the last decade the past administration kind of led with austerity and there was more disinvestment than anything else.

And so that -- I would say that this -- that what we do here is try to send resources to the hospitals that most need it, and we'll certainly work along with all of my

colleagues to make sure that we can identify which institutions those are and make sure that we can support them accordingly.

SENATOR GALLIVAN: Will the Senator continue to yield.

ACTING PRESIDENT BAILEY: Senator Rivera, do you yield? Senator Rivera, do you yield?

SENATOR RIVERA: I indeed will.

ACTING PRESIDENT BAILEY: Senator Rivera yields.

SENATOR GALLIVAN: Is the Senator able to, at this point in time, share with us how the one-house can or will define "distressed" as it relates to hospitals?

(Pause.)

SENATOR RIVERA: Through you, Mr. President. And this, by the way, is why, again, you surround yourself with people that are smarter than you, because they obviously know it off the top of their head. All good people right here.

But through you, Mr. President, we actually define it in terms of the population that is served by that particular hospital, by a

certain percentage of Medicaid population. And the plan to actually -- as far as our budget, as our one-house proposal states, the way that it would be actually -- the billion dollars that we actually allocated in our one-house would be distributed, disbursed, based on this definition of distressed hospitals based on Medicaid population, but based on a plan to be approved by the Speaker and the Majority Leader of the Senate.

SENATOR GALLIVAN: Will the Senator continue to yield for a question.

ACTING PRESIDENT BAILEY: Senator Rivera, do you yield?

SENATOR RIVERA: I will.

ACTING PRESIDENT BAILEY: Senator Rivera yields.

SENATOR GALLIVAN: Along those lines -- and the Senator alluded to this, the various definitions that have been created over time -- we have sole community hospitals and critical access hospitals. They've also been hit very hard by the pandemic.

How does your budget increase funding to these hospitals or help these

hospitals?

(Pause.)

SENATOR RIVERA: Through you, Mr. President, we actually -- as I stated earlier, the amount that we've allocated in the one-house budget proposal is a billion for these types of hospitals. And it would -- depending on the definition that we currently have in our proposal, it would actually include all of the -- potentially include the institutions that you just mentioned.

SENATOR GALLIVAN: Will the Senator continue to yield.

ACTING PRESIDENT BAILEY: Does the Senator yield?

SENATOR RIVERA: Yes, sir.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR GALLIVAN: So if I understand correctly, then, we had these different definitions in the past, and I'm asking based on the different definitions.

So now, as we move forward, a distressed hospital and a sole community hospital and a critical access hospital will all be

treated the same as far as being provided relief with the billion dollars allocated towards this?

(Pause.)

SENATOR RIVERA: Through you, Mr. President. The answer is that they would not be treated -- all the institutions will be treated according to what their needs actually are. So they will all have access to the fund, but certainly those institutions that are more in need are more likely to receive more funding.

SENATOR GALLIVAN: Will the Senator continue to yield.

ACTING PRESIDENT BAILEY: Does the Senator continue to yield?

SENATOR RIVERA: Yes, Mr. President.

ACTING PRESIDENT BAILEY: The Senator yields.

SENATOR GALLIVAN: How does this one-house program that the Senator describes -- how will it actually determine which hospitals are in which need? What parameters will be used to determine the need? And then once that's done, how will the money be allocated?

(Pause.)

SENATOR RIVERA: Through you, Mr. President. The way that it will work is that there will be -- we work along -- meaning we, the Senate Majority, as well as the Speaker -- would work along with the Department of Health, based on the definition, as I've stated earlier, that relates to the amount -- the percentage of Medicaid population.

And by the way, I should linger on this for a second. It is clear that if someone -- that there is a Medicaid patient that goes to a particular healthcare institution, then that institution will get reimbursed for the services that are provided, depending on the payment modality. But obviously Medicaid rates, as everybody knows, are exceedingly low. So any institution that has a high percentage of Medicaid population will be an institution that is in distress.

I certainly can speak for St. Barnabas Hospital, which is in the middle of my district. Over 95 percent of the folks that go there are Medicaid patients, and therefore this is an institution that is constantly in distress.

So as far -- so that is the -- as far as the definition. And as far as the determination of how it will actually get to who it will go to, based on the need, we will work -- the Democratic Majority and the Speaker's office will work along with the Department of Health to determine where exactly this money needs to go. And we again will -- it will correspond to the need that is particular to each institution.

SENATOR GALLIVAN: Will the Senator continue to yield, Mr. President.

ACTING PRESIDENT BAILEY: Does the Senator continue to yield?

SENATOR RIVERA: Yes, Mr. President.

ACTING PRESIDENT BAILEY: The Senator yields.

SENATOR GALLIVAN: I have yet one more category. Rural hospitals struggle for many of the same reasons, but also some additional reasons. Where do rural hospitals fit as it relates to these other types of hospitals in need that we've discussed?

SENATOR RIVERA: Through you, Mr. President, it actually -- regardless of where

the hospital is, certainly I've -- first of all, I should tell you I certainly recognize -- I've had the opportunity to visit a few rural hospitals across the state. I believe -- maybe some of them have been in your district. And certainly I've learned a lot about the way that these institutions struggle in different ways than the ones that do in urban settings like the ones that serve my community.

So we will -- we were obviously saying if there is a high need, that we want to make sure that we give them resources. And that's precisely what that 1 billion is there for, to make sure that it can be directed to institutions, whether they be rural, urban or suburban, that have high needs.

(Laughter from outside the chamber.)

SENATOR RIVERA: Apparently that person didn't believe me. No, I mean it, bro.

(Laughter.)

SENATOR GALLIVAN: Will the Senator continue to yield, Mr. President, for a question?

ACTING PRESIDENT BAILEY: Does the Senator continue to yield?

SENATOR RIVERA: I do,

Mr. President.

ACTING PRESIDENT BAILEY: Senator Rivera yields.

SENATOR GALLIVAN: The Senator mentioned Medicaid reimbursements that we all know are very low. For hospitals, my belief is while in the past several years we had talked about their rate -- reimbursement rate being at 67 cents on the dollar, now the various hospitals and their organizations represent the fact that the reimbursement rate is 61 percent {sic} on the dollar.

We know that the Executive's proposal and the one-house reinstated a 1.5 percent cut from the prior administration and, if I'm not mistaken, added 1 percent in the way of reimbursements. That moves it up to 62 percent. And it really raises the question about, you know, how is this sustainable, and how are our hospitals going to be able to survive?

The question is does the one-house address the significant disparity in the funding as it relates to reimbursement versus cost? And if not, what can we do as a body, going forward,

to help our hospitals so that they're getting reimbursed for the services that's they're providing all of our constituents?

SENATOR RIVERA: Through you, Mr. President, this is a key question. And it is a key question that, as I -- something that I stated earlier that I'll repeat, and I'll reiterate as many times as necessary. We have a lot of catching up to do after 10 years of austerity across the state, not only as relates to hospitals in the Medicaid system, but that's the one that we're talking about today.

And what the Governor proposed, and what the one-house budget proposal does on top of what the Governor proposed, is a first step in the direction of actually solving that. One of the things that we are -- that is currently being discussed relates to potentially special rates for particular hospitals that are high needs, to have enhanced Medicaid rates. There's all sorts of conversations that are happening right now about the stability of these institutions in the long term. And that's something, unfortunately, we can't fix overnight.

So I would say that the fact that we

went back, as you mentioned correctly -- that the Governor's proposal actually brought up the cut that had happened last year, it brought us back to zero and then it went up 1 percent -- there were conversations about whether we should accept that, whether we should go for more. We agreed to accept the 1 percent increase.

And there's a lot of other stuff that we did, as I mentioned; some of the capital funding, some of the distressed hospital money that we talked about, et cetera. All of these things are about trying to go back on what has been at least a decade of disinvestment and austerity for institutions that serve the most vulnerable across the state.

So this is what we are seeing in this one-house proposal, and there's a whole host of other things that I hope that you will ask about or one of your colleagues will ask about, that we feel incredibly proud of and we think are first steps in actually getting us back to institutions that, again, serve the most vulnerable, that can actually be stable and don't have to come back to the state every couple of years for rescue.

SENATOR GALLIVAN: Mr. President.

ACTING PRESIDENT BAILEY: Senator Gallivan.

SENATOR GALLIVAN: I have, I think, just one more question. I'd like to ask many, many more questions, but we are limited in time. But I do have one more question if the Senator would continue -- would yield for it.

ACTING PRESIDENT BAILEY: Senator Rivera, do you continue to yield?

SENATOR RIVERA: I think I will yield once more, yes, sir.

ACTING PRESIDENT BAILEY: The Senator thinks he will yield. The sponsor yields.

SENATOR GALLIVAN: So the Senator has talked about, among other things -- but we focused a lot on these hospitals in need, distressed, old definition or new definition, community hospitals, rural hospitals, critical access hospitals. And while it likely includes more than that, we focused on the billion dollars that's set aside, which will be welcomed by these hospitals. I mean, no question about it.

All of us represent constituents

across the state that have been affected by this. And it's very likely that not one of us has a hospital in our district -- hasn't heard from the hospitals on the problems that those hospitals have. And of course those districts -- or those hospitals are located in most every district across the state, those that are represented by a member of the Majority or a member of the Minority.

And we had heard from the Senator that as we move forward with this billion dollars, that the plan now is that the Majority Leader, the Speaker of the Assembly will discuss this with the Governor and ultimately allocate that funding.

The question I have is given that members of the Majority -- the Minority, rather, represent hospitals, and there's a direct effect on their community, what role will the Minority play in allocating this spending over the course of the next fiscal year?

SENATOR RIVERA: Through you, Mr. President, I believe that -- this is obviously something that I absolutely recognize. I remember when I became a member of the Majority

and the chair of the Health Committee, it was very clear to me that the job was actually to govern for the entire state and to -- obviously, as it relates to the healthcare system, we serve every New Yorker, regardless of where they live, what party they're from, ethnicity, you know, immigration status, et cetera. So we have to try to make a system that serves all of them.

So what I can tell you is that the definition that we created we believe actually includes -- it includes category -- it includes a set of criteria that can be implemented across the state regardless of where that hospital is.

And what you have -- through you, Mr. President -- that I give a commitment to you and to my colleagues that certainly not only myself but most importantly, our Majority Leader, cares deeply about the entire state. And that the process, which will be transparent and will rely on the definitions that we create -- and ultimately I should say, obviously, this is a one-house budget proposal. Right? We have not made it to the final, final budget.

But we will fight to include this or as much of it as possible -- this is the process,

right -- in the final budget, because we want to make sure that we actually create a set of criteria which can include any hospital or any entity across the state that has these needs. And then we are committed to make sure that we have a transparent process, to make sure that the resources go to where they are needed.

So I believe that we -- you know, I believe that through the definition that we have created and the process that we are putting forward, that we'll be able to do that, again, in a transparent manner. We will make sure that any institution that has the needs across the state, regardless of where it is, receives the funding.

SENATOR GALLIVAN: I'd like to thank -- Mr. President, I'd like to thank the Senator for responding to the questions.

I will -- that's all that I have for now. I will yield my time to my colleagues and ultimately speak later in explaining my vote.

Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Gallivan.

Senator Oberacker.

SENATOR OBERACKER: Thank you,

Mr. President.

I plan on asking just a couple of quick questions. The first subject would be the expansion of the Essential Plan that covers the undocumented populations. This is in --

ACTING PRESIDENT BAILEY: Senator Oberacker, are you asking the sponsor to yield?

SENATOR OBERACKER: -- the health area of the budget. I'm sorry, yes.

ACTING PRESIDENT BAILEY: So in the health area, are you asking the sponsor to yield?

SENATOR OBERACKER: I'm asking if the sponsor would yield.

ACTING PRESIDENT BAILEY: Senator Rivera, do you yield?

SENATOR RIVERA: And the sponsor yields, yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR OBERACKER: Thank you. It's still my first time here, so give me a -- yes, so thank you.

So with that, the proposal provides coverage on the Essential Plan for undocumented individuals, those ineligible for the federal

financial participation in the basic health program on the basis of immigration status. This is with a household income below 250 percent of the federal poverty line.

The Senate one-house bill expands the Essential Plan to undocumented immigrants and, under the current law, permanently residing under color of law populations. My question, if the Senator would yield --

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR OBERACKER: Thank you.

Question one is if we pass this proposal, why would the federal government ever agree to cover the expansion and federal matching funds for the Essential Plan for -- the Essential Plan, Child Health Plus and Medicaid if we are showing that we are willing to cover the population anyway without their participation?

(Pause.)

SENATOR RIVERA: Through you, Mr. President. I'm glad, Mr. President, that this is something that is being brought up.

And first -- and actually, just for the record, Mr. President, I want to thank

Senator Oberacker, who referred to these folks as undocumented people, undocumented persons. Some of my colleagues sometimes use other terminology that is not human. So I'm very glad that you did that, sir.

Now, the answer to the question is this would be an extension of the Essential Plan to an undocumented population, right. These are folks -- this would be only state money, so there would be no federal match. It is currently -- right, this is not funded at the federal level. If there are services that are provided to undocumented people, it is not funded through federal money.

