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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 16, 2023

11:08 a.m.

REGULAR SESSION

SENATOR ROXANNE J. PERSAUD, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

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

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

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

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

13 ACTING PRESIDENT PERSAUD: Reading
14 of the Journal.

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

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 Messages from the Governor.

25 Reports of standing committees.

1 Reports of select committees.

2 Communications and reports from
3 state officers.

4 Motions and resolutions.

5 Senator Gianaris.

6 SENATOR GIANARIS: Good morning,
7 Madam President.

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

12 ACTING PRESIDENT PERSAUD: The
13 Secretary will read.

14 THE SECRETARY: Senate Resolution
15 555, by Senator Stewart-Cousins, RESOLUTION in
16 response to the 2023-2024 Executive Budget
17 submission.

18 SENATOR GIANARIS: Madam President,
19 on this debate that's forthcoming
20 Senator Krueger, as our Finance chair, will be
21 leading the debate. On occasional subjects we
22 may have other members with expertise handle
23 questions. But we will begin with
24 Senator Krueger once the Minority has a question.
25 We're ready to begin.

1 ACTING PRESIDENT PERSAUD: Okay.
2 Senator O'Mara.

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

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

7 ACTING PRESIDENT PERSAUD: Senator
8 Krueger?

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

11 ACTING PRESIDENT PERSAUD: Senator
12 Krueger yields.

13 SENATOR O'MARA: Thank you,
14 Senator.

15 We have the one-house budget
16 proposal before us today. The Governor's
17 Executive Budget was a total of about
18 \$227 billion in spending, which I think was about
19 a \$5.5 billion increase year to year.

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

1 SENATOR KRUEGER: That's very
2 close. My numbers show 8.9 billion, amounting to
3 \$14.3 billion for the current fiscal year. So
4 close enough for government work, yes.

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

7 (Laughter.)

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

10 ACTING PRESIDENT PERSAUD: Senator
11 Krueger, do you yield?

12 SENATOR KRUEGER: I certainly will.

13 ACTING PRESIDENT PERSAUD: The
14 Senator yields.

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

18 SENATOR KRUEGER: Yes, we believe
19 it is.

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

22 ACTING PRESIDENT PERSAUD: Senator,
23 do you yield?

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

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

3 ACTING PRESIDENT PERSAUD: The
4 Senator yields.

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

8 SENATOR KRUEGER: So there's about
9 1.1 billion that was an increase from the revenue
10 agreement. So it's not necessarily a tax
11 increase, it was just a projection of additional
12 revenue that we already have built into above the
13 Governor's budget. And then there's
14 approximately 800 million in taxes on the highest
15 categories of -- I think over 5 million? Two new
16 categories for personal income tax for people
17 with \$5 million in income and above.

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

21 ACTING PRESIDENT PERSAUD: Senator
22 Krueger, do you yield?

23 SENATOR KRUEGER: Yes.

24 ACTING PRESIDENT PERSAUD: The
25 sponsor yields.

1 SENATOR O'MARA: Well, my
2 understanding was, on the revenue consensus that
3 we had with the Governor and the Assembly, that
4 it was agreed upon there would be about
5 \$800 million more than what the Governor had put
6 in her budget available to spend.

7 SENATOR KRUEGER: So post-Revenue
8 Consensus Day the Governor actually discovered
9 that she had additional revenue of approximately
10 389 million more. I'm not sure if it's 389 or
11 300-something else. So that was thrown in on top
12 of it.

13 SENATOR O'MARA: On top of the 800?

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

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

19 ACTING PRESIDENT PERSAUD: Senator,
20 do you yield?

21 SENATOR KRUEGER: Yes.

22 ACTING PRESIDENT PERSAUD: The
23 Senator yields.

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

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

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

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

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

17 ACTING PRESIDENT PERSAUD: Senator
18 Krueger, do you yield?

19 SENATOR KRUEGER: Yes, I will.

20 ACTING PRESIDENT PERSAUD: The
21 sponsor yields.

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

1 8.9 billion, where's the other seven -- nearly
2 \$7 billion? Can you explain where that's coming
3 from?

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

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

20 ACTING PRESIDENT PERSAUD: Senator,
21 do you yield.

22 SENATOR KRUEGER: Yes.

23 ACTING PRESIDENT PERSAUD: The
24 sponsor yields.

25 SENATOR O'MARA: You mentioned

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

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

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

16 ACTING PRESIDENT PERSAUD: Senator,
17 do you yield?

18 SENATOR KRUEGER: Yes.

19 ACTING PRESIDENT PERSAUD: The
20 sponsor yields.

21 SENATOR O'MARA: Now, you're still
22 holding out hope, I guess, that the federal
23 government's going to figure that roughly
24 \$8 billion amount that we owe them and you're
25 only really planning to pay the interest on that

1 in the interim?

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

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

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

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

16 ACTING PRESIDENT PERSAUD: Senator,
17 do you yield?

18 SENATOR KRUEGER: I certainly do.

19 ACTING PRESIDENT PERSAUD: The
20 Senator yields.

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

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

1 SENATOR O'MARA: If it's not
2 8 billion. If it's not 8 billion, we owe --

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

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

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

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

13 ACTING PRESIDENT PERSAUD: Senator
14 Krueger, do you yield?

15 SENATOR KRUEGER: Yes, I do.

16 ACTING PRESIDENT PERSAUD: The
17 Senator yields.

18 SENATOR O'MARA: Of the -- between
19 the Executive proposal and the Senate's one-house
20 proposal increasing spending by about
21 \$14.5 billion, how much of that spending is
22 recurring spending that's going to be built in
23 going forward from year to year?

24 SENATOR KRUEGER: Give us a minute.

25 (Pause.)

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

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

10 ACTING PRESIDENT PERSAUD: Senator
11 Krueger, do you yield?

12 SENATOR KRUEGER: Certainly.

13 ACTING PRESIDENT PERSAUD: The
14 Senator yields.

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

25 So if they could tell us how much of

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

3 SENATOR KRUEGER: Two separate
4 questions, I get that.

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

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

25 Hence various funds in the state

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

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

16 SENATOR O'MARA: Thank you,
17 Madam President.

18 If the Senator will continue to
19 yield.

20 ACTING PRESIDENT PERSAUD: Senator,
21 do you yield?

22 SENATOR KRUEGER: Yes.

23 ACTING PRESIDENT PERSAUD: The
24 Senator yields.

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

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

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

14 Weirdly, and I think probably those
15 of us on both sides of the aisle recognize that
16 economists have had extremely mixed opinions
17 about what a recession looks like in this
18 21st-century world where they talk about soft
19 landings, they talk about hard landings, they
20 talk about recession without people losing their
21 jobs, they talk about recessions where people's
22 jobs continue but wages are out of whack with
23 reality and inflation.

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

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

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

10 ACTING PRESIDENT PERSAUD: Senator,
11 do you yield?

12 SENATOR KRUEGER: Of course.

13 ACTING PRESIDENT PERSAUD: The
14 Senator yields.

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

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

25 SENATOR KRUEGER: I looked at the

1 percentage. A 6.5 increase in All Funds.

