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THE STENOGRAPHIC RECORD

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REGULAR SESSION

SENATOR ROXANNE J. PERSAUD, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT PERSAUD: 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 PERSAUD: 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 PERSAUD: Reading of the Journal.

THE SECRETARY: In Senate, Wednesday, March 15, 2023, the Senate met pursuant to adjournment. The Journal of Tuesday, March 14, 2023, was read and approved. On motion, the Senate adjourned.

ACTING PRESIDENT PERSAUD: 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 morning, Madam President.

There is a privileged resolution at the desk, Senate Resolution 555, by Leader Stewart-Cousins. Please take that up and read its title only.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Senate Resolution 555, by Senator Stewart-Cousins, RESOLUTION in response to the 2023-2024 Executive Budget submission.

SENATOR GIANARIS: Madam President, on this debate that's forthcoming Senator Krueger, as our Finance chair, will be leading the debate. On occasional subjects we may have other members with expertise handle questions. But we will begin with Senator Krueger once the Minority has a question.

We're ready to begin.

ACTING PRESIDENT PERSAUD: Okay. Senator O'Mara.

SENATOR O'MARA: Yes, thank you, Madam President. Good morning.

If Senator Krueger would respond to a few questions, if Senator Krueger would yield.

ACTING PRESIDENT PERSAUD: Senator Krueger?

SENATOR KRUEGER: I am happy to yield to some questions.

ACTING PRESIDENT PERSAUD: Senator Krueger yields.

SENATOR O'MARA: Thank you, Senator.

We have the one-house budget proposal before us today. The Governor's Executive Budget was a total of about $227 billion in spending, which I think was about a $5.5 billion increase year to year.

This one-house budget before us, in my reading of it, increases the spending by an additional nine, about $9 billion, for a total increase from year to year would be 14 -- just under $14.5 billion of new spending. Is that pretty accurate?

SENATOR KRUEGER: That's very close. My numbers show 8.9 billion, amounting to $14.3 billion for the current fiscal year. So close enough for government work, yes.

SENATOR O'MARA: What's a half a billion here or there.

(Laughter.)

SENATOR O'MARA: Madam President, if the Senator would continue to yield.

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: I certainly will.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: You have provided a financial plan overview based on your one-house budget. Is that plan -- is that balanced?

SENATOR KRUEGER: Yes, we believe it is.

SENATOR O'MARA: How much does your financial plan raise taxes to --

ACTING PRESIDENT PERSAUD: Senator, do you yield?

SENATOR O'MARA: Yes, if she'd continue to yield.

SENATOR KRUEGER: I'm sorry, I continue to yield.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: How much does this one-house budget proposal raise taxes to make up for that additional $14.5 billion of spending?

SENATOR KRUEGER: So there's about 1.1 billion that was an increase from the revenue agreement. So it's not necessarily a tax increase, it was just a projection of additional revenue that we already have built into above the Governor's budget. And then there's approximately 800 million in taxes on the highest categories of -- I think over 5 million? Two new categories for personal income tax for people with $5 million in income and above.

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

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: Well, my understanding was, on the revenue consensus that we had with the Governor and the Assembly, that it was agreed upon there would be about $800 million more than what the Governor had put in her budget available to spend.

SENATOR KRUEGER: So post-Revenue Consensus Day the Governor actually discovered that she had additional revenue of approximately 389 million more. I'm not sure if it's 389 or 300-something else. So that was thrown in on top of it.

SENATOR O'MARA: On top of the 800?

SENATOR KRUEGER: On the revenue number that we had all agreed upon, yes.

SENATOR O'MARA: Okay. So then -- through you, Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Senator, do you yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: Can you explain to us, then, if there's general agreement there's an

extra 1.1 billion to spend, how is it we're proposing a budget that has 8.9 billion of new spending?

SENATOR KRUEGER: The Senate believed that we have that much additional need in various critical programs. So we have projected a new model of budget, as is our responsibility in each house, that does involve spending more money but not necessarily raising new taxes and spending it in different ways than the Governor proposed spending.

So we've both changed what we're going to spend and how we're going to spend it.

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

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes, I will.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: It sounds like pretty wishful thinking to me. But how do those numbers add up? If there's 1.1 billion in extra money laying around, and we're spending

8.9 billion, where's the other seven -- nearly $7 billion? Can you explain where that's coming from?

SENATOR KRUEGER: So we do make a number of changes in how she's spending money. So we are actually reducing the additional money going into the Rainy Day Reserve. We are drawing down extraordinary monetary settlements. We are also drawing down on the Economic Uncertainties Reserve, which is a separate reserve than the Rainy Day Fund. We are changing the timing of paying back some of the advances that she was going to prepay on money that we have borrowed. We are using a number of other reserved fund balances that exist across the board in the State Budget.

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

ACTING PRESIDENT PERSAUD: Senator, do you yield.

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: You mentioned

briefly paying down some borrowed funds. Does that include the unemployment reserve funds that were borrowed from the federal government that businesses are paying a surcharge on right now because of that balance?

SENATOR KRUEGER: No, we are not paying down the unemployment fund money that is owed to the federal government. But in our resolution we do propose language of ways that we could assist in paying the interest owed on the unemployment fund borrowed money that would decrease the cost to the businesses.

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

ACTING PRESIDENT PERSAUD: Senator, do you yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: Now, you're still holding out hope, I guess, that the federal government's going to figure that roughly $8 billion amount that we owe them and you're only really planning to pay the interest on that

in the interim?

And why should the federal government absolve the state of that debt when most other states in the country used their COVID relief funds to pay that off?

SENATOR KRUEGER: I actually don't know what most states in the country did. I think there were a variety of different models used by different states.

And I don't actually believe we think we have $8 billion in surplus COVID relief funds to redirect for this purpose. No, in fact they're agreeing with me we don't.

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

ACTING PRESIDENT PERSAUD: Senator, do you yield?

SENATOR KRUEGER: I certainly do.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: If you don't agree that the amount owed is 8 billion, what is your thought on what that debt is?

SENATOR KRUEGER: What is my thought on what the debt is? I mean --

SENATOR O'MARA: If it's not 8 billion. If it's not 8 billion, we owe --

SENATOR KRUEGER: No, I agree that there's 8 billion in debt. I'm just saying --

SENATOR O'MARA: Oh, I thought you said you didn't agree with that. Okay.

SENATOR KRUEGER: No, I was saying we don't believe there's 8 billion in surplus COVID funds that could be used to pay that debt.

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

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes, I do.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: Of the -- between the Executive proposal and the Senate's one-house proposal increasing spending by about $14.5 billion, how much of that spending is recurring spending that's going to be built in going forward from year to year?

SENATOR KRUEGER: Give us a minute.

(Pause.)

SENATOR KRUEGER: We know 2 billion is money that we have on a recurring basis. We think there is more than that, but we don't have the answer right now. But staff is going to work on it as you and I continue this dialogue and try to get me a better answer for you.

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

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: Certainly.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: I guess when they're looking at that, if they could look at what of this $14.5 billion is not going to be recurring and what that's going to. Since we appear to be using, to balance this budget, a lot of money that are in reserves, in a variety of reserve funds. So those are really one-shots, so that source is not going to be recurring because we're going to deplete it in spending it here this year.

So if they could tell us how much of

this increase in this budget is not going to be recurring and what it's being spent on.

SENATOR KRUEGER: Two separate questions, I get that.

So the truth is when we took a look, when you add up the different reserve funds that the state has -- and we strongly believe that there should be a healthy reserve Rainy Day Fund for the state. And in fact in history it did fall too low. And we actually think that when we add it all up, that the Governor over-projected how much we do need to have in reserves, which is why we're going to intend to use some of them this year.

But my colleague is absolutely right; that's a model that you cannot necessarily recur spending on, depending on any given year and how much money that actually has come into reserves versus hasn't. We've all been quite surprised by how strong the tax revenues continued to come in during the last several years, and that it actually has meant the state increased its projections on revenues multiple times and has not decreased them.

Hence various funds in the state

have grown larger than anticipated, including what's called the STIP Fund, which I believe is now $50 billion in cash that we hold as a state to make good on our appropriated commitments. And it's larger than it's ever been before.

So we certainly don't want to put any commitments of the state at risk or make sure that we have the cash management that we need if things change, as they may do. But to be honest, we've found that there is significant amounts of money in the various reserve funds by the state that it's not obvious there's a reason to have such large amounts there when we have so many priorities by the people of New York for things the state needs to do for them.

SENATOR O'MARA: Thank you, Madam President.

If the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Senator, do you yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: A -- I would say a

vast majority of economists opining out there on the condition of our economy is a significant expectation of a recession that we're likely heading into. Why would it not be wise for us to hold as much in reserve as possible given what may come as a recession and severely impact our revenues being collected?

SENATOR KRUEGER: So we are confident that the amount of monies that would still be available for reserves and rainy day funds and STIP would all still be adequate to deal with a downturn in the economy based on what has happened to us in other recessions.

Weirdly, and I think probably those of us on both sides of the aisle recognize that economists have had extremely mixed opinions about what a recession looks like in this 21st-century world where they talk about soft landings, they talk about hard landings, they talk about recession without people losing their jobs, they talk about recessions where people's jobs continue but wages are out of whack with reality and inflation.

So I do -- I want to say I agree that we're walking into a new model of how we

evaluate economies -- nationally, internationally, and at the state level. But I'm also quite sure that we do not intend to draw down so much in funding that we would not have what we need available with shifting economic realities.

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

ACTING PRESIDENT PERSAUD: Senator, do you yield?

SENATOR KRUEGER: Of course.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: Certainly my perspective, and I think those on my side of the aisle here, being generally more conservative fiscally, is that it would be wiser and safer, given these uncertain times, that we protect those reserves rather than increasing spending at the percentage we're talking about.

And what is the percentage increase we're talking about with this $14.5 billion increase?

SENATOR KRUEGER: I looked at the

percentage. A 6.5 increase in All Funds.

And in response to the opening of that question, I will point out that the research shows that governments who actually invest in spending during economic downturns actually do better in turning things around for themselves as they come out of the bad times.

So we can have different views about what the role of the government is in economic downturns. But I think that my conference would probably side with the you invest more in your people when there are economic bad times, and you end up coming out stronger at the end.

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

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: A 6.5 percent increase in spending in this year's budget. And according to my notes, the two-year outlook -- which is as far as the financial plan that the

Majority's put together goes, is one more year -- that it's over a 13 percent increase over that two-year period?

SENATOR KRUEGER: We're going to double-check and get back to you on that also.

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

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes, I do.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: My notes also indicate that with this spending increase in this year's budget that, in the budgets in the State of New York since 2019, there will be about a 40 percent increase in spending in just those four years. How can we justify that rate of spending? I don't think our economy is growing at that rate.

SENATOR KRUEGER: So because we had so much additional federal funding during the COVID years, that was a sort of a very large but known and to some degree artificial bump in

spending. So we are now at the end of the COVID money, so that actually is technically being subtracted out of what we have.

But I will point out that our revenues have been growing faster than our projections in spending those years, so apparently so far it's been okay.

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

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: I guess I need a little further explanation of -- at least my understanding, the extra spending due to COVID, a lot of that -- most of that was federal funds that came in that we spent for COVID. And those are not going to be recurring receipts or revenues that we're going to get from the federal government.

Yet all our overall spending isn't going down by that amount. The spending in this

plan continues to grow. How do we make up for that loss of federal relief that's not going to be coming to sustain this spending?

SENATOR KRUEGER: So just to clarify, your question was about a 40 percent bump, and I was pointing out that that was to some degree an artificial jump covered by federal funds, saying the federal funds aren't continuing. So when you look at actual state spending, it's not going up at the 40 percent level.

So that was -- question one was how could we go up that much, and the answer was there were federal funds. We took them, we used them. They aren't going to be here anymore, there's just some of it left, I think having to be spent by the end of the next fiscal year.

So when you're asking questions about how our budget is growing based on state funds, it's the numbers you and I were talking about up till now, and my point that our revenues actually have been keeping up with that spending and actually have been higher than projected during that time.

SENATOR O'MARA: Thank you.

Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Senator, do you yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: So are you telling us, then, that when these COVID funds are finally used up at the end of next year then our overall spending in the state is going to drop back down by that 40 percent? Or how much is it going to drop back down, of that 40 percent increase over the past four years?

SENATOR KRUEGER: So we do projected budgets for the outyears that are never right. But if you take a look at the Governor's proposed changes for the outyears, there is an expectation of some lowering in revenue. And that is actually why she has been building in reserve funds. And we're not opposed to her building up reserve funds, as I said before.

But to actually ask what won't we spend or what we won't continue a year from now, I'm just not sure that I'm in a position to

answer that. I'm not sure that DOB would be in a position to answer that.

SENATOR O'MARA: Madam President, if the sponsor will continue to yield.

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes, I do.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: Senator Krueger, the financial plan that's been presented to us only goes out one more year beyond this year's proposed budget.

What in that one year -- and what's not in the plan, if you know or your staff knows -- what is the projected surplus or deficits we're going to be looking at to sustain this spending plan that's being proposed?

SENATOR KRUEGER: For a year out, is that what you're asking?

SENATOR O'MARA: A year out and beyond, if you know.

SENATOR KRUEGER: Right. Again, I think I just answered that question. Going out beyond one year is almost an impossible

assignment to do in government because we all operated on a one-year base.

What we do know is that based on our one-house projections, we will still have reserve funds of almost $28 billion with our proposal, walking into the following year.

We believe, based on what the Governor projected -- (conferring).

So the Governor -- sorry, I'm going to just read her book for a second. So the Governor's financial plan overview has us with a $5 billion deficit starting in '25, growing to an $8.5 billion deficit in '28 -- '26, excuse me. And down to a $7 billion deficit in '27.

Nobody likes to look at deficit numbers. You and I both don't. But I think we've both been here long enough to know that we have lived through multiple stories where the outyears show deficits. We come together, we negotiate a budget for that year, and we make sure it balances. So I'm quite confident that we would do the same for next year and the year after and the year after.

The years when you have deficits are less fun than the years that you don't. We all

know that. But we, the State of New York, actually have figured out how to do this, year in, year out, regardless of who's in the executive chamber.

And again, right now, we're still in a moment in history where our revenues are coming in stronger than projected by the Governor.

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

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: Thank you, Senator Krueger.

That deficit number that you mentioned from the book here, the source of that was your calculations or the Division of the Budget's?

SENATOR KRUEGER: No, the Governor's Executive Budget.

SENATOR O'MARA: The Governor's Executive Budget, you say?

SENATOR KRUEGER: I was reading her numbers. Yes, sir.

SENATOR O'MARA: Okay. Now, the --

SENATOR KRUEGER: Her 30-day amended version, excuse me.

SENATOR O'MARA: Okay. But we don't have those numbers based on this one-house proposal.

SENATOR KRUEGER: No. We don't go out that far. We don't have the same size staff they do.

SENATOR O'MARA: The -- through you, Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: I do.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: Since the Majority has only provided a one-year advance lookout, my understanding is the Division of Budget will be scoring, so to speak, this one-house at some point. But they haven't done that yet, so we don't know what their take is on structural

deficits or surpluses in outyears.

SENATOR KRUEGER: Correct. And I think that's an important point, that this is a one-house proposal. The Assembly is doing their one-house proposal. Both of those bills are the goals, wishes and dreams of our conference.

Do we think the final Executive Budget is going to be exactly what we're passing today? No, we don't. It gives us an opportunity to have looked hard at so many issues that the people of New York are telling us are their priorities, to be creative and innovative about ways we could help pay for those things, to put it on the table, with the Assembly and the Governor, and negotiate an ultimate Executive Budget. Which of course constitutionally will need to be balanced, and hopefully done on or close to April 1st.

I am personally very confident that we can negotiate that successfully, but I have no illusions that everything we have put in this document today is what is going to be the final budget.

SENATOR O'MARA: Thank you, Senator.

Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: There -- as you mentioned, there's a tax increase to the highest earners in New York of roughly about a 5 percent increase, a little bit under, to those brackets. Given the economic uncertainties, high potential for a recession, significant concern right now over bank failures that we've seen in the last week and where that might end up, is -- and the strength of and the reliance upon the financial industry that we have on our budgets here in New York, are there concerns of taxing these highest earners, a lot of those in our financial industry in Manhattan, and of running them out of the state?

SENATOR KRUEGER: We did a PIT increase on the wealthiest New Yorkers during the COVID crisis. Now revenues are coming in stronger than ever.

Many of the New Yorkers who technically fall into these brackets actually don't necessarily live here. They live some of the time here, but they earn their money here, so they owe their taxes here.

So objectively, we don't know if the people who make over 5 million a year are in finance or are not. They probably are investing in financial instruments. And if they had such a bad year that they lost their money, they would not owe this, because they would not then be earning $5 million to $25 million a year.

So I don't actually get particularly concerned about these people geographically leaving, because they have multiple houses all over the world, that they move around from place to place. The marginal tax rates on that category of population does not necessarily appear to drive anybody's decisions about where they are living or where they are working.

And again, if things get bad enough and nobody's making over 5 million a year, we won't draw in that tax revenue and that would be a tough issue for us. But I find it very unlikely, based on the research on who wins and

who loses, even when you go through recessions or even when you have banks closing, that this universe of people are not the people losing their money.

In fact, disturbingly, some of the research shows that these folks have been comparing notes and making sure to get their money out before anything happens, so they actually do even better when the rest of us are facing threats or losses in the markets or our jobs.

So no, this is a relatively small universe of people who are incredibly savvy about the economy, how they make their money, how they pay their taxes. And I do not believe for a minute that this small increase in their personal income taxes for this very small universe of extremely wealthy people will impact their business modeling or where they pay their taxes.

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

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: You know, I don't -- I certainly don't share your lack of concern over the potential of losing those high earners and basically the cash cow that funds all of the programs that everybody here wants to fund. Particularly with a significant increase in just the last couple of years of major financial institutions opening up significant offices in other, lower-cost states. That's a trend that seems to be continuing.

Is there anything in this budget to encourage the financial industry to remain here in New York and not flee to lower-cost states?

SENATOR KRUEGER: Yes. Thanks for the question.

The research about why businesses locate places shows us that it's all about infrastructure: Will we, the State of New York, have the infrastructure to support the businesses they run or wish to start? Will we have reliable energy, clean water, mass transit, roads and bridges, educated workforce to work for these companies?

And I think, proudly, that the proposed budget we have put before us today focuses exactly on those issues which are going to make the difference as to whether New York continues to thrive as a state or fail as a state. It matters upstate, it matters downstate.

The research is international that the opportunities to make New York the state people want to bring their businesses to, run their businesses in, are far, far more impacted by the list of items I just gave you than a marginal tax rate on a business. Or on an extremely wealthy person perhaps owning multiple businesses.

SENATOR O'MARA: Thank you, Senator.

Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: What do we have in this one-house proposal for incentives for

businesses to come here to New York from other states or to grow here, the ones that are sticking it out here in New York? What are we doing to encourage that kind of growth in this budget?

SENATOR KRUEGER: Thank you.

I think it's the same list I just gave. We are investing in our mass transit system, we're investing in our roads and bridges, we're investing in our clean water and our clean air and an environmental set of energy policies going forward that will assure us that we can have a modern green economy supported by the kinds of utilities that don't destroy the planet in the process.

We are working very hard to improve our K through 12 system and our university system throughout the state and make sure that it is more coordinated with what the needs of the workforce are.