But we believe, Mr. President, that it is absolutely essential to do. And I'll give you a couple of reasons. Number one, as I mentioned earlier, these undocumented people are still people. The fact is that they will get sick. The fact is, Mr. President, they are getting sick. And as opposed to someone else who might have access to primary care, they have to wait until they have to go to the emergency room. And maybe they just ignore that pain that has been in their stomach for the last four or five

days, they'll ignore it. If it goes away, they won't actually go to the emergency room because they figure it's -- it's putting myself at risk, it is potentially incurring costs, et cetera, et cetera.

So the fact is that there's emergency Medicaid money that is already being used, state money that is being spent on the care of these individuals.

By extending the Essential Plan to these folks, we will actually -- they will actually have primary care, which will allow them to be able to have the type of coverage, Mr. President, that many of us take for granted. And among other things, secure for themselves primary care, potentially, which means that they will be able to identify conditions that are chronic earlier. They will just be healthier. And this will not only save us money, Mr. President, but also make lives better for those individuals, their families and the communities that they're in.

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

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR RIVERA: Yes, I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR OBERACKER: Thank you.

So what is the plan should the federal government ever eliminate funding for the Essential Plan because of this expansion?

SENATOR RIVERA: Through you, Mr. President. I would like the Senator to clarify his question, because I am unaware of a situation in which the federal government has decided to -- because I believe, if I understand correctly, that what he is positing is that if there is an expansion of something that is strictly -- for which strictly state funds are used, that the federal government might see this as some sort of insult and therefore say, We're not going to cover the federal share of folks who are eligible for federal funds.

I don't understand the question, Mr. President, if he could clarify.

ACTING PRESIDENT BAILEY: The Senator, having yielded, is asking you to

rephrase your question, Senator Oberacker.

SENATOR OBERACKER: Sure. I'd be more than happy to. Thank you.

So as a businessman, the metrics that I am -- as I understand them, if New York moves to cover all of the undocumented under the Essential Plan, the federal government has no reason to participate, maintain and expand federal funding for other health insurance programs because we, as the state, are showing that we are willing to cover the population anyway with state-only funding.

So the question becomes why would -- what is the -- through you, Mr. President, why would the federal government then ever continue if we are showing as a state that we're willing to fund these individuals?

SENATOR RIVERA: Mr. President, I feel that I'm still a little confused by the question, but I'll try to answer it.

This is a population that the federal government has already told us they will not cover. As a matter of fact, another part of our one-house budget proposal relates to the expansion of Medicaid for birthing people for up

to a year after they have given birth. Which in our version -- not in the Governor's version, but in our version -- includes undocumented folks. And yet again, this is actually something that we're using state funds for.

So I'm not sure that I understand the question. If the federal government is not going to give us federal share for a particular population, they're just not going to give us federal share for a particular population.

SENATOR OBERACKER: I'll move on, if that's okay. I believe I've got enough -- and we can speak offline, I think, more appropriately than here today. So thank you for that answer, Senator.

Through you, Mr. President, would the Senator continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor continue to yield?

SENATOR RIVERA: Absolutely.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR OBERACKER: Okay. The sponsor's memo for the original legislation stated that the budget is neutral. How -- if you

can help expand upon that, how is that possible?

SENATOR RIVERA: Through you, Mr. President, if the sponsor could produce this -- I'm sorry, not the sponsor, apologies. If Senator Oberacker could produce the memo that he's referring to, because I'm pretty sure that in none of our -- we know that it is not budget-neutral. As a matter of fact it is absolutely budget not neutral, I guess is the way to say it.

It obviously is an expenditure, but I will once again say that as opposed to an expenditure it's actually an investment. As we're saying, we are expanding the Essential Plan to a population that currently has no access to health insurance unless they can pay for it out-of-pocket. Right? Unless they are wealthy, in which case they can pay for whatever they want.

But if we're talking about folks who are within 250 percent of the federal poverty level, we are talking about a population that obviously is in need of some level of care. Because as I stated earlier, they are people, they will get sick.

So the memo I am sure would show that. As a matter of fact -- see, this is again why you surround yourself with good, smart people. And down at the bottom, "Fiscal Implications," you might be referring to it -- if you're referring to a memo that is not the current one, which I'm looking at, then if you would show it. But the memo that is currently for Bill S1572, "Fiscal Implications: The cost to the state to accomplish this goal is estimated to be approximately $345 million. The state will be saving close to the same amount in emergency Medicaid spending. Eligible individuals will be paying small premium amounts to contribute to their coverage." Thank you so much.

So in other words, the memo that we currently have clearly establishes a fiscal -- so I'm not sure which one -- through you, Mr. President -- you're referring to .

SENATOR OBERACKER: Thank you for the clarification on that, Senator. I will take that with me.

Would the -- through you, Mr. President, would the Senator continue to yield.

ACTING PRESIDENT BAILEY: Senator Rivera, do you yield?

SENATOR RIVERA: Indeed.

ACTING PRESIDENT BAILEY: The Senator yields.

SENATOR OBERACKER: So as a follow-up, are there estimates of how much this will cost in the future moving forward?

SENATOR RIVERA: Through you, Mr. President. The amount that we have in our one-house budget proposal -- the amount that we put in in the one-house budget proposal is an amount of 345 million, which accounts -- which amounts to what we believe will be about 46 percent of the total number of folks -- 46,000, apologies.

There are a total, Mr. President -- right now, according to our analysis or according to the analysis of folks who are supporting this piece of legislation, there are a total of 154,000 potential eligible people. In other words, folks that fit within the criteria, that don't have a legal immigration status and fit within the criteria as far as federal poverty level.

Of those -- as we know, no program has 100 percent use. Even if someone is eligible, the idea that 100 percent of the folks who are eligible for any program -- that has never happened.

And according to our best estimates, we're saying -- we're thinking that about 46,000 people of those 154,000 will avail themselves of this program, which comes to a cost of 345 million.

But I'll say again, this is almost as much as we will be saving because we are not going to be using it on emergency Medicaid anymore.

And I would remind everyone that providing folks primary care and making sure that they use it is actually a great way to save money in the long term. Because if somebody has primary care -- let's say somebody has diabetes, has asthma, has any other types -- has cancer. Any of these types of ailments, Mr. President, can be identified if someone has access to primary care, as opposed to having to rely on emergency care.

So that means that not only their

lives will be better, but that we will save money because, as opposed to having somebody having to deal with, let's say, God forbid, an amputation, because of diabetes that has not been diagnosed -- being able to diagnose it, take care of it on a regular basis means that those folks -- not only their lives will be better, but we will save money in the system overall.

So even though I couldn't give you, at this particular moment, outside of the 345 million that has been allocated in our one-house proposal, I could certainly -- we could certainly do an outyear type of analysis and provide it to you, sir.

SENATOR OBERACKER: Thank you, Senator.

SENATOR RIVERA: Absolutely.

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

ACTING PRESIDENT BAILEY: Does the sponsor continue to yield?

SENATOR RIVERA: Sí.

ACTING PRESIDENT BAILEY: The sponsor continues to yield.

SENATOR OBERACKER: Changing up a little bit now to an area that of course is near and dear to my heart, EMS funding.

So some of the background on Part F of the HMH bill proposes modernization to emergency medical services, including training programs. However, rural communities, of which I represent a large portion of, are still suffering from a shortage of EMS workers.

So through you, Mr. President, does this budget in any way help increase the number of rural EMS?

(Pause.)

SENATOR RIVERA: Through you, Mr. President, we believe that -- first of all, I'll refer to my earlier comments as far as 10 years of disinvestment and austerity means that we can't flip the boat around in just one year. We're certainly going to try.

And what we did in our one-house budget proposal is that as relates to emergency medical services, not only did we add a million to what the Governor had allocated for training purposes, but we also accepted some of the changes that we believe will indeed not only

provide stability but potentially provide us -- give us an opportunity to have more emergency medical technicians across the state.

SENATOR OBERACKER: Thank you, Senator.

Through you, Mr. President, would the Senator continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR RIVERA: Yes, sir.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR OBERACKER: Thank you.

Is there any consideration into making EMS an essential service? And if so, why isn't it in the -- proposed in this budget?

(Pause.)

SENATOR RIVERA: Through you, Mr. President. One of the things that we are certainly doing is we are accepting a redefinition of emergency medical services that is in Part F -- hold on, Section 7. Again, did you hear that? Section 7. I'm telling you, man, it's good to have these folks here -- which has not been done in over a decade.

And we believe that this actually will go a long way towards kind of centering this in the way that it is essential in different parts of the state, certainly like in rural communities.

In subdivision 1 of Section 3001 of the Public Health Law, as mentioned in Chapter 804 of the Laws of 1992 -- which is what Section 7 is -- emergency medical service means care of a person to and from and between a person's home, scene of injury, et cetera, et cetera. And it specifically includes "community paramedicine care."

So we believe that this definition, which again has not been changed in quite a while, goes a long way towards doing just what you feel needs to be done in that regard.

SENATOR OBERACKER: Thank you.

Through you, Mr. President, would the Senator continue to yield.

ACTING PRESIDENT BAILEY: Does the Senator continue to yield?

SENATOR RIVERA: I continue to yield.

ACTING PRESIDENT BAILEY: The

Senator yields.

SENATOR OBERACKER: Senator, thank you so much for that. I am encouraged to hear you say that. Anything since 1992 I think should be looked at more readily and under a microscope. So again, thank you.

Through you, Mr. President, does this budget increase Medicaid rates for EMS service? And do you believe that the Medicaid transportation rates for ambulance services are adequate for upstate New York and rural regions?

SENATOR RIVERA: Through you, Mr. President, the across-the-board -- the uncut, if -- or the restoration. That is a technical term. "Uncut" is not a word.

The restoration -- the restoration of these funds is across the board, which includes everything related to Medicaid, including transportation. And then we added 1 percent on top of that -- in other words, we accepted the Governor's proposal to do 1 percent above that, and that is across the board.

SENATOR OBERACKER: Mr. President, I would like to thank -- I'm finished with my questions. I would like to thank Senator Rivera

for his detailed questions {sic}, and I too will reserve my speaking on my vote at a later time.

I would like to now take my time and extend that out to our next -- who do we have coming up here?

ACTING PRESIDENT BAILEY: Senator Gianaris -- thank you. Thank you, Senator Oberacker.

Senator Gianaris.

SENATOR GIANARIS: Thank you. Mr. President, just for planning purposes, we do -- I want to notify members we do intend to honor the agreed-upon two-hour limit on the debate on this resolution.

There are eight additional members who want to debate this bill, and less than a half-hour till 4:12, which is the two-hour limit. We've been through three members, so if you figure out the math you're averaging a half-hour per member, and you have eight more members, which is not going to make it.

So please act accordingly. We don't want to cut people off, but if we reach the limit, we will.

ACTING PRESIDENT BAILEY: Thank

you, Senator Gianaris.

Senator Palumbo.

SENATOR RIVERA: Mr. President, 30 seconds --

ACTING PRESIDENT BAILEY: Senator Rivera, you can explain your --

SENATOR RIVERA: Thirty seconds.

Jorge Rivera, Jamie Salm, Donavan Borington, Carolyn Sheridan, Jonathan Lang, Chris Higgins, Lekeya Martin, Anissa Martinez, Alexandrea Nuwer, and Tony Kergaravat. Those are the folks that are smarter than me that did this.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you for the recognition of our staff, Senator Rivera.

SENATOR PALUMBO: (Inaudible) -- Mr. President, application for a credit for Senator Gianaris and Senator Rivera's time?

(Laughter.)

ACTING PRESIDENT BAILEY: Senator Palumbo with a five-second credit.

SENATOR PALUMBO: Would the sponsor or a colleague yield for some questions on public protection, please.

ACTING PRESIDENT BAILEY: Senator

Krueger will be yielding. Senator Krueger, do you -- Senator Krueger is in the position. Do you yield, Senator Krueger?

SENATOR KRUEGER: I do yield. Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Senator Krueger yields.

SENATOR PALUMBO: Thank you, Senator Krueger. And I'll move as quickly as I can.

Does this Senate one-house include any provisions or amendments or changes to the bail reform statute?

SENATOR KRUEGER: No.

SENATOR PALUMBO: Will you yield for another question?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The Senator yields.

SENATOR PALUMBO: Senator, does this one-house contain any provisions that would allow judicial discretion with respect to bail reform?

SENATOR KRUEGER: No. This is a budget document, so we didn't do policy issues

here.

SENATOR PALUMBO: Certainly. Would you yield for another question?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Well, I appreciate that, Senator Krueger, but I'm now going to ask you about the policy that's in this one-house bill, if you don't mind. Okay? Because we do that quite often here.

And with respect to the Clean Slate section in Public Protection -- I believe it's Part A and AA -- there were some changes made where -- and I'll just read the section quickly: "The Senate modifies the Executive proposal to seal criminal records three years after the expiration of the maximum sentence for misdemeanors and seven years after ... felonies. The Senate advances language that would immediately seal records three years after the release from custody" on misdemeanors and seven years on felonies.

So the clock now starts, based upon this one-house proposal, upon someone's release from custody. And maybe an example would help. Someone's sentenced to five to 15 years, for example, on a manslaughter second degree. The clock, under the Governor's proposal, would start at 15 when they're released from parole.

This bill -- and please correct me if I'm wrong -- this proposal would have the clock start at five years in that example. Is that accurate?

(Pause.)

SENATOR KRUEGER: I'm going to try to get this correct. Under the proposal we have in our one-house, the sealing can begin after they leave prison, but they are not going to be completely sealed until the 15-year mark.