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

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

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

17 ACTING PRESIDENT PERSAUD: Senator
18 Krueger, do you yield?

19 SENATOR KRUEGER: Yes.

20 ACTING PRESIDENT PERSAUD: The
21 Senator yields.

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

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

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

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

9 ACTING PRESIDENT PERSAUD: Senator
10 Krueger, do you yield?

11 SENATOR KRUEGER: Yes, I do.

12 ACTING PRESIDENT PERSAUD: The
13 Senator yields.

14 SENATOR O'MARA: My notes also
15 indicate that with this spending increase in this
16 year's budget that, in the budgets in the State
17 of New York since 2019, there will be about a
18 40 percent increase in spending in just those
19 four years. How can we justify that rate of
20 spending? I don't think our economy is growing
21 at that rate.

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

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

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

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

11 ACTING PRESIDENT PERSAUD: Senator
12 Krueger, do you yield?

13 SENATOR KRUEGER: Yes.

14 ACTING PRESIDENT PERSAUD: The
15 sponsor yields.

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

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

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

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

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

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

25 SENATOR O'MARA: Thank you.

1 Madam President, if the Senator will
2 continue to yield.

3 ACTING PRESIDENT PERSAUD: Senator,
4 do you yield?

5 SENATOR KRUEGER: Yes.

6 ACTING PRESIDENT PERSAUD: The
7 Senator yields.

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

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

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

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

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

5 ACTING PRESIDENT PERSAUD: Senator
6 Krueger, do you yield?

7 SENATOR KRUEGER: Yes, I do.

8 ACTING PRESIDENT PERSAUD: The
9 Senator yields.

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

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

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

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

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

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

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

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

9 So the Governor -- sorry, I'm going
10 to just read her book for a second. So the
11 Governor's financial plan overview has us with a
12 \$5 billion deficit starting in '25, growing to an
13 \$8.5 billion deficit in '28 -- '26, excuse me.
14 And down to a \$7 billion deficit in '27.

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

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

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

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

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

11 ACTING PRESIDENT PERSAUD: Senator
12 Krueger, do you yield?

13 SENATOR KRUEGER: Yes.

14 ACTING PRESIDENT PERSAUD: The
15 Senator yields.

16 SENATOR O'MARA: Thank you,
17 Senator Krueger.

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

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

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

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

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

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

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

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

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

15 ACTING PRESIDENT PERSAUD: Senator
16 Krueger, do you yield?

17 SENATOR KRUEGER: I do.

18 ACTING PRESIDENT PERSAUD: The
19 Senator yields.

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

1 deficits or surpluses in outyears.

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

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

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

24 SENATOR O'MARA: Thank you,
25 Senator.

1 Madam President, if the Senator will
2 continue to yield.

3 ACTING PRESIDENT PERSAUD: Senator
4 Krueger, do you yield?

5 SENATOR KRUEGER: Yes.

6 ACTING PRESIDENT PERSAUD: The
7 Senator yields.

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

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

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

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

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

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

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

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

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

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

23 ACTING PRESIDENT PERSAUD: Senator
24 Krueger, do you yield?

25 SENATOR KRUEGER: Yes.

1 ACTING PRESIDENT PERSAUD: The
2 Senator yields.

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

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

16 SENATOR KRUEGER: Yes. Thanks for
17 the question.

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

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

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

15 SENATOR O'MARA: Thank you,
16 Senator.

17 Madam President, if the Senator will
18 continue to yield.

19 ACTING PRESIDENT PERSAUD: Senator
20 Krueger, do you yield?

21 SENATOR KRUEGER: Yes.

22 ACTING PRESIDENT PERSAUD: The
23 Senator yields.

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

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

6 SENATOR KRUEGER: Thank you.

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

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

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

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

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

9 SENATOR O'MARA: Thank you,
10 Senator.

11 Madam President, if the Senator will
12 continue to yield.

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

15 SENATOR KRUEGER: I'm sorry. Yes.

16 ACTING PRESIDENT PERSAUD: The
17 Senator yields.

18 SENATOR O'MARA: Thank you.

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

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

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

8 (Pause.)

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

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

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

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

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

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

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

18 ACTING PRESIDENT PERSAUD: Senator
19 Krueger, do you yield?

20 SENATOR KRUEGER: Yes.

21 ACTING PRESIDENT PERSAUD: The
22 Senator yields.

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

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

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

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

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

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

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

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

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

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

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

22 I can give you one example of one
23 company that ended up having to pay us
24 \$300 million because we had addressed some of the
25 false claim problems in our Tax Law, but we need

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

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

16 SENATOR O'MARA: Thank you.

17 If the Senator will continue to
18 yield.

19 ACTING PRESIDENT PERSAUD: Senator,
20 do you yield?

21 SENATOR KRUEGER: Yes, I do.

22 ACTING PRESIDENT PERSAUD: The
23 Senator yields.

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

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

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

7 SENATOR O'MARA: Thank you.

8 Madam President, if the Senator will
9 continue to yield.

10 ACTING PRESIDENT PERSAUD: Senator,
11 do you yield?

12 SENATOR KRUEGER: Yes.

13 ACTING PRESIDENT PERSAUD: The
14 Senator yields.

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

18 SENATOR KRUEGER: Yes.

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

22 ACTING PRESIDENT PERSAUD: Senator
23 Krueger, do you yield?

24 SENATOR KRUEGER: Yes.

25 ACTING PRESIDENT PERSAUD: The

1 Senator yields.

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

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

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

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

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

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

1 ACTING PRESIDENT PERSAUD: Senator
2 Krueger, do you yield?

3 SENATOR KRUEGER: Yes, I will.

4 ACTING PRESIDENT PERSAUD: The
5 Senator yields.

6 SENATOR O'MARA: It is frustrating.

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

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

18 (Laughter.)

19 SENATOR O'MARA: Thank you.

20 Madam President, if the Senator will
21 continue to yield.

22 ACTING PRESIDENT PERSAUD: Senator
23 Krueger, do you yield?

24 SENATOR O'MARA: Yes, I do.

25 ACTING PRESIDENT PERSAUD: The

1 Senator yields.

2 SENATOR O'MARA: This one-house
3 proposal has eliminated the increase in the
4 payroll tax to the MTA region. But it turns
5 around and increases the corporate franchise tax
6 surcharge on corporations within the MTA from a
7 30 percent charge to a 45 percent charge. So a
8 50 percent increase on those businesses.

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

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

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

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

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

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

7 ACTING PRESIDENT PERSAUD: Senator
8 Krueger, do you yield?

9 SENATOR KRUEGER: Yes.

10 ACTING PRESIDENT PERSAUD: The
11 Senator yields.

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

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

25 SENATOR KRUEGER: I wish I had the

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

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

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

19 SENATOR O'MARA: Thank you for
20 that.

21 Madam President, if the Senator will
22 continue to yield.

23 ACTING PRESIDENT PERSAUD: Senator
24 Krueger, do you yield?

25 SENATOR KRUEGER: I do.

1 ACTING PRESIDENT PERSAUD: The
2 Senator yields.

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

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

9 SENATOR KRUEGER: Yes.

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

13 ACTING PRESIDENT PERSAUD: Senator
14 Krueger, do you yield?

15 SENATOR KRUEGER: Yes.

16 ACTING PRESIDENT PERSAUD: The
17 Senator yields.

18 SENATOR O'MARA: And
19 another probably -- maybe the most significant
20 increase in spending in this one-house budget is
21 the proposal to expand Medicaid to illegal
22 immigrants here in this state. So an additional
23 \$1.7 billion. But --

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

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

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

9 But Senator, will you yield on that?

10 SENATOR RIVERA: I will yield.

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

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

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

1 And these folks actually still are going -- are
2 getting sick, Madam President, and they are
3 winding up in our hospitals to the tune of
4 \$500 million in emergency Medicaid that is being
5 spent right now.