There is a reason that the lowest-taxed states in the country with the lowest educational attainment and the least infrastructure are the states that are not doing well, even in a good economy. And states like

ours, even though we have hit some problems -- and I don't deny that we have problems -- but states like ours, in good times and bad times, are still ahead of the game from the rest of the country.

So the model that invests in our future, invests in our infrastructure, is what makes businesses want to come here and stay here.

SENATOR O'MARA: Thank you, Senator.

Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Senator Krueger, do you -- do you yield?

SENATOR KRUEGER: I'm sorry. Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: Thank you.

On the -- on the two personal income tax increases at the highest levels, what is that rate going to be, the combined rate of those brackets, for those individuals -- and they're -- they're wealthy individuals making over 5 million and those making over 25 million. I might have one or two of those in my entire district. I'm

not even sure that I have one or two, but it's a couple, so ...

What is the total tax combined, federal income tax, these state income taxes, on those individuals? How much of their income will their total tax be? For somebody living in New York City.

(Pause.)

SENATOR KRUEGER: While they're giving me the numbers, I'll tell you that it's a trick question. Because we know that at the highest income brackets, because of so many exemptions that can be taken, that basically nobody at the highest tax brackets for federal taxes is actually paying the full percentage.

And in fact research continues to show that the billionaires of America -- and I believe we are talking about billionaires pretty much in these storylines, millionaires -- multimillionaires and billionaires -- that the amount of taxes in total that they are paying are often lower than what their secretaries are paying, as a percentage.

So simply looking at a tax chart doesn't get you the truth.

SENATOR O'MARA: Can you tell me what that number is? My calculation is it's about 52 percent.

SENATOR KRUEGER: If you were paying full maximum load. But again, the research shows that almost nobody is paying that.

And with all due respect to people who earn 5 million and more, they have very good accountants who figure out how to maximize tax exemptions and expenditures. There was just a whole series of articles that came out today on a website called Politico documenting how little the highest wealthy people in this country are actually paying in real taxes for us.

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

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR KRUEGER: And I was just reminded, this is just PIT. It has nothing to do with capital gains, which is also how the

wealthiest Americans take most of their revenue, not through a PIT or a wage check.

SENATOR O'MARA: I agree with you that there's a lot of loopholes. And there's a lot of things that accountants can do to hide income and the basis on what that tax is being paid on.

So why do we focus on increasing the tax rates, given that that's the case? And why aren't we focusing on changing the loopholes in the taxes so that those individuals are actually paying the tax on the income they have rather than us just raising a 5 percent increase on something that, as you acknowledge, they're not going to be paying fully anyways? What are we doing in this budget to close those loopholes?

SENATOR KRUEGER: So I actually agree with you that we should be doing more on that, and I would --

SENATOR O'MARA: It's the heavier lift.

SENATOR KRUEGER: It is the heavier lift, because you --

SENATOR O'MARA: It's the more complicated part of it.

SENATOR KRUEGER: Well, you have to deal with coupling versus decoupling from the federal. You have to deal with the questions about what are they paying for taxes or avoiding through state by state jumping. It's -- you know, I talk about the range wars between states that we all keep going down this path where we're providing all the programs and services and yet everybody's figured out how to not pay us for them, which is a real problem.

We do in this budget specifically decouple from the federal Opportunity Zone program, which should save us significant money starting not this year, but next year -- a couple hundred million?

We are hopefully going to pass the False Claims Act that this house has passed twice and been vetoed by the Governor that would allow us to actually hold companies who fail to pay their New York State taxes more accountable and go after them and get the money.

I can give you one example of one company that ended up having to pay us $300 million because we had addressed some of the false claim problems in our Tax Law, but we need

to fix this loophole which is allowing -- we don't even know how many companies and well-to-do people from completely avoiding tax liability in New York State because there's no penalty for not filing at all. There's a penalty if you knowingly file falsely, but there's no penalty at all if you don't file at all.

So those are two major things that we are trying to fix in this document. But I would love, Tom, to work with you -- excuse me, Senator, I would love to work with you in the future on how to address other changes in state laws that would assure us our fair share of revenue made in New York State. Because I do think that all of this is due a giant overhaul.

SENATOR O'MARA: Thank you.

If the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Senator, do you yield?

SENATOR KRUEGER: Yes, I do.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: In addition to those personal income tax increases we talked

about, I have we're adding a 50-cent surcharge on ridesharing, or Ubers and Lyfts?

SENATOR KRUEGER: It's a 50-cent surcharge for trips that originate in New York City. And the money would go to help with the MTA fiscal hole.

SENATOR O'MARA: Thank you.

Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Senator, do you yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: Senator, is that going to be in addition to whatever congestion pricing fee -- if ever -- comes out?

SENATOR KRUEGER: Yes.

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

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The

Senator yields.

SENATOR O'MARA: Where do we stand in the process of that congestion fee today? And what's it likely to look like, do you think, when it's finally resolved? If ever.

SENATOR KRUEGER: You know, I have no crystal ball. I believe that in the steps we are waiting for the federal government to reevaluate the environmental impact analysis that was done and sign off on our being able to continue.

Then when they sign off, then there is a commission that has been created by law already that would establish the I guess fences, guardrails, and amounts within congestion pricing.

I don't know when they will get down to doing their job because I don't think any of us know when the federal government will sign off. It's a little frustrating because I can assure you the MTA needs the money.

SENATOR O'MARA: They do, and I would agree.

And through you, Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes, I will.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: It is frustrating.

And just from my perspective, the fact that it's held up with an environmental review, I don't see how this action could in any way, shape or form result in an adverse impact to the environment. Because it's intended to limit automobiles, and therefore their emissions, so I just don't understand how the -- just a comment, I guess, here.

SENATOR KRUEGER: I appreciate it. And give me the rest of your platform; I might support you for a federal post.

(Laughter.)

SENATOR O'MARA: Thank you.

Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR O'MARA: Yes, I do.

ACTING PRESIDENT PERSAUD: The

Senator yields.

SENATOR O'MARA: This one-house proposal has eliminated the increase in the payroll tax to the MTA region. But it turns around and increases the corporate franchise tax surcharge on corporations within the MTA from a 30 percent charge to a 45 percent charge. So a 50 percent increase on those businesses.

Does the amount to be generated from that new tax or increased tax, is that going to offset what you've given back on not having the payroll tax increase?

SENATOR KRUEGER: We think it's approximately the same amount of money for the MTA in new revenue, but -- and we think that it's approximately the same universe of companies who are likely to pay either/or.

But it was the decision of our conference that not expanding the PMT and rather going to a more understandable and equitable model of progressive corporate franchise tax would get us the money from the businesses in the MTA region in a way that people were more comfortable with.

So, you know, it's to some degree --

there's one model of business tax, there's another model of business tax, and we think this one might work better.

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

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: Well, it just appears very blatantly to be just a matter of semantics that maybe citizens will be more offended by something called a payroll tax and feel that that affects them more directly, as opposed to something that's just a corporate franchise tax and that big bad corporation is paying it.

But it's impacting those businesses equally. Whether it's called a payroll tax or franchise tax, it's going to have the same negative expense to that business who provides jobs to people in the MTA region.

SENATOR KRUEGER: I wish I had the

detailed analysis, but there's at least a belief that the PMT impacts businesses based on the number of people on their payroll. And we didn't want to do something that would discourage businesses from hiring and growing their payroll.

While if you do it on the corporate franchise tax, it by definition, as a more progressive model of taxation, impacts you the more money you make, not the number of people you have. So we actually thought it was a more progressive model that had less of a possibility of impacting smaller businesses who would think they were having to make a decision on how many people they employed.

And the corporate franchise tax doesn't apply to hospitals, not-for-profits that will have also complained about being thrown into the PMT all these years.

SENATOR O'MARA: Thank you for that.

Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: I do.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: I've just got a couple more, because we've got a lot of members here with some other specific questions.

But in this one-house is the Governor's proposed $1 billion for New York City for their migrant problem still here?

SENATOR KRUEGER: Yes.

SENATOR O'MARA: And through you, Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: And another probably -- maybe the most significant increase in spending in this one-house budget is the proposal to expand Medicaid to illegal immigrants here in this state. So an additional $1.7 billion. But --

SENATOR KRUEGER: Since we've gotten to healthcare and I see my colleague

Gustavo Rivera excitedly stand up, because he would love to answer your question, is that okay if I hand it to him?

SENATOR O'MARA: No, that's fine, but I really just had that simple question. There's going to be 1.7 billion for that? I think somebody else has some more questions on that, so I won't get into it.

But Senator, will you yield on that?

SENATOR RIVERA: I will yield.

SENATOR O'MARA: So the cost of that proposal to expand Medicaid to illegal immigrants beyond what we did last year is going to cost us an additional $1.7 billion, is that correct?

SENATOR RIVERA: Through you, Madam President, we actually -- funny enough, there is a waiver that we can seek from the federal government, which means it will cost us absolutely nothing.

And more importantly, Madam President, since we're on the subject, undocumented folks -- illegal immigrants is one way, certainly, to refer to them, but I prefer to refer to them as people who are undocumented.

And these folks actually still are going -- are getting sick, Madam President, and they are winding up in our hospitals to the tune of $500 million in emergency Medicaid that is being spent right now.

So yes, there is an appropriation, Madam President, of 1.7 billion. But again, we believe that if we get the waiver from the federal government -- which has already been sought by other states across the country -- that it would cost us absolutely nothing.

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

ACTING PRESIDENT PERSAUD: Senator Rivera, do you yield?

SENATOR RIVERA: Absolutely.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: In the event that we do not get this waiver from the federal government for that, does the program not go forward?

SENATOR RIVERA: If we do not -- through you, Madam President, if we are going --

we believe very, very, very much that we will get the waiver, since it has been granted to other states. But if it does not, we can still go forward.

And by the way -- Madam President, through you -- I'll remind all folks here that these are folks who are already costing the state $500 million in emergency Medicaid.

SENATOR O'MARA: Do you want to triple that expense?

SENATOR RIVERA: One second, Madam President.

Through you, Madam President, there is actually money that we can draw down from the Essential Plan, so we have actually a surplus fund that we can draw down to have a pass-through so it actually would still be much less than we are spending right now for emergency Medicaid for folks who are already getting sick.

SENATOR O'MARA: Thank you, Senator.

I believe that's all I have, for now at least, Madam President. I'm not sure who wants to go next on our side.

ACTING PRESIDENT PERSAUD: Thank

you, Senator O'Mara.

Senator Palumbo.

SENATOR PALUMBO: Thank you, Madam President. Good morning for a couple more minutes.

I'm going to be asking some questions on public protection. So I assume the winner may be Chairman Bailey, if he would be so kind as to yield.

ACTING PRESIDENT PERSAUD: Senator Bailey, do you yield?

SENATOR BAILEY: Indeed.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR PALUMBO: Thank you, Chairman. How are you?

SENATOR BAILEY: I'm well. How about yourself?

SENATOR PALUMBO: I'm well, thank you.

I have a few questions. I guess we'll just start with the pretty straightforward rejection, it looks like, of the Governor's proposal to remove least restrictive means from the bail reform statute. Is that accurate?

SENATOR BAILEY: Senator Palumbo, as you know, this Senate Majority is a thoughtful, contemplative body, and we believe that public safety is not fully encompassing of any one particular topic, so that would be accurate.

SENATOR PALUMBO: Would you continue to yield, please.

SENATOR BAILEY: Yes, sir.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR PALUMBO: We have seen several studies, several statistical analyses, news articles and so forth, regarding the effects of bail reform on crime. And of course there's -- I would say there's also a court of public opinion where, when you poll this, you see that people around the state are feeling significantly less safe.

So by removing this -- and it looks -- and from what I've seen there are no other aspects or changes to bail reform. Is that the Senate Majority's position, that that data is inaccurate?

SENATOR BAILEY: Senator Palumbo --

through you, Madam President. Senator Palumbo, we sat together at a hearing for close to 10 hours where we heard testimony from a number of different agencies, associations, and not one agency nor association, individual, made the correlation that any increase in crime was related, tangentially or directly, to bail reform.

We in the Senate Majority are a data-driven majority. We base our actions, our thoughtful actions, on data that we receive. And again, we sat together in close proximity at that hearing and I believe we heard the same information. And that information did not create the correlation that you are alluding to, Madam President.

SENATOR PALUMBO: Will the Senator continue to yield?

ACTING PRESIDENT PERSAUD: Does the Senator yield?

SENATOR BAILEY: Definitely.

ACTING PRESIDENT PERSAUD: Senator Bailey yields.

SENATOR PALUMBO: Thank you, Chairman.

And I would -- I would certainly beg to differ, because I heard a few different things. And if we just think specifically regarding the COMPSTAT data from the New York City Police Department for juvenile crime, for example, juveniles committing shootings in 2022 were at 124. In 2020, the year that bail reform was initially enacted, 62. And the year before that, before these reforms took effect, 48. So youth shootings have tripled. That should alarm everyone.

I know there was also a report that was referred to as the John Jay in the past few days -- the College of Criminal Justice, I guess a think tank associated with them -- came out with a report that the heading indicated that there was no correlation.

However, when you look at the numbers and with respect to data, those who were accused of a felony who were rearrested on a violent felony were up 3.3 percent. Or the number, excuse me, the total number versus the total number of crimes. So it went from the 14 percent to 17.3. It may not sound that significant, but that's a 23.5 percent increase,

in an article that said bail reform had nothing to do with an increase in crime, of people arrested for violent felonies, the recidivism rate of people accused of felonies.

So is that data that is just being completely disregarded by the Senate Majority? Or is there some other take on it that I'm missing?

SENATOR BAILEY: Through you, Madam President. Through you, Madam President, a very impressive cherry-picking of data, Senator Palumbo.

One correlation does not equate to causation, as you -- as you well know. And it's interesting that you mention violent felony arrests. Everybody in this chamber knows, because we've been through this many times, that the violent felony arrests that you reference are indeed bail-eligible.

So based upon that, are you saying -- and I don't know if I can ask it of you, but I presume that what you're saying is that bail-eligible offenses that are bailable are related to bail reform, which is releasing individual -- which is releasing individuals for

nonviolent felonies? Is that -- are you making that correlation, Senator Palumbo?

SENATOR PALUMBO: And thank you, Senator. And I'll certainly yield or just comment on that before my next question, if you'll continue to yield, that that wasn't the statistic.

So to be accurate, it was those individuals charged with a non-bailable felony who were subsequently arrested for a violent felony.

So the underlying felony, the first one, was a mandatory release -- for example, sale of drugs, sale of Fentanyl, less than 2 ounces, enough to kill everyone in this building, you cannot set bail still. And the new charge was of course a bailable -- a bailable, if you want to call it that, offense of a violent felony. So that's the distinction. And just that number there has the roughly 25 percent increase.

And it looks like as though that -- I'm sure we were all alarmed by that. We're on this floor all the time saying that even one victim -- if this bill saves one life -- these are hundreds of victims in this own data set that

are new as a result of bail reform.

So is that being addressed at all in this Senate one-house?

SENATOR BAILEY: Through you, Madam President. Are you referencing the John Jay study? Is that the study you're referencing?

SENATOR PALUMBO: I am. That's where I got that from.

SENATOR BAILEY: So the John Jay study --

SENATOR PALUMBO: Because I thought that might have been something that may have been -- and I'm sorry to interrupt, just I thought that --

SENATOR BAILEY: No, no worries. I think this is a cordial debate, and I think that people are entitled to hear -- hear -- hear us saying.

So that John Jay data college -- excuse me, the information that the John Jay College's data, you know, collective, indicates that there is a 44 percent two-year rearrest rate from bail reform, as opposed to a 50 percent rate prior to bail reform.

So that decrease seems to indicate

that some of the steps that have been taken are actually effective if it's 6 percent lower, based upon that same statistical -- that statistic that you just brought up. Madam President, through you.

SENATOR PALUMBO: Thank you, Chairman. Would you continue to yield?

SENATOR BAILEY: Certainly.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR PALUMBO: Thank you.

And -- well, in that regard -- and that was just a broad stroke. So I think there have been significant changes in policing as far as even arresting individuals and charging them. We know, based on the data from our Public Protection hearing, that a number of cases, over -- I think it's 62 percent of misdemeanors have been -- are being dismissed in our court system because you coupled this with discovery reforms. The people can't get ready in time, the prosecution can't have their cases organized enough.

So I guess we'll agree to disagree on what those numbers mean. But if you take

every crime and every arrest then, yes, you're absolutely right. Assuming that, you know, those numbers are accurate, which I believe they were, based on the limited area of study.

But within those same numbers, I'm focusing on the big stuff. Not the turnstile jumping that we're not even arresting people for at this point. I'm talking about violent felonious, victims of violent felonies. And that is a big number.

And I just think that's something that cannot be ignored, regardless of what I think an overall ideology is that we can't make any changes no matter what.

SENATOR BAILEY: Through you, Madam President. Again, this Senate Majority has made changes on a number of occasions to many statutes that relate to public safety.

Just this past week, in the Senate Standing Committee on Codes, we had a truly victim-centered Codes agenda where you and your colleagues voted in the majority for the vast majority of legislation.

Also in reference to the conversation which you're talking about, about

arrests and policing, I have never been an officer of the law. I do not know policing like officers know it. You would have to ask individuals in the NYPD and other forces around the State of New York as to why they are doing policing the way that they're doing it.

In addition to that, when we speak about funding for discovery, there is significant funding for discovery in this budget. Also at the Public Protection hearing -- excuse me, at the Public Protection hearing, the Finance hearing, we heard from a member of the District Attorneys Association of the State of New York who indicated that there were 19 counties that had yet to apply for funding for their district attorney -- for the discovery reform that was put in last year's enacted budget.

In addition to that, we in the Senate Majority believe that public safety is not monolithic. 18B increase -- I know that you're a supporter of that. We're talking about long hours in courts. Just today my colleague Senator Hoylman-Sigal tweeted something about midtown community courts opening their doors for an extra day, a collaboration between district attorneys,

elected officials, and community residents.

So we're taking steps, concrete steps. Because, again, public safety is not, you know, predicated upon two words, bail reform.

SENATOR PALUMBO: Would you continue to yield, please, Senator?

SENATOR BAILEY: I do.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR PALUMBO: Thank you.

So just to wrap up this area of questioning, the bottom line is in this one-house the Senate Majority rejects any changes to bail reform. Is that fair to say?

SENATOR BAILEY: The Senate Majority is a contemplative body that has and always will listen to the needs of 20 million New Yorkers, not just the voices of a few attempting to discredit the hard work that we have done at this level.

SENATOR PALUMBO: Thank you, Senator. I will take that as a yes, I guess.

But would you continue to yield for some questions? We'll move on to Clean Slate, please.

SENATOR BAILEY: Clean Slate? We will leave that in the able hands of my brother Senator Zellnor Myrie.

ACTING PRESIDENT PERSAUD: Senator Myrie, do you yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR PALUMBO: Thank you, Senator. How are you? Good afternoon now. It's past noon hour.

SENATOR MYRIE: Happy March Madness Day.

(Laughter.)

SENATOR PALUMBO: Yes. So I see that the Clean Slate Act is in this one-house, and it includes sealing all convictions other than those that are defined as a sex offense. Is that accurate?

SENATOR MYRIE: That's correct. Through you, Madam President, that's correct.

SENATOR PALUMBO: Through you, Madam President, would the Senator continue to yield?

ACTING PRESIDENT PERSAUD: Senator,

do you yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR PALUMBO: Thank you.