SENATOR PALUMBO: Okay. Would you yield for another question?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Okay, thank you, Senator. And that just -- that clarification was important, I believe, because in the Executive Budget, since it didn't start until you're released from probation or parole, this would now -- it made that somewhat ambiguous because it would -- since it starts, it's just tolled until the end of their release from supervision, is that accurate?

SENATOR KRUEGER: Sealing cannot occur when a person is on probation, parole, or community supervision. So it does not get completed until any and all of those are completed.

SENATOR PALUMBO: Got it. Thank you for clarifying that.

Would you yield for another question?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Certainly.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Is this going to apply retroactively to current convictions?

SENATOR KRUEGER: Yes.

SENATOR PALUMBO: Thank you. Would you yield for another question?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: Does the sponsor yield? Does the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Can an individual take advantage of this sealing provision more than once on multiple convictions? So for example, as we've seen within a lot of the news stories recently, some people have 20, 30, 40 criminal convictions. If they're outside of seven years, are all of those sealed?

SENATOR KRUEGER: There's no cap on the number of convictions, so there's no cap on this. Although it sounds like we wouldn't get around to sealing anything until hundreds of years later, does it?

SENATOR PALUMBO: Well, would you yield for another question?

SENATOR KRUEGER: Yes, of course.

ACTING PRESIDENT BAILEY: The

Senator yields.

SENATOR PALUMBO: Thank you, Senator. So by way of follow-up, is there a cumulative count that it's seven years for each charge? Or is it just seven years from the most recent case?

SENATOR KRUEGER: So it's seven years from the most recent felony conviction. So a new conviction puts you back in square one.

SENATOR PALUMBO: Okay, thank you. Would you yield for another question?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Okay, thank you, Senator. So it would be just for newer ones, more recent ones, but all the old ones would be wrapped up and sealed, just so I'm clear, correct?

(Pause.)

SENATOR KRUEGER: You'd need to have no felony convictions in seven years. So it's not like they start the count for sealing

one, but then you get another felony but you still get to get sealing on the earlier. That doesn't work that way.

SENATOR PALUMBO: I understand that.

SENATOR KRUEGER: So -- okay.

SENATOR PALUMBO: Thank you, Senator. And would you yield for another question, just one more on --

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Yes, I do, Mr. President.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Thank you. And I guess just to clarify, that would be -- it wouldn't apply to old ones, only new ones is what I understand it to be, and I think that's what you just explained.

My next question is regarding the unlawful discriminatory practice section. That Part AA would make it an unlawful discriminatory practice for any person, agency, bureau, corporation or association to inquire about

whether any of form of application or otherwise were to act upon adversely to the individual involved in a conviction which is sealed.

So this prohibits anyone -- and my question to you is any one agency, does this also apply to schools, does it apply to law enforcement? Because I believe the Executive Budget at least carved out law enforcement.

But school districts, I know under the current law you can ask if someone's been arrested in very limited circumstances like for physicians, for lawyers, we're asked, for certain law enforcement positions.

So does this eliminate that entirely? Can you clarify that for me, please?

(Pause.)

SENATOR KRUEGER: If the job you're applying for -- let's say as a teacher -- requires a background check, the background check will show the record. But if you're not applying for a job that does require background checks, then your record is sealed for those types of jobs.

SENATOR PALUMBO: Will you yield for one more question.

ACTING PRESIDENT BAILEY: Senator Krueger, do you yield for another question?

SENATOR KRUEGER: Absolutely.

ACTING PRESIDENT BAILEY: The Senator yields.

SENATOR PALUMBO: Senator Krueger, in that situation, then, if someone's applying to be a bus driver for a school district and all their convictions are sealed, are you saying the school would have access to those? Say, for example, for DWI convictions?

SENATOR KRUEGER: So a bus driving job has review through the DMV system, and the DMV system would continue to show these convictions.

SENATOR PALUMBO: Okay, do you yield for one more question? I think --

(Overtalk.)

SENATOR PALUMBO: -- I understand that.

SENATOR KRUEGER: She's very believable.

SENATOR PALUMBO: Right. Right.

ACTING PRESIDENT BAILEY: Senator Krueger, do you yield for another question?

SENATOR KRUEGER: I do.

ACTING PRESIDENT BAILEY: The Senator yields.

SENATOR PALUMBO: So without belaboring that point, so that if it's not found through the DMV system, then ultimately that's something that you would not be entitled to in the event you're looking for someone as a driver; correct?

(Pause.)

SENATOR KRUEGER: School bus drivers require a fingerprint check as well, so they would still have access to those records in addition to what the DMV system collects.

SENATOR PALUMBO: Good to know. I'm going to go to another section, if I can ask you one more question.

ACTING PRESIDENT BAILEY: Are you asking the sponsor to yield, Senator Palumbo?

SENATOR PALUMBO: Yes, I am, Mr. President.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR PALUMBO: I have here in the Governor's budget, which I guess was otherwise adopted, based on the language of the one-house, "In any civil action an official record of a conviction that has been sealed, pursuant to this section, may not be introduced as evidence of negligence against any person or entity that provided employment, contract labor or services, volunteer work," et cetera.

With respect to that section, so in the event someone hires someone who is, for example, abusive to children or otherwise has sealed criminal convictions, and then ultimately they do it again to an employee, in a negligent hiring case you are not allowed to admit the evidence of the prior conviction that the employer disregarded. And for example, say it even came through -- by way of a newspaper story. That's inadmissible as a result of this language.

Can you clarify that or tell me if I'm wrong?

(Pause.)

SENATOR KRUEGER: I'll try to get this one right. The employer could not be

found -- or charged in a civil case because if they went looking for records that were not available to them, they did not know anything about this employee. Hence, they don't have a liability.

But if the employee is brought up in a civil case, then those records are available to whoever is bringing the case, and it can be used against them if they lied about anything, and for the actions that they took.

SENATOR PALUMBO: Thank you, Senator. We're short on time, so I'm going to leave some time for my colleagues. I have no further questions. Thank you for answering.

SENATOR KRUEGER: Thank you very much.

ACTING PRESIDENT BAILEY: Senator Borrello.

SENATOR BORRELLO: Mr. President, I have a question on mental health. Should I -- will the sponsor yield?

ACTING PRESIDENT BAILEY: Will the Senator yield for a question on mental health?

SENATOR KRUEGER: I certainly will.

ACTING PRESIDENT BAILEY: Senator

Krueger yields.

SENATOR BORRELLO: Thank you, Senator Krueger.

I stood here a year ago when we were discussing this chamber watering down -- strengthening Kendra's Law in last year's budget. And as you may know, Kendra Webdale was a friend of mine. She grew up in the little town of Fredonia where I grew up. And it rocked our community when she was pushed in front of that subway train.

And I said on the floor "I hope this never happens again." And tragically, we stand here a year later and we have Michelle Go who died in the exact manner, with a person who should not have been out on the streets. And we've seen an increase in mental health violence here in New York State in this past year.

Very tragically, we're standing here again.

And I'm looking at this one-house budget, and we were going to renew in the Governor's budget Kendra's Law for five years, and the one-house budget, the Senate one-house, only renews it for one year. The Assembly is

keeping it at five years. Why will we only renew it for one year?

SENATOR KRUEGER: Thank you for the question. I think we're keeping it for one year because we recognize it's not a perfect law and that we need to do more things. And so we didn't want to do a five-year extension and just say we're done for five years. Because we, like you, believe we need to be doing more.

What we did learn in researching Kendra's Law is it is very rarely used in a situation as the example you gave recently from New York City and some of the many other tragic violent cases involving mentally ill homeless people. In fact, Kendra's Law is disproportionately used by family members who go to court to get an AOT -- is it AOT? Thank you -- and not used at all when it comes to the issues of homeless people without any connections with their families or with any kinds of community institutions.

So we really do believe that we not only need to continue the protections that we already have in Kendra's Law, but that they're not adequate and we need to figure out some

changes in our laws specifically when it comes to mentally ill people who have -- again, I need to say for the record, Mr. President, I do not believe that most mentally ill people are ever going to be violent. My conference does not believe that most mentally ill people are ever going to be violent.

We're talking about a subuniverse of people who, particularly perhaps when they are not on meds that they need because they have no services being offered to them or no assistance, no healthcare -- that these are the population we need to actually be coming up with better and more effective models. And those are not putting them in jail, they are not throwing them in an emergency room for 24 hours and releasing them. This is talking about getting them actual psychiatric services and care with residential facilities. Because again, we're talking about disproportionately homeless and mentally ill.

So there are all kinds of program models. We don't believe Kendra's Law addresses the issues we're seeing in New York City right now and, I am told, in several other places in the state. So we don't want anything to sunset,

we just want to focus more on it rather than doing a five-year extension and thinking we took care of everything, because that would not take care of everything.

SENATOR BORRELLO: Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: Senator Krueger yields.

SENATOR BORRELLO: I appreciate that answer. Unfortunately, New York State has summarily shut down institutions that could actually help people, and now our streets have become mental institutions.

And while it's a small percentage of people, keep in mind, crime in general is a small percentage of the population, but it still rocks our communities. And so I don't know that that's necessarily the right answer.

But you brought up AOTs. You know, we're trying to do things to strengthen our ability to ensure that people that have mental health crises can be held. Yet we are taking out

the ability for a physician to actually testify at an AOT hearing to ensure that those people are kept. So why would we do that?

(Pause.)

SENATOR KRUEGER: We aren't allowing Zoom testimony, is my understanding.

SENATOR BORRELLO: Yes, that's correct. We've allowed it here for the last two years, but now we can't do it?

SENATOR KRUEGER: Well, I think there's a concern about a -- I'm sorry, through you, Mr. President, I think there's some concern about psychiatric evaluation when you've not actually met or dealt with the person.

But I just want to clarify the first points you made. We are putting in $220 million more for psychiatric beds and supportive housing beds -- 20 million? I'm sorry. Let's try 20 million for 200 psychiatric beds. Which is not 220 million, which is the number I would prefer personally.

And there's a commitment by the state to revisit reopening psychiatric beds that they have closed over the last number of years.

You know, I don't think you and I

are very apart on this issue at all. In my city we believe we have 1,000 fewer residential beds for people with psychiatric illness now than eight years ago. And that -- so you wonder why are there so many people on the streets with nowhere to go, suffering so painfully and putting others at risk? Because we took away the places they used to be able to go.

So we need to reinvest in psychiatric beds and to have various options for people who are in different places and have different needs.

SENATOR BORRELLO: Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Yes, I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Senator Krueger, you're right, we aren't far apart on this. But, you know, it's the actions that I'm concerned about. Twenty million dollars to create 200 beds -- I lost 20 in my community alone just in the last two years. So I think it's woefully

inadequate.

So why are we not strengthening that? And in fact, why aren't we using Senator Savino's bill, 8508, as a model to do exactly that, to invest in and strengthen our mental health laws?

SENATOR KRUEGER: She's just put in her new bill, and she's circulating it. And we still have time to explore that before the end of session. Thank you, Senator Savino.

SENATOR BORRELLO: Mr. President, I will yield the rest of my time.

Thank you, Senator Krueger.

SENATOR KRUEGER: Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Borrello.

Senator Rath.

SENATOR RATH: Through you, Mr. President, will the sponsor yield for some questions on elections?

ACTING PRESIDENT BAILEY: Does the sponsor yield for questions on elections?

SENATOR KRUEGER: Sorry. Sorry, Mr. President. Of course.

ACTING PRESIDENT BAILEY: The

Senator yields.

SENATOR RATH: Thank you. I will be brief, and I'll try to be seated.

This budget allocates an additional $10 million for BOE assistance, the one-house proposal. Is all of this intended to aid those offices who are implementing early voting requirements across New York State?

SENATOR KRUEGER: One moment as our voter person shows up.

(Pause; off the record.)

SENATOR RATH: Through you, Mr. President, time out.

SENATOR KRUEGER: We'll bring in the big guns for you, don't worry.

Did I hear you correctly, $10 million specifically for --

SENATOR RATH: (Inaudible.)

SENATOR KRUEGER: And your ask is for what it's being used for?

SENATOR RATH: Whether it is being used for early voting requirements.

(Pause.)

SENATOR RATH: Mr. President, we're still on the clock?

ACTING PRESIDENT BAILEY: The second charge, time out.

(Laughter.)

SENATOR RATH: Can we go to the booth for that one?

SENATOR KRUEGER: You win the prize for how many staff can we find to help me.

And the answer is no, it's for whatever the local boards use to wish it for. It might be early voting, it might be other things.

SENATOR RATH: Thank you.

Mr. President, would the sponsor continue to yield? And you can restart the clock.

(Laughter.)

ACTING PRESIDENT BAILEY: The clock restarts. Will the sponsor yield?

SENATOR KRUEGER: Thank you.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RATH: Thank you.

Are you confident that this $10 million is sufficient for our boards of elections to meet all these new requirements?

SENATOR KRUEGER: Excellent

question. We gave them more money last year. We're not clear that they've spent it all. And it probably varies by location.

But we are optimistic that it's more than was going to be there for them and that every dollar helps. So that it should help them move along. I know some bought new machines, some are still looking to buy new machines. Some had fewer problems with the earlier voting, some had more problems with the earlier voting.

So one thing I've learned is that elections operate pretty differently depending on what county you're talking to. Which is why we didn't mandate the 10 million for any one specific activity.

SENATOR RATH: Thank you.

Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RATH: Thank you.

We have heard from a lot of boards

of elections they're really struggling with resources, they're struggling with training, they're struggling with staffing. So the additional resources are important.