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

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

15 ACTING PRESIDENT PERSAUD: Senator
16 Rivera, do you yield?

17 SENATOR RIVERA: Absolutely.

18 ACTING PRESIDENT PERSAUD: The
19 Senator yields.

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

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

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

5 And by the way -- Madam President,
6 through you -- I'll remind all folks here that
7 these are folks who are already costing the state
8 \$500 million in emergency Medicaid.

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

11 SENATOR RIVERA: One second,
12 Madam President.

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

20 SENATOR O'MARA: Thank you,
21 Senator.

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

25 ACTING PRESIDENT PERSAUD: Thank

1 you, Senator O'Mara.

2 Senator Palumbo.

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

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

10 ACTING PRESIDENT PERSAUD: Senator
11 Bailey, do you yield?

12 SENATOR BAILEY: Indeed.

13 ACTING PRESIDENT PERSAUD: The
14 Senator yields.

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

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

19 SENATOR PALUMBO: I'm well, thank
20 you.

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

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

7 SENATOR PALUMBO: Would you
8 continue to yield, please.

9 SENATOR BAILEY: Yes, sir.

10 ACTING PRESIDENT PERSAUD: The
11 Senator yields.

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

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

25 SENATOR BAILEY: Senator Palumbo --

1 through you, Madam President. Senator Palumbo,
2 we sat together at a hearing for close to
3 10 hours where we heard testimony from a number
4 of different agencies, associations, and not one
5 agency nor association, individual, made the
6 correlation that any increase in crime was
7 related, tangentially or directly, to bail
8 reform.

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

17 SENATOR PALUMBO: Will the Senator
18 continue to yield?

19 ACTING PRESIDENT PERSAUD: Does the
20 Senator yield?

21 SENATOR BAILEY: Definitely.

22 ACTING PRESIDENT PERSAUD: Senator
23 Bailey yields.

24 SENATOR PALUMBO: Thank you,
25 Chairman.

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

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

18 However, when you look at the
19 numbers and with respect to data, those who were
20 accused of a felony who were rearrested on a
21 violent felony were up 3.3 percent. Or the
22 number, excuse me, the total number versus the
23 total number of crimes. So it went from the
24 14 percent to 17.3. It may not sound that
25 significant, but that's a 23.5 percent increase,

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

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

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

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

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

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

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

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

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

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

1 are new as a result of bail reform.

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

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

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

9 SENATOR BAILEY: So the John Jay
10 study --

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

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

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

25 So that decrease seems to indicate

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

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

8 SENATOR BAILEY: Certainly.

9 ACTING PRESIDENT PERSAUD: The
10 Senator yields.

11 SENATOR PALUMBO: Thank you.

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

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

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

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

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

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

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

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

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

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

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

1 elected officials, and community residents.

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

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

7 SENATOR BAILEY: I do.

8 ACTING PRESIDENT PERSAUD: The
9 Senator yields.

10 SENATOR PALUMBO: Thank you.

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

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

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

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

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

4 ACTING PRESIDENT PERSAUD: Senator
5 Myrie, do you yield?

6 SENATOR MYRIE: Yes.

7 ACTING PRESIDENT PERSAUD: The
8 Senator yields.

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

12 SENATOR MYRIE: Happy March Madness
13 Day.

14 (Laughter.)

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

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

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

25 ACTING PRESIDENT PERSAUD: Senator,

1 do you yield?

2 SENATOR MYRIE: Yes.

3 ACTING PRESIDENT PERSAUD: The
4 Senator yields.

5 SENATOR PALUMBO: Thank you.

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

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

18 (Pause.)

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

24 SENATOR PALUMBO: Would you
25 continue to yield, Senator.

1 ACTING PRESIDENT PERSAUD: Will the
2 Senator yield?

3 SENATOR MYRIE: Yes.

4 ACTING PRESIDENT PERSAUD: The
5 Senator yields.

6 SENATOR PALUMBO: Thank you,
7 Senator Myrie.

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

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

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

24 So can you reconcile that for me,
25 please?

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

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

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

11 ACTING PRESIDENT PERSAUD: Will the
12 Senator yield?

13 SENATOR MYRIE: Yes.

14 ACTING PRESIDENT PERSAUD: The
15 Senator yields.

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

1 of the Clean Slate?

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

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

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

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

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

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

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

5 So there aren't requirements for
6 them to be a beneficiary of this sealing, because
7 our current statutes allow for sealing but only
8 0.5 percent of individuals eligible for that
9 sealing take advantage of it. The process is
10 cumbersome, oftentimes requires an attorney.

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

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

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

1 ACTING PRESIDENT PERSAUD: Will the
2 Senator yield?

3 SENATOR MYRIE: Yes.

4 ACTING PRESIDENT PERSAUD: The
5 Senator yields.

6 SENATOR PALUMBO: Thank you.

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

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

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

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

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

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

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

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

21 ACTING PRESIDENT PERSAUD: Does the
22 Senator yield?

23 SENATOR MYRIE: Yes.

24 ACTING PRESIDENT PERSAUD: The
25 Senator yields.

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

4 (Laughter.)

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

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

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

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

20 SENATOR PALUMBO: Will you continue
21 to yield, please.

22 ACTING PRESIDENT PERSAUD: Does the
23 Senator yield?

24 SENATOR MYRIE: Yes.

25 ACTING PRESIDENT PERSAUD: The

1 Senator yields.

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

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

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

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

19 SENATOR PALUMBO: Would you
20 continue to yield, please.

21 ACTING PRESIDENT PERSAUD: Senator,
22 do you yield?

23 SENATOR MYRIE: Yes.

24 ACTING PRESIDENT PERSAUD: The
25 Senator yields.

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

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

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

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

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

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

4 SENATOR PALUMBO: Would you
5 continue to yield, please.

6 ACTING PRESIDENT PERSAUD: Does the
7 Senator yield?

8 SENATOR MYRIE: Yes.

9 ACTING PRESIDENT PERSAUD: The
10 Senator yields.

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

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

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

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

8 ACTING PRESIDENT PERSAUD: Does the
9 Senator yield?

10 SENATOR MYRIE: Yes.

11 ACTING PRESIDENT PERSAUD: The
12 Senator yields.

13 SENATOR PALUMBO: Thank you.

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

17 SENATOR MYRIE: Through you,
18 Madam President, yes.

19 SENATOR PALUMBO: Will you yield
20 for one more question.

21 SENATOR MYRIE: Sure.

22 ACTING PRESIDENT PERSAUD: The
23 Senator yields.

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

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

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

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

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

22 SENATOR PALUMBO: Thank you,
23 Senator.

24 On the resolution, please,
25 Madam President.

1 ACTING PRESIDENT PERSAUD: Senator
2 Palumbo on the resolution.

3 SENATOR PALUMBO: Thank you.

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

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

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

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

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

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

11 Thank you, Mr. President.

12 ACTING PRESIDENT PERSAUD: Thank
13 you.

14 Senator Borrello.

15 SENATOR BORRELLO: Thank you,
16 Madam President.

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

20 ACTING PRESIDENT PERSAUD: Senator
21 Krueger, do you yield?

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

24 (Laughter.)