And, Senator, it also makes a reference to 168A of the Corrections Law. And when I look at the definitions, "sex offense" has a bunch of enumerated offenses in Section 2. But if we move to Section 3, there are also offenses called sexually violent offenses. And that's not referenced in the Clean Slate.

So since it's an exclusive list of nonsealable offenses, all other -- other than A felonies, right -- all other types of crimes are sealable. Am I misunderstanding that, or is that accurate?

(Pause.)

SENATOR MYRIE: Through you, Madam President. The bill references convictions that require the individual to register as a sex offender. That registration process includes the criminal offenses that you just referenced.

SENATOR PALUMBO: Would you continue to yield, Senator.

ACTING PRESIDENT PERSAUD: Will the Senator yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR PALUMBO: Thank you, Senator Myrie.

And if I look at this in Part UU, line 52, the conviction is not defined as a sex offense under Section 168 of the Correction Law. So that seems quite specific.

So it's not actually registerable, it's a sex offense. So the way I read this -- I don't know, I'm assuming this is an oversight -- rape in the first degree is sealable. Rape in the third degree is not. Because it says a sex offense, which is a very different definition, has a very different -- is a differently defined term than sexually violent offense.

And in fact in sexually violent offenses, there is a list of those very heinous crimes that are not contained in Section 2 for "sex offense."

So can you reconcile that for me, please?

SENATOR MYRIE: Through you, Madam President, I would reiterate what I just mentioned.

Any individual that commits an offense that requires them to register as a sex offender, which a sexually violent offense would require, would not be eligible for sealing, including the crimes that you just mentioned.

SENATOR PALUMBO: Would the Senator continue to yield, please.

ACTING PRESIDENT PERSAUD: Will the Senator yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR PALUMBO: So with respect to those crimes that can be sealed and will be sealed automatically -- before we get to a few specific ones, because I know we've had different iterations of this bill over the years -- is there anything that the convicted offender has to do as far as maybe, you know, get a GED, get a job, show some sort of, you know, rehabilitation -- alcohol, drugs, whatever it may be -- do a program, in order to get the benefits

of the Clean Slate?

Or is it just automatic, you do nothing and it happens?

SENATOR MYRIE: Through you, Madam President, I'm glad that the Senator has brought this up.

This is an economics bill. This is an antipoverty bill. This is a housing bill, it's an education bill. And the reason I say that is individuals who have served their time -- you were accused of a crime, it was adjudicated, you were convicted, and you served the consequence -- that individual should not be punished in perpetuity.

We don't have that as a constitutional principle. And I recall a couple of weeks ago you and some of your colleagues standing up very strongly for the Constitution, and said "We must uphold the Constitution."

Well, our Constitution does not harbor punishment in perpetuity. You pay the consequence for your crime, and then you are reintegrated into society.

Individuals with convictions -- and in New York that number is around 2.5 million --

can no longer get a house, get a job, get education. And then we expect those individuals to not return to the very things that led to their conviction.

So there aren't requirements for them to be a beneficiary of this sealing, because our current statutes allow for sealing but only 0.5 percent of individuals eligible for that sealing take advantage of it. The process is cumbersome, oftentimes requires an attorney.

And so the automatic nature of this is meant to give them the benefit of having remained crime-free for various periods of time, depending on the conviction. It's an incentive to be on your best behavior. Because any criminal offense restarts the clock and you're no longer a beneficiary.

So this is, in addition to all of the things that I mentioned before, a public safety bill that encourages individuals to be a part of their communities, provide for their families, and be an example for the other folks in the community.

SENATOR PALUMBO: Thank you, Senator. Would you continue to yield.

ACTING PRESIDENT PERSAUD: Will the Senator yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR PALUMBO: Thank you.

And when we talk about being on best behavior, the previous iteration of this bill had that you had to be -- you could not be incarcerated either in a state or local facility.

This version removes the local requirement. So if you're in on a -- you know, we used to say doing a county bullet, you're doing eight months at -- you serve a year -- you're sentenced to a year, you serve eight months. If you're in, those eight months that are ticking -- the sealing period has already started under this new iteration, is that correct?

So if you're not upstate but you're still incarcerated, as long as you're not upstate on a felony, that the clock will already start and begin the sealing process?

SENATOR MYRIE: That is correct, through you, Madam President. And that was a

result of feedback that we received from DCJS and some other law enforcement agencies on the ability to track individuals' records when they are in local correctional facilities.

And that is just one of the amendments that we have made over the past three years. This bill is in its seventh iteration. We've had broad discussions with you, your colleagues. We had a hearing on this. We spoke to DAs offices. We spoke to the NYPD. We spoke to many other law enforcement agencies. And we took that feedback.

And I hope that that conveys to you, your colleagues, and to the rest of the state that we have been willing to listen to stakeholders involved in this. But that particular amendment was a result of DCJS's communications to us.

SENATOR PALUMBO: Thank you, Senator. Would you continue to yield.

ACTING PRESIDENT PERSAUD: Does the Senator yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR PALUMBO: You are artfully eating up some time. You're doing a good job over there.

(Laughter.)

SENATOR PALUMBO: You know, at the end of the day this version allows only a few -- I guess law enforcement, certain licensing agencies -- ability to use -- to see these -- the sealed records.

And so my question in that regard is could a bank have access to someone's sealed record of a financial crime?

SENATOR MYRIE: Through you, Madam President. If it's required for licensing, yes. If not, no.

But I will note that the largest financial institution in New York and in the country, JPMorgan, is a huge supporter of this bill.

SENATOR PALUMBO: Will you continue to yield, please.

ACTING PRESIDENT PERSAUD: Does the Senator yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The

Senator yields.

SENATOR PALUMBO: Virtually all of the -- not virtually, all animal abuse, Agriculture and Markets crimes against -- you know, for torturing animals, having dogfights, things like that, those are all sealable.

Will a veterinary hospital have the ability to see that someone's been convicted of those types of crimes when they're looking to hire someone?

SENATOR MYRIE: Through you, Madam President. Again, if it's required for licensing, yes.

And I'd also note that we have in the bill if you are a mandated fingerprinter, the suggestion being that that is a sensitive job, that also would grant you access to an individual's records.

SENATOR PALUMBO: Would you continue to yield, please.

ACTING PRESIDENT PERSAUD: Senator, do you yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR PALUMBO: One last question, really, on Clean Slate is regarding this -- the new charges that can make the clock stop, so to speak, or restart the clock on the two and seven years for misdemeanor and felony, it appears to me that it's only a new charge pending in New York.

So if there's a charge pending, a new charge in New Jersey, for example, does that reset the clock on sealing the New York conviction?

SENATOR MYRIE: Through you, Madam President, this was also the result of conversations we had with law enforcement agencies. You can imagine the difficulty of a New York agency attempting to follow the charges for external states' actions.

And so we were told that for administration purposes that this would make the process much easier.

And I would also think, philosophically, that it is not the role of the State of New York to be monitoring what's happening in the other states. But we should be holding people accountable for what they do in

this state and, after they have served their time and paid that consequence, then give them the opportunity to have sealing.

SENATOR PALUMBO: Would you continue to yield, please.

ACTING PRESIDENT PERSAUD: Does the Senator yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR PALUMBO: So then just so I'm clear, Senator Myrie, then if there's a matter pending in federal court, Southern District, is that considered a New York charge? Or obviously, you know, Northern District of Idaho, if you're charged with, say, a trafficking charge, even human sex trafficking -- I'll give you an easy one -- a very serious crime in federal court across the border or even in the border, does that still qualify to remove the availability of having your case sealed automatically?

SENATOR MYRIE: Through you, Madam President, and I say this with great respect for my colleague, but this is a state

legislature, and we are not responsible for what happens in the federal system. Our jurisdiction lies within the State of New York, and that is what this law is attempting to change.

SENATOR PALUMBO: Thank you, Senator. If you would just yield for another quick question and then I'll wrap up.

ACTING PRESIDENT PERSAUD: Does the Senator yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR PALUMBO: Thank you.

It looks as though there's a million dollars statewide to implement Clean Slate, is that correct?

SENATOR MYRIE: Through you, Madam President, yes.

SENATOR PALUMBO: Will you yield for one more question.

SENATOR MYRIE: Sure.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR PALUMBO: Of course, right, there's always one more.

Do we have any studies or any fiscal on how much it will really cost everyone to seal all these records? Because not all the fingerprints are digitized. In some of these smaller courts they still do it the old-fashioned way. So within two years, if they have to seal the prior crimes that they need to catch up, they're going to have to dig out these old files, mark it sealed, do what's necessary, return items.

So do we have any idea how much this is really going to cost?

SENATOR MYRIE: Through you, Madam President. This is the number that this conference arrived at for -- at this particular time.

I am more than happy to put more funding in, if that's what you are suggesting. But we will continue the conversations with DCJS and our various law enforcement agencies that would have jurisdiction over these records.

SENATOR PALUMBO: Thank you, Senator.

On the resolution, please, Madam President.

ACTING PRESIDENT PERSAUD: Senator Palumbo on the resolution.

SENATOR PALUMBO: Thank you.

I'll just be real brief because I know we have a few other speakers.

But unfortunately, this is -- seems to fall on deaf ears. We have a court of public opinion. We have actual statistics showing violent crime is up, youth crime has almost tripled, and it's just being ignored.

I don't really understand how we can claim to be for public safety when we talk some comments regarding the Constitution -- and, you know, I get it, that the Constitution is about fairness, maybe punishments fitting the crime. There's a balancing test here. When you have certain types of offenses that you commit against society, there is a debt that you have to pay society, to society, and some of it is lifetime. Not all of it.

We actually have a current system of sealing cases. You can seal them, you can make an application to the court. Legal Aid is certainly available for the indigent to make such applications, seal a felony if they so choose.

This is unlimited, this Clean Slate, unlimited. Forget about ignoring the bail reform. You know, that's something that I think, as the world starts to really look at these numbers and understand that we have hundreds and hundreds of new victims in our great state thanks to these changes.

So I will be voting no on this resolution and I urge my colleagues to do the same.

Thank you, Mr. President.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Borrello.

SENATOR BORRELLO: Thank you, Madam President.

I have a question on elections, specifically in Aid to Localities with the public campaign finance, whoever would be handling that.

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: I'll give it a whirl, yes.

(Laughter.)

ACTING PRESIDENT PERSAUD: The

Senator yields.

SENATOR BORRELLO: Thank you for giving it a whirl.

So can you tell me how much money was allocated in this one-house budget for the public campaign finance?

SENATOR KRUEGER: There's a total of $25 million, 15 million for the infrastructure to build this system, what we need, and 10 million for starting off on the matching funds.

Yes, it's exactly what the Executive proposed.

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

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR BORRELLO: So it's the same amount that the Governor has proposed.

How did we come up with these numbers? What was the basis for these numbers, do you know?

SENATOR KRUEGER: So the 15 million was based on what the State Board of Elections asked us for, for their -- to meet their needs for software, building new infrastructure, additional staff.

The 10 million is a starting point for matching funds. My understanding is, though, that the State Comptroller has the authority to draw down additional funds if and when necessary for the matching program under the law we already passed in 2020.

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

ACTING PRESIDENT PERSAUD: Does the Senator yield?

SENATOR KRUEGER: I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: Well, thank you for that response.

There's been a lot of reports in the media that the rollout of this public campaign finance may be delayed. Is that true?

SENATOR KRUEGER: I don't know. I read those stories also.

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

ACTING PRESIDENT PERSAUD: Does the Senator yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: I mean, you know, the only real example we have to follow is New York City. And I've also read a lot of articles that that program in New York City is just filled with waste, fraud and abuse. So do you think that that may be a reason for questioning whether we can do this better on a statewide scale than they're doing it in New York City?

SENATOR KRUEGER: So, Madam President -- so, one, actually there's models from around the country that have been working. I personally come from New York City. I would love the examples of waste, fraud and abuse that Senator Borrello is asking me to explain, because my understanding is they catch people, they fine them, they get the money back. Just the way they're supposed to.

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

ACTING PRESIDENT PERSAUD: Does the Senator yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: I'll be happy to share that information with you offline. But it doesn't seem like it's going all that well, but we can have a difference of opinion on that.

So I want to move on to, if I could now, to some additional mandates for the local Boards of Elections in Part GG of Part -- it increases the minimum pay for poll workers, mandatory staff levels for Boards of Elections. It's going to require that the Board of Elections commissioner is going to be a full-time employee.

All those proposals will add cost to the local Boards of Elections, won't they?

SENATOR KRUEGER: Yes, so those are actually bills that we've passed in this house I think this year already. And we are putting in money in the budget, 15 million, for the localities to help with the -- their costs, and

15 million centrally to the State Board of Elections. So $30 million to put these reforms into place.

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

ACTING PRESIDENT PERSAUD: Does the Senator yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So $30 million total for local governments to access.

So how is it -- first of all, that's just for this year. That's not going to guarantee anything going forward, correct?

SENATOR KRUEGER: Every single dollar we spend in the State Budget is one year and has to be renewed or not renewed. So it's no different than any other money we're spending.

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

ACTING PRESIDENT PERSAUD: Does the Senator yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The

sponsor yields.

SENATOR BORRELLO: This is the last question on this.

So how would those local Boards of Elections access that money? I mean, is it going to be a voucher, is it going to be some kind of a competitive grant? How is that money going to be distributed?

SENATOR KRUEGER: Yes, it would be through grants in some formulaic way, I suppose the way we give other money to local Boards of Elections.

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR KRUEGER: Yes, I will.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So really we're not really -- we're mandating that they have these increases, but we really don't have a set way to guarantee that they're going to get a specific amount of money to cover those mandates, is that correct?

SENATOR KRUEGER: I'm not sure that any money we give them each year is in a set formula, so I don't know that this would be different than any other way that we fund them for all the other things they do. But I'm double-checking. (Pause.)

I'm still trying to get the answer for you on whether the formula of how they get it is different than how we give them money now.

But again, I'm emphasizing we did pass the bills. And we are trying to get them money to make sure that they can implement.

I think if there's an argument that the dollar amount would need to be more than what we've proposed in this one-house, we'd be quite open to increasing that amount. So if you have data on that, we would appreciate it.

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

ACTING PRESIDENT PERSAUD: Does the Senator yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So right now we

don't really know that if it's going to be broken down by the percentage of population in a county to determine or, you know, what their current costs are -- we're just saying that we have money and if we need more, we can get more.

SENATOR KRUEGER: So our understanding is that the localities need to fill out an application to get any of the monies that they get from us to run their elections, and that this would operate basically the same way.

SENATOR BORRELLO: Madam President, on the resolution.

ACTING PRESIDENT PERSAUD: Senator Borrello on the resolution.

SENATOR BORRELLO: Thank you, Senator Krueger, for those indulgences there.

I think one of the things that concerns me about all of this is the whole idea that we are changing our Election Law here in New York State but we really don't have a great guide as to how we're going to be actually executing it on the ground, whether it's public campaign finance -- which rumors are there that this isn't going to be rolled out -- or it's the idea that we're going to change and mandate so

many things for our local Boards of Elections.

And concerning especially for the local Boards of Elections is that I've heard a lot of my colleagues on the other side of the aisle especially talk about professionalizing our local Boards of Elections, as if they're not professional to begin with. And certainly increasing mandates on them without necessarily giving them a clear path as to how they're going to fund and execute those things is probably a good way to make it look like they aren't doing a professional job.

So I will continue to monitor this and hope that we truly do support our local Boards of Elections, because they are critical to us having elections that are certainly well run and making sure that we have the confidence of every voter that their vote will count and count properly.

So with that being said, I'm going to move on to another section, education. School aid, Part A, if -- who would talk of that?

SENATOR KRUEGER: I'm sorry, that is Shelley Mayer.

ACTING PRESIDENT PERSAUD: Senator

Mayer, do you yield?

SENATOR MAYER: Yes. Sure.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR BORRELLO: Thank you. Thank you, Senator Mayer. Good afternoon.

So I notice that the Governor had really made a commitment that she was going to remove this senseless cap on charter schools, and yet this budget now is going to remove that. So that, you know, her proposal, even though it wouldn't change the total number of schools that are allocated to be charter schools, but it would have allowed an additional 100 charter schools.

You know, currently we're looking at trying to have our kids recover from the tremendous loss during the pandemic. We see that that has been a huge negative impact. So why do you think that restricting the growth of these charter schools is going to be good for our children's education?

SENATOR MAYER: Well, through you, Madam President, yes, we have rejected the Governor's proposal to increase the cap, which is -- unfortunately Senator Borrello didn't

mention the cap really applies to New York City only as she has designed it, and to lift the prohibition on zombie charters.

We have not seen any evidence of why such a lift is necessary. And in fact the majority of charter schools in New York State have shown a decline in enrollment in the past year.

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

ACTING PRESIDENT PERSAUD: Will the Senator yield?

SENATOR MAYER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR BORRELLO: Well, it's my understanding there's roughly 170,000 students on waiting lists to get into charter schools, and because of the convoluted way, especially in New York City, that they have broken down these limits as to where they can be, you may have declining enrollment in certain schools but overall you still have 170,000 students waiting to get in there.

And they're mostly in

socioeconomically disadvantaged areas, people who can't afford to send their children to a private parochial school, for example, but would like to send their child to a specialized charter school.

So I don't understand why you think that we wouldn't have a need when there's supposedly 170,000 students in the New York City area on a waiting list. So again, why would we want to restrict that growth?

SENATOR MAYER: Well, through you, Madam President, first of all, the initial cap and the revision to the cap was an effort by the state to set a balance between traditional public schools and what was then an experiment in charter schools. And that balance continues to be something that we need to strike.

And in fact we believe that we need far more transparency and accountability from existing charter schools, who are subject to a range of different rules that are not the same as apply to traditional public schools.

And in addition, I would say to you, Senator Borrello, that the state has a primary obligation to ensure that the traditional public schools remain funded and active. And last year,

for example, New York City diverted $3 billion of money that largely we allocated to them in city funds for charter schools, including 153 million for private space, which the city is required to pay for if the school is not collocated, which is a problem in and of itself.

So for a large variety of reasons, we believe there's been no evidence that there's a need to increase the cap, and in fact increasing the cap would be destructive to the traditional New York City public schools.

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

ACTING PRESIDENT PERSAUD: Does the Senator yield?

SENATOR MAYER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: You used the word "destructive." But in fact there was a study done that showed that actually students in regular public schools that are adjacent to or somehow associated with regular public schools actually see an increase in performance.

To just quote the study: Students

whose schools are near charter schools do better, and the closer the charter school is, the better these students do. Students attending a collocated district school performed 0.8 standard deviation better in math and 0.6 standard deviation better in reading. Students in districts within half a mile of a charter school performed 0.2 standard deviation higher in both math and reading.

So what's destructive about that?

SENATOR MAYER: Well, in the first place, charter schools are not subject to the kind of oversight that traditional public schools are in terms of reporting, in terms of ensuring that English language learners and children with special needs -- who our traditional public schools must accept -- are handled in the same way and accepted in the same way. So that's point one.

Point two is to quote from some study that shows the physical proximity to a charter school results in better grades -- I find that difficult to believe, frankly.

We have an obligation to the students first in our traditional public schools

as they seek to recover from COVID. We work very closely and obviously we have allocated a substantial amount of money for those traditional public schools. And until such time as charter schools are subject to the rules of other public schools, we have not seen any justification for increasing their number.

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR MAYER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So the fact that we have parents that would like to have their children put into special charter schools that you have, you know, a six-figure waiting list isn't justification enough?