But one of the things that's a real problem is our smaller counties complying with all these early voting requirements, all these new mandates that are being passed down.

So is there any money that's earmarked specifically to help out our smaller and our more rural counties who are struggling to comply with these mandates?

SENATOR KRUEGER: So it's for any purpose. I know that the State Board of Elections has talked about doing more online training and unification of training so that you don't necessarily need the same specialists in every county if you can do online training of your workers.

But as far as the other examples you gave, it's not clear to me that there is a general sense of what everybody ought to be doing.

SENATOR RATH: Thank you.

Mr. President, would the sponsor

yield for a question or two on energy?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RATH: Thank you.

This one-house proposal has several large aspects to it concerning the energy sector, but many of these proposals do not address the concerns of long-term affordability for energy consumers in New York, both residential as well as industrial and commercial consumers.

What is the justification behind the modest suspension of motor fuel taxes proposed, and is there any particular reason why the one-house stops short of suspending all fuel taxes?

SENATOR KRUEGER: Thank you for asking that. You faked us out as to what the question was going to be.

Although I do want to just go back and point out also on local election issues and other local issues, we also increase AIM funding to our localities by $210 million, which

hopefully will allow them to have some additional money to cover unique local issues for themselves.

And we're also stopping sales tax intercept, which is another $250 million. So we are definitely, within our one-house, trying to make sure that we are increasing the amount of state revenue going back to our counties and localities for them to use it as they prioritize, which I think is a real victory, probably, that everyone would agree with here.

Now to go back to your question about -- thank you, I didn't forget, I just wanted to get that in.

SENATOR RATH: Okay. Good, thank you.

SENATOR KRUEGER: -- about increased energy costs.

There is an assumption that perhaps we don't agree upon that moving to -- off of gas and petroleum and into green energy will cost us more. Because actually the research shows once we get started, it will cost us less. So we're hoping to be able to move to green energy and the kinds of energy that don't destroy the planet as

quickly as possible because, one, then we won't destroy the planet, and two, the pricing will actually go down.

Now, is that going to happen this year as gas prices are going up? Clearly not fast enough. So we are facing a crisis of increased costs of gasoline. And most everyone analyzed it as being because of Putin and the Russian war in Europe, which I suspect the State Senate Rs and Ds won't have that much ability to change the story line in.

What we can try to do is lower the costs particularly for people who are most dependent on using petroleum vehicles, as we have not transitioned fast enough into EV vehicles. So we are proposing, in our one-house, a reduction in the gas tax, 16 cents a gallon in state gas tax and then the option for the localities to match it with their local sales tax. Because sales taxes are usually half state and approximately half locality. So we are proposing that for the remainder of 2022.

SENATOR RATH: Through you, Mr. President, one quick follow-up question.

ACTING PRESIDENT BAILEY: Does the

sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RATH: Thank you. Sixteen cents, but not 33. We have the chance to cut it to 33, and we're doing 16. People need a break. Costs are escalating. Why not the 33-cent cut?

SENATOR KRUEGER: Every action has a reaction. And we currently use gas tax revenue to pay for the highway maintenance and repairs. So we thought it was not actually the best idea to zero out all the funds going into the highway funds. And so that's why we chose half, but recognizing that the localities could get us to that 33 cents by matching it at the local level.

And interestingly, because the price of gas is going up, at the local level the sales tax revenue is growing much larger than any locality imagined it would be or projected in their budget. Because every time the price of gas goes up, they're getting more from sales tax than they thought they were. So we actually believe it's perfectly reasonable to suggest that we take half that cost and ask them to take half

that cost.

SENATOR RATH: Through you, Mr President, one more question.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RATH: Is there anything in any of the proposals in your one-house proposal that lowers energy costs for homeowners and businesses in New York State?

SENATOR KRUEGER: So we are offering significant tax credits for retrofitting your home to solar or geothermal. We are expanding the solar tax credit from 5,000 to 10,000. We're going to a 10,000 geothermal tax as well. Right? Five thousand geothermal. What else?

We're incentivizing the use of electric vehicles by providing credits for purchasing electric vehicles or purchasing chargers for electric vehicles.

We have a package of climate change proposals that put money into a number of

additional retrofits for people -- excuse me. We're not retrofitting people. How about people's homes. Maybe we'd like to retrofit people; I'm not sure how to do that. Retrofitting private homes as well as businesses.

If you have a chance to review our climate package within our one-house, including our redefinition of the bond act and what that money should be used for, I think you will see quite a few other things that you might not have thought about but would meet those standards.

SENATOR RATH: Thank you, Senator.

Mr. President, I'm all set and hope you reset the clock for my colleagues.

SENATOR KRUEGER: Oh, and one more thing, I'm sorry.

SENATOR RATH: Oh, I'm sorry.

SENATOR KRUEGER: Through you, Mr. President.

SENATOR RATH: Absolutely.

SENATOR KRUEGER: And there's an additional 400 million for utility arrears for people who have not been able to pay their utilities because of the same problems they faced in not being able to pay their rent or their

mortgages during COVID.

SENATOR RATH: Thank you, Mr. President, I'm all set.

ACTING PRESIDENT BAILEY: Thank you, Senator Rath.

Senator Serino.

SENATOR GIANARIS: Mr. President, we're at 4:12, which is the two-hour limit. In an effort to be very accommodating, we're going to go till 4:30 and absolutely cut it off at 4:30. So the remaining four or five members that want to debate, that's how much time you have. If your colleagues go long before you, it's on you.

ACTING PRESIDENT BAILEY: Thank you, Senator Gianaris.

Senator Serino.

SENATOR SERINO: I'm going to be lickety split. Senator Krueger -- does the Senator yield for questions?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: Senator Krueger, do you yield?

SENATOR SERINO: Thank you.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR SERINO: Does this one-house budget proposal include specific money for research, education or prevention initiatives for Lyme and tick-borne diseases?

SENATOR KRUEGER: I really don't know. Does someone know and want to run up here?

Why don't you continue with the questions, and maybe somebody will let me know.

SENATOR SERINO: Okay, absolutely. As you know -- oh, does the sponsor continue to yield? Sorry.

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR SERINO: And as you know, mental health was a huge subject, right, with all the questions. But with the children's mental health beds, I'm glad to see that we're having that conversation and it sounds like we're making the investment there and in the stabilization centers as well. And I share --

SENATOR KRUEGER: (Inaudible.)

SENATOR SERINO: Oh, thank you.

And I share the concerns that my

colleagues had.

But there was -- there's a proposal that includes $50 million for mental health grants under Aid to Localities, and I'm just wondering how those are going to be disbursed. Is it going to be by -- geographically, population, or through like a competitive process?

SENATOR KRUEGER: It's in education, so it will go through the school districts.

SENATOR SERINO: I just hope that they streamline the process because it -- they can't get bogged with too many -- you know, too much red tape.

Did they have the answer to the question on Lyme yet? Because I'm --

SENATOR KRUEGER: (Inaudible.)

SENATOR SERINO: And I'll just be real -- I'll just be real quick.

SENATOR KRUEGER: We accepted the Executive of $69,400 for Lyme.

SENATOR SERINO: And I see that the one-house proposes an additional --

ACTING PRESIDENT BAILEY: Senator

Serino -- I'm sorry, I know you're going quick, but are you asking the sponsor to yield?

SENATOR SERINO: Oh, yes, I'm sorry.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Sorry, it's my fault also.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR KRUEGER: Sorry, Mr. President.

SENATOR SERINO: Sorry. I see that the one-house proposes an additional $2 million for the Long Term Care Ombudsman Program, a program that of course plays a critical role in protecting the health and safety of nursing home residents.

While that's a start, I submitted a bipartisan letter for $20 million to bolster and professionalize this critical program. Can you tell me why there's been such a small investment made in such a critical program in your proposal?

SENATOR KRUEGER: You're going to get me fired, Sue Serino. I wanted 20 million

also. (Laughing.)

Mr. President, because we didn't have enough money to go around and we thought it was a great idea and at least in Year 1 we could get it started, knowing that we're going to need more funds.

SENATOR SERINO: Thank you, Senator.

SENATOR KRUEGER: Thank you.

ACTING PRESIDENT BAILEY: Senator Helming.

SENATOR HELMING: Thank you, Mr. President. Will the sponsor yield for a few questions.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes, I will.

ACTING PRESIDENT BAILEY: The Senator yields.

SENATOR HELMING: Thanks, Senator Krueger.

Senator Krueger, if there's one thing we've learned over the past year it's that the ERAP program is so bureaucratic, it's very slow, and both tenants and landlords are

suffering. Tenants are falling further behind with their rent payments, and landlords are at risk of losing their property because they can't meet their financial obligations.

I look at this one-house budget as a great opportunity to streamline the ERAP process and the program. Is there anything in this one-house budget that proposes doing just that?

SENATOR KRUEGER: We share the frustration. We know that we started off slow moving the money out. We sped it up quite a bit. And I think we've now given out 1.6 of the 2 billion. And we have the dilemma of the difficulty in finding the landlords sometimes, finding the right paperwork. It's amazing how complicated it is. And a lot of it is tied up with the requirements of the federal government and what they tell us we have to collect. Which is also why we wanted to make sure we have a state program to invest money in directly to the landlords, and we're continuing that and putting how much money in?

(Pause.)

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

yield.

ACTING PRESIDENT BAILEY: Does the sponsor continue to yield? I thought --

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: I believe she was still answering the question. I'm sorry, Senator Helming.

SENATOR KRUEGER: No, that's okay. Go right ahead.

SENATOR HELMING: I mean, I would argue every point that you just made, that it is so challenging and difficult to get any answers to specific questions from the commissioner and his agency.

But I want to switch quickly because we are so limited in time. Something that's personally very important to me is providing housing for those homeless veterans who are seeking it. In the Greater Rochester area, we have a tremendous lack of housing for veterans, especially females, women with children.

And I'm wondering if there was any discussion and if this budget includes a restoration of the Warrior Salute program. In the past, they received about $250,000, $300,000,

but I believe it was cut out two years ago.

SENATOR KRUEGER: I'm not familiar with that program.

There is a -- there has been quite a bit of discussion about needing more funds for homeless people statewide, the recognition that every community is suffering from populations that are homeless. (Pause.)

We also did the $250 million Access program for funding for people who are homeless, so we really upped the amount of money. And I guess what I would suggest is that if you know a group specifically in Rochester that's working with homeless veterans, that we should make sure that they're being reached out to to make sure that they know how to apply.

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

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR REICHLIN-MELNICK: I will

do that.

And I asked about the Warrior Salute program because it's so wonderful and successful every year.

But just moving along very quickly here, keeping people in their homes is very important. I agree that we have a homelessness issue that needs to be addressed. This includes people who live in state-operated group homes, people with developmental disabilities.

Over the weekend I attended the event with PEF. My colleagues from this body were in attendance as well, and we heard about the dozens of group homes that have been closed since 2019, both permanently and temporarily closed, along with the day treatment programs.

Is there anything in this budget that says -- that commits to our developmentally disabled population in New York State that we are going to reopen these homes and we're going to stop moving you around like you're pieces of a puzzle instead of the human beings that you are?

SENATOR KRUEGER: So we know that we have a new commissioner for OPWDD who I think comes to the position with a much better

understanding of the real-life issues for families and the real pain if a facility is closed that was working and being successful for their probably in most cases adult children. Although I guess also children children.

And there is additional funding for facilities within the "O" agencies. But I am not aware of the Governor making any commitments to reopening specific facilities, and I don't believe we got that far into the weeds in our one-house.

SENATOR HELMING: Mr. President, if the sponsor will continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR HELMING: Senator Krueger, continuing along the same lines, the CDPAP program, Consumer Directed Personal Assistance Program, this Medicaid program -- I know you're familiar with it -- provides services to chronically ill or physically disabled individuals who have a medical need. These folks

cannot live in their own homes without services. They cannot. We are at a crisis with that program. The Center for Disability Rights is right around the corner from my district office. I hear from people, I met with a woman on Friday and she had this to say to me. She said: "Pam, I'm at the end of the rope, I don't know what to do." She needs 24/7 care. She said, "I'm thinking about trying to commit a crime so I could get into jail and get the services that I need."

Is there anything in this budget that increases the ability for folks in the CDPAP program to increase the wages, to restore benefits to the people who work in those programs?

SENATOR KRUEGER: So yes, one of the major initiatives in our one-house bill is increased revenue for salary increases for people who are working in home care, which will include through CDPAP as well as through other traditional models. So absolutely, more money for staffing.

But there was also some changes the state made in the number of CDPAP intermediary

agencies, and there's some concern about that. And so we sort of slowed that down a bit also within our one-house.

And we also invested some money into capital for home care facilities as well. Which would actually be more a fit with the previous question you asked about the group homes.

SENATOR HELMING: Thank you, Senator Krueger.

If the sponsor will yield for one more question.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR HELMING: Changing topics here a little bit. The Gananda Central School District received significantly less Foundation Aid per student when it's compared to similar schools. Even wealthier school districts receive almost double what Gananda receives per student.

In the past budgets I have seen carveouts for schools who have needed an additional bump-up -- Yonkers, Rochester City

School District and others. Is there anything in this budget for the Gananda Central School District? I know they've highlighted their plight to myself, to the chair of the Education Committee and others.

SENATOR KRUEGER: I don't know them personally, so I'm just going to check with this gentleman.