25 ACTING PRESIDENT PERSAUD: The

1 Senator yields.

2 SENATOR BORRELLO: Thank you for
3 giving it a whirl.

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

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

12 Yes, it's exactly what the Executive
13 proposed.

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

16 ACTING PRESIDENT PERSAUD: Senator
17 Krueger, do you yield?

18 SENATOR KRUEGER: Yes.

19 ACTING PRESIDENT PERSAUD: The
20 Senator yields.

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

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

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

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

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

14 ACTING PRESIDENT PERSAUD: Does the
15 Senator yield?

16 SENATOR KRUEGER: I do.

17 ACTING PRESIDENT PERSAUD: The
18 sponsor yields.

19 SENATOR BORRELLO: Well, thank you
20 for that response.

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

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

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

3 ACTING PRESIDENT PERSAUD: Does the
4 Senator yield?

5 SENATOR KRUEGER: Yes.

6 ACTING PRESIDENT PERSAUD: The
7 sponsor yields.

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

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

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

3 ACTING PRESIDENT PERSAUD: Does the
4 Senator yield?

5 SENATOR KRUEGER: Yes.

6 ACTING PRESIDENT PERSAUD: The
7 sponsor yields.

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

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

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

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

1 15 million centrally to the State Board of
2 Elections. So \$30 million to put these reforms
3 into place.

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

6 ACTING PRESIDENT PERSAUD: Does the
7 Senator yield?

8 SENATOR KRUEGER: Yes.

9 ACTING PRESIDENT PERSAUD: The
10 sponsor yields.

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

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

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

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

22 ACTING PRESIDENT PERSAUD: Does the
23 Senator yield?

24 SENATOR KRUEGER: Yes.

25 ACTING PRESIDENT PERSAUD: The

1 sponsor yields.

2 SENATOR BORRELLO: This is the last
3 question on this.

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

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

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

15 ACTING PRESIDENT PERSAUD: Will the
16 sponsor yield?

17 SENATOR KRUEGER: Yes, I will.

18 ACTING PRESIDENT PERSAUD: The
19 sponsor yields.

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

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

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

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

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

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

20 ACTING PRESIDENT PERSAUD: Does the
21 Senator yield?

22 SENATOR KRUEGER: Yes.

23 ACTING PRESIDENT PERSAUD: The
24 sponsor yields.

25 SENATOR BORRELLO: So right now we

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

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

11 SENATOR BORRELLO: Madam President,
12 on the resolution.

13 ACTING PRESIDENT PERSAUD: Senator
14 Borrello on the resolution.

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

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

1 many things for our local Boards of Elections.

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

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

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

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

25 ACTING PRESIDENT PERSAUD: Senator

1 Mayer, do you yield?

2 SENATOR MAYER: Yes. Sure.

3 ACTING PRESIDENT PERSAUD: The
4 Senator yields.

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

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

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

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

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

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

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

11 ACTING PRESIDENT PERSAUD: Will the
12 Senator yield?

13 SENATOR MAYER: Yes.

14 ACTING PRESIDENT PERSAUD: The
15 Senator yields.

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

25 And they're mostly in

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

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

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

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

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

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

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

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

14 ACTING PRESIDENT PERSAUD: Does the
15 Senator yield?

16 SENATOR MAYER: Yes.

17 ACTING PRESIDENT PERSAUD: The
18 sponsor yields.

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

25 To just quote the study: Students

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

10 So what's destructive about that?

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

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

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

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

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

10 ACTING PRESIDENT PERSAUD: Will the
11 sponsor yield?

12 SENATOR MAYER: Yes.

13 ACTING PRESIDENT PERSAUD: The
14 sponsor yields.

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

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

1 haven't opened.

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

6 SENATOR BORRELLO: Madam President,
7 on the resolution.

8 ACTING PRESIDENT PERSAUD: Senator
9 Borrello on the resolution.

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

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

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

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

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

5 And the fact is that the SUNY
6 charter schools have a good track record. You
7 can certainly point to a few bad apples. You can
8 in any situation. Seventy-nine percent of
9 SUNY-authorized charter school students are from
10 economically disadvantaged areas. People that
11 can't afford to send their child to a private
12 school can benefit from a charter school. Eighty
13 percent of the students in SUNY-authorized
14 charter schools outperform their districts of
15 location in the mathematics; 81 percent
16 outperform in reading and writing. Forty-one
17 SUNY-authorized charter schools are in the top
18 10 percent of public schools statewide in
19 mathematics. And the statistics go on and on.

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

1 schools located near charters.

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

6 So thank you, Madam President.

7 ACTING PRESIDENT PERSAUD: Senator
8 Helming.

9 SENATOR HELMING: Thank you,
10 Madam President.

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

16 ACTING PRESIDENT PERSAUD: Senator
17 Kavanagh, do you yield?

18 SENATOR KAVANAGH: Yes,
19 Madam President.

20 ACTING PRESIDENT PERSAUD: The
21 Senator yields.

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

25 You heard me say this during the

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

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

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

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

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

5 SENATOR KAVANAGH: Thank you,
6 Madam President.

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

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

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

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

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

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

17 ACTING PRESIDENT PERSAUD: Does the
18 sponsor yield?

19 SENATOR KAVANAGH: Happily, Madam
20 President.

21 ACTING PRESIDENT PERSAUD: The
22 sponsor yields.

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

1 et cetera.

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

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

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

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

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

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

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

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

18 SENATOR HELMING: Thank you.

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

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

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

7 Thank you, Madam President.

8 ACTING PRESIDENT PERSAUD: Senator
9 Murray.

10 SENATOR MURRAY: Thank you,
11 Madam President.

12 I'd like to address the MTA area.

13 ACTING PRESIDENT PERSAUD: Senator
14 Krueger, do you yield?

15 SENATOR KRUEGER: I do yield.

16 ACTING PRESIDENT PERSAUD: The
17 Senator yields.

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

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

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

4 SENATOR KRUEGER: Hi.

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

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

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

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

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

18 (Laughter.)

19 ACTING PRESIDENT PERSAUD: Senator,
20 do you yield?

21 SENATOR KRUEGER: I do yield.

22 ACTING PRESIDENT PERSAUD: She
23 yields.

24 SENATOR MURRAY: Thank you.

25 So do we have an estimate as to how

1 much Westchester, Nassau and Suffolk are
2 currently paying?

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

8 SENATOR MURRAY: Okay, thank you.
9 Moving on to -- as you said,
10 we've -- we've -- well, let me clarify this
11 first.

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

14 ACTING PRESIDENT PERSAUD: Do you
15 yield, Senator?

16 SENATOR KRUEGER: Yes.

17 ACTING PRESIDENT PERSAUD: The
18 Senator yields.

19 SENATOR MURRAY: So I also want to
20 clarify that in your proposal we are not
21 eliminating the MTA payroll tax, other than those
22 particular areas. It will remain for everyone
23 that's paying it now, with those exceptions, at
24 0.34 percent, is that correct?