SENATOR MAYER: Well, Senator Borrello, according to the State Education Department, there are 12 schools, charter schools that are already authorized under the cap that have failed to open. Those schools exist as legitimate schools under the current cap. They

haven't opened.

So while there may be, according to some reports, demand for additional schools, schools can and could open and have failed to do so.

SENATOR BORRELLO: Madam President, on the resolution.

ACTING PRESIDENT PERSAUD: Senator Borrello on the resolution.

SENATOR BORRELLO: Thank you, Senator Mayer, for your engagement today.

You know, I think -- first and foremost, I will tell you that in my district we have no charter schools. And I attribute that to our public education system, which I am a child of public school myself, doing a good job in educating our children. And also providing the specialties, whether it be training in skilled trades, in applied sciences, that is required and really desired by the parents.

So we don't have an issue where I am because our public schools are doing, quite frankly, just fine.

That's not the case, however, in New York City. You know, we spend more per pupil

than any other state in the nation -- twice the national average. So there's plenty of money. It's not money. It's about what are we doing to ensure that there is accountability.

And the fact is that the SUNY charter schools have a good track record. You can certainly point to a few bad apples. You can in any situation. Seventy-nine percent of SUNY-authorized charter school students are from economically disadvantaged areas. People that can't afford to send their child to a private school can benefit from a charter school. Eighty percent of the students in SUNY-authorized charter schools outperform their districts of location in the mathematics; 81 percent outperform in reading and writing. Forty-one SUNY-authorized charter schools are in the top 10 percent of public schools statewide in mathematics. And the statistics go on and on.

I'm in business, and in business competition is good. But in this case we're saying we don't really want any competition. Now, granted, you can even point to the fact in the study that the competition is actually good, that it is improving the quality of those public

schools located near charters.

So the question is, are we going to do what's best for our kids or what's best for special interests? I certainly vote for what's best for our kids.

So thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Helming.

SENATOR HELMING: Thank you, Madam President.

I understand that we are running low on time, so in the interests of making sure my colleagues here have time to ask their questions, I'm going to limit my questions to Part F, article 20, on housing.

ACTING PRESIDENT PERSAUD: Senator Kavanagh, do you yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR MURRAY: Through you, Madam President. Senator Kavanagh, thank you very much.

You heard me say this during the

budget hearing that I basically feel that the Governor's housing compact points the finger at local governments for a housing crisis that has been decades in the making. And I know the budget resolution that's before us today makes some changes to the Governor's housing compact. But one thing that I didn't find changed is that we are continuing to give the state government the power to override local zoning.

The budget language continues to give DHCR the power to -- and I will read -- "to promulgate regulations, rules and policies related to land use by cities, towns and villages as it relates to the development of housing, included but not limited to." It's very, very open-ended.

I'm very concerned because I think our local governments understand better than anyone else that strengthening our communities to help local employers fill jobs and to attract new business investments all require affordable home ownership opportunities.

So I'm wondering why the Majority is giving this commissioner this unlimited and what appears to be unrestricted authority to override

our local officials, to totally disregard municipal home rule, and to decide these land-use policies in my district and every other area of the State of New York.

SENATOR KAVANAGH: Thank you, Madam President.

In the interests of time, I think we'll not go down to the particular language that my colleague is referring to and where it sits in the bill. But just to say clearly this bill that is before us today that is included in the resolution does not include mandates or zoning overrides on localities.

And the language that my colleague is referring to does permit the Housing commissioner to set rules and standards for certain programs that are effectively discretionary.

The basic structure of what the Senate Majority is proposing today is that there are various incentives, and if localities meet certain targets, that the targets are similar to the targets set forth by the Governor, then they will have access to various incentives, including some financial incentives, some money that we're

putting aside. The Governor had proposed, for example, $250 million in infrastructure funding to support expansions of housing. We are doubling that to 500 million.

But again, although that language -- you know, those budget bills have been put together in the last couple of days, and that language might sound like the commissioner can mandate that localities do certain things on land use and other things. That's just -- it is just not the case. We have removed in this bill the mandate that localities change their zoning or meet building targets.

SENATOR HELMING: Thank you, Madam President. If the sponsor will continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KAVANAGH: Happily, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR HELMING: I understand that certain aspects have been removed -- the transit-oriented piece, the safe harbor status,

et cetera.

But I think that this language is very clear that the commissioner still has the ability, as it's written here in black and white, to promulgate these rules, regulations and policies that can in fact override local decision-making.

So just to be clear, Senator Kavanagh, are you saying that the commissioner absolutely has no authority to override land-use policy?

SENATOR KAVANAGH: Through you, Madam President. In the bill that is before us today and in the Senate resolution, we have expressly removed the notion that there are mandates that can be imposed that will require certain amounts of growth, as the Governor had proposed.

Basically the Governor -- as I think most people in this room know, the Governor had proposed certain growth targets and if you didn't meet those targets, then there were circumstances where the state could approve projects over the objections of the locality. There's presumably going to -- you know, there are many people that

think that would be a positive thing out in this state. But today that provision and the provision that requires certain zoning actions around transit stations have been removed by the Senate from our resolution, and they've been removed from this language.

And yes, the Housing commissioner does have an ability to promulgate regulations about some of the provisions that are in this bill. But in no case can the Housing commissioner overrule the local land-use restrictions of the locality under any provision of this bill.

SENATOR HELMING: Thank you, Madam President. On the bill.

ACTING PRESIDENT PERSAUD: Senator Helming on the bill -- on the resolution.

SENATOR HELMING: Thank you.

Madam President, I feel very strongly that our local governments have made and continue to make a tremendous investment in adopting citizen-driven community plans and the corresponds zoning codes. These plans take into consideration things that the state government may not be all too familiar with, whether it's

preserving our natural resources, the character of our community, et cetera.

I do not support and don't think that this body should be supporting state government overreach or overriding local decision-making.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Murray.

SENATOR MURRAY: Thank you, Madam President.

I'd like to address the MTA area.

ACTING PRESIDENT PERSAUD: Senator Krueger, do you yield?

SENATOR KRUEGER: I do yield.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR MURRAY: Thank you, Madam President. And good afternoon.

First let me start with what I guess would be somewhat good news, and that would be while we're happy to see that this proposal rejects the Governor's proposal to raise the MTA payroll tax, I'm a little confused as to why we're picking winners and losers in that we're

also exempting local governments in Rockland, Orange, Putnam and Dutchess counties from the tax, but not Westchester or any of Long Island.

SENATOR KRUEGER: Hi.

Yes, those three counties use such a tiny amount of MTA service that we decided that it did not impact the overall financials and was reasonable given the reality for those three counties.

SENATOR O'MARA: Through you, Madam President, would the sponsor continue to yield?

SENATOR KRUEGER: Four counties, excuse me. Four counties. I misspoke.

I think there's 35 million in total for four counties.

SENATOR MURRAY: Well, that just answered the next question, but so --

(Laughter.)

ACTING PRESIDENT PERSAUD: Senator, do you yield?

SENATOR KRUEGER: I do yield.

ACTING PRESIDENT PERSAUD: She yields.

SENATOR MURRAY: Thank you.

So do we have an estimate as to how

much Westchester, Nassau and Suffolk are currently paying?

SENATOR KRUEGER: No. Although we know that the overall MTA subsidy to Metro-North and Long Island Rail Road is dramatically more than the subsidy towards New York City transportation.

SENATOR MURRAY: Okay, thank you.

Moving on to -- as you said, we've -- we've -- well, let me clarify this first.

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

ACTING PRESIDENT PERSAUD: Do you yield, Senator?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR MURRAY: So I also want to clarify that in your proposal we are not eliminating the MTA payroll tax, other than those particular areas. It will remain for everyone that's paying it now, with those exceptions, at 0.34 percent, is that correct?

SENATOR KRUEGER: That is correct.

SENATOR MURRAY: Okay. Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KRUEGER: Yes, I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR MURRAY: Thank you.

So in addition, now, to that still remaining in place, we are now going to impose the corporate franchise tax surcharge, the Article 9A corporate franchise surcharge, and increase that from 30 to 45 percent, a 50 percent increase. Can you tell me who exactly pays that surcharge?

SENATOR KRUEGER: Corporations in the MTA region that are currently obligated to pay corporate franchise taxes. This would be a supplemental increase in their cost. I don't have a list of all the companies. They tend to be the larger corporations.

SENATOR MURRAY: Thank you, Madam President. Would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR MURRAY: Actually -- and this is taken from the New York State Tax website -- you must file and pay the franchise tax on general business corporations if you are a domestic corporation incorporated in New York State. There are also other levels.

What this does now is this puts smaller businesses back into paying. Years ago we eliminated the smaller businesses, about 80 percent of those, from paying the MTA payroll tax. This will now put them back in. I know this because I am a small businesses owner and I will now be paying this under this proposal. In fact, my accountant informed me I paid it yesterday.

So -- but are you aware, I guess, and -- two questions. Are you aware that this will put small businesses back in? And two, how much will this generate?

SENATOR KRUEGER: I'm sorry, could

you repeat that? I'm asking the question at the same time you're asking me a question.

SENATOR MURRAY: Sure. Are you aware that this would include the smaller businesses? And also how much do we anticipate this new tax will -- or I should say new surcharge will generate?

SENATOR KRUEGER: Now give me a moment. We'll do this in order. (Pause.)

So my understanding is that the PMT targets more the businesses based on how many workers they have, and that was what we're trying to override. And that the corporate franchise tax impacts you based on how much money you're making.

So the good news I guess for you is you must be running a very successful business who has a decent amount of revenue and tax obligations. So you might fall into this unique storyline of being -- you were exempted because you were small, but now we've learned that you actually make a lot of money -- and you've just told us that, thank you. And congratulations. And so you would fall into some amount of corporate franchise tax on that revenue.

SENATOR MURRAY: Madam President, through you, would the sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KRUEGER: Yes, I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR MURRAY: First let me say don't I wish.

(Laughter.)

SENATOR MURRAY: Second, actually -- so for the corporate franchise tax you will pay a set amount. There's a bottom, a floor that all of them incorporated will pay. Unfortunately, I fall more in that category. It will increase as the revenue increases, but you will still be paying it, you will still feel this.

So moving on, there's also now, on top of this, we are now also raising taxes on the so-called wealthy New Yorkers -- also, as I like to call them, job creators. Can you tell me how much we will be generating from that increase of the personal income tax?

SENATOR KRUEGER: If you fall into

that category, also congratulations. But what are you doing here every day?

SENATOR MURRAY: (Inaudible.)

(Laughter.)

SENATOR KRUEGER: So it's 800 million on people whose taxable wage -- taxable personal tax income is 5 million to 25 million.

SENATOR MURRAY: Thank you.

Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR MURRAY: First let me say that they must have missed a lot of loopholes, because 800 million's a lot of money.

But then finally in this proposal we also have other revenue sources -- for example, the casino money, the proposed downstate casino. If I'm not mistaken, would -- if it's located in New York City, that's 100 percent goes to the MTA. If outside, it would be 70 to 80 percent,

is that correct?

SENATOR KRUEGER: Yes. What we kept in was the licensing fees. So it would be if a -- there are three new casinos expected. If they are in New York City, 100 percent of those licensing fees would go to the MTA.

If they are outside New York City but in the downstate region, blah, blah, blah, it would be 20 percent -- 20 percent of their local -- of the licensing going to the locality, 80 percent going to the MTA.

And obviously we don't know which -- where those licenses will be at.

SENATOR MURRAY: Madam President, would the sponsor continue to yield to one more question.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KRUEGER: Absolutely.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR MURRAY: Thank you.

And do you have an estimate on how much that would generate, the casino license? Although I know it's a rough estimate, depending

upon the location.

SENATOR KRUEGER: So the floor for each license is $500 million, but it can go up from there.

So to be honest, I would like it to be as large an amount as humanly possible, even though I'm not big on casinos.

SENATOR MURRAY: Finally -- I apologize, Madam President, would the sponsor yield for one final question.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KRUEGER: Sure.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR MURRAY: One last question.

So is there anything in this proposal, any ideas of how the MTA can be more efficient? We're throwing a lot of money at them. Are there any -- any proposals, any ideas in this proposal that would make them more efficient?

SENATOR KRUEGER: So we've also agreed with the Governor in her budget for them to come up with $400 million in efficiencies.

I am personally open to any other proposals you or any of your colleagues might have on how to save more money.

But of course the reality is they've had a huge hit in ridership since COVID started, and that has generated literally a crisis for them of being able to have enough operating revenue not to cut services.

And I think we all agree that -- especially in the downstate region -- that if the MTA starts to cut services, trains or buses on Long Island, New York City, Westchester, that that will be a travesty to each of our communities and to the overall state economy.

So I believe that we need to help save them. We need to make sure they're not cutting services. In fact, we believe they need to be expanding services. So we have to come up with money.

I'm extremely agnostic, personally, on how we do that. So if you have other suggestions about how to come up with new revenue on a recurring basis to help the MTA stay alive, I'm very open to hearing that.

And if you actually have proposals

for how Long Island Rail Road can save money, I'm very interested in hearing that also. Because again, when I look at the data, I always get a little irked that as a New York City resident I'm paying so much more for Long Island Rail Road passengers than I'm able to get for my own New York City residents.

So you want to help save us money down there -- out there? That's great.

SENATOR MURRAY: Thank you, Madam President. On the resolution.

ACTING PRESIDENT PERSAUD: Senator Murray on the resolution.

SENATOR MURRAY: Thank you. And thank you, Senator.

And I will take you up on that suggestion, because myself and our entire conference just sent a letter to the Comptroller asking for a forensic audit of the MTA because everywhere we have seen, every single year, it is the same thing, the tales of woe, oh, my gosh, we need so much more money, we're going broke, we can't afford this, we can't afford that. It's always a fiscal crisis. Yet we throw money at them left and right.

We are -- under this proposal, we are not taking on an increase of the MTA payroll tax, although keeping most of it in place, but then finding other revenue sources, whether it's the PIT increase, whether it's the Article 9A corporate franchise surcharge to bring in millions and millions of dollars, the casino money -- and congestion pricing, let's not forget about that. That's going to come in, estimated to bring another billion dollars into the black hole of the MTA.

Meanwhile, every single smaller audit that's been conducted -- you mentioned something about the Governor and the 400 million. The Comptroller just did an audit three weeks ago that says "The MTA must hold up its end of the bargain and identify how it's going to save 100 million this year and more than 400 million annually to stay afloat and avoid impacts to services in the future."

A week prior to that, an audit on the MTA Bus Company and New York Transit says: "Notably, for the audit period maintenance costs totaled more than 50 million, nearly 9 million over budget."

When we talk about projects, construction projects, the Second Avenue subway project, the most expensive in the world, estimated at $2.5 billion per mile. Meanwhile a similar project in Paris, 450 million per mile. Over 2 billion more per mile we are spending or throwing away.

We continue to throw money, and we simply can't afford it anymore, whether it's businesses or whether it's individuals. When we waive the -- or I should say exempted the local governments in the other counties, Nassau and Suffolk County taxpayers are paying -- by the way, if you're a Nassau County resident or any MTA resident, your cellphone, you're paying the MTA payroll tax on that bill every month too.

We pay all over the place. We're now paying taxes to the local government to pay taxes. When we hear things like surcharge -- surcharge is the word for double taxation. A surcharge is what you put on a tax. So when we're talking about the corporate franchise surcharge, we're talking about a charge on top of the tax they're already paying.

When is enough enough? Let's stand

up and hold them accountable rather than throwing more tax dollars into the black hole of the MTA.

For this reason, I'll be voting no. Thank you.

ACTING PRESIDENT PERSAUD: Senator Martins.

SENATOR MARTINS: Thank you, Madam President. If Senator Krueger would yield for a few questions.

ACTING PRESIDENT PERSAUD: Does the Senator yield?

SENATOR KRUEGER: Sure.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR KRUEGER: Unless the topic is someone else's assignment. What's the topic?

SENATOR MARTINS: MTA.

SENATOR KRUEGER: Okay, fine.

SENATOR MARTINS: So I picked right.

(Laughter.)

SENATOR MARTINS: Senator, you mentioned earlier that this resolution was the goals, the wishes and the dreams of the Democrat Conference in the New York State Senate.

And I want to confirm whether it's the goals, wishes and dreams of the Democrat Senate Conference that the municipalities and taxpayers who fund those municipalities in Nassau, Suffolk and Westchester counties continue to pay the MTA payroll tax to the exclusion of the other counties within the MTA region.

Is that your goals, wish and dream for the residents of Nassau County, Suffolk County and Westchester County?

SENATOR KRUEGER: Would you mind if my colleague who oversees the MTA, Leroy Comrie, answers for me?

SENATOR MARTINS: Of course. Not at all.

Thank you, Senator Comrie.

SENATOR COMRIE: Through you, Madam President, no.

(Laughter.)

SENATOR MARTINS: Thank you.

Thank you, Madam President. If the Senator would continue to yield.

SENATOR COMRIE: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR MARTINS: I very much appreciate that response, Senator Comrie, and I thank you for that.

And yet I am faced with the reality that the resolution does in fact continue to require the good residents of Nassau County and Suffolk County and Westchester County only to continue to pay through their municipalities a payroll tax that has been excluded from every other county within the MTA region outside of New York City.

So I would ask you if your answer is in fact that it is not your goal, wish and dream that that be the case. Frankly, are you suggesting that that also be removed from resolution?

SENATOR COMRIE: No.

SENATOR MARTINS: Madam President, I have no further questions. Thank you.

SENATOR COMRIE: Well, let me -- let me just illuminate a little further.

Our goal is to make sure that every resident that utilizes the system pays into the system and that the system also is, down the road, able to service all of New York State in a

better way.

Right now, there's an acknowledgment that the folks in Western New York are not major participants in the system. Unfortunately, they have to also use New Jersey Transit. And for right now, this is a temporary solution, but it is not a permanent solution. We want to be able to provide better service to Western New York residents so that they could be part of the MTA system. But right now this is a temporary solution.

We hope to be able to make sure that every resident in New York State can have better access to the MTA, better usage of the system, and that the system frankly will be able to provide more transportation to have less vehicular transportation into the city. But right now, unfortunately, the reality is that Long Island folks who are being subsidized over 50 percent of the fare are the highest users in the system.

SENATOR MARTINS: Madam President, if the -- Senator Comrie would continue to yield.

ACTING PRESIDENT PERSAUD: Will the Senator yield?

SENATOR COMRIE: Yes, I'll yield.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR MARTINS: Senator, if I'm correct, those counties in the MTA region north of Westchester County are currently paying the MTA payroll tax, correct?

SENATOR COMRIE: Correct.

SENATOR MARTINS: And the MTA payroll -- Madam President, through you, if the Senator will continue to yield.

SENATOR COMRIE: Yes, I yield.

SENATOR MARTINS: We're told that the MTA is in need of funding.

SENATOR COMRIE: Correct. And I just want to illuminate a question that the other Senator said.

We are all very suspicious of the MTA's ability to save money in our last hearing that we just held regarding the MTA. And we've been asking them for a second forensic audit. There was one that was completed in 2019.

And we have been pushing for more transparency. We've been pushing for a database of deals to make sure that the MTA can illuminate

how they're spending their money. And we're going to continue as a Democratic conference to push for other ways, and hopefully with the support of both sides, to make sure that the MTA is doing more in transparency to show how they're spending their money.