So my understanding is everybody got at least a 3 percent increase in Foundation Aid base funding. And that you should probably have a chat with the Education chair, Shelley Mayer, about what other possibilities there might be.

SENATOR HELMING: Through you, Mr. President. Thank you. And that has been done for the last couple of years. And I know the school district has reached out numerous times as well.

That does it for my questions. Thank you, Senator Krueger.

SENATOR KRUEGER: Thank you.

ACTING PRESIDENT BAILEY: Senator Martucci.

SENATOR MARTUCCI: Thank you, Mr. President.

My question is with respect to TED Part RR, if the Senator would yield.

ACTING PRESIDENT BAILEY: Senator Krueger, do you yield?

SENATOR KRUEGER: I do. But remind me what Part RR is.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTUCCI: I'll tell you about it. Extender producer responsibility.

SENATOR KRUEGER: (Inaudible.)

(Laughter.)

SENATOR KRUEGER: -- it's amazing.

SENATOR MARTUCCI: I'm trying to make this more efficient, because I've only got six minutes left. So I'm going to use it well.

All right. My question is with respect to municipalities that currently have recycling programs. If a municipality operates its own recycling program, is it able to opt out of EPR?

(Pause.)

SENATOR KRUEGER: Yes. It's a new agreement between the producers and the municipalities, and the municipalities can opt

out.

SENATOR MARTUCCI: So if the Senator would yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTUCCI: Through you, Mr. President. So if the municipality is able to opt out, or chooses for some reason not to opt out, is there anything that is included in the language that's before us today that would somehow protect or dictate what happens to the collectively bargained workforce?

SENATOR KRUEGER: No, it doesn't address collective bargaining. They would have to work that out at home.

SENATOR MARTUCCI: Thank you, Mr. President. I have one other question.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTUCCI: Thank you, Senator.

I'm going to pivot to Part SS, which has to do with a ban on certain packaging. That's a part of this proposal as well.

Has there been any consideration paid to carveouts, specific carveouts with respect to packaging that's used for medical purposes such as storing of cellular therapies, cryogenics, and even the storage and distribution of vaccines? Which we've clearly seen over the past year is pretty important.

SENATOR KRUEGER: It's not in the Governor's proposal. But apparently the industry has been approaching us as well with concerns about medical packaging. So I think we're very open to learning more about this.

SENATOR MARTUCCI: Thank you, Mr. President. I thank the Senator for answering our questions. And I look forward to those conversations in the weeks to come. Thank you.

SENATOR KRUEGER: Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator.

Senator Tedisco.

SENATOR TEDISCO: Will the Senator yield for a few questions?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Of course.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR TEDISCO: Thank you.

First of all, let me let you know I checked the drawer for Senator Gianaris's old desk. There's nothing in it today, so I'm not going to be using anything in there. So he can relax.

I want to ask you very quickly, what are the two largest spending and revenue parts of this budget? The two largest.

SENATOR KRUEGER: Without even looking, it's education and healthcare.

SENATOR TEDISCO: Yeah. Or social services? Excuse me.

SENATOR KRUEGER: No, social services are nothing compared to education and healthcare.

SENATOR TEDISCO: Okay. Now, you said in one of your comments earlier on, I think

it was with Senator O'Mara, "The state is very good at making very large adjustments quickly and effectively."

Do you remember a man named Willie Sutton?

SENATOR KRUEGER: I don't know him personally, but I remember the reference. That he would rob banks because that's where the money was.

SENATOR TEDISCO: That's where the money was. And I don't know if he really said -- excuse me.

ACTING PRESIDENT BAILEY: Senator Krueger, do you yield?

SENATOR KRUEGER: I do yield.

ACTING PRESIDENT BAILEY: Senator Krueger yields.

SENATOR TEDISCO: I don't know if he really said that, but they say he really said that.

And what I want to ask you is about one time not so far back -- you and I were here, several members were here -- we had a terrible deficit, a terrible deficit. There must have been some bad budgets leading up to that deficit.

And we corrected that deficit. And you probably remember how we corrected that deficit. When I say large amounts, and you said education, it was through taking money from education.

And when we took that money from education, we developed an unbelievable, terrible gap in providing funding for kids and schools and special education. And it was a hard process to get back to the point where we actually closed that gap.

Would you call that a very good -- a very large adjustment, very quickly, to solve a problem?

SENATOR KRUEGER: So if I had my druthers, no, I would not choose to cut education funding or healthcare funding.

SENATOR TEDISCO: Would the gentlelady --

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: I certainly do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR TEDISCO: So we're not always very good at making large adjustments.

SENATOR KRUEGER: Well, apparently we're good at making them. We may not always make the right decisions. But we made the decisions when we had to, yeah.

But I would agree -- I don't think that I was the Governor that day, or any day, but I don't think that our cutting education funding proved to be a very good move for us.

SENATOR TEDISCO: Will the Senator yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR KRUEGER: Of course.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR TEDISCO: Just help me one more time. The difference between the Governor's budget and our budget, with numbers and percentages of increase. We've increased it by a percentage and we've increased it by numbers. What's the percentage and the number?

SENATOR KRUEGER: We increased it by $9 billion over what the Governor proposed. And that percentage increase would be 11.1 percent.

SENATOR TEDISCO: Eleven point --

SENATOR KRUEGER: -- .1 percent over the Governor's.

SENATOR TEDISCO: Would the gentlewoman yield.

ACTING PRESIDENT BAILEY: Senator Krueger, do you yield?

SENATOR KRUEGER: I'm sorry, 11.1 over -- over this year's budget. But her proposed budget goes up 3.2 percent; ours goes up 11.1 percent.

SENATOR TEDISCO: This has gotta be the last question, and I'll tell you why -- would she yield?

ACTING PRESIDENT BAILEY: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes, I'm happy to yield.

SENATOR TEDISCO: Last question, and I'll tell you why I'm going to ask it. Because we have the worst inflation in 40 years. Every dollar -- we talked about the gasoline tax and cutting the tax, but it's really the cost of a gallon of gasoline also. Home heating, buying groceries, paying the kids' tuition, paying our

car payments -- everything is chipping away at every dollar.

I want to ask you -- the one thing I don't hear a lot about when we're providing all this funding -- an 11 percent increase, $9 billion -- is the beleaguered property tax owner. Are we doing anything about the STAR program to enhance it and help them out through that? It's been a very good program. I remember when I was in the minority, we fought for it, we helped development -- we helped to get it across and save 35 or 40 billion dollars. But when you eat away at all those other things -- and I'll tell you why it's important.

You've got young people before the pandemic and leading into the pandemic who bought homes. They're looking at their mortgage now, they're looking at their tax payment now, and they're saying, Wait a second, I don't think I can afford to keep my house anymore.

But above and beyond that, even with the Enhanced program, we have seniors who are calling me and saying, "I'm on a fixed income, I've been on a fixed income for a long time." Maybe just Social Security, maybe just a very

small pension system. "I could afford to pay for my house over 40 or 45 years, Senator," they tell me, "but I don't think I can keep it now because I can't afford to pay the taxes even with the STAR program in place."

So we talk about regressive taxes? My mom died at 97. She lived for many years -- my father worked in the foundry for 30 years to bring up three children and to be able to own a home. She lived on Social Security of 12 or 13 or $14,000 for many, many years. My father passed away at 67. She lived to be 97.

Her house had a value. Was it fair to charge her with the fellow next to her who might have been making $100,000 or $200,000 at the General Electric as an executive? It's a terribly regressive tax.

Why is there nothing done to enhance that -- I'm a little bit interested in helping people out with their heating bills, that's fine. But that's not going to cover the cost of the expansion of the taxes eating into their small pensions and eating into their small Social Security.

SENATOR KRUEGER: So Mr. President,

I wanted to thank Senator Tedisco for that question. We put $2.2 billion into expanding STAR in our one-house budget. We still have 400 million that we put in last year to continue a circuit-breaker for exactly this population. So combined, it's $2.6 billion in property tax reductions through STAR and circuit-breaker.

And we made adjustments to the Governor's proposal to target more of it to people who have less than $75,000 in income and people who have -- for people under 75,000 there would be an additional $942 in STAR. For people 75,000 to 150,000 in income, an additional 683 in STAR. For people 150,000 to 200,000, an additional 393 in STAR. And for the Enhanced program, an additional $800 on top of the existing STAR, on top of the -- for those who are eligible, the circuit-breaker that we expanded last year and continued it to this year.

So I'm very proud of my conference's commitment to trying to address exactly what you're describing for exactly that population.

SENATOR TEDISCO: Will the gentlewoman yield.

ACTING PRESIDENT BAILEY: Senator

Tedisco, this will be the last question that we permit.

Senator Krueger, do you yield?

SENATOR KRUEGER: Yes, I will.

SENATOR TEDISCO: Now, what percentage would that be as compared to the size of the budget increase? I mean, you said 9 percent for the budget. What increase would that be to help the homeowners?

(Pause.)

SENATOR KRUEGER: So we're increasing the budget in total 9 billion, but 2.2 billion is going to the new property tax reductions.

So if you look at the total, not just the General Fund, it's a $13 billion increase, of which you've got the 2.2 billion STAR, the 400 million continuing circuit-breaker.

We also -- the gas tax is also relief, we think, for a very similar population of people.

And we accepted the Governor's proposal to accelerate the phase-in of middle class tax deductions as well.

So I actually think we have a very

robust package of tax reductions here.

SENATOR TEDISCO: Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Tedisco.

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

I want to thank the members for their cooperation.

Just as a remainder, the rules say a resolution can be debated for 30 minutes. We are now on two and a half hours. So we've, as I noted, been very accommodating.

As we move into vote explanations, we have a number of members who will be explaining their votes on both sides of the aisle, and I know Mr. President is going to be very strict with the two-minute vote explanation rule.

So just to let all the members know how this is going to go for the next probably

over an hour, with the number of people on the list.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: As mentioned by Senator Gianaris, pursuant to Rule 9, Section 3, subsection (e), please, colleagues, kindly but firmly keep your comments to two minutes.

Senator Rivera to explain his vote.

SENATOR RIVERA: Thank you, Mr. President.

As I stated earlier, the most important part here is that we have to think about the fact that for the last 10 years the budgets have been about disinvestment, about austerity. And so I am happy to say that the Governor's budget proposal was a great beginning, but our one-house budget proposal is many, many more steps forward.

We talked about some of the things during my debate, but I just wanted to mention a couple more. The bonus language for workers, we

modified to make sure that we include frontline workers. We also make sure that we address the benefits cliff.

We repealed the Medicaid global cap, as I said. We increased the capital program. So we added an additional $400 million in resources, so we have pots for hospitals all across the state and for -- we took 25 percent of that and we save it for safety net -- for a set-aside for capital funding to be directed to community-based organizations. We want to make sure they don't get left out.

We expanded the Executive's one-year postpartum coverage proposal to include all residents of New York State. We added language to create parity in dispensing fees for pharmacies. Thank you, Senator Skoufis, for that language. We omitted the Executive's telehealth parity proposal so we would expand telehealth with a few bills of mine. We enacted Fair Pay for Home Care to establish home care worker pay.

We did all of these things as -- and this, Mr. President, is because this is what our belief is as to how important taking these steps forward, to make sure that we can have the

disinvestment and the austerity that we've had for the last decade go back. We want to make sure that we take many steps in the opposite direction. We're doing that today.

I'm incredibly happy to vote in the affirmative for this. And that's a minute and 32 seconds, Mr. President. Thank you.

ACTING PRESIDENT BAILEY: Senator Rivera to be recorded in the affirmative.

Senator Harckham to explain his vote.

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

New Yorkers all over the state are hurting. And there's a lot of conversation about what this budget does for ordinary New Yorkers. And I would just take a minute to have a slightly different take on one of my colleagues from across the aisle, who said this budget had nothing for hardworking New Yorkers.

I would suggest the opposite. This budget is all about hardworking New Yorkers, starting with record education funding to lift our children up and hold the line on property taxes. Continuing to expand pre-K outside of

New York City. Record increases in childcare so that folks can go back to work. You ask people in businesses the number-one reason why jobs are open right now, it's because folks cannot afford safe, affordable childcare.

And then you put in what we're doing for small businesses, continuing the grant program, the small business tax cut. Let's look at the middle-class tax cut. Let's look at the property tax relief that we just spoke about on the floor.

So there are many, many things here that I think are very favorable to invest in our families as we come out of the recovery.

Finally I want to point to one other thing. Let's talk about OASAS, which I oversee on the Committee of Alcoholism and Substance Abuse. What other agency do we ever remember in this chamber getting a 50 percent increase in their budget during the budget cycle? Which is amazing.

But it's one thing to put money into the budget, but if the system is not working for people, we have to change it. And that's why I'm glad colleagues have put in the merger of OASAS

and OMH, because 70 percent of people who present with a substance use disorder also have an underlying mental issue that they are self-medicating for.

So there are so many good things in this budget. I appreciate colleagues, the Majority Leader and our staff, Senator Krueger for her performance here today on the floor. I vote aye.

ACTING PRESIDENT BAILEY: Senator Harckham to be recorded in the affirmative.

Senator Ramos to explain her vote.

SENATOR RAMOS: Thank you, Mr. President. And good afternoon, everyone.

I rise to explain my vote in the affirmative. I'm so proud to see us take tremendous steps away from the Executive proposal and actually stand up for working-class New Yorkers.