25 SENATOR KRUEGER: That is correct.

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

4 ACTING PRESIDENT PERSAUD: Does the
5 sponsor yield?

6 SENATOR KRUEGER: Yes, I do.

7 ACTING PRESIDENT PERSAUD: The
8 sponsor yields.

9 SENATOR MURRAY: Thank you.

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

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

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

1 ACTING PRESIDENT PERSAUD: Does the
2 sponsor yield?

3 SENATOR KRUEGER: Yes.

4 ACTING PRESIDENT PERSAUD: The
5 sponsor yields.

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

12 What this does now is this puts
13 smaller businesses back into paying. Years ago
14 we eliminated the smaller businesses, about
15 80 percent of those, from paying the MTA payroll
16 tax. This will now put them back in. I know
17 this because I am a small businesses owner and I
18 will now be paying this under this proposal. In
19 fact, my accountant informed me I paid it
20 yesterday.

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

25 SENATOR KRUEGER: I'm sorry, could

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

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

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

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

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

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

3 ACTING PRESIDENT PERSAUD: Does the
4 sponsor yield?

5 SENATOR KRUEGER: Yes, I do.

6 ACTING PRESIDENT PERSAUD: The
7 sponsor yields.

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

10 (Laughter.)

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

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

25 SENATOR KRUEGER: If you fall into

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

3 SENATOR MURRAY: (Inaudible.)
4 (Laughter.)

5 SENATOR KRUEGER: So it's
6 800 million on people whose taxable wage --
7 taxable personal tax income is 5 million to
8 25 million.

9 SENATOR MURRAY: Thank you.
10 Madam President, would the sponsor
11 continue to yield.

12 ACTING PRESIDENT PERSAUD: Does the
13 sponsor yield?

14 SENATOR KRUEGER: Yes.

15 ACTING PRESIDENT PERSAUD: The
16 sponsor yields.

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

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

1 is that correct?

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

7 If they are outside New York City
8 but in the downstate region, blah, blah, blah, it
9 would be 20 percent -- 20 percent of their
10 local -- of the licensing going to the locality,
11 80 percent going to the MTA.

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

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

17 ACTING PRESIDENT PERSAUD: Does the
18 sponsor yield?

19 SENATOR KRUEGER: Absolutely.

20 ACTING PRESIDENT PERSAUD: The
21 sponsor yields.

22 SENATOR MURRAY: Thank you.

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

1 upon the location.

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

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

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

11 ACTING PRESIDENT PERSAUD: Does the
12 sponsor yield?

13 SENATOR KRUEGER: Sure.

14 ACTING PRESIDENT PERSAUD: The
15 sponsor yields.

16 SENATOR MURRAY: One last question.

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

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

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

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

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

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

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

25 And if you actually have proposals

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

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

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

12 ACTING PRESIDENT PERSAUD: Senator
13 Murray on the resolution.

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

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

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

12 Meanwhile, every single smaller
13 audit that's been conducted -- you mentioned
14 something about the Governor and the 400 million.
15 The Comptroller just did an audit three weeks ago
16 that says "The MTA must hold up its end of the
17 bargain and identify how it's going to save
18 100 million this year and more than 400 million
19 annually to stay afloat and avoid impacts to
20 services in the future."

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

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

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

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

25 When is enough enough? Let's stand

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

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

5 ACTING PRESIDENT PERSAUD: Senator
6 Martins.

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

10 ACTING PRESIDENT PERSAUD: Does the
11 Senator yield?

12 SENATOR KRUEGER: Sure.

13 ACTING PRESIDENT PERSAUD: The
14 Senator yields.

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

17 SENATOR MARTINS: MTA.

18 SENATOR KRUEGER: Okay, fine.

19 SENATOR MARTINS: So I picked
20 right.

21 (Laughter.)

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

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

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

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

14 SENATOR MARTINS: Of course. Not
15 at all.

16 Thank you, Senator Comrie.

17 SENATOR COMRIE: Through you,
18 Madam President, no.

19 (Laughter.)

20 SENATOR MARTINS: Thank you.

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

23 SENATOR COMRIE: Yes.

24 ACTING PRESIDENT PERSAUD: The
25 Senator yields.

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

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

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

17 SENATOR COMRIE: No.

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

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

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

1 better way.

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

12 We hope to be able to make sure that
13 every resident in New York State can have better
14 access to the MTA, better usage of the system,
15 and that the system frankly will be able to
16 provide more transportation to have less
17 vehicular transportation into the city. But
18 right now, unfortunately, the reality is that
19 Long Island folks who are being subsidized over
20 50 percent of the fare are the highest users in
21 the system.

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

24 ACTING PRESIDENT PERSAUD: Will the
25 Senator yield?

1 SENATOR COMRIE: Yes, I'll yield.

2 ACTING PRESIDENT PERSAUD: The
3 Senator yields.

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

8 SENATOR COMRIE: Correct.

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

12 SENATOR COMRIE: Yes, I yield.

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

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

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

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

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

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

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

18 Madam President, on the resolution.

19 ACTING PRESIDENT PERSAUD: Senator
20 Martins on the resolution.

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

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

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

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

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

22 ACTING PRESIDENT PERSAUD: Senator
23 Mattera.

24 SENATOR MATTERA: Thank you,
25 Madam President.

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

4 ACTING PRESIDENT PERSAUD: Senator
5 Parker, do you yield?

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

8 ACTING PRESIDENT PERSAUD: The
9 Senator yields.

10 SENATOR MATTERA: And thank you,
11 Chairman.

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

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

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

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

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

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

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

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

25 SENATOR MATTERA: Did you get a

1 chance to reach out to all the --

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

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

6 ACTING PRESIDENT PERSAUD: Does the
7 sponsor yield?

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

10 ACTING PRESIDENT PERSAUD: The
11 sponsor yields.

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

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

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

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

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

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

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

1 yield.

2 ACTING PRESIDENT PERSAUD: Does the
3 sponsor yield?

4 SENATOR PARKER: I do yield,
5 Madam President.

6 ACTING PRESIDENT PERSAUD: The
7 sponsor yields.

8 SENATOR MATTERA: And I thank you.
9 Does this proposal prohibit the
10 installation of gas stoves in new construction,
11 residential and commercial?

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

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

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

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

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

14 ACTING PRESIDENT PERSAUD: Does the
15 sponsor yield?

16 SENATOR MATTERA: So you are
17 saying --

18 SENATOR PARKER: Madam President, I
19 do yield.

20 ACTING PRESIDENT PERSAUD: The
21 sponsor yields.

22 SENATOR MATTERA: Oh, I'm sorry.
23 So you are saying that you won't be
24 able to, in any new building -- is that true with
25 restaurants, then, that are in these buildings?

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

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

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

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

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

18 ACTING PRESIDENT PERSAUD: Does the
19 sponsor yield?

20 SENATOR PARKER: The sponsor does
21 continue to yield.

22 ACTING PRESIDENT PERSAUD: The
23 sponsor yields.

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

1 be able to have natural gas in that building?

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

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

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

20 ACTING PRESIDENT PERSAUD: Does the
21 sponsor yield?

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

24 ACTING PRESIDENT PERSAUD: The
25 sponsor yields.

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

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

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

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

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

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

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

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

13 (Laughter.)

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

19 ACTING PRESIDENT PERSAUD: Does the
20 sponsor yield?

21 SENATOR PARKER: Yes, Madam
22 President, I yield.

23 ACTING PRESIDENT PERSAUD: The
24 sponsor yields.

25 SENATOR MATTERA: So pretty much

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

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

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

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

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

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

6 And we will work very -- very
7 closely, as we have always, with our brothers and
8 sisters in the labor movement, to make sure that
9 full-time jobs at a living wage with benefits are
10 created. In fact, we expect that 211,000 jobs
11 will be created in the clean energy economy by
12 2030, and almost 270,000 jobs created by 2050.