They promised the $400 million savings, as was said earlier, with 100 million to be shown this year. But we agree with the Comptroller that they need to do more to make sure that they're illuminating how they're spending their money, because we want to make sure that all of our New York State residents have faith in the MTA so that they can utilize the system.

SENATOR MARTINS: Thank you, Madam President. And thank you, Senator Comrie.

Madam President, on the resolution.

ACTING PRESIDENT PERSAUD: Senator Martins on the resolution.

SENATOR MARTINS: I'll be brief, and I just want to be clear.

To the extent that the Senate Majority decided to exclude those counties outside -- the municipalities in those counties

outside -- or north of Westchester and continue to require those municipalities in Nassau, Suffolk, and Westchester counties to continue to pay a payroll tax that is not tied to people's use of the system but tied only to the fact that they are geographically located within a certain region and are municipalities -- that means that they are funded by taxpayers. That is taxpayers paying into a municipality and then having to pay that tax to the MTA.

I find it, frankly, incredible that we would exclude and understand that there is a need to exclude certain counties and certain municipalities, and yet continue to impose that same tax on those municipalities and those taxpayers in my county, in counties of others -- Nassau, Suffolk and Westchester -- and frankly Senators on both sides of the aisle would have to explain that as well.

Madam President, that's why I'm voting no. Thank you.

ACTING PRESIDENT PERSAUD: Senator Mattera.

SENATOR MATTERA: Thank you, Madam President.

Would the sponsor -- or Senator Parker, would you yield to a couple of questions, please.

ACTING PRESIDENT PERSAUD: Senator Parker, do you yield?

SENATOR PARKER: Yes, Madam President, I will yield.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR MATTERA: And thank you, Chairman.

And I just want to say we've had some lengthy discussions and, you know, the open dialogue has been great. But I do have a lot of concerns about this proposal. And my one question -- a couple of questions.

How did you decide on six stories or less when the Climate Action Council scoping plan and Executive proposal is using the threshold of three stories or less, commercial and residential?

SENATOR PARKER: Thank you, Senator Mattera. Through you, Madam President.

As we know, the Senate is a deliberative body. And what we are seeing in

this particular document that we are discussing today is the Democratic Conference's hopes and dreams and vision for what a budget should look like within the context of a three-way process.

When we started examining the issues around climate change and some of the things that we have to engage in in order to both reach our goals, reduce our carbon output in the state, buildings of all sorts -- residential, commercial, skyscrapers, buildings that we find on farms, small businesses -- all need to be retrofitted and reduce their carbon output in order for us to reach the goals that are very lofty in the context of the CLCPA.

We tried to create a consistency between how we dealt with retrofitting and some of the electrification of buildings and what we're looking at in terms of new construction and where we'd like to see buildings go in the future.

And so, again, these goals that are reached here are within the context of the legislation that we're putting forward around electrification of buildings.

SENATOR MATTERA: Did you get a

chance to reach out to all the --

ACTING PRESIDENT PERSAUD: Are you asking the sponsor to yield?

SENATOR MATTERA: Oh, I'm sorry. Would the sponsor continue to yield, please.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR PARKER: Yes, Madam President, I will yield.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR MATTERA: Did you reach out to all utilities to make sure the grid will be ready in time, especially now that we have a date of 2024?

SENATOR PARKER: Madam President, through you. The grid is actually up and running right this minute. I'm not sure if everybody noticed, the lights are on. I'm not sure if anybody has heard anything from any of their constituents. But the grid is up and working.

The grid is almost a living organism, right? It has, you know, electrical pulses through it almost like our nervous system, and requires upkeep. And the upkeep of the

state's grid has to happen whether we passed the CLCPA, whether we created a scoping plan, whether we do anything around carbon change. If we do nothing, the grid has to be upgraded -- the grid has to be maintained, the grid has to be improved. Those things have to happen.

The increased move towards electrification of the state is going to require some upgrading of the grid, as it is going to require the upgrading of technology on all types of levels. And so that has been an ongoing conversation, at least with myself and utilities. We did not have a specific conversation about this. But when I have talked to the major utilities in the State of New York, they are ready.

Now, there is some work that we need to do around cooperatives, right, and smaller utilities. And certainly I've had some conversations with them and hope to be able to put forward some legislation soon to be able to help them with their technological needs. But the utilities are ready.

SENATOR MATTERA: Through you, Madam President, would the sponsor continue to

yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR PARKER: I do yield, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR MATTERA: And I thank you.

Does this proposal prohibit the installation of gas stoves in new construction, residential and commercial?

SENATOR PARKER: So again, in the context of this one-house budget -- which is to in part prepare us for the CLCPA, which we have already passed, and we have to start working towards those goals. Part of what we're looking at is making sure that in the context of new construction that we are putting developers in a sure place of understanding what we -- what their expectations and goals should be to fit within the context of the CLCPA.

And so we want to limit anything that deals with producing more carbon in the state. And so the electrification of buildings is again a proposal that we are advancing in our

one-house proposal. It is something that the Governor has put forward in her Executive Budget.

And so we think that there is some consistency and some understanding that dealing with buildings -- again, which is one of the biggest carbon producers in the state -- has to be a priority if we're going to get to the end goal 27 years from now of the CLCPA, which is getting the state to net zero as it relates to carbon production in our state.

SENATOR MATTERA: Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MATTERA: So you are saying --

SENATOR PARKER: Madam President, I do yield.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR MATTERA: Oh, I'm sorry.

So you are saying that you won't be able to, in any new building -- is that true with restaurants, then, that are in these buildings?

Because you do have a lot of buildings that you have your retail, then apartments above. So you are saying that they won't be able to have restaurants -- gas in restaurants?

SENATOR PARKER: So is it feasible not to have restaurants have gas stoves? So, you know, it will depend on what the developer wants to do in those particular cases.

But if you have a -- if you are building a restaurant in a new construction, going forward under our proposal you would be able to have some gas in that place.

Again, our goal is net zero, not absolute zero.

SENATOR MATTERA: Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR PARKER: The sponsor does continue to yield.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR MATTERA: So you are saying that in a restaurant, new construction, you will

be able to have natural gas in that building?

SENATOR PARKER: Again, in the context of both the CLCPA -- our goal is net zero, not absolute zero. Right? Just like, you know, when you get your paycheck, they have gross pay and net pay. Right? And net doesn't include all the things that gross includes, right?

So in this particular case, it's just net. Right? And so even as you heard the -- one of the people who helped lead the process in the scoping plan, President Doreen Harris this morning, who attended our Energy Committee meeting, there will be some gas allowed within the context of both the scoping plan and within the context of the plan that we're putting forward here in the one-house budget.

SENATOR MATTERA: Through you, Madam President, would the sponsor still continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR PARKER: Yes, Madam President, I continue to yield.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR MATTERA: Chairman, Senator, I am very, very concerned. I am a United Association of Plumbers & Pipefitters member, and right now the jobs lost that are going to be in this industry -- and not just with the union, union workers with the plumbing and HVAC workers, but even in the nonunion sector has been coming to me and they are very, very concerned about the jobs that are going to be lost.

And I'm going to ask you, what are you going to do to help these jobs regain traction in the future?

SENATOR PARKER: Again, within the context of the CLCPA, within the context of the cap-and-invest that we're talking about here, we're expecting to spend numbers of billions of dollars. Some of that is going to be retraining of workers around the state for the new jobs.

Transforming our economy into a clean energy economy is not just a challenge but a real opportunity. We're going to be literally spending billions of dollars to transform our economy. And so we're going to be moving away from fossil fuels like oil, like gas, like wood

and moving towards things like solar and battery storage and ground thermal. And we will be doing, you know, offshore wind, onshore wind. Right? Things that we may not have even thought of yet. You know, hopefully somebody's working on an ARC reactor somewhere in their basement that will one day create some, you know, full-time jobs at a living wage with benefits with. Right?

And so we need to retrain people. And we are committed to that work, at least here in the Democratic Conference of the State Senate, is retraining people for the jobs of the future. And it doesn't mean that every job around pipefitting is going to disappear, but the type of energy we're going to be using is going to change. And so we're going to need more people in areas like, you know -- so we may not need as many pipefitters but we're going to need a lot more electricians. Right? We're going to need a bunch of carpenters and people who know how to do work on retrofitting homes.

So, in net, there will be actually more jobs in the new economy than the old fossil fuel economy. And so I'm actually excited. It's

going to be a transition, and we understand the word "transition." A transition means there will be some pain and some discomfort. But that's why they pay us the big bucks, to help manage and massage our communities through this process in which we go from this old, not sustainable economy to a clean energy economy in which people don't have to have asthma, where people have full-time jobs at a living wage with benefits, where people's energy bills are lower, and where the sun is always shining on the great State of New York.

(Laughter.)

SENATOR MATTERA: Through you, Madam President, would the sponsor continue to yield. I know we don't -- we haven't much time, and I just would like to talk to you -- would you please continue to yield?

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR PARKER: Yes, Madam President, I yield.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR MATTERA: So pretty much

what I got out of this is that the pipefitters, the plumbers and the HVAC workers are going to have to become electricians. That's I'm getting out of this.

And I would hope that you were going to say that in other words we're going to be looking at the hydrogen -- you didn't mention hydrogen for our future -- because that will be protecting the pipefitters and the steamfitters and boilermakers and a lot of the trades that are going to be losing their jobs. Because when we do a project, 25 percent of the project is with our natural gas, our propane and everything like that.

So you're pretty much saying to me that "You're going to have to revamp and become an electrician"?

SENATOR PARKER: What I'm saying to you is that there are going to be a great deal of jobs created in this new -- sorry. Through you, Madam President.

That in the context of our version and our vision around cap-and-invest that there will be a new clean energy economy created in the State of New York, and that we will be leaving

behind a dirty fossil fuel, foreign-fuel-dependent economy behind us. And in that there will be a transition in which the State of New York is committed to and dedicated to and is fully able to do that.

And we will work very -- very closely, as we have always, with our brothers and sisters in the labor movement, to make sure that full-time jobs at a living wage with benefits are created. In fact, we expect that 211,000 jobs will be created in the clean energy economy by 2030, and almost 270,000 jobs created by 2050.

And so there are a lot of jobs that are going to be created. And we're going to need to in fact train people in all types of new areas in industries that are going to be created in the State of New York. But the state is poised to do that.

The cap-and-invest program is -- actually, part of it is actually training, and so we've actually looked at the training, we've looked at the jobs that are going to be created. We are, you know, excited about the fact that we're going to be able to put more New Yorkers to work. And again, it may not look exactly like

the work that they did before, but there will be work.

And again, every time we transition -- I mean, at some point we went from wood houses to stone houses. And you know what? I'm sure there were carpenters who were upset, right, but we didn't stop building stone houses because it was a better structure. Right? And so that was an important part -- that was an important part of, again, the progress that we're going to make. And as we advance as a society it's going to be critical for us to look at that.

And so in particular, we have the Cornell Climate Jobs Institute that is actually working on this transition and, again, part of our proposal today. Right?

And so as you vote yes today on this proposal, you'll be voting for a new energy economy. And not only will you be doing that, you will be voting for lower energy bills for your constituents, more jobs for your constituents, and buildings that are warmer in the winter and cooler in the summer because we've invested in New York and into a green energy economy.

SENATOR MATTERA: Through you, Madam President, just one more question and then I'm going to speak on the bill.

ACTING PRESIDENT PERSAUD: Does the sponsor continue to yield?

SENATOR MATTERA: Would you yield, please?

ACTING PRESIDENT PERSAUD: Does the sponsor --

SENATOR PARKER: I'm thinking. I'm thinking.

(Laughter.)

SENATOR PARKER: All right, yes, I'll yield for another -- for one more question.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR MATTERA: All right. Does this exemption for emergency backup power apply to all types of buildings and residential customers?

SENATOR PARKER: I'm sorry, can -- I'm sorry, through you, Madam President, can you repeat the question one more time?

SENATOR MATTERA: Yes. Does -- is there an exemption for emergency backup power

applied to all types of buildings and residential customers? Meaning do we have a backup if, God forbid, like what happened in Buffalo, we had the storm and everything like that.

Is this going to be exempt also, that they can't have a backup generator system if, God forbid, we have a hurricane down by me or just what happened in Buffalo?

SENATOR PARKER: Madam President, through you. In the context of the CLCPA, the state scoping plan, and what we're -- what the Democratic Conference of the State Senate is putting forward today in our one-house budget resolution, there's not going to be exemptions needed. Right? There won't be exemptions needed, right, even though exemptions will be provided. But exemptions won't be needed because part of what we do when we build systems generally is resiliency and redundancy. Right?

And so those things are built into our plan, right? So that -- so, yes, there will be some exemptions. But the reality is that you're hoping to build systems that within the context of having a sustainable system is actually resilient and redundant on its own.

Does that make sense?

And so you're not just coming in and doing solar, you're doing solar, wind and battery storage. So that we have, you know, solar coming in during the day, wind at night, and battery storage to back you up. Right? That's an example of the kind of redundancies that are built into sustainable systems. Right?

And so even if you don't have an exemption, you have redundancies that in fact build in built-in reliability. And that's more built-in reliability than you have now. Right? Because understand this, the example that you're using is an example built under the current old fossil fuel system that doesn't have the resiliency and doesn't have the redundancy and has people freezing in their homes with no electricity under the current system.

And so unless that holds up the current system like it's some -- it's some model of the perfection that we're tampering with -- here's a current system that's built on fossil fuels that at the moment when people needed it the most failed them in Buffalo. And we are no longer going to stand up, you know, for failure.

We're going to make sure that something in Buffalo works and, you know, and make sure that the system -- I was going to make a Bills joke but I don't want Tim to jump off the seat on me.

But, you know, we're going to make sure that people in the State of New York have a system that works for them and that has built-in redundancies, right? And I think that's an important part of what you continue to see in systems. So as we build this new energy economy, the notions and the values that we hold on to in the current system -- things like, you know, reliability, right, resiliency, affordability, safety -- are going to be part of what we build as we go forward.

SENATOR MATTERA: Thank you.

On the resolution, Madam President.

ACTING PRESIDENT PERSAUD: Senator Mattera on the resolution.

SENATOR MURRAY: You know, this is a total mandate for all New Yorkers that are not aware of what's going on and what's happening to them financially. This message has not been out enough. And we even said it with NYSERDA today in our Energy meeting. Plumbers, HVAC workers

are going to lose their jobs. Employers are going to be going and losing their workers and, you know what, losing their trade.

This proposal is way too aggressive, especially in 2024. Like I said before today in our NYSERDA meeting, the cart before the horse. By 2023 you're not going to be able to purchase a boiler, a water heater, stove, oven, dryer. Guess what's going to happen, everybody? They're going to have -- the surrounding states are going to have plumbing supplies and they're going to have appliance stores. And you know what? That's what's going to happen with New Yorkers: They're going to be going and replacing them.

Again, this is the cart before the horse. New Yorkers deserve better. Yes, renewable energy is very important. I'm praying that, in other words, we're going to have a great show at Brookhaven National Lab in Stony Brook on April 12th so everybody could understand how green hydrogen is very, very important, because we need all kinds of renewable energy for our New York State future.

Our infrastructure right now with our grid is antiquated, especially on

Long Island, and I know it's in other places in New York State. We need to make sure that infrastructure's put in place first and then we can continue doing what we have to do with renewable energy.

So one thing that my chairman probably is not going to like what I'm about to say, we need a plan and we do not need a ban.

So, Madam President, today I will be voting no on this resolution. Thank you.

ACTING PRESIDENT PERSAUD: Senator Gianaris.

SENATOR GIANARIS: Madam President, just for my colleagues' edification, we are past the time limit on this debate, and my understanding is there's one more member of the Minority that has questions.

So in the interests of allowing a robust debate and discussion, we will allow Senator Ashby to ask his questions, and then we will close the debate after that.

ACTING PRESIDENT PERSAUD: Senator Ashby.

SENATOR ASHBY: Thank you, Madam President.

My question regards mental health. So would the appropriate Senator yield?

ACTING PRESIDENT PERSAUD: Mental health. Senator Krueger will yield.

SENATOR KRUEGER: I'll just wait for staff to show up, if you don't mind.

ACTING PRESIDENT PERSAUD: If you'd just wait one minute.

SENATOR KRUEGER: Madam President, before I let the questioner ask his questions, I just want to just -- my colleague Senator Comrie answered the final MTA questions, and I just wanted to say my colleagues made it sound like that Long Island didn't want to have to pay towards the MTA because we allowed four counties that don't get any service not to pay.

I guess Long Island could pull out and do their own services. I don't think that's what they would want to do. I know the Senate Democrats would never vote Long Island off the island, so to speak. But that is actually an alternative, if they want to go home and explain we don't really like the MTA, so we're pulling out.

But I'm not really sure that that's

what everyone intends here.

And I'm happy to answer the questions on mental health.

SENATOR ASHBY: Thank you.

Regarding the Dwyer Peer-to-Peer funding, I notice that in this one-house it's not expanded and it's flat. And this is a program that's had tremendous success throughout the years and has been expanded throughout New York State. And I'm wondering if you could provide some rationale.

SENATOR KRUEGER: You're right, apparently the Governor did basically leave that program flat this year, and we did not increase it.

But I don't think there's a disagreement with you that there's a program that's very important within the realm of so many other mental health programs we are trying to expand.

SENATOR ASHBY: Through you, Madam President, would the Senator continue to yield.

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The

Senator yields.

SENATOR ASHBY: If we're in agreement, then why -- why -- why the flat funding for it? If we agree that it's a successful program and it benefits the veterans and their families in New York State, then why are we not seeing an increase?

SENATOR KRUEGER: To my understanding it was expanded by $3 million last year. The continued expansion will take place. It was not pulled out in order to be -- need to be restored.

So it was one of the things that did not get on an add list. Many programs did not get on an add list. Truthfully, if you look through our document, you will see an enormous number of restorations, trying to put back monies that the Governor actually cut out of programs. But that did not obviously leave room for us to increase every imaginable good program in New York.

SENATOR ASHBY: Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the

sponsor yield?

SENATOR KRUEGER: Certainly.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR ASHBY: Considering that the war in Afghanistan ended in a way that I think affected a lot of people, especially the people that served and their families, and considering that our state recently elevated the Division of Veteran Services to a state agency, I'm not quite understanding why it just wasn't increased.

I mean, that rationale just doesn't compute with me. It doesn't make any sense, considering that the men and women of New York State, the veterans and their families, continue to put their lives on the line -- and considering what they went through with the COVID pandemic -- that this was just somehow overlooked.

And I'm hoping that you would agree that this is worth pushing for and that we -- that you would commit to seeing an increase in it, along with the other veterans funding in the budget in the coming weeks.

SENATOR KRUEGER: I'm very happy to

work with you on that possibility for the -- for those funds.

I will say that we did a number of things throughout the resolution to expand programs and services for veterans and that the state has actually been building a more and more robust model of programs and services for the large number of veterans. Because of course you're absolutely right. We have been in multiple wars in the last few years, and we have growing numbers of people who are not just veterans but aging veterans, so they are also drawing down, as they should be, on both our healthcare services, our mental health care services, and our programs for the people who are aging in our state.

So I don't think that simply looking at one or two programs that might specifically be for veterans only is reflective of our commitment to the healthcare system, mental health care system, aging programs and also, frankly, housing for veterans. I know I come from the City of New York where we worked very, very hard over the last few years to a commitment to not have any homeless veterans in New York City. Have we been

completely successful? I fear not. But we actually made a huge dent in making sure that if you are a veteran and you are in New York City, you are not going to go homeless.