As the chair of the Labor Committee, I especially want to tout the $50 million in workforce training that we're facilitating, and also $22.5 million to Cornell in order to focus on the Climate Jobs Institute and a cannabis workforce initiative.

We also managed to get prevailing wage into the Environmental Bond Act, which is great.

I also am happy to see that we were able to build on the Farmworker Fair Labor Practices Act that I passed in 2019. We're solidifying the path for them to reach a 40-hour work week with guaranteed overtime after that, and some improvements to PERB in order to help create more unions like we've been able to win at Pindar Vineyards in Suffolk County.

I also want to of course talk a little bit about childcare. As a mom, I made this a priority of mine during this budget cycle. And so much of the work that you and I have done, President, on this bill actually has made it into this budget. We're finally eliminating the work requirement for New Yorkers to be able to qualify for childcare, including for our undocumented neighbors. And we're covering children five and below as we continue to roll out universal pre-K without a gap in between 4-and-5-year-olds, which is really important in keeping kids safe, of course helping parents return back into the workforce, and helping our childcare providers.

Which I still think we should have created a wage floor for them, and that's something we're going to continue to fight for.

But all that being said, I believe that as we talk about a just recovery for all, really as communities of color and especially women of color, we know what it's like to get one bite at the apple and still leave so many needs unmet. So with no solutions for excluded workers and no guarantee for a living wage for childcare workers, it actually does leave a lot of work for us to do.

But I want to thank our Majority Leader, Andrea Stewart-Cousins, all of the advocates, my staff, central staff, and everybody that has worked on this document.

I'm very proud to vote in the affirmative. Thank you.

ACTING PRESIDENT BAILEY: Senator Ramos to be recorded in the affirmative.

Senator Ryan to explain his vote.

SENATOR RYAN: Thank you, Mr. President. Good afternoon.

As we rebuild our economy post-pandemic, we are passing our one-house

budget resolution today that makes investment in the people of the State of New York. Lots of good news for the people. Three billion dollars in childcare -- historic investment. One-point-four billion dollars to keep helping landlords and renters. And as we accelerate our middle-class tax cuts, we're going to put more money into people's pockets. The budget takes action to lower the cost of living for New Yorkers during this difficult economic time.

As chair of the Libraries Committee, I'm excited to say our budget increases funding for our Library Construction Fund to $45 million. That's money that will hit the street and hit our communities quickly. It will also allow libraries across New York State to get going on these capital projects that have been backed up.

And with the dire situation we're seeing around the world right now, very thankful to see a $7 million increase in money to help refugees resettle in America. We hope for peace in the world, but we're often let down by that. And when people are displaced, the people of New York State will be ready to help those displaced.

We made a big investment in broadband. We included in the budget my legislation called the WIRED Broadband Act. It's a good piece of legislation. It's a comprehensive plan to utilize federal and state funding in a manner that's both efficient and transparent and will deliver a product that we can be proud of to the people of New York State.

The proposal includes labor standards that will ensure the creation of good-paying jobs in the fiber and broadband development fields. It includes prevailing wage, MWBE requirements, and other critical safeguards.

And as we connect more people to broadband, we must do it in a responsible way that creates good-paying jobs.

And I'd be remiss if I didn't thank the leader for her help throughout this process, and to compliment Senator Krueger for the many hours that she spent on marathon Zoom calls to put together this budget. I really couldn't believe how you stuck to all those hearings. And of course to our staff, who works tirelessly throughout the year, especially during budget season.

Thank you very much.

ACTING PRESIDENT BAILEY: Senator Ryan to be recorded in the affirmative.

Senator Liu to explain his vote.

SENATOR LIU: Mr. President, I am so proud to be part of this Senate resolution about this budget.

You know, last year for the very first time we fulfilled a court mandate to fully fund school aid for our primary and secondary schools throughout the State of New York, an historic three-year arrangement that we are making good on the second year thereof. And next year I fully expect that we will continue to follow through also, following through on a commitment to expand prekindergarten statewide.

This year we expand on that commitment to education and our state's future by investing a historic $1.1 billion for public universities in the State of New York, split between SUNY and CUNY. This money will provide, at long last, sufficient funding to recruit and retain a significant number of new full-time faculty members for our public universities; increase the pay for adjunct professors, who we

rely upon immensely; and perhaps most importantly, eliminate these ridiculous fees that our students have had to suffer under for many years, as well as beginning to reduce the tuition that they are forced to pay.

As we know, for many years now, at least two decades, the state has reduced its share of operating aid for our public universities, relying more and more on student tuition. We need to start reversing that now.

And one other note, you know, just over the weekend a woman, a 67-year-old woman in Yonkers was pummeled 125 times, punched by a perpetrator who called her an Asian witch, but with a B., and spat on her and descended on her like who knows.

This is yet another instance of anti-Asian hate. I'm so proud that this Senate is supporting the AAPI Equity Budget that will finally provide that kind of support to the growing Asian American Pacific Islander community we have throughout the State of New York so that people in our community will not be as vulnerable as they have been.

Granted, this is just a Senate

budget resolution. I look forward to fighting for it in the final budget.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Senator Liu to be recorded in the affirmative.

Senator Brisport to explain his vote.

SENATOR BRISPORT: Thank you, Mr. President. And thank you to my colleagues, to the Senate central staff, and especially to our leader for all their work and diligence in drafting this budget resolution.

Colleagues, as our state continues to have the highest wealth inequality in the nation, a great many of our constituents are wondering how they will keep their heads above water. I am frustrated that this resolution raises no additional revenue from the ultra-rich, who should be required to contribute their fair share towards addressing these dark and difficult times.

I am nevertheless heartened by some truly crucial measures we have been fighting for here, including fair pay for home care workers, a New Deal for CUNY, as well as the elimination of

the 421-a boondoggle for wealthy developers.

As the chair of the Committee on Children and Families, I have been especially focused on the childcare crisis facing New York. For ten weeks I toured our state, listening to parents and childcare providers share input on the situation, and many of you joined me.

With remarkable consistency, what we heard was this. In every corner of our state -- in rural farming communities, in suburban townships, in dense cities -- the childcare industry is collapsing. Chronic underfunding and reliance upon the unpaid and underpaid labor of childcare providers, especially black women and women of color, has led us to this crisis.

As one childcare educator said: When you take something for granted long enough, it will soon disappear. That is exactly what's happening, and it's happening fast.

I believe this resolution could go further in addressing this crisis. However, I am proud that it devotes billions of badly needed dollars toward childcare and that it starts us on the process of finally building a universal childcare system. If we are to stop the rapid

collapse of the childcare sector upon which our entire economy rests, we cannot allow the Governor to remove or delay even one dollar of this funding in the final budget.

I thank the leader for including it and urge her to protect every last dollar of it as though our families, our economy and the very future of our state depend on it, because they most certainly do.

I vote aye on this resolution.

ACTING PRESIDENT BAILEY: Senator Brisport to be recorded in the affirmative.

Senator Mayer to explain her veto.

SENATOR MAYER: Thank you, Mr. President.

I proudly vote aye on this resolution, and I want to thank Majority Leader Stewart-Cousins and Senator Krueger for her leadership.

You know, as the chair of Education, I've been around the state and spoken to superintendents upstate, downstate, and of course the City of New York, our suburban communities, our rural communities and our urban communities outside New York City. And universally, there

are two takeaways. One, they're incredibly grateful that we started the commitment to full funding of Foundation Aid and that we are continuing. And two, they're terribly worried about their students as they return to school after the challenges of COVID.

And to the credit of my colleagues, we are addressing both of those things. We are in the second year of our commitment to fully funding Foundation Aid. We are building on our commitment to universal pre-K outside New York City. We are investing in career and technical education. We are ensuring that our special ed schools get the money that they deserve. They are basically public schools in different settings. They are entitled to the money of our public schools.

But most important, we are recognizing that the mental health, the social and emotional health of our children must be addressed as they recover from COVID, and we are investing in it in a creative and bold way.

I also want to say that we are dealing with climate change in the school context by acknowledging the need to move to EV vehicles

for our schools, but working with the stakeholders to make it work.

And coupled with our investment in childcare and an investment in higher ed, in SUNY and CUNY, we are recognizing the state's obligation, from infancy to graduation and beyond, that education is the power to give every child the opportunity to achieve their dreams and their ambitions. When we see what is happening in the rest of the world, we cannot forget the power of our democracy and the power of education to transform a life into independence and self-determination.

For that reason, I vote aye.

ACTING PRESIDENT BAILEY: Senator Mayer to be recorded in the affirmative.

Senator Oberacker to explain his vote.

SENATOR OBERACKER: Thank you, Mr. President.

Governor Hochul's proposed budget included record spending, but that was a bargain compared to the plan being advanced by the Senate Majority that adds another 9 billion, inflating overall state spending to a nearly $225 billion

budget.

There are positives in this budget that will pay immediate dividends across the state that I can support: Repeal of the fiber optic right-of-way tax that is stifling broadband expansion; additional funding for CHIPS to help fund local roads and improvements; and the accelerated phase-in of the middle-class tax cut.

However, the overall amount of the spending is unsustainable, and tax hikes are inevitable. The budget blows through reserve funds at an unsustainable rate and will leave our state in a highly precarious financial position going forward. This is the very definition of an election year budget, and it is not fiscally responsible.

New York City is losing population at a record rate, and if Albany fails to make major changes to this out-of-control spending plan, more people will be on their way out. Because no one, no one wants to be here when that bill comes due.

And for that reason, Mr. President, I am voting in the negative. Thank you.

ACTING PRESIDENT BAILEY: Senator

Oberacker to be recorded in the negative.

Senator Weik to explain her vote.

SENATOR WEIK: Thank you, Mr. President.

In reading this one-house resolution, it is disappointing to me that the bill does not include language to address any of the changes to bail reform law. It does nothing to address the changes to discovery reform law. This proposal does nothing to provide judges with discretion when it comes to setting bail for dangerous defendants, a proposal several of my colleagues and New York City Mayor Adams all advocated for.

And finally, I can only hope that the final budget -- excuse me. This proposal does nothing to collect data to study the impact of bail reform on public safety.

And finally, I can only hope that the final budget will include changes to bail reform and discovery laws as we saw were so important to New Yorkers in last November's election when they vehemently expressed their disgust that they are not being protected and that they have no rights and that criminals are

being put before victims.

And for that reason, I vote in the negative.

ACTING PRESIDENT BAILEY: Senator Weik to be recorded in the negative.

Senator Brouk to explain her vote.

SENATOR BROUK: Thank you, Mr. President.

This budget resolution invests in our future, in our families and working people and in care for our most vulnerable residents.

In speaking with the residents of my district in the Rochester area, I hear the same stories whether they live in a city, in the suburbs, or in a more rural part of upstate. People are looking for certainty. They're looking for support. They're looking for hope.

This budget resolution invests in hope for our future. We're making historic investments in childcare because as a society we have finally acknowledged that quality, reliable childcare is economic development and that no state can thrive without it. In Monroe County we have thousands of job openings that can't be filled until parents have a safe, reliable and

affordable place to send their children. Today, this resolution creates that for them.

The Senate budget also invests in older children, through expansion of our career and technical education programs. These CTE programs provide academic and technical instruction that will prepare our young people for real-world jobs right here in New York State. This budget expands funding so that we can recruit and retain quality instructors and so that no longer will students have months-long waitlists to join these programs.

And finally, not to be forgotten, once again this Senate has kept its promise to equitably fund public schools by continuing to invest in Foundation Aid.

This budget resolution does so much to support New Yorkers in need. And as chair of the Senate Committee on Mental Health, I'd be remiss to not mention the historic investments we are making to support New Yorkers' mental health needs. For too long, under the leadership of a previous administration, New York dismantled its mental health care system. We closed inpatient treatment beds. We failed to invest in

community-based programs. And we systematically underpaid our workers.

Today we reverse that course. I'm proud that this budget includes a historic $22 million increase to restore 200 inpatient mental health beds. And that after decades of minuscule investment, this Senate gives mental health workers not one but two years of cost-of-living increases of 5.4 percent each year.

I want to again thank you -- thank all of the advocates, the staff, and especially our Senate leadership for their tireless work in getting us to this place, and I look forward to making sure as much as possible of this resolution is enacted in our final budget.

And I vote aye. Thank you.

ACTING PRESIDENT BAILEY: Senator Brouk to be recorded in the affirmative.

Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

I am beaming because Fair Pay for Home Care is in the Senate one-house budget. I am so grateful to the Majority Leader for being

an early and consistent champion and to my colleagues for recognizing just how crucial it is to support home care workers.

Shout out, too, to the Caring Majority, AARP, 1199, and all the tireless and creative advocates who have made sure everyone knows we need a robust home care system to keep older and disabled New Yorkers healthy and safe at home. And that it's a good use of taxpayer dollars with a very high return on investment.

But especially I want to thank the home care workers themselves, who have been doing the work for years out of dedication and love, even though they struggle to pay the rent, buy gas, and put food on the table. To the family members who have given up your jobs to care for a loved one, our one-house supports home care but it also supports a tax credit to recognize your sacrifices.

Let me finish with a special appreciation of my constituents Michelle Spady and Sally Johnston. Without Michelle, Sally wouldn't be able to get out of bed and into her wheelchair each day, let alone have baths, healthy meals, or fresh air. Michelle is there

for Sally, through snow and rain, no matter what issues she might face in her own life.

With this one-house resolution, the Senate resoundingly says: To you, Sally, you deserve adequate care in your home. And you, Michelle, deserve the dignity of a living wage.