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

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

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

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

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

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

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

4 ACTING PRESIDENT PERSAUD: Does the
5 sponsor continue to yield?

6 SENATOR MATTERA: Would you yield,
7 please?

8 ACTING PRESIDENT PERSAUD: Does the
9 sponsor --

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

12 (Laughter.)

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

15 ACTING PRESIDENT PERSAUD: The
16 sponsor yields.

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

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

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

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

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

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

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

1 Does that make sense?

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

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

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

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

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

16 SENATOR MATTERA: Thank you.

17 On the resolution, Madam President.

18 ACTING PRESIDENT PERSAUD: Senator
19 Mattera on the resolution.

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

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

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

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

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

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

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

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

11 ACTING PRESIDENT PERSAUD: Senator
12 Gianaris.

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

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

22 ACTING PRESIDENT PERSAUD: Senator
23 Ashby.

24 SENATOR ASHBY: Thank you,
25 Madam President.

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

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

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

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

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

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

25 But I'm not really sure that that's

1 what everyone intends here.

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

4 SENATOR ASHBY: Thank you.

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

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

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

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

24 SENATOR KRUEGER: Yes.

25 ACTING PRESIDENT PERSAUD: The

1 Senator yields.

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

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

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

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

25 ACTING PRESIDENT PERSAUD: Does the

1 sponsor yield?

2 SENATOR KRUEGER: Certainly.

3 ACTING PRESIDENT PERSAUD: The
4 sponsor yields.

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

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

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

25 SENATOR KRUEGER: I'm very happy to

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

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

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

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

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

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

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

16 ACTING PRESIDENT PERSAUD: Senator
17 Ashby on the resolution.

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

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

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

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

7 Thank you, Madam President.

8 ACTING PRESIDENT PERSAUD: The
9 debate is closed.

10 Call the roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Senator
13 Rivera on the resolution.

14 SENATOR RIVERA: Thank you,
15 Madam President.

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

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

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

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

10 Now, in the case of, as I spoke --
11 as I talked about before, we were talking about a
12 \$1.7 billion appropriation. But I should
13 mention -- and this is why I wanted to make sure
14 that I spoke about it and made clear, that would
15 be, Madam President, if every single person who
16 is potentially eligible actually signed up for
17 the program. And we all know that there is no
18 government program in which every single person
19 who is eligible actually applies.

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

1 coverage for these individuals.

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

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

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

13 ACTING PRESIDENT PERSAUD: Senator
14 Addabbo on the resolution.

15 SENATOR ADDABBO: Thank you,
16 Madam President.

17 Good afternoon, everybody.

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

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

1 4,000 union jobs, with an MWBE component. It
2 creates a safer, more environmentally friendly
3 track site. And it's certainly an economic
4 growth and fiscal positive, fiscally, for the
5 state: \$80 million in interest from the loan, a
6 billion-dollar give-back from the Aqueduct Track.
7 And again, the continuing economic growth that
8 would exist at that site.

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

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

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

1 kind of robust discussions.

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

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

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

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

24 ACTING PRESIDENT PERSAUD: Senator
25 Stec on the resolution.

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

3 This, your conference's one-house
4 budget, simply spends far too much --
5 \$236 billion, 9 billion over the Governor's
6 proposal, 14 billion over the current year.
7 That's a 6.5 percent increase year to year.

8 Everyone's tired of hearing me talk
9 about our state budget being more than Texas and
10 Florida combined. Maybe it's stale, maybe it's
11 that they're red states in the South. So how
12 about this? California. Twice the population,
13 \$308 billion. We're 236. Per capita, we spend
14 one-and-a-half times in your budget that
15 Californians do.

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

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

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

1 nursing homes and the Medicaid reimbursement.

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

6 I'll be voting in the negative.

7 ACTING PRESIDENT PERSAUD: Senator
8 Brouk on the resolution.

9 SENATOR BROUK: Thank you,
10 Madam President.

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

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

25 That it supports transforming our

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

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

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

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

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

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

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

4 Thank you.

5 ACTING PRESIDENT PERSAUD: Senator
6 Weber on the resolution.

7 SENATOR WEBER: Thank you,
8 Madam President.

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

12 We're finally living up to our
13 promise to fully fund Foundation Aid. I think
14 that's something we can all agree upon. We are
15 answering the call for help from the mental
16 hygiene agencies, raising the proposed COLA from
17 2.5 percent to 8.5 percent -- again, something
18 that I think we all can agree upon.

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

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

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

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

18 You know, Madam President, I was
19 born at night, but I wasn't born last night.
20 I've been a CPA in New York State for over
21 30 years. I've been a CFO for a small business
22 for 20 years. I know sound budget practices.
23 This isn't it. This is unsustainable. It's
24 reckless. It's irresponsible.

25 Right now the bad and the ugly in

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

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

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

11 ACTING PRESIDENT PERSAUD: Senator
12 Sepúlveda on the resolution.

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

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

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

25 But let's talk about public opinion.

1 So one of my colleagues indicated that we also
2 have the court of public opinion. Well,
3 53 percent of Americans believe that we should
4 have some form of gun control.

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

12 Ninety percent of Democrats and
13 70 percent of Republicans believe that we should
14 have some form of background checks, yet we
15 cannot get our colleagues on the other side to
16 come to the table and create sensible
17 legislation.

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

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

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

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

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

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

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

1 undocumented immigrants have contributed over
2 \$10 billion to the coffers of New York State and
3 the federal government.

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

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

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

18 Thank you.

19 ACTING PRESIDENT PERSAUD: Thank
20 you, Senator.

21 Senator Rhoads on the resolution.

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

1 constituents that we all represent.

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

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

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

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

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

5 New York State, by the way, ranks
6 49th, according to CNBC, in business
7 friendliness. Meanwhile, 70 percent of the jobs
8 are created by small businesses. Yet we're
9 making it harder for those small businesses to be
10 able to afford to stay in business in this
11 budget.

12 My residents also want a better
13 quality of life. And we're not providing them a
14 better quality of life in this budget. And while
15 there have been some modifications to the
16 Governor's housing proposal, what's still in the
17 housing proposal are goals, goals which in
18 Nassau County would create an additional
19 1.5 million housing units in Nassau County alone,
20 doubling the county's population if just one
21 person lived in each of those houses.

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

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

1 different --

2 ACTING PRESIDENT PERSAUD: How do
3 you vote, Senator?

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

6 ACTING PRESIDENT PERSAUD: Thank
7 you, Senator.

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

10 ACTING PRESIDENT PERSAUD: Thank
11 you, Senator.

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

14 ACTING PRESIDENT PERSAUD: Senator
15 Harckham on the resolution.

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

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

1 Mattera had about what are we doing with jobs.

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

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

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

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

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

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

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

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

19 Senator Chu.

20 SENATOR CHU: Thank you,
21 Madam President.

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

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

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

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

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

25 And for this reason, I vote aye.

1 Thank you, Madam President.

2 ACTING PRESIDENT PERSAUD: Thank
3 you.

4 Senator Ryan.

5 SENATOR RYAN: Thank you,
6 Madam President.

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

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

25 We have a housing quality problem in

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

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

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

10 ACTING PRESIDENT PERSAUD: Senator
11 Brisport.

12 SENATOR BRISPORT: Thank you,
13 Madam President.

14 You know, those who have been
15 listening to Governor Hochul's speeches over the
16 past year might be under the impression that our
17 childcare sector has been stabilized by a
18 \$7 billion investment, which unfortunately could
19 not be further from the truth.