So I think when you look at the broader question of the entirety of funding and commitments to programs in this state, you will see that we've actually been significantly growing the availability of programs and services.

But I'm happy to learn more about the Dwyer program and talk to you about it afterwards.

SENATOR ASHBY: Thank you, Madam President. On the resolution.

ACTING PRESIDENT PERSAUD: Senator Ashby on the resolution.

SENATOR ASHBY: I agree with the Senator in that we are taking a larger opportunity here, with the division being elevated to a state agency.

But I feel like this body is missing an opportunity in the sense of putting meat on the bones for programming for our veterans. When we look at the State of New Jersey, for

example -- which has roughly half the veterans that our state has, and they provide three times the funding.

Now, we can stand here and say that we are putting forth a novel effort here, but clearly it's not enough.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: The debate is closed.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Rivera on the resolution.

SENATOR RIVERA: Thank you, Madam President.

I was disappointed that no more follow-up questions happened regarding Coverage for All, so I'll just briefly talk about why it is one of the many reasons why I'm voting for this resolution today.

First of all, undocumented New Yorkers are still human, they're still people, they still get sick. And the fact is that right now the State of New York is spending about $500 million on emergency Medicaid for just

these folks. I would ask any of my colleagues who's interested to find out what that means for your county. I actually have a list county by county by county to tell how much we're spending right now on these folks on emergency Medicaid.

And Coverage for All would actually take these individuals and extend to them, Madam President, the ability to add the Essential Plan.

Now, in the case of, as I spoke -- as I talked about before, we were talking about a $1.7 billion appropriation. But I should mention -- and this is why I wanted to make sure that I spoke about it and made clear, that would be, Madam President, if every single person who is potentially eligible actually signed up for the program. And we all know that there is no government program in which every single person who is eligible actually applies.

So in other words we're making the appropriation just in case if there's a hundred percent. But -- and I should mention this again -- if we seek, as I hope we do, the federal waiver, that will actually cost us nothing. So we actually have an ability to go out and find

coverage for these individuals.

And this is moving our state in the direction that we should be moving. Which is where? To make sure that healthcare as a human right is guaranteed to every single person in the State of New York.

So I am very proud to be supporting that part of the budget and that part of the one-house as well as everything else. I think we did a good job here.

I vote in the affirmative. Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Addabbo on the resolution.

SENATOR ADDABBO: Thank you, Madam President.

Good afternoon, everybody.

I want to thank my leader, Andrea Stewart-Cousins, I want to thank Senator Krueger, I want to thank the staff for, again, their efforts here on this resolution, which I will be supporting.

Because I do support most aspects of it, including the Belmont project and loan. I think that project alone is a job creator, over

4,000 union jobs, with an MWBE component. It creates a safer, more environmentally friendly track site. And it's certainly an economic growth and fiscal positive, fiscally, for the state: $80 million in interest from the loan, a billion-dollar give-back from the Aqueduct Track. And again, the continuing economic growth that would exist at that site.

The other language in the reso, the educational funding, the pushback on SUNY and CUNY tuition increases, advances for childcare, veterans, seniors -- I mean, there's a lot of good stuff here.

But to do my job effectively for my people, I do need to raise some concerns that I have and I share with my constituency, that of public safety. I do believe that we need to work on realistic measures that may possibly include a conversation around bail or discovery or a judge's discretion or illegal gun violence.

Because we should not be a body that reacts to statistics and crime, we shouldn't react to an increase, but we should be preventative. We should be preventative and increase public safety. So I hope we have those

kind of robust discussions.

In dealing with housing I think we need to have, again, a discussion that benefits both tenants and landlords. Good tenants and good landlords. I believe that we are falling short when we talk about good cause, which I think actually hurts tenants because I think it creates a lot of animosity between landlords and tenants. I think it actually does hurt the availability of available spots for tenants going forward, and it really overburdens our already congested housing court.

But instead, we should talk about projects that, again, benefit everyone, short term and long term, housing projects and developments that are truly affordable for the residents of New York.

I do look forward to working with all my colleagues as we look to improve the lives of not only my constituents, but those of residents throughout the state.

Thank you, Madam President. I'll be voting in the affirmative.

ACTING PRESIDENT PERSAUD: Senator Stec on the resolution.

SENATOR STEC: Thank you, Madam President. I rise to explain my vote.

This, your conference's one-house budget, simply spends far too much -- $236 billion, 9 billion over the Governor's proposal, 14 billion over the current year. That's a 6.5 percent increase year to year.

Everyone's tired of hearing me talk about our state budget being more than Texas and Florida combined. Maybe it's stale, maybe it's that they're red states in the South. So how about this? California. Twice the population, $308 billion. We're 236. Per capita, we spend one-and-a-half times in your budget that Californians do.

This one-house resolution continues the Majority's obsession to put criminals over victims. It ignores the failed cashless bail reforms. It ignores reforming HALT. And in fact it implements Clean Slate.

Almost $2 billion for healthcare for illegal immigrants. That $2 billion could be money better spent in many other places.

It fails our seniors by failing to address the looming financial crisis in our

nursing homes and the Medicaid reimbursement.

At the end of the day, our taxpayers have to pay this bill. And if they don't pay it, if they choose not to pay it, they're going to continue to leave.

I'll be voting in the negative.

ACTING PRESIDENT PERSAUD: Senator Brouk on the resolution.

SENATOR BROUK: Thank you, Madam President.

Thank you to our leadership and my colleagues. For too long New York has overlooked the needs of working families across our state, which has not only put undue strain on our mental health system, our healthcare providers and more, but also has put some of our most vulnerable residents at risk.

Now, we've all said it; we know that a budget is a reflection of our values. And that's why I'm proud to stand here today as the New York State Senate says loud and clear that we value paying our mental health workforce a dignified wage so that they can afford to support their families while they help take care of ours.

That it supports transforming our

mental health crisis response system and finally honoring the memory of Daniel Prude -- because in our most vulnerable moments, we deserve to be met with compassion and care, not violent force.

Expanding access to doula care and addressing the maternal mortality crisis so that birthing people and especially Black women, who are at a higher risk of dying in childbirth, can receive this care as they bring life into this world.

Increasing Medicaid reimbursements for our healthcare providers to finally begin to address the overcrowding we all see in our emergency rooms and our hospitals.

Investing in our upstate communities through updates to the AIM program so that cities like the City of Rochester have the support they need to invest in their residents and build safer and more resilient communities.

And finally, but certainly not least, prioritizing our next generation by funding Early Intervention and career and technical education programs.

Today this Senate continues to make the long-overdue investments that our communities

deserve and put forward a progressive and equitable budget for New Yorkers. For this reason, I proudly vote aye.

Thank you.

ACTING PRESIDENT PERSAUD: Senator Weber on the resolution.

SENATOR WEBER: Thank you, Madam President.

Today I rise to explain my vote and to speak about the good, the bad, and the ugly in this one-house budget resolution.

We're finally living up to our promise to fully fund Foundation Aid. I think that's something we can all agree upon. We are answering the call for help from the mental hygiene agencies, raising the proposed COLA from 2.5 percent to 8.5 percent -- again, something that I think we all can agree upon.

Now we get to the bad. The Governor's budget includes minor changes to bail reform. I didn't think her changes went far enough, but it was good to see her acknowledge the problems that bail reform has created. I hear from my constituents every day regarding this.

The budget strips these minor changes. This will continue to make our neighborhoods less safe and puts our law enforcement officials in current danger. Furthermore, this one-house budget includes the Clean Slate Act, which is just more pro-criminal legislation.

Now for the ugly. This one-house budget proposes to spend $9 billion more than the Governor's already excessive proposal, bringing the budget from 227 billion to 236 billion, more than the states of Texas and Florida combined.

If this one-house budget is passed, it will see an increase in total spending by 66 billion more than 2019 levels. That's a staggering 39 percent increase in our state budget in just four years.

You know, Madam President, I was born at night, but I wasn't born last night. I've been a CPA in New York State for over 30 years. I've been a CFO for a small business for 20 years. I know sound budget practices. This isn't it. This is unsustainable. It's reckless. It's irresponsible.

Right now the bad and the ugly in

this one-house budget outweigh the good. We have to do better. We must do better.

You know, the goals, wishes and dreams of the residents of Rockland are to have lower taxes. Their goals, wishes and dreams are to have safe neighborhoods. Their goals, wishes and needs are to prioritize families rather than prioritizing felons.

For these reasons, I'm voting no on this resolution. Thank you very much.

ACTING PRESIDENT PERSAUD: Senator Sepúlveda on the resolution.

SENATOR SEPÚLVEDA: Thank you for allowing me to speak on this resolution.

There seems to be an effort on behalf of my colleagues -- who I respect -- on the other side to sort of paint this as soft on crime. They're stretching and cherry-picking stats to justify their position on bail reform when we know, when you look at the data, bail reform has been successful.

And if there is a crisis of public opinion, it's because my colleagues on the other side have created that crisis.

But let's talk about public opinion.

So one of my colleagues indicated that we also have the court of public opinion. Well, 53 percent of Americans believe that we should have some form of gun control.

Gun control {sic} is the biggest purveyor of violence in our state. We don't make guns in New York State; southern states bring them in here. But 53 percent of Americans say we should have some form of gun control, and our colleagues on the other side oppose any sensible measure of gun control.

Ninety percent of Democrats and 70 percent of Republicans believe that we should have some form of background checks, yet we cannot get our colleagues on the other side to come to the table and create sensible legislation.

Another one of my colleagues talked about let's do what's best for our kids. Let's do what's best for our kids. Well, guess what. What's the number-one killer of kids in our state? Guns. Families with guns in their house. Number-one killer of children under 10 years old.

So if you want to talk about solving crime, let's be serious. Let's talk about

reducing the number-one purveyor of crime in this state, violent crime, and that's guns.

So we invite you to join our conference, sit down and let's talk about sensible gun laws so that we can decrease the violence that comes to our families.

There is also some discussion about increasing us allowing undocumented immigrants to participate in the healthcare program. Some of my colleagues, in what I call an inhumane way, continue to refer to them as illegal aliens. People are not illegal, and you dehumanize someone when you refer to them as illegal.

But let's talk about the realities, because we seem to miss this point. They talk about the expense of including them in this program, but they fail to mention that in 2019 -- and probably 2020, 2021 -- that undocumented immigrants have contributed over $5 billion to our tax rolls.

And you look at the numbers, the information we gave you in our conference, in material: $1.6 billion is for New York State. So if you calculate, if you do your basic calculations, over the last two years

undocumented immigrants have contributed over $10 billion to the coffers of New York State and the federal government.

And so remember, these were the people who kept your house clean during the pandemic. These were the people who put their lives at risk every single day because they had to go to work. These were the people that cleaned the subways and cleaned the nursing homes and cleaned some of your homes.

ACTING PRESIDENT PERSAUD: Sorry, Senator Sepúlveda, how are you voting?

SENATOR SEPÚLVEDA: I will vote proudly in the affirmative. And I enjoin our colleagues on the other side to join us for sensible gun legislation and to respect our undocumented immigrants.

Thank you.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Rhoads on the resolution.

SENATOR RHOADS: Thank you, Madam President. I'm less concerned about the hopes and dreams of the Democratic Conference and more concerned about the hopes and dreams of the

constituents that we all represent.

And I can't imagine that the hopes and dreams of those constituents would include an increase in the state spending over just the last five years of nearly $70 billion. As though that money comes from the air. That money comes from taxpayers.

The residents that I want -- the area residents that I represent want a safe community. This budget doesn't make us any safer. This budget makes us less safe -- with Clean Slate, with removing reasonable reforms to bail reform restoring judicial discretion to give judges, the people who are elected, the ability to make decisions as to whether someone is a risk and needs to be kept in jail or held on bail.

In fact, taking away the ability of criminals, the accused, to get access to diversion programs. Because if they never get before a judge, they can't go to a drug diversion program, they can't go to other programs that are available to them -- mental health programs.

They want a budget that keeps our communities prosperous. We're not getting that. What we're getting are corporate franchise

surcharges, MTA payroll taxes, unemployment tax increases, surcharges on businesses, congestion pricing -- all making it more expensive for businesses to do business in this state.

New York State, by the way, ranks 49th, according to CNBC, in business friendliness. Meanwhile, 70 percent of the jobs are created by small businesses. Yet we're making it harder for those small businesses to be able to afford to stay in business in this budget.

My residents also want a better quality of life. And we're not providing them a better quality of life in this budget. And while there have been some modifications to the Governor's housing proposal, what's still in the housing proposal are goals, goals which in Nassau County would create an additional 1.5 million housing units in Nassau County alone, doubling the county's population if just one person lived in each of those houses.

ACTING PRESIDENT PERSAUD: Excuse me, Senator Rhoads, how do you vote?

SENATOR RHOADS: Thank you, Madam President. While this might be slightly

different --

ACTING PRESIDENT PERSAUD: How do you vote, Senator?

SENATOR MAYER: I vote in the negative, and thank you. While this --

ACTING PRESIDENT PERSAUD: Thank you, Senator.

SENATOR RHOADS: -- this budget may be slightly different --

ACTING PRESIDENT PERSAUD: Thank you, Senator.

SENATOR RHOADS: -- it is no better. Thank you.

ACTING PRESIDENT PERSAUD: Senator Harckham on the resolution.

SENATOR HARCKHAM: Thank you very much, Madam President. I want to thank our Majority Leader, Andrea Stewart-Cousins, for bringing this resolution to the floor.

There are a lot of very positive things for our constituents in here. I want to touch upon a couple of really bold environmental initiatives, and I'm so grateful they were included. And one of them will actually address some of the questions my good friend Senator

Mattera had about what are we doing with jobs.

If you look in the section and read under the cap-and-invest -- our response to the Governor's cap-and-invest program, she is very vague in her language, the Governor. So we as a conference put in guardrails around a lot of things, and there's a big component that we negotiated with the AFL-CIO and the building trades very closely around job transition. And it's a critical component. Job protection, PLAs, prevailing wage. And also on the transition to retirement for folks who may be along in their career. There are a lot of good things in it. I encourage you to read it.

The other thing I would point out, we're talking about, you know, losing boilers and furnaces. In the free market, before New York State has done anything, electric heat pumps have been outselling gas furnaces and boilers on the free market for the last three years. So the marketplace is going toward electric heat pumps before New York has ever done anything.

So that's the Climate and Community Protection Fund. It puts on guardrails and it tells us where we should spend our money in

conjunction with the CLCPA goals: To our environmental justice communities, to decarbonizing our environment, and to labor transition.

I also want to thank the Majority Leader for including the Packaging Reduction and Recycling Act. Our taxpayers and our municipalities are literally drowning in garbage, and the cost. This bill alone will save New York taxpayers and municipalities over $200 million a year. I'm very grateful it's in here.

ACTING PRESIDENT PERSAUD: Senator Harckham, thank you. How do you vote?

SENATOR HARCKHAM: I vote aye. Thank you, Madam President.

ACTING PRESIDENT PERSAUD: I would just like to remind all members that you have two minutes to explain your vote. Thank you.

Senator Chu.

SENATOR CHU: Thank you, Madam President.

I would like to take this moment to emphasize the urgent needs of AAPI communities. AAPI is the fastest-growing community in New York. However, one in four AAPI members live

in poverty. And that is why I have to say the current resources and infrastructure cannot meet the needs of our AAPI families.

In the past three years, when the pandemic hit, we saw a 400 percent increase in hate crimes and discrimination against our AAPI families. And even just two weeks ago we saw an unacceptable hate crime attack in Queens still.

While many of the AAPI families suffer from these targeted hate crimes, struggle to survive from the insufficient support for adult literacy, rising -- the high-rising unemployment rate and food insecurity, over a hundred local organizations throughout New York State, they stepped up and carried those needy families with their language support and the cultural competence.

And that is the reason why I have to emphasize to all my colleagues here in this chamber, across both aisles, how important it is for our resolution to get passed and to include the AAPI equity budget support so that we can recognize and address the needs of the AAPI community.

And for this reason, I vote aye.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Ryan.

SENATOR RYAN: Thank you, Madam President.

There is so much in this budget to be pleased with. We have increased funding for upstate transit through STOA. We restore funding for university-based research centers, to the Centers for Excellence. We restore the Restore New York grant that really helps upstate cities. We made the third and final payment of Foundation Aid to districts who were shortchanged throughout the years. We eliminated the 2030 date for the replacement of gas furnaces. We restored and increased funding for refugee resettlement, which are a huge economic driver for our upstate communities.

I had hoped for more for upstate tenants and will continue to work with the Housing chair to make sure that upstate tenants have access to high-quality courts where the judges are actually lawyers.

We have a housing quality problem in

upstate, and we have many, many towns with no building inspectors, so we need to make sure that we have building inspectors throughout the state.

And we need to find more funding to protect upstate tenants who are being evicted for nonpayment of rent.

So, Madam President, with these many compliments and a couple of concerns, I proudly vote in the affirmative.

ACTING PRESIDENT PERSAUD: Senator Brisport.

SENATOR BRISPORT: Thank you, Madam President.

You know, those who have been listening to Governor Hochul's speeches over the past year might be under the impression that our childcare sector has been stabilized by a $7 billion investment, which unfortunately could not be further from the truth.

The $7 billion figure she mentions is four years worth of funding, most of which exists only as an IOU. And what the Governor doesn't bring up is that she in fact negotiated against childcare funding in last year's budget.

So one year later, the few childcare

providers left operating in our state are still largely working for poverty wages and struggling to keep their doors open. Families are desperately scrambling to get their names on childcare waiting lists because the majority of New Yorkers are living in childcare deserts.

Experts in the field have testified on how wildly inadequate last year's budget truly was and how devastating Governor Hochul's new budget proposal would be for the collapsing sector.

While the alternative that we're voting on today does not, in my opinion, do enough to fully address the crisis, it does make meaningful investments and would dramatically improve the lives of families and childcare providers throughout our state.

So I want to make absolutely sure that everyone watching here today understands the situation. If the final State Budget has even one dollar less of childcare funding than this one-house budget proposal, it will mean that once again Governor Hochul actively negotiated against the childcare sector she publicly claims to champion.

Some might wonder why the Governor would push back on something as broadly popular and economically vital as childcare funding. The answer to that actually explains a lot about her proposal. Governor Hochul has made a calculation that her political future depends more on maintaining the support of millionaires and billionaires than on meeting the needs of the entire rest of the state. Her top priority seems to be protecting tax breaks for the very wealthiest New Yorkers.

We cannot allow the ultra-rich to continue manipulating laws and tax policy to hoard greater and greater amounts of wealth. It is time to break their chokehold on our democracy.

Madam President, I vote aye.

ACTING PRESIDENT PERSAUD: Senator Martins.

SENATOR MARTINS: Thank you, Madam President.

I will be voting no, as I've mentioned earlier. But I just wanted to make a couple of points.

One, the sheer scope of spending in

this bill over and above last year, $14 billion, and yet we're not able to find in those $14 billion increases year over year a sum of money that will offset the impacts to Nassau, Suffolk and Westchester counties with regard to the payment of the MTA payroll tax.

We heard earlier that there was a concern about violence, and gun violence in particular. And I for the record did vote for the SAFE Act. And so there are people on this side of the aisle who do believe in gun control.

But yet I don't hear anything from the Majority, in this bill or otherwise, that deals with the real scourge when it comes to death in our communities, and children in particular, which is overdose and drug overdoses and fentanyl, increasing the penalties for crimes and holding people accountable for those crimes -- including, on the bail reforms, allowing for those violent drug dealers to be held accountable when there are obviously consequences.