I proudly vote aye.

ACTING PRESIDENT BAILEY: Senator May to be recorded in the affirmative.

Senator Skoufis to explain his vote.

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

And I also want to extend my gratitude to the Majority Leader as well as Senator Krueger for getting us to this point.

Heading into this process, I felt strongly that this needs to be a budget that addressed the kitchen-table issues that our families across New York State have been facing. And at a time when paychecks are not going as far as they used to, at a time when people are paying more at the gas pump, at a time when we're coming out of a pandemic, at a time when kids are getting back into the classroom after virtual learning the past couple of years, this was our

time as legislators to put together a budget that addressed those core issues.

And we've done that. And so if you're interested in a budget that cuts property taxes for middle-class families, this is your budget. If you're interested in a budget that cuts income tax rates for our middle-class families, this is your budget. If you're a small business owner looking for some relief, this is a budget that cuts small business taxes. If you're one of the millions of New Yorkers who's paying through the nose at the pump, this budget provides relief through a gas tax holiday.

If you're one of the many, many New Yorkers who looks at the subsidies and the giveaways that are thrown around to the tune of billions of dollars every year, while you are working day and night to pay your bills, finally, this one-house budget addresses that, and we will audit every tax incentive that flows through ESD that has, to date, been held unaccountable.

If you are one of the millions of New Yorkers who's been looking on -- wonderful UPK program, where's mine? -- this budget addresses that too with a dramatic expansion of

universal pre-K throughout New York State.

As my good colleague and friend just noted, a dramatic investment in home care, a dramatic investment in childcare. Finally -- this has been a pet issue of mine -- finally, this one-house budget takes a hard look at and addresses the FIT, the Fashion Institute of Technology issue that's been ripping off the suburbs for decades now.

(Laughter; applause.)

SENATOR SKOUFIS: And I also want to thank Senator Serrano and the leadership for a significant investment in our parks' capital line, which is crucially important to getting a number of Hudson Valley improvements and projects across the finish line this year.

I vote aye because this is a one-house budget that is put on the kitchen tables of every single middle-class and working-class family in the state. And I thank my colleagues and leadership for helping get that done.

ACTING PRESIDENT BAILEY: Senator Skoufis to be recorded in the affirmative.

Senator Boyle to explain his vote.

SENATOR BOYLE: Thank you, Mr. President, to explain my vote.

Senator Skoufis, I agree with the FIT provision, but that's about it in this bill.

New York State is the fourth-largest state by population. California is like another country, and Texas and Florida and then New York, obviously. This budget proposal by the Majority is larger than the state budgets of Texas and Florida combined. To put it in some perspective, this spends approximately or proposes 225 billion. I was elected in 1994 to the Assembly. The State Budget that year was $32 billion.

In one political lifetime, we're talking more than $200 billion -- way, way beyond the rate of inflation, I can tell you that much.

Because we're spending this much, we're taxing this much. People are fleeing our state. That's why Texas, California and Florida have more people than we do, because a lot of the residents are leaving, moving there. We cannot afford this rate of spending.

I vote in the negative.

ACTING PRESIDENT BAILEY: Senator Boyle to be recorded in the negative.

Senator Hinchey to explain her vote.

SENATOR HINCHEY: Thank you, Mr. President.

As one of the Senators representing upstate communities and upstate areas, I am incredibly proud that this budget resolution brings real equity to our upstate areas, from historic investments in rural and upstate housing, including the development of small rental units -- something that we don't talk about and has not been funded, I don't think ever, in the history of our budgets -- to expanding pre-K across our entire state. To arts funding outside of New York City, to modernizing our EMS services, which are crucial lifelines to the communities in our rural areas, to expanding fair pay -- or securing Fair Pay for Home Care. Most of our communities in upstate New York do not have access to home care workers because of the low pay that they are given.

To record road funding and road infrastructure, to broadband funding, including my legislation to repeal the right-of-way fee, to historic SUNY funding so that students in upstate areas and upstate colleges get real equity in

education. To also property tax relief for homeowners and working families and middle-class families across our state.

This is a budget that we can all be proud of, because every person, no matter where you live across New York State, is going to see real, tangible impacts that will better their lives for the future.

I want to thank the Majority Leader, I want to thank Senator Krueger, all of the staff, and everyone who has had a hand in creating this budget resolution, sending a full signal that no matter where you live, if you live in New York City, if you live in rural communities or you live in suburban communities, this is a budget resolution that speaks to you.

For that, I vote aye. Thank you.

ACTING PRESIDENT BAILEY: Senator Hinchey to be recorded in the affirmative.

Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Mr. President.

Two minutes is a short time to discuss something as large as this one-house

budget, but I'll give it a shot here.

You know, there's good things and bad things, quite frankly, in this one-house budget. Good things like repealing -- finally repealing the tax on fiber optic cable that the Majority put in place two years ago and has killed projects across New York State and really set us back more than two years in rural broadband. It's eerily similar not only to the legislation of Senator Hinchey, which I also cosponsored, but the bill that I've had in place with Senator Helming for well over a year. So we should have done this a long time ago. So good and bad.

We had an interesting addition of quarterly disbursements of an overtime tax credit for our farmers. But the problem is we actually don't even know what this program is going to be, what it's going to require. So the good part is, yes, quarterly would be great. The bad part is we have no idea what strings will be attached to that.

And finally, we are continuing to ignore the $9.3 billion deficit that we have in our Unemployment Insurance Fund. Thirty-two

other states, 32 other states have committed their federal funds to filling that hole, and we are just continuing to kick that can down the road, unfortunately. So we're ignoring 9 billion we owe and spending 9 billion more. That's an $18 billion swing in this one-house budget, as far as I'm concerned.

But what really is happening here is that we are exhausting all the federal money, that one-shot money, and in essence creating recurring programs. Those bills are going to come due.

And while I would love to sit here and vote one at a time on all the things I think are good and bad in this one-house budget, I only get one vote. And therefore the responsible vote is to vote no.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Senator Borrello to be recorded in the negative.

Senator Rath to explain his vote.

SENATOR RATH: Thank you, Mr. President.

I have grave concerns with this budget resolution today. The overspending

continues in New York State to the tune of 23 percent this year. We actually were here last year as well, and I had the same concerns. This type of out-of-control spending is totally unsustainable.

To be honest with you -- and to be honest with all of my colleagues -- I don't think spending is ever going to be cut from the New York State budget. So at the rate at which we are spending money in our state, I think New Yorkers can expect a steep increase in taxes at some point in the future.

This year the state is fortunate to have a great deal of one-time revenues -- one-time revenues that are not being appropriately spent or effectively spent across our state. Instead of these one-time revenues being spent on investments, they're being spent on recurring expenses, recurring expenses, and that's something that is fiscally irresponsible.

We should be using these revenues to address key issues in New York State and make critical infrastructure investments. Things like rural broadband, which affects dozens and dozens of districts across New York State.

Despite this increase, this massive increase in spending year over year, many upstate initiatives are simply forgotten or passed over. With so much new spending, it is hard to imagine that there is so little being done in this budget to lower residents' costs. In fact, I would argue that many of the policies outlined in today's proposal will actually increase energy costs as well as other costs on the residents and the businesses of our great state. I have said this many times: New York has an affordability crisis. And this budget does nothing to remedy that affordability crisis.

In closing, it was said earlier today that this one-house proposal was crafted with hope and intelligence. Although that sounds very nice, New Yorkers need a proposal that is crafted with confidence and vision, confidence and vision for the people of the State of New York. That's what they need out of the State Senate and out of the State Legislature.

For these reasons, I'll be voting in the negative. Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Senator Rath to be recorded in the negative.

Senator Stavisky to explain her vote.

SENATOR STAVISKY: Thank you, Mr. President.

And first, obviously we have to thank our Majority Leader, Senator Stewart-Cousins, and Senator Krueger for leading us and answering the questions and being our representative at the hearings.

In 2011 I was sitting on the other side, and the state provided 46 percent of the cost of higher education -- 46 percent. Last year, it was 32 percent. And this budget finally reverses that trend. It took 10 years, 11 years -- it's really taken a lot longer -- but there's been a deliberate disinvestment and underfunding of higher education. And this budget reverses that trend.

For example, we're providing funding for CUNY and SUNY, for the community colleges, for the Opportunity programs. For those of you who represent independent colleges, we're providing Bundy Aid, which goes for scholarships, and capital construction, HECap construction money.

We're closing the TAP gap. Last year we said we'll do it in four years. This year we're closing it totally. We are closing the TAP gap, we're increasing the operating aid, and we are trying to help the SUNY hospitals because they have serious, serious problems. We are paying -- we are paying the debt on their loans. Every other state agency has their debt paid for them. The 67 million that we're investing here will help the SUNY hospitals thrive.

And this is a budget that I think we can be proud of. Proud. It's a budget that is fair, it applies justice for all. So, Mr. President, welcome back to our home, and I vote aye.

ACTING PRESIDENT BAILEY: Senator Stavisky to be recorded in the affirmative.

Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Mr. President.

My colleagues, I rise in support of the one-house resolution.

And let me tell you what -- the most important thing for myself and my constituents.

Their safety and security is number one. And I say to you, addressing gun violence in our state and our municipalities is extremely important to me and everyone else that I know.

Dealing with the mental health issues. We see it all in the paper, hear it on the radio, on the news. Absolutely must get it under control.

But I thank the leadership in this house for bringing forward the continuation of Foundation Aid for all schools -- not only New York City, but the entire State of New York. Childcare for all. That is universal, and we need to have it.

And we're dealing with the whole issue of healthcare. CUNY, SUNY. Come on, you know what it is. Turn on the TAP to make sure, as Toby Stavisky mentioned. We talked about addressing climate justice. We can't wait for 2050. We must deal with that now. And Fair Pay for Home Care. I'll say it loud and clear, because that's how important it is. People are screaming for this.

And not only that, but we talk about $5 million for PERB, the Public Employment

Relations Board, in order to deal with the 1950 you have to file in paper instead of filing on the Internet. Come on, this is 2020 {sic}, not 1950. We need to address the issues of the farmworkers and filing of papers and have people and professionals there that can speak in the primary language that most of the farmworkers speak, in Spanish. Broadband and so much more.

And let me just say we can't wait. The time is now. I thank everyone for being involved with this, from the leadership on down, hearing my colleagues on the other side of the aisle, hearing my colleagues here. But there's a lot more that we have to do, and this is it right now.

Thank you. I vote aye, Mr. President.

ACTING PRESIDENT BAILEY: Senator Jackson to be recorded in the affirmative.

Senator Reichlin-Melnick to explain his vote.

SENATOR REICHLIN-MELNICK: Thank you, Mr. President.

You know, budgets are an expression of priorities. And this budget expresses the

clear priority of the Senate that the State of New York needs to be a place that works for everybody and not just those who are wealthy or well-connected.

So I'm proud to vote aye on this budget, and I want to thank the leader and Senator Krueger and all of the staff who put their time and effort into working to make this a budget that we can all be proud of, because this is a budget that will work for regular New Yorkers.

We're finally fulfilling our commitment to fund our education systems, from pre-K through K-12 education, with a phase-in of Foundation Aid, all the way up to our colleges and our community colleges. That is so important as we try to build a state that's going to work for everybody.

It's also a budget that delivers real property tax relief to millions of New Yorkers through a $2.2 billion investment into property tax relief this year, on top of the circuit-breaker program that we've already got from last year's budget. And it brings back income tax relief, accelerates that relief.

Because at a time when New Yorkers are facing ever-escalating costs because of inflation, we know we need to take action.

That's why the budget also includes a partial suspension of the gas tax from May 1st to December 31st. Because we know that people are feeling the pain at the pump, and the ones who can least afford to pay that are the working New Yorkers who are struggling to make ends meet. And so we are taking action on that.

And at the same time, we're looking to our future. We're raising the Environmental Bond Act proposed by the Governor up to $6 billion, because we know that if we don't take action on climate change now and spend that money, we're going to be paying far more down the line as the costs mount from that. And so of that $6 billion, 4 billion of it is set aside to help combat the imminent dangers from climate change.

So we're proud of those investments, and we're proud of investments in the bread-and-butter stuff that we're doing for our local governments. Increasing AIM funding for local governments for the first time in so long,

that's going to help our communities, it's going to help our taxpayers, who are going to see some of the burden taken off local taxpayers now that the state is stepping up its support.

So for all of these reasons, Mr. President, I am proud to support this budget and thank the Majority Leader for putting it forward.

ACTING PRESIDENT BAILEY: Senator Reichlin-Melnick to be recorded in the affirmative.

Senator Hoylman to explain his vote.

SENATOR HOYLMAN: Thank you, Mr. President.

I rise in support of the Senate one-house resolution on the budget.

First, like my colleagues, I want to thank Leader Andrea Stewart-Cousins for setting forth the priorities here, and of course Senator Krueger for her thoughtful and focused defense of this budget resolution.

You know, I want to make two points. One is that budgets are also moral documents. And I think this one-house resolution reflects the moral imperative we have as public officials

to really look after those who need help the most -- the very young, our seniors, immigrants, the homeless. And the budget does that with all the investments that you've heard today.

Secondly, I want to thank the advocates, the hundreds of advocates, Mr. President, who met us -- not in person always, but sometimes on Zoom -- to make their priorities clear. I think this exercise is so emblematic of what representative democracy is about. And I want to thank my colleagues for hearing so many voices even at the last minute, to make sure that their important needs were reflected in this Senate one-house.