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

25 So one year later, the few childcare

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

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

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

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

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

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

17 Madam President, I vote aye.

18 ACTING PRESIDENT PERSAUD: Senator
19 Martins.

20 SENATOR MARTINS: Thank you,
21 Madam President.

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

25 One, the sheer scope of spending in

1 this bill over and above last year, \$14 billion,
2 and yet we're not able to find in those
3 \$14 billion increases year over year a sum of
4 money that will offset the impacts to Nassau,
5 Suffolk and Westchester counties with regard to
6 the payment of the MTA payroll tax.

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

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

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

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

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

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

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

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

23 ACTING PRESIDENT PERSAUD: Thank
24 you.

25 Senator Skoufis.

1 SENATOR SKOUFIS: Thanks very much,
2 Madam President.

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

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

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

1 even see the rails anymore.

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

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

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

25 I believe the 98 percent who have

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

6 And so I do hope --

7 ACTING PRESIDENT PERSAUD: Senator
8 Skoufis.

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

11 ACTING PRESIDENT PERSAUD: How do
12 you vote?

13 SENATOR SKOUFIS: I do, however,
14 vote aye.

15 Thank you, Madam President.

16 ACTING PRESIDENT PERSAUD: Senator
17 Martinez.

18 SENATOR MARTINEZ: Good morning,
19 Madam President.

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

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

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

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

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

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

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

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

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

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

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

25 The MTA has a history of failing to

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

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

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

16 ACTING PRESIDENT PERSAUD: Senator,
17 how do you vote?

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

20 ACTING PRESIDENT PERSAUD: Senator
21 Ramos.

22 SENATOR RAMOS: Thank you,
23 Madam President.

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

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

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

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

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

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

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

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

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

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

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

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

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

24 ACTING PRESIDENT PERSAUD: Thank
25 you.

1 Senator Mayer.

2 SENATOR MAYER: Thank you,
3 Madam President.

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

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

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

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

4 I proudly vote aye.

5 ACTING PRESIDENT PERSAUD: Thank
6 you.

7 Senator Borrello.

8 SENATOR BORRELLO: Thank you,
9 Madam President.

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

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

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

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

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

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

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

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

10 ACTING PRESIDENT PERSAUD: Senator,
11 how do you vote?

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

14 (Laughter.)

15 ACTING PRESIDENT PERSAUD: Senator
16 Cooney.

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

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

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

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

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

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

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

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

1 Asian-American community across New York State.

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

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

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

18 And for our senior population, let
19 us do all that we can to increase that Medicaid
20 rate. We know we can do more. We deserve to do
21 more. This is the first time that we've seen a
22 meaningful increase in Medicaid rates to the
23 state hospitals and nursing homes in almost
24 15 years. Let's keep pushing --

25 ACTING PRESIDENT PERSAUD: Senator

1 Cooney, how do you vote?

2 SENATOR COONEY: Thank you very
3 much, Madam President. I vote in the
4 affirmative.

5 ACTING PRESIDENT PERSAUD: Thank
6 you.

7 Senator Walczyk.

8 SENATOR WALCZYK: Thank you,
9 Madam President.

10 I have to correct the record on a
11 couple of things. We do make firearms in the
12 State of New York. Remington Arms in Ilion,
13 New York, has been in operation since 1816, and
14 their firearms were carried in both World War I
15 and World War II. So that was a misnomer by a
16 colleague today.

17 Also, childhood death, according to
18 the CDC -- this isn't a Senator from the
19 North Country telling you it -- is -- the top
20 reasons are cancer, birth defects and
21 complications, and accidents and suicide.

22 And those are facts, not political
23 talking points, which I think is important when
24 we head into a budget discussion.

25 New York's economy can't support

1 your out-of-control spending. The state's GDP
2 growth was 5 percent last year. Last year's
3 enacted budget was \$227 billion. The Governor --
4 or was \$220 billion.

5 The Governor proposed \$227 billion,
6 and you're proposing above and beyond that today.
7 This resolution that we're voting on right now,
8 \$236 billion.

9 Since 2019 -- and that would be the
10 year that you took control of the chamber -- the
11 state's increased in spending, 33 percent. Have
12 your constituents' salaries gone up 33 percent?
13 Has the income to their households gone up
14 33 percent or 40 percent like you're proposing
15 with this resolution? Mine haven't.

16 We sat through all these budget
17 hearings, and I listened intently today. We
18 talked about the numbers that the Governor has
19 proposed in her budget and we talked about some
20 of the policy items that should or shouldn't have
21 been included and maybe should be debated
22 separate and apart.

23 And then on top of all that, you
24 included a bunch of policy that was never debated
25 in open public. You're jamming it into a budget

1 bill in order to force it through.

2 We had those hearings for a reason.
3 They serve an actual purpose, so that we can
4 discuss and debate what the priorities of the
5 people of the State of New York are.

6 You may say 236 billion --

7 ACTING PRESIDENT PERSAUD: Senator,
8 how do you vote?

9 SENATOR WALCZYK: -- I say that's
10 way too much. I will vote no. I will stick by
11 the facts --

12 ACTING PRESIDENT PERSAUD: Thank
13 you.

14 SENATOR WALCZYK: -- I'll do the
15 responsible thing for the people of the State of
16 New York.

17 ACTING PRESIDENT PERSAUD: Senator
18 Scarcella-Spanton.

19 SENATOR SCARCELLA-SPANTON: Thank
20 you, Madam President. I rise to support today's
21 resolution.

22 I want to thank Senator Majority
23 Leader Andrea Stewart-Cousins and my colleagues
24 who have worked with me in prioritizing the needs
25 of Staten Island and Southern Brooklyn.

1 I'm proud that we increased funding
2 for our veterans after the Executive Budget
3 initially proposed cuts. I know how important it
4 is to fund services for our veterans and their
5 families.

6 I'm proud that the shortsighted plan
7 to put speed cameras on the Verrazano Bridge was
8 excluded from this resolution. Staten Islanders
9 already suffer from the longest commutes in the
10 country, and putting cameras on the bridge would
11 only make things worse.

12 We also worked to help Staten
13 Islanders with their commutes by securing the
14 resident toll discounts and are making sure it
15 stays in place, even if they try to raise our
16 tolls.

17 My district is home to the largest
18 number of Holocaust survivors in the state. It
19 is so important that we are adding funds to the
20 Holocaust Survivors Initiative, assisting with
21 the funding for the necessary healthcare and
22 community services that my district and our
23 entire state so desperately need.

24 The additional funding for discovery
25 implementation utilized by our New York City

1 district attorneys is vital for public safety,
2 but let me be clear. We must make sure they're
3 fully funded in order to do this work
4 effectively. And there is still a lot of work to
5 be done around public safety.

6 Although this resolution includes
7 many things that are highly beneficial to my
8 constituents, I must highlight aspects that would
9 be of deep concern. For example, we shouldn't be
10 building new housing without local input and
11 against the wishes of those in our communities.