Lastly, we had a conversation earlier about the MTA payroll tax, and we had a question about whether or not Nassau and Suffolk

counties and Westchester County should rightfully have to continue to pay those taxes when there have been exemptions made for others in New York State, Madam President.

And then the suggestion was made that perhaps Long Island would want to leave. Now, I originally thought that the concern we had from the Majority was one of poor public policy, and so we were questioning that in the spirit of that debate. But if the question is whether or not Long Island should leave because -- that just becomes personal.

And, Madam President, the message that that sends to the residents, the taxpayers of Nassau, Suffolk and Westchester County is more than clear, that when they're treated unfairly when it comes to a one-house budget, they should just shut up and sit down.

ACTING PRESIDENT PERSAUD: How do you vote, Senator Martins?

SENATOR MARTINS: Madam President, I vote no. Thank you.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Skoufis.

SENATOR SKOUFIS: Thanks very much, Madam President.

And my thanks to Senator Krueger for her endurance, and our Majority Leader for guiding us to this point and really collecting us as a geographically and ideologically diverse conference and bringing us together in support of this resolution.

And there is a lot to support in this resolution, from continued significant investments in education, including continued expansion of universal pre-K in every corner of the state, finally beginning to recognize that despite the comments of some of my good colleagues across the aisle, that the four counties north of Westchester and west of Westchester are underserviced. We have one track in Orange County. We just built a third track on Long Island. We have one track in Orange County. We have no trains, and we pay the same fees, the same tax. We finally begin to address that inequity.

And we certainly begin to rein in the Orange County IDA, which is an agency in my district that is so far off the rails you can't

even see the rails anymore.

So there's a lot to support in this document. I'm proud to support it. But certainly with any large resolution like this, there are come concerns. Certainly I wish we would have done and I hope we will do more around public safety.

And I do have a very deep concern about good cause eviction, which is included in this one-house budget. And specifically, look, this is -- the housing crisis, which most of us agree is a crisis, is a crisis of supply. It's a crisis of stock. And we do have to intelligently build more housing in a smart growth way with a smart growth approach.

Good cause eviction will do the exact opposite. Ninety-eight percent of economists -- there was a poll done a number of years ago from the IGM Forum, which is a big collection of some of the top economists in this country. Only 2 percent of them, when surveyed about price controlling in housing, believe it is smart public policy and helpful to the housing crisis -- 2 percent.

I believe the 98 percent who have

concerns, they have concerns because this would impede supply. What developer, what landlord is going to go out and be encouraged to increase supply when you've got these kind of price controls? They won't.

And so I do hope --

ACTING PRESIDENT PERSAUD: Senator Skoufis.

SENATOR SKOUFIS: -- we can continue working on this.

ACTING PRESIDENT PERSAUD: How do you vote?

SENATOR SKOUFIS: I do, however, vote aye.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Martinez.

SENATOR MARTINEZ: Good morning, Madam President.

And thank you, everyone, for bringing this budget to the floor today.

As lawmakers we face challenging times every single year, and this year is no exception. Despite the budgeting constraints, as an educator I am pleased to see the funding that

was allocated to our school districts. Regardless of zip codes, our students will have the potential to have education that is topnotch.

As chair of Local Government, I would like to thank my colleagues for amending the housing proposal submitted by the Governor. I heard from many elected officials across the state regarding the critical need to preserve local authority.

We understand there is a housing crisis which is multifaceted, and we need to take a smart approach towards that. But we also need to maintain a continuation of conversation where we can talk to everyone and still have a balanced decision.

Local governments expressed serious concerns about the Medicaid shift and how this would affect our districts. We are very proud that we were allocating money to prevent that cost shift from happening to our districts and also saving our local governments $626 million in doing so.

We also heard from constituents, election officials and law enforcement officials throughout the state regarding amending bail.

Even though I know it's not in this budget, I remain hopeful and willing to work with leadership and my colleagues to address the concerns of New Yorkers who are feeling less safe.

But we also need to dispel some of the myths and the fearmongering that has taken place across bail reform. We can have justice and we can have public safety together, and they both should coexist.

I would also like to thank my colleagues for listening and agreeing to reject the new payroll mobility tax. This is a proposal that hurts suburban communities across the state and Long Island. In times of economic uncertainties like the ones we face in this post-pandemic era, with high inflation and an imminent downturn, we should do everything in our power to promote job security for our constituents.

The increase of the MTA tax would do precisely the opposite and will add more pressure to small businesses, which are already struggling from the pandemic.

The MTA has a history of failing to

meet customer expectations and continues to request additional funding without addressing the underlying service and operational issues. Instead of seeking additional funding, the MTA needs to focus on improving accountability and efficiency with its operations and to better serve its customers.

Overall, this is a strong financial blueprint for our state. We're addressing many of the priorities that our constituents sent us to Albany to do. And as is usual in the case of every legislative process, it is also a work in progress.

Thank you again to our leader and to my colleagues --

ACTING PRESIDENT PERSAUD: Senator, how do you vote?

SENATOR MARTINEZ: -- and I'll be voting in the affirmative.

ACTING PRESIDENT PERSAUD: Senator Ramos.

SENATOR RAMOS: Thank you, Madam President.

You know, I wish I could say that I'm surprised that no one debated me on minimum

wage, right -- we're proposing a raise -- and I think that's largely because they would not want to go on the record for their poorest constituents to hear them deny a better quality of life.

I think it's an irrefutable truth that we all here do represent working poor people in our districts, and that is who I rise to support today.

Rosalia Arriaga, from Kingston, is a single mother of two who doesn't qualify for unemployment insurance.

Gabriela Garcia, from Flatbush, Brooklyn, is a domestic worker supporting her children in both Brooklyn and Mexico on $15 an hour, sharing an apartment with two other families to afford rent.

Yehovani Villalobos, in Hempstead, works for a minimum wage as a groundskeeper on a golf course in Long Island.

Linda White, from Buffalo, is a home-care worker in her late sixties on a fixed income who can't afford to retire.

Kristen Brown, from Rochester, is a mother of five earning 14.20 an hour

working full-time who was denied sick leave to care for her elderly father.

And Sarai Rodriguez is a street vendor from Corona, Queens, who feeds day laborers on their way to work every day.

These New Yorkers, each and every one of them, took time they couldn't afford to come to Albany to share their stories with their elected officials. They came to fight for their families and make sure they are seen and heard in our budget.

Our body rejected raises in tuition for young people, raises in MTA fares, and a minimum wage proposal that just didn't meet the affordability crisis working families are facing. Instead, we prioritized school funding, expanded childcare and working family tax credits and a real raise for our lowest earners, many of whom live in shelters despite being employed.

I'd like to thank our leader, Andrea Stewart-Cousins, for standing firm behind a bold agenda that prioritizes our poorest neighbors, and I vote aye, Madam President.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Mayer.

SENATOR MAYER: Thank you, Madam President.

I think we cannot ignore the historic investment in this budget resolution in education funding and the third year of the full funding of Foundation Aid, as well as aid that helps every district in this state, urban, rural and suburban. Every district, every school, will benefit by the financing in this resolution, and that's historic.

Secondly, we continue to invest in full-day pre-K for 4-year-olds. We've made substantial improvements in our schools for our most disabled children, both preschool and school-age, and incredibly, although we haven't mentioned it today, we have committed to providing school breakfast and lunch to every student in every school that qualifies for the federal school lunch program. That is a historic investment and a responsibility to people who do not vote for us, but who we serve.

And so today I'm very proud that our budget in the sphere of education, led by our leader, Andrea Stewart-Cousins, put its foot down

and makes clear that our primary obligation is to serve the next generation by funding and investing in our public education system.

I proudly vote aye.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Borrello.

SENATOR BORRELLO: Thank you, Madam President.

I would like to say that I did appreciate the debate today. But I was probably most entertained by Senator Parker when he discussed the painful transition the state is going to have to incur to go after this electrification and green economy, when he described it as very similar to the painful transition from wood houses to stone houses -- which perplexed me a little bit, since I still live in a stone house and I think most -- or a wooden house, and I think most people live in a wooden house.

But it made me think that perhaps he has this fabulous castle in New York City and that perhaps, in addition to that, instead of having to worry about putting gasoline in a car,

he might have a dragon that he goes back and forth to his fabulous castle.

And it speaks to the fantasy that this whole proposal really is, the fantasy and science fiction behind the idea that we're going to create this green new economy with technology that doesn't exist, and that we're going to make cars and solar panels and everything else when there's absolutely -- in seven years, by the way, to give union jobs for things that actually aren't being made in this country and, by the way, there are no plans to make in this country.

Every one of these fabulous electric cars that everyone thinks they're saving the planet with are all made in part or entirely in China.

So where is this new green economy fantasy going to come from in seven years? How are we going to power our homes? How are we going to heat our homes? And by the way, if Buffalo had an all-electric house or all-electric buildings, those 47 lives lost would have been more like 4700, because the electricity went out for days and people survived because of natural-gas-powered generators and even heating

their home with their stove and having hot water from a natural gas boiler.

But that's the fantasy we're proposing in this bill, the fantasy that New York State is somehow going to create something that doesn't exist because New York has mandated it. Probably the most arrogant thing I could think of -- a unique combination of arrogance and ignorance.

ACTING PRESIDENT PERSAUD: Senator, how do you vote?

SENATOR BORRELLO: I am voting no. Thank you, Madam President.

(Laughter.)

ACTING PRESIDENT PERSAUD: Senator Cooney.

SENATOR COONEY: Thank you, Madam President. I rise to support this budget resolution.

You know, Senator Borrello, it's a little bit like a fantasy to me because there's so many good things that we can proud of in this budget. I want to highlight just a few.

Huge win for families, the expansion of the child tax credit for children under age 4.

This will make a huge reduction in child poverty across our state.

I'm a huge advocate for the arts, you know that. I want to thank Chair Serrano for his leadership in restoring $20 million to arts organizations and artists outside of New York City. And I want to thank our Senate Majority Leader, Andrea Stewart-Cousins, for her support of $5 million to support our historic theaters that are such integral parts of our downtowns.

We should be supporting this in a bipartisan way because we represent these cities across upstate New York on both sides of the aisle. And I'm very proud of our commitment to the arts.

On behalf of patients, I am so grateful to see the removal of the excise tax for medical cannabis. This means so much to the families who are struggling with epilepsy and pain management.

And on a personal note, as an Asian-American, I'm so proud to see the increased investment from this house, and I want to thank Senator Chu for her leadership in making sure that we are doing all that we can to support the

Asian-American community across New York State.

Now, with everything there's always room for improvement, and I know that the fight will continue over the next few weeks as we get to the final adopted budget. I want to see a more intense focus on housing. We know that we have more work to be done. I am concerned about maintaining local control in the final adopted budget.

I want to see more to be done around public safety, to increase community safety in not just Rochester but cities across New York State.

I want to make sure that we continue our investments in local government, not just for Rochester but for cities and towns across New York State.

And for our senior population, let us do all that we can to increase that Medicaid rate. We know we can do more. We deserve to do more. This is the first time that we've seen a meaningful increase in Medicaid rates to the state hospitals and nursing homes in almost 15 years. Let's keep pushing --

ACTING PRESIDENT PERSAUD: Senator

Cooney, how do you vote?

SENATOR COONEY: Thank you very much, Madam President. I vote in the affirmative.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Walczyk.

SENATOR WALCZYK: Thank you, Madam President.

I have to correct the record on a couple of things. We do make firearms in the State of New York. Remington Arms in Ilion, New York, has been in operation since 1816, and their firearms were carried in both World War I and World War II. So that was a misnomer by a colleague today.

Also, childhood death, according to the CDC -- this isn't a Senator from the North Country telling you it -- is -- the top reasons are cancer, birth defects and complications, and accidents and suicide.

And those are facts, not political talking points, which I think is important when we head into a budget discussion.

New York's economy can't support

your out-of-control spending. The state's GDP growth was 5 percent last year. Last year's enacted budget was $227 billion. The Governor -- or was $220 billion.

The Governor proposed $227 billion, and you're proposing above and beyond that today. This resolution that we're voting on right now, $236 billion.

Since 2019 -- and that would be the year that you took control of the chamber -- the state's increased in spending, 33 percent. Have your constituents' salaries gone up 33 percent? Has the income to their households gone up 33 percent or 40 percent like you're proposing with this resolution? Mine haven't.

We sat through all these budget hearings, and I listened intently today. We talked about the numbers that the Governor has proposed in her budget and we talked about some of the policy items that should or shouldn't have been included and maybe should be debated separate and apart.

And then on top of all that, you included a bunch of policy that was never debated in open public. You're jamming it into a budget

bill in order to force it through.

We had those hearings for a reason. They serve an actual purpose, so that we can discuss and debate what the priorities of the people of the State of New York are.

You may say 236 billion --

ACTING PRESIDENT PERSAUD: Senator, how do you vote?

SENATOR WALCZYK: -- I say that's way too much. I will vote no. I will stick by the facts --

ACTING PRESIDENT PERSAUD: Thank you.

SENATOR WALCZYK: -- I'll do the responsible thing for the people of the State of New York.

ACTING PRESIDENT PERSAUD: Senator Scarcella-Spanton.

SENATOR SCARCELLA-SPANTON: Thank you, Madam President. I rise to support today's resolution.

I want to thank Senator Majority Leader Andrea Stewart-Cousins and my colleagues who have worked with me in prioritizing the needs of Staten Island and Southern Brooklyn.

I'm proud that we increased funding for our veterans after the Executive Budget initially proposed cuts. I know how important it is to fund services for our veterans and their families.

I'm proud that the shortsighted plan to put speed cameras on the Verrazano Bridge was excluded from this resolution. Staten Islanders already suffer from the longest commutes in the country, and putting cameras on the bridge would only make things worse.

We also worked to help Staten Islanders with their commutes by securing the resident toll discounts and are making sure it stays in place, even if they try to raise our tolls.

My district is home to the largest number of Holocaust survivors in the state. It is so important that we are adding funds to the Holocaust Survivors Initiative, assisting with the funding for the necessary healthcare and community services that my district and our entire state so desperately need.

The additional funding for discovery implementation utilized by our New York City

district attorneys is vital for public safety, but let me be clear. We must make sure they're fully funded in order to do this work effectively. And there is still a lot of work to be done around public safety.

Although this resolution includes many things that are highly beneficial to my constituents, I must highlight aspects that would be of deep concern. For example, we shouldn't be building new housing without local input and against the wishes of those in our communities.

On our path to sustainability, we shouldn't be telling homeowners what they can and cannot have in their homes.

And we need to protect our tenants and homeowners, ensuring that we legislate in a way with both in mind..

Community input must be central to all that we do, and I will continue fighting for that on behalf of all my constituents.

With that, I vote in the affirmative.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Bailey.

SENATOR BAILEY: Thank you, Madam President.

As a nation of headline readers, we should read the whole story and don't let the headline be the story. Public safety cannot and shall not and will never be defined by two words, bail reform.

So while I appreciate my colleagues' sentiments on public safety, that is something that every one of us, all 63 of us, share. We all care about public safety equally.

But again, there are so many things in this budget that help us achieve the goal of public safety. As I mentioned before, increasing funding for discovery, increasing gun violence and anti-gun violence initiatives. Increasing funding for 18B attorneys who represent indigent individuals.

We have to look at life and community safety as a continuum, right? And when you think about that continuum, it also involves economic prosperity. Which is why the Clean Slate Act is so critically important, to make sure that people who were formerly justice-involved have the ability to be

meaningfully involved in their communities economically. It is critically important.

And again, as a body under the leadership of Andrea Stewart-Cousins, we have and always will continue to contemplate and discuss issues of importance to our constituents. I want to be very clear about that.

But I'm also grateful to our education chair, Shelley Mayer, for helping us put $11.7 million for the City of Mount Vernon. You know, Mount Vernon had a shortfall, and we're grateful for that funding.

We're also grateful for funding for youth sports. You know, across the aisle, both aisles, we can talk about that, that sports is the world's greatest social currency. And when we can get our kids involved in sports sooner rather than later, we have the opportunity for them to be able to avoid some of the issues and the concerns that relate to public safety.

So I think this is an excellent budget, I think that there is -- excuse me, an excellent one-house. I think there is more that we're going to do. But people talked about dreams and nightmares, and as Meek Mill would

say, hold up, wait a minute, y'all thought we were finished?

I proudly vote aye, Madam President.

ACTING PRESIDENT PERSAUD: Senator Kavanagh.

SENATOR KAVANAGH: Thank you, Madam President.

There is, as has been said, so much that is positive in this resolution that we're voting on today. Senator Mayer's -- the thing they she mentioned, not only investing in education but also in food, the most basic thing for our children.

The things that Senator Harckham and Senator Parker reviewed, particularly funding for the climate change and resiliency investments we need.

Packaging and paper, extended producer responsibility, which really will set us on target toward, again, those climate goals and also save our communities lots of money in terms of disposal costs and create a more circular economy where we're not wasting this planet's resources.

And the All-Electric Building Act,

which is not a fantasy, it is a reality all over the world, including countries with cold climates that have single-family homes and high rises in places like London. But obviously a conversation to be continued.

And Senator Chu mentioned the AAPI funding, which as a representative of Chinatown, is really critical and I know is critical for all of us here in this community.

And just one more thing that I think hasn't been mentioned, but the repeal of the ridiculous tax exemption for Madison Square Garden is something that I'm glad we're finally going to do. I've been working on that for more than 10 years.

On housing, the Governor should be complimented for emphasizing the need for addressing what is truly a crisis throughout our state. It's a crisis of availability, a crisis of affordability, a crisis of eviction and a crisis of homelessness.

The Governor had set forth some very serious proposals around some mandates and targets for localities. We are replacing those today with incentives and targets and enormous

investments in infrastructure to support the development of new housing.

We are also making huge investments in paying the rent, both through a new program called Housing Access vouchers and also paying the remainder of the rent that built up during the COVID emergency through the Emergency Rental Assistance Program. It's very important that we do include good cause, which is -- stands for the simple proposition that you should not be evicted for no reason in this state. And we've got great investments --

ACTING PRESIDENT PERSAUD: Senator, how do you vote?

SENATOR KAVANAGH: We've got great investments in many other aspects of this -- of our critical -- our response to the housing crisis.

And for that reason and many others, I vote aye.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Stavisky.

SENATOR STAVISKY: Thank you, Madam President.

I think this was a good budget, but I thank our leader, Senator Stewart-Cousins, for making it a lot better.

For example, as you know, I chair Higher Education, and we restored some of the funding to CUNY that was so necessary. But even more important, again this year, there is no increase in tuition.

For too long in the past, there have been yearly $200-a-year increases in tuition, and that had to stop. We stopped it in 2019, and we have not had a tuition increase. There's no question that during times of declining enrollment, increasing tuition is not the solution.

In terms of housing, I think our one-house wish list, I guess you could call it, our one-house measure is going in the right direction. We've got to provide affordable housing. We've got to preserve the existing housing and protect the rights of tenants and so forth.

And Madam President, for that reason I vote yes.

ACTING PRESIDENT PERSAUD: Senator

Hinchey.

SENATOR HINCHEY: Thank you, Madam President.

I rise today in support of this resolution and to highlight a few items that have not been acknowledged here today but that would be transformative for our upstate and Hudson Valley communities.