So, Mr. President, I couldn't be more proud to vote aye.

ACTING PRESIDENT BAILEY: Senator Hoylman to be recorded in the affirmative.

Senator Gounardes to explain his vote.

SENATOR GOUNARDES: Thank you, Mr. President.

I know we've heard from lots of our colleagues this afternoon about how proud they are about this one-house resolution and how bold

and transformative it will be for the lives of New Yorkers.

And I want to add my voice to that chorus, because what we are doing in this document truly is incredible. I mean, we could spend days unpacking this resolution and talking about all the great things in there. But what I want to focus on is the transformative investments into CUNY and SUNY that we are making.

You know, we have been talking for a long time about the need to reverse decades of divestment and defunding of our public institutions of higher education, and this budget is going to really reverse those trends and give CUNY and SUNY the new deal that they so desperately deserve.

I mean, over the last decade a 20 percent cut in state support for these institutions. We've heard from students who have to choose between paying for textbooks or putting a meal on their table. This will help stop that trend from happening.

I'm also incredibly excited about our bold childcare proposal. As the father of a

14-month-old, I know firsthand the impact that having quality, affordable childcare has had on my family, and I know the impact this will have on millions of families across this state. Truly a remarkable thing that we can be advancing in this one-house budget resolution. And I know that all of my colleagues are going to be joining together to fight to make sure that that makes it into our final enacted budget.

I can go on and on, Mr. President, but I just want to say that this is a great document, it's a great statement of our values, and it's a great day for New York if we can advance this through to the final budget.

Thank you.

ACTING PRESIDENT BAILEY: Senator Gounardes to be recorded in the affirmative.

Senator Cooney to explain his vote.

SENATOR COONEY: Thank you, Mr. President. I appreciate it.

So many wonderful things have been said by my colleagues today, and I can't recount all of them, but I want to emphasize something on behalf of the many cities, towns and villages outside of the great City of New York, and that

is our historic and record investment by increasing the aid to municipalities, or unrestricted operating aid, by $210 million for the first time since 2009.

What does that do? Well, as someone who came from local government -- and I know many of my colleagues also started their careers in public service in local government -- what this means is that city halls across New York State can focus on things like keeping libraries open a little bit longer, making sure that we have summer jobs for youth across New York State, making sure that our local law enforcement officers and EMS groups have operating dollars to keep us safe. Making sure that this summer we're going to have a wonderful summer with time in the pool and lifeguards to take care of our youngest swimmers.

That's what this investment does. It invests in the quality of life that we have in cities across New York State. And we've gone without for 13 years. But this Senate says that stops now.

Now, this is a one-time investment in these cities, so we need to think bigger, we

need to think creatively going forward. But I want to thank our Majority Leader, I want to thank our masterful Senate Finance chair, Liz Krueger, to make sure that these conversations continue moving forward. And I look forward to being part of those conversations.

Thank you. I vote in the affirmative.

ACTING PRESIDENT BAILEY: Senator Cooney to be recorded in the affirmative.

Senator Kavanagh to explain his vote.

SENATOR KAVANAGH: Thank you, Mr. President. I also rise in support of this resolution.

I join my colleagues in thanking our leader, Andrea Stewart-Cousins, our great Finance chair, Liz Krueger, and especially all of the staff who've labored long and hard over this document for the past more than a month now.

I join my colleagues in recognizing the many wonderful achievements of this resolution, and also those who have said that we need to work hard in the next few weeks to make sure that these achievements are delivered in the

enacted budget.

I'm especially pleased that we're following through on our commitments on K through 12 education from last year and continuing to meet our obligations to do that equitably with lots of state funding. I'm very proud to see that we're funding the New Deal for both SUNY and CUNY, including the Borough of Manhattan Community College in my district.

Very great to see that we're doing $625 million for Fair Pay for Home Care, including a base wage for home care workers. And very proud that we're including, for the first time, healthcare for people, primary healthcare for people who have been excluded from existing programs because of their immigration status.

And of course $6 billion in the Environmental Bond Act, and the All-Electric Building Act, which is a bill that I've put forward, are also included here and are great steps forward.

I just want to note there hasn't been a lot of talk about housing today. And as the Housing chair I'd be remiss if I didn't note that this budget really is historic from the

perspective of housing. We started with a really transformative proposal from the Governor of a $4.7 billion capital plan, and we are improving upon it in the way that Senator Hinchey talked about before, some great investments in rural and small town and village programs that would really help house folks there.

We are following through on our now two-year-long effort to blunt the impact of the COVID-19 pandemic with a billion dollars to backstop the Emergency Rental Assistance Program, with $250 million for the Landlord Rental Assistance Program and with $500 million in new money for the Homeowners Assistance Program.

We are also funding for the first time a brand-new program looking forward, the Housing Access Voucher Program, which will ultimately be the most effective way we can end homelessness, which ought to be our goal, and make sure that we're keeping people in good, safe, permanent housing.

We've got funding for code compliance, we've got funding for a brand-new Community Land Trust Acquisition fund. The list goes on.

But again, I am very proud that we're taking this step forward. This is arguably the best budget that this state has put forward for housing in decades, and I'm very honored to support it today. Thank you.

ACTING PRESIDENT BAILEY: Senator Kavanagh to be recorded in the affirmative.

Senator Gianaris to explain his vote.

SENATOR GIANARIS: Thank you, Mr. President.

I am proud to stand up and support this budget proposal which fulfills the promise of New York values. Universal childcare, the New Deal for CUNY and SUNY, pre-K that's expanded across the state, continuing increased funding for our schools. Healthcare coverage for all. More protections for our tenants in this state.

Make no mistake, this is a budget that is a love letter to the working people of this state, who have been suffering for years due to disinvestment and lack of investment in the important priorities that they need.

And as we sit here encouraging people to get back to work, encouraging people to

get back to their offices after the pandemic, providing the support people need to make that happen is going to benefit all of this state.

And to my colleagues on the other side of the aisle who are against this, I would simply ask, What are they voting against? They don't even have the usual canard that we're raising taxes on too many people because we're not raising taxes in this budget. Never mind that those who have profited greatly during the pandemic should be asked to pay more. We have the money where that's not even called for in this budget right now.

And so those who are against universal childcare, more money for our institutions of both lower and higher education, greater healthcare coverage for the people we represent -- what exactly are you voting against?

I proudly support this proposal. I thank Leader Stewart-Cousins, I thank our Finance chair, Senator Krueger, and all my colleagues who participated in crafting what is a tremendous proposal, one of the best budget proposals I've seen in all my years in the Senate.

I proudly vote in the affirmative,

Mr. President.

ACTING PRESIDENT BAILEY: Senator Gianaris to be recorded in the affirmative.

Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

So I did talk quite a bit about this resolution today, but I'm really standing up to say thank you to all my colleagues, because this resolution grows out of weeks and weeks of budget hearings, where we sat and we listened to the people of New York State and we heard what they were telling us and what we needed to do for them, and then weeks and weeks of work with my chairs and with working groups and with the staff, trying to fine-tune what was realistic that we could do, what was aspirational that we might not accomplish in Year 1, but that we needed to shift the focus of how we were spending our money in New York State.

And so I am incredibly proud of this piece of work, which is the beginning, the beginning bell for three-way negotiations for a final budget, but is also a reflection of the goals and the hopes and the dreams of 20 million

New Yorkers who tried to contact us to let us know what they needed.

And I've also been here for 20 years now, Mr. President, and I watched when I came in and George Pataki was the governor, and we would have budgets that we couldn't possibly afford but the Republicans had a philosophy of borrow and spend, borrow and spend. And then Democrats came back into power, and we were accused of taxing and spending. But if you tax and spend, at least you're paying for what you're buying, as opposed to leaving it to the next generation.

So I don't mind when they tell me I'm a tax-and-spend Democrat because I'd rather tax and pay for it than borrow and leave it to the next generations to deal with it.

And then we ended up in periods where we just had borrowed so much from previous years that we had to reduce our budgets to levels that were really unsustainable to meet the needs of New Yorkers.

So it does appear to be big jumps this year. But I'm telling you, we have the money to do it. And we're not stealing from our reserves, we're actually increasing our reserves

at the same time as we are increasing our spending. And we're cutting taxes, as was discussed on the floor today -- property taxes, income taxes, gas taxes -- while we're making investments in the people of New York who need our help the most.

And you know what, Mr. President? That will be returned to us tenfold by a future that New York can be proud of, a future that your beautiful daughters can participate in as they grow up to be adults and become taxpayers in our society, and a state where people will want to come and stay and start businesses and do business.

So I'm very proud of what this resolution represents, and I am so honored that our leader, Andrea Stewart-Cousins, gave me the position of Finance chair so that I could try to work to pull it all together for all of us.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Senator Krueger to be recorded in the affirmative.

Majority Leader Andrea Stewart-Cousins to close.

SENATOR STEWART-COUSINS: Thank you

so much, Mr. President.

And I was just listening to our great Finance chair, Senator Krueger, saying how pleased she was that she has this responsibility.

That's not what she says.

(Laughter.)

SENATOR STEWART-COUSINS: A little moment of truth here.

(Laughter.)

SENATOR STEWART-COUSINS: But -- but because at the end of all of what we do, we are able to stand here because of the work that you do, Senator Krueger and your great staff; because of the work that my deputy, Senator Gianaris, continues to do; an incredible conference that is working for New York every single day. Because of that work, because of our staff, because of Shontell Smith and Eric Katz and counsel and David Friedfel and the Finance staff, because of Loren and External Affairs and Murphy and Communications -- because of all of us who understand that we stand here on behalf of the people of New York, and even the moments that it takes to get through this -- and certainly to my colleagues on the other side as well, for the

staff and the work that they do -- the time that it takes to get to this moment where we can say we have a one-house budget that reflects the priorities of this entire state, is well worth it.

I want to thank the Governor as well, because we started from a place that we don't normally start from. And while we're going back and forth about what's happening in this budget, the fact of the matter is that we started from a place that honored what we learned from what we've been dealing with in the past two years with this pandemic. We all understood -- and that's what we understood last year and the year before -- where the breakage was in our compact as government to the people that we serve. It was exacerbated by a pandemic that left us socially isolated, emotionally fragile, economically encumbered. And we got a chance to look firsthand at where the fissures were and what could we do.

And we began that repair work, and we began it going from our pre-K investment to our Foundation Aid investment to our investment in our environment to investment in higher

education, we did transportation, we did housing, we continued to look at the infrastructure of the people. So that when we do come back to a place where we can get back to our jobs and get back to our work, we're not still suffering from the same uncertainties that we know exist.

So that's why we invested record amounts in childcare in this one-house budget. And that's why we decided that we would indeed expedite the middle-class tax credits, that we would find our way to making sure that those who are caring for our most vulnerable are actually compensated properly, our home care workers. We wanted to make sure that as we are addressing what has happened in our communities all over this state, that we find a way to make sure that people have what they need, and that includes this mental health investment that we know has to happen. I mean, people are talking about a rise in crime in so many communities, including Westchester. There actually has been a decline in crime. But the fact of the matter is that any crime is too much.

But we have to take a look at what we can do to make sure that we are addressing the

needs properly, and that's why we've gone in with mental health -- again, ensuring mental health, giving proper beds, recreating more sustainable supportive housing, looking at how we deal with after-school, community school, investing in gun violence prevention programs. We are hitting so many of the things that we know will make New York stronger and more economically viable and be able to support every single person in New York.

When we talk about our small businesses, when we talk about looking at abating taxes, even at the gas pump, we are continuing to make New York a better place to be.

So this is -- and I heard somebody say this is aspirational, yes. But it's aspirational not for us. It's not aspirational for the people who have worked so hard to make sure that people's needs are met. It's aspirational for the people of New York State, because they want to make sure that as their taxes are down, as their communities are made safer, that we are doing and addressing what they need not only now, but in the future.

And yes, it's going to take more

money. But the fact of the matter is we've disinvested in our hospitals, we've disinvested in our transportation system, we've disinvested in our roads, we've disinvested in education, we've disinvested in our children, we've disinvested in the supports that people need when things get rough in their lives. We've disinvested for decades.

And so today we stand and we say we are reinvesting in the people of New York. We are reinvesting in a future. We are reinvesting in an ideal that New York will continue to be progressive, it will continue to be pragmatic, it will continue to lead the way, not only in this recovery but in advancing what we as government can do with our people and for our people.

I vote aye.

ACTING PRESIDENT BAILEY: Majority Leader Stewart-Cousins to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Senate Resolution 2081, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza,

Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 43. Nays, 20.

ACTING PRESIDENT BAILEY: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, if we could briefly return back to motions and resolutions.

On behalf of Senator Savino, on page 39 I offer the following amendments to Calendar 657, Senate Print 5768, and ask that said bill retain its place on Third Reading Calendar.

ACTING PRESIDENT BAILEY: The amendments are received, and the bill retains its place on the Third Reading Calendar.

SENATOR GIANARIS: Is there any further business at the desk?

ACTING PRESIDENT BAILEY: There is no further business at the desk.

SENATOR GIANARIS: Move to adjourn until tomorrow, Tuesday, March 15th, at 11:00 a.m.

ACTING PRESIDENT BAILEY: On motion, the Senate stands adjourned until Tuesday, March 15th, at 11:00 a.m.

(Whereupon, the Senate adjourned at 5:37 p.m.)