12 On our path to sustainability, we
13 shouldn't be telling homeowners what they can and
14 cannot have in their homes.

15 And we need to protect our tenants
16 and homeowners, ensuring that we legislate in a
17 way with both in mind..

18 Community input must be central to
19 all that we do, and I will continue fighting for
20 that on behalf of all my constituents.

21 With that, I vote in the
22 affirmative.

23 ACTING PRESIDENT PERSAUD: Thank
24 you.

25 Senator Bailey.

1 SENATOR BAILEY: Thank you, Madam
2 President.

3 As a nation of headline readers, we
4 should read the whole story and don't let the
5 headline be the story. Public safety cannot and
6 shall not and will never be defined by two words,
7 bail reform.

8 So while I appreciate my colleagues'
9 sentiments on public safety, that is something
10 that every one of us, all 63 of us, share. We
11 all care about public safety equally.

12 But again, there are so many things
13 in this budget that help us achieve the goal of
14 public safety. As I mentioned before, increasing
15 funding for discovery, increasing gun violence
16 and anti-gun violence initiatives. Increasing
17 funding for 18B attorneys who represent indigent
18 individuals.

19 We have to look at life and
20 community safety as a continuum, right? And when
21 you think about that continuum, it also involves
22 economic prosperity. Which is why the Clean
23 Slate Act is so critically important, to make
24 sure that people who were formerly
25 justice-involved have the ability to be

1 meaningfully involved in their communities
2 economically. It is critically important.

3 And again, as a body under the
4 leadership of Andrea Stewart-Cousins, we have and
5 always will continue to contemplate and discuss
6 issues of importance to our constituents. I want
7 to be very clear about that.

8 But I'm also grateful to our
9 education chair, Shelley Mayer, for helping us
10 put \$11.7 million for the City of Mount Vernon.
11 You know, Mount Vernon had a shortfall, and we're
12 grateful for that funding.

13 We're also grateful for funding for
14 youth sports. You know, across the aisle, both
15 aisles, we can talk about that, that sports is
16 the world's greatest social currency. And when
17 we can get our kids involved in sports sooner
18 rather than later, we have the opportunity for
19 them to be able to avoid some of the issues and
20 the concerns that relate to public safety.

21 So I think this is an excellent
22 budget, I think that there is -- excuse me, an
23 excellent one-house. I think there is more that
24 we're going to do. But people talked about
25 dreams and nightmares, and as Meek Mill would

1 say, hold up, wait a minute, y'all thought we
2 were finished?

3 I proudly vote aye, Madam President.

4 ACTING PRESIDENT PERSAUD: Senator
5 Kavanagh.

6 SENATOR KAVANAGH: Thank you,
7 Madam President.

8 There is, as has been said, so much
9 that is positive in this resolution that we're
10 voting on today. Senator Mayer's -- the thing
11 they she mentioned, not only investing in
12 education but also in food, the most basic thing
13 for our children.

14 The things that Senator Harckham and
15 Senator Parker reviewed, particularly funding for
16 the climate change and resiliency investments we
17 need.

18 Packaging and paper, extended
19 producer responsibility, which really will set us
20 on target toward, again, those climate goals and
21 also save our communities lots of money in terms
22 of disposal costs and create a more circular
23 economy where we're not wasting this planet's
24 resources.

25 And the All-Electric Building Act,

1 which is not a fantasy, it is a reality all over
2 the world, including countries with cold climates
3 that have single-family homes and high rises in
4 places like London. But obviously a conversation
5 to be continued.

6 And Senator Chu mentioned the AAPI
7 funding, which as a representative of Chinatown,
8 is really critical and I know is critical for all
9 of us here in this community.

10 And just one more thing that I think
11 hasn't been mentioned, but the repeal of the
12 ridiculous tax exemption for Madison Square
13 Garden is something that I'm glad we're finally
14 going to do. I've been working on that for more
15 than 10 years.

16 On housing, the Governor should be
17 complimented for emphasizing the need for
18 addressing what is truly a crisis throughout our
19 state. It's a crisis of availability, a crisis
20 of affordability, a crisis of eviction and a
21 crisis of homelessness.

22 The Governor had set forth some very
23 serious proposals around some mandates and
24 targets for localities. We are replacing those
25 today with incentives and targets and enormous

1 investments in infrastructure to support the
2 development of new housing.

3 We are also making huge investments
4 in paying the rent, both through a new program
5 called Housing Access vouchers and also paying
6 the remainder of the rent that built up during
7 the COVID emergency through the Emergency Rental
8 Assistance Program. It's very important that we
9 do include good cause, which is -- stands for the
10 simple proposition that you should not be evicted
11 for no reason in this state. And we've got great
12 investments --

13 ACTING PRESIDENT PERSAUD: Senator,
14 how do you vote?

15 SENATOR KAVANAGH: We've got great
16 investments in many other aspects of this -- of
17 our critical -- our response to the housing
18 crisis.

19 And for that reason and many others,
20 I vote aye.

21 ACTING PRESIDENT PERSAUD: Thank
22 you.

23 Senator Stavisky.

24 SENATOR STAVISKY: Thank you,
25 Madam President.

1 I think this was a good budget, but
2 I thank our leader, Senator Stewart-Cousins, for
3 making it a lot better.

4 For example, as you know, I chair
5 Higher Education, and we restored some of the
6 funding to CUNY that was so necessary. But even
7 more important, again this year, there is no
8 increase in tuition.

9 For too long in the past, there have
10 been yearly \$200-a-year increases in tuition, and
11 that had to stop. We stopped it in 2019, and we
12 have not had a tuition increase. There's no
13 question that during times of declining
14 enrollment, increasing tuition is not the
15 solution.

16 In terms of housing, I think our
17 one-house wish list, I guess you could call it,
18 our one-house measure is going in the right
19 direction. We've got to provide affordable
20 housing. We've got to preserve the existing
21 housing and protect the rights of tenants and so
22 forth.

23 And Madam President, for that reason
24 I vote yes.

25 ACTING PRESIDENT PERSAUD: Senator

1 Hinchey.

2 SENATOR HINCHEY: Thank you,
3 Madam President.

4 I rise today in support of this
5 resolution and to highlight a few items that have
6 not been acknowledged here today but that would
7 be transformative for our upstate and
8 Hudson Valley communities.

9 In agriculture we not only restore
10 the cuts but we increase -- we increase the line
11 items, we make sure that there's funding for more
12 research. We make sure that our dairy farmers
13 and our hemp farmers and our cannabis farmers and
14 our apple growers are all actually getting the
15 investments that they deserve, to make sure that
16 we have a local food supply here in our state.

17 We create the first-ever tax
18 incentives for hemp businesses, for manufacturing
19 and processing, that will help revitalize our
20 rural and upstate economies and make sure that we
21 have manufacturing products for the future.

22 For our volunteer firefighters,
23 those that protect our communities and are often
24 faced with increasing costs of different
25 regulations, both from the state and federal

1 government, we create a first-ever Volunteer
2 Firefighter Capital Fund to actually help with
3 those costs.

4 For our municipalities, we allocate
5 \$100 million to help with water infrastructure so
6 that our municipalities can actually plan for
7 what types of investments they need to make to
8 make sure that all of their constituencies and
9 their residents have access to clean water.

10 As was mentioned earlier, Healthy
11 School Meals for All is a transformation change.
12 This investment in my district alone will help
13 over 17,000 students. In that vein, we've also
14 moved forward to include breakfast in the school
15 lunch program so that kids can actually eat