In agriculture we not only restore the cuts but we increase -- we increase the line items, we make sure that there's funding for more research. We make sure that our dairy farmers and our hemp farmers and our cannabis farmers and our apple growers are all actually getting the investments that they deserve, to make sure that we have a local food supply here in our state.

We create the first-ever tax incentives for hemp businesses, for manufacturing and processing, that will help revitalize our rural and upstate economies and make sure that we have manufacturing products for the future.

For our volunteer firefighters, those that protect our communities and are often faced with increasing costs of different regulations, both from the state and federal

government, we create a first-ever Volunteer Firefighter Capital Fund to actually help with those costs.

For our municipalities, we allocate $100 million to help with water infrastructure so that our municipalities can actually plan for what types of investments they need to make to make sure that all of their constituencies and their residents have access to clean water.

As was mentioned earlier, Healthy School Meals for All is a transformation change. This investment in my district alone will help over 17,000 students. In that vein, we've also moved forward to include breakfast in the school lunch program so that kids can actually eat farm-fresh food.

And we've made it easier for our agencies and our school districts and municipalities to actually buy local food from farmers so that, again, everybody is eating something nutritious.

We've also invested in the Catskills again, and we've made a commitment in this resolution to actually address short-term rentals, which is one of the biggest challenges

in the housing market in upstate communities like mine. They are strangling an already limited --

ACTING PRESIDENT PERSAUD: Senator, how do you vote?

SENATOR HINCHEY: -- housing stock.

For this and so many more, I am proud to vote aye and I thank the leader and my colleagues for working on a budget resolution that brings all of us together.

Thank you.

ACTING PRESIDENT PERSAUD: Senator May.

SENATOR MAY: Thank you, Madam President.

I'm grateful for many things in this budget resolution. I'm grateful for the Bottle Bill, I'm grateful for the clean water infrastructure.

But most of all I want to thank my colleagues and Leader Stewart-Cousins for getting a couple of steps closer to true Fair Pay for Home care. Last year advocates, home care workers, home care providers, people who need home care really lit up the Capitol with their advocacy for this issue, and we secured an

unprecedented $3 increase above minimum wage for home care workers.

In this resolution we are raising that to $5 above minimum wage, we are insisting that home care is not a minimum-wage job and we will not let it merge back with minimum wage. And we are adding a lot of transparency and making sure that the taxpayer money for minimum wage actually goes to the workers and not to big insurance companies.

So I couldn't be more grateful, and I proudly vote aye.

ACTING PRESIDENT PERSAUD: Senator Jackson.

SENATOR JACKSON: Thank you, Madam President. I rise in order to support the one-house resolution.

As you know, I represent the 31st Senatorial District, which is part of Northern Manhattan and the Northwest Bronx. And I want to talk about the district priorities and the statewide priorities, including public education. And we all have benefited from the Foundation Aid formula; the last phase is coming in.

But not only public education --

environmental justice, civil service reform, Tier 6 reform, the full platform of Invest in our New York, taxes so that we can make sure that everyone in New York State has the opportunity to have a minimum wage, a living wage. Fighting for environmental justice. All of these are the things that we all want for our ourselves and our families.

And the most important thing I want to say to you today is that with an Invest in Our New York campaign, we will help people have affordable housing and healthcare. Extremely important. The two top budget priorities is healthcare and education.

So with that, I want to thank our Majority Leader, Andrea Stewart-Cousins, and the staff for putting our one-house resolution together. And I vote aye, knowing that the discussions will continue as we finalize the budget.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Thomas.

SENATOR THOMAS: Thank you, Madam Leader. Thank you to the Super-Majority Leader,

our committee chairs, and staff for working so hard to keep New Yorkers first.

And this budget is a clear win for Long Island.

The Governor is right when it comes to the lack of affordable housing. Her plan is ambitious, but we have to understand the realities on the ground. We must recognize the importance of local input and the need to listen to those who know their communities best. This conviction is going to leave it up to the local municipalities to come up with a housing plan that works for Long Island.

We are going to be allocating $500 million as a starting point just for infrastructure, to incentivize our towns and villages to make the necessary improvements to build.

I'm happy that there is no MTA payroll mobility tax in our one-house, and I do agree we need to look at what the MTA is doing to always be at the edge of fiscal disaster year after year.

Long Islanders deserve the best service and the best infrastructure. Long Island

will always have LIRR service, and they will not be cut off.

Crime is complicated and multifaceted. So if any more changes are needed, we must look at the data first. We need to make sure judges in criminal court apply the law and not choose when they should.

Some more good things in the budget: Funding programs for our veterans, increases for home-care workers, Foundation Aid increases to our schools, more funding for pre-K. Rejecting tuition increases for our students at SUNY and CUNY, but at the same time increasing funding for those institutions. Funding a universal school meal program. Increasing state aid. Moving forward with plans to build a new Belmont Park. An additional 100 million for clean water infrastructure.

I proudly vote in the affirmative.

Thank you.

ACTING PRESIDENT PERSAUD: Senator Mannion.

SENATOR MANNION: Thank you, Madam President.

I'd like to work my remarks around

who is coming to New York State. Micron Technologies, they're coming to New York State and my district in Clay, New York, for a number of reasons. We have excellent schools, excellent transportation systems. We have a fantastic workforce. We also have more green clean energy flowing through Clay, New York, out of upstate New York, more than almost anywhere else in the world. And that is why they are coming here.

I commend Senator Cooney. It was his bill that established Green CHIPS. I was fortunate to be able to work with him along those lines, and that is what contributed to landing Micron in my district.

Why did they come here? For several reasons. Things we've already invested in and will continue to: Our education systems, expansion of UPK, support for K through 12 by fully funding our Foundation Aid formula, investing in apprenticeships, investing in higher education. And this year, along with my work with Senator Mayer, I'm proud to say that we will finally get our 853 and 4410 school rate reimbursements correct.

I also want to add that with this

expansion we're looking at a major housing boom in the area, and we need more housing. I support policies that are going to provide for public/private partnerships that make sure that our supply increases and we keep the control local.

Finally, I'd like to say that we are significantly investing in our disability systems with an 8.5 percent cost-of-living adjustment, but that investment has been flat for over a decade until we just had two small increases. It is hurting our workforce.

The workforce is depleted, and this causes disruption as it relates to housing as homes get consolidated, a decrease in job opportunities for people with disabilities, educational programs and day programming. So we must --

ACTING PRESIDENT PERSAUD: Senator Mannion, how do you vote?

SENATOR MANNION: -- also invest in the disabilities world.

I proudly vote aye, Madam President. Thank you.

ACTING PRESIDENT PERSAUD: Senator

Webb.

SENATOR WEBB: Thank you, Madam President. I rise to explain my vote.

I want to thank our Senate Majority Leader, all of my colleagues who have been working to put together a one-house budget proposal that centers and supports the needs of New Yorkers in equitable ways, especially those in New York who are most vulnerable.

As one of our new Senators that represents a district in upstate New York that is rural, urban and suburban, this one-house budget proposal addresses the urgency of this moment with significant investments in upstate New York's families and small businesses.

So just to highlight a couple of things. As relates to our local municipalities, as a former municipal elected myself, I understand the importance of having state resources such as AIM, such as investments in our roads, that help us to provide long-overdue overhauls in our infrastructure.

As it pertains to small business, in this one-house proposal we are investing in small businesses by ensuring that we provide

$100 million for small business grants and 3 million to support minority and women business enterprises and to make sure that they are not left behind.

We are also investing in our workforce by honoring and going beyond what the Governor has proposed with the 8.5 percent COLA increase in this one-house proposal, along with other historic and long-overdue investments in healthcare and mental health services.

I also want to lift up that when it comes to our schools, the long-overdue funding that was needed for districts such as mine and others across the state with the honoring of the Foundation Aid -- this is going to make significant improvements for our schools and, especially as relates to higher education, our funding for SUNY and CUNY and our community colleges.

Negotiations are going to continue, and I will continue to fight alongside all of our colleagues to make sure that our priorities, especially for our New Yorkers who are most vulnerable, continue to get prioritized in our final state budget.

I will be voting aye on this bill, and I hope my colleagues will do the same.

Thank you.

ACTING PRESIDENT PERSAUD: Senator Comrie.

SENATOR COMRIE: Thank you, Madam President. I rise to support the resolution, and I just want to take a moment to thank all of my colleagues in the room for their points of view and for their focusing on trying to make our state better.

I want to thank our Majority Leader and I especially want to thank the staff of both houses on trying to put together a concept and position and talking points to make sure that people around the state can understand that we're trying to deliver government that serves all of the people of the state and all of the people that contribute to the state.

There are a lot of good things in the budget and there are a lot of things that we're still working on to try to make better. The first is the Governor's housing compact, which I think needs to be taken out of the budget and discussed, and give all communities around

the state an opportunity to really talk about housing.

This was presented last year. There are a lot of people that have major consternations about what is happening and what could be done to them. There's a threat of taking over people's sovereign right for zoning and communities. And we need to give people an opportunity to have full discussions about what's happening in their community.

We talk about affordable housing. And not to do a Mitchell-Lama plan, not to do a real affordable housing plan, just to do a plan that would only create more expensive housing in areas and communities that already have high rent initiatives because of the AMI, is not addressing the entire problem.

We need to pull this out of the budget and have a full -- give communities an opportunity to weigh in, give communities an opportunity to step up and then let government deal with it afterwards. But to do this in a six-week period is not fair to residents all over New York State.

Small property owners also have been

not getting the help that they need in this budget in the last couple of years. We need to do more to make sure that small property owners that are already underwater -- every day in my district I have a homeowner coming to me saying they can't get their rent for three years, that they're over $10,000 to $20,000 in arrears, they're working three jobs to try to hold on to their homes because they are behind with their mortgage.

We need to do more for mortgage relief, we need to do more in our tax relief for people that can prove that they're underwater.

There's a lot more that I would want to talk about in that area, but I'll leave it to the point that we need to move the housing compact and let the entire state have an opportunity to weigh in on it. It's important that we deal with that.

On other issues regarding housing, we need to revamp the Office of Court Administration. We should have a statewide housing court to try to deal with the backlog, to make sure that these things happen. And if we don't take that responsibility to make that

happen, we're doing a disservice to the thousands of people that are backlogged in housing court now.

Also, there are other -- a lot of good things in the bill, so I'm going to vote for the resolution. But I think we have more work to do to make sure that there's equity. There's been 40 years of nonequity in this budget that we have to make up. And we need to do the things necessary --

(Loud sneeze.)

SENATOR COMRIE: -- to ensure that all residents in New York State -- God bless you -- can be able to --

(Laughter.)

SENATOR COMRIE: I thought you were saying something else there for a second.

(Laughter.)

SENATOR COMRIE: But we need to make sure that all residents in New York State can benefit from this budget, can contribute to the benefits of this state.

And I just want to finally say we're not done with oversight on the MTA. We're all going to be taking a hard look at that. But at

the end of the day we want to make sure that we get more people taking the trains into the city, that we have a better Penn Station plan that allows the Thruway so that we can have interconnectivity, so that people from all over the Northeast region can come in and out of Penn Station --

ACTING PRESIDENT PERSAUD: Senator Comrie, how do you vote?

SENATOR COMRIE: -- or hopefully go to Long Island and do the things necessary to ensure that --

ACTING PRESIDENT PERSAUD: How do you vote, Senator Comrie?

SENATOR COMRIE: -- New York can remain the economic engine for the city.

I proudly vote aye.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Krueger.

SENATOR KRUEGER: Thank you, Madam. I actually didn't think I needed to speak. Since I've spoken quite a bit on this. I think most people know I'm a strong yes vote.

Thank you, Madam President.

(Laughter.)

ACTING PRESIDENT PERSAUD: Thank you.

Majority Leader Andrea Stewart-Cousins to close.

SENATOR STEWART-COUSINS: Thank you so much, Madam President.

So we are officially beginning the middle of the budget. And as we go towards enacting our state budget, first of all, I want to thank our intrepid, intrepid Finance chair, Senator Liz Krueger. Thank you so much, Senator Krueger, for what you do for all of us.

SENATOR KRUEGER: Thank you.

SENATOR STEWART-COUSINS: And also for -- I want to thank my deputy leader, Mike Gianaris, for making sure, as usual, not only that everything goes smoothly here but also helping to steer the ship forward.

And to all of the Majority Senators, thank you so much. And for all of the Senators. What we do here is valuable to all of New York, and our participation in making sure we get to the right answers matters. So I want to thank everyone.

And of course my incredible, incredible staff, including my Secretary of Finance Dave Friedfel; my Head of Counsel Eric Katz; the director of intergovernmental affairs, Loren Amor; my communications director and his deputy, Mike Murphy and Jonathan Heppner; and, again, all of the staff that makes sure that every day we are prepared to serve New Yorkers.

And I'll give a shout out to the Secretary, Ale Paulino, as well, who makes our stay here comfortable.

When I spoke at the opening of the 2023 legislative session, I made it clear that as we emerge from the pandemic our emphasis must be on economic stability and affordability. Unfortunately, record inflation levels continue to hamstring our families, worsening the affordability crisis and leaving many to wonder how they will pay for today, much less tomorrow.

The Majority viewed this year's budget as an opportunity, as we always do. This one is important to stop the bleeding and to bring much-needed relief to our working- and middle-class New Yorkers who have been stretched at both ends. That means putting hard-earned

dollars back into people's pockets by raising wages and making housing more affordable. It means doing our part to fight the climate crisis while creating good-paying middle-class jobs for workers who will build the infrastructure and get us to our future. It means keeping the cost of childcare down, college tuition down, and simply getting to and from work under control.

Affordability generates opportunity. And I'm proud that our one-house proposal animates the values that we have always embodied and allows us to put words into action on behalf of people of New York.

We agree with the Governor that we need to significantly increase New York's housing stock. Communities across the state are experience housing shortages where rents are rising faster than incomes and the supply of affordable homes are far below the demand.

Our proposal rejects mandates that override local autonomy, but rather incentivizes communities to build housing by providing $500 million for those localities that meet growth targets.

But it's not enough to get people

into housing; we need to make sure they can stay there. This conference has always stood on the side of tenants and small homeowners. As a result, our budget proposals include protections and funding to support tenants and homeowners.

Even after people put down their roots, they still have places to go. We absolutely need reliable public transportation to serve as the engine of our economy and keep our residents interconnected. The MTA is the most sophisticated form of public transit in the United States and services over 2 million riders a day. MTA failure is not an option.

But we must also remember that this public good is only helpful if it's affordable. That's why we reject fare hikes to subsidize MTA costs. We can't fix the MTA's balance sheets on the backs of working New Yorkers who rely on our public transportation system. We've advanced a responsible revenue plan that asks the most profitable corporations to do their fair share, rejects the increase to the payroll mobility tax, and generates new revenue in New York City without putting more costs on city property taxpayers.

And, after years of advocacy, I'm sure my friends on Long Island, just as we in Westchester, we're happy that we are increasing funding for non-MTA public transportation.

We're investing in human services that communities depend on for their health and well-being, and ensuring that no one is left stranded in a healthcare desert. And although we've overcome the worst of the COVID pandemic, we are still dealing with the inequalities that this devastating virus exposed in our society.

No one should be denied care based on income, nor should anyone be unable to find help due to resource constraints. That's why we're advancing a billion dollars in additional state funding for financially distressed and safety-net hospitals, and hundreds of millions to prevent Medicaid costs from being shifted onto our local governments. We are also asking the federal government to help us achieve the goal of coverage for all.

We are accepting the Governor's $1 billion investment in mental health services and adding an additional $10 million to establish the Daniel's Law pilot program in continuance of

our efforts to strengthen and coordinate mental health outreach throughout our state.

The Senate Majority greatly values the dedicated workers that care for New Yorkers in need. That's why we are continuing to champion Fair Pay for Home Care workers, we are continuing to increase the salaries of day-care workers, and we've proposed cost-of-living increases for many of the public employees who care for our most vulnerable populations.

We remain laser-focused on Early Intervention being the best form of prevention and will always advocate for resources needed to help keep people safe and healthy.

One of the best things we can do is to invest resources in education. For the past three years we've made history with our transformative cradle-to-college-to-career pipeline, which supports the next generation through every step of their schooling.

Now we want to protect access to those opportunities. That's why our one-house proposal rejects any calls to increase in-state tuition for SUNY and CUNY. Instead, we're adding over a billion dollars to improve access to

childcare for families, increasing funding for UPK programs by 125 million, and fully funding Foundation Aid for the first time in New York's history. This is crucial in ensuring public education is indeed public and not contingent on a zip code.

In a significant victory for New York's kids, we're providing 280 million for universal school meals, which will require all schools that participate in the National School Lunch and Breakfast Program to serve breakfast and lunch at no cost, a game-changer for the health and success for so many of our students.

These are long-overdue investments that not only serve us at the moment but will yield even greater returns in the future. Communities with better schools and greater resources also have less poverty and lower crime rates. Economic scarcity, lack of opportunity, and easy access to guns enable crime to happen.

Data continues to prove no correlation between any specific rise in crime and bail reform around misdemeanors, so we will follow the facts and continue to make changes if and when necessary, while we invest in education

and programs that reduce crime.

We are reupping our investment into gun violence prevention programs like SNUG, providing funding related to the enforcement of Extreme Risk Protection Orders, once again supporting the implementation of Clean Slate, and supporting the Governor's $36 million investment in the GIVE program to help local law enforcement and communities prevent gun violence.

This budget is about creating new opportunities at every turn to lay the groundwork for a stronger tomorrow. But we can't get there if our planet is uninhabitable. I'm incredibly proud of our steps to meet our CLCPA goals and reverse the climate change course. But we need to go further. And that's why we're proposing transformative measures to reduce emissions while building a green economy powered by good union jobs.

We're calling for a cap-and-invest and climate change cost recovery program that will hold polluters, past and future, responsible for funding clean energy projects and climate change mitigation. We're also increasing funding for the Environmental Protection Fund and clean

water infrastructure.

In short, this budget is an expression of our values. And the Senate Majority Conference values a New York where hardworking people can overcome current challenges and take advantage of future opportunities. We're a conference of building the economy, creating good-paying jobs, protecting our small businesses, protecting our environment, providing a good-quality public education, expanding access to housing and healthcare.

These principles are present throughout the Senate's budget proposal and will guide us as we work with the Governor and our Assembly partners to deliver a budget that will translate our shared ideals into a better future for all New Yorkers.

Madam President, I vote aye.

ACTING PRESIDENT PERSAUD: Thank you, Madam Leader.

Announce the results.

THE SECRETARY: In relation to Resolution 555, those Senators voting in the negative are Senators Ashby, Borrello,

Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 42. Nays, 21.

ACTING PRESIDENT PERSAUD: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Madam President, before we leave motions and resolutions, on behalf of Senator Sanders I wish to call up Senate Print 1144, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 83, Senate Print 1144, by Senator Sanders, an act to amend the Banking and Penal Law.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill

is restored to its place on the Third Reading Calendar.

SENATOR GIANARIS: I offer the following amendments.

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

SENATOR GIANARIS: Is there any further business at the desk?

ACTING PRESIDENT PERSAUD: There is no further business at the desk.

SENATOR GIANARIS: I move to adjourn until Monday, March 20th, at 3:00 p.m., intervening days being legislative days.

ACTING PRESIDENT PERSAUD: On motion, the Senate stands adjourned until Monday, March 20th, at 3:00 p.m., intervening days being legislative days.

(Whereupon, at 2:52 p.m., the Senate adjourned.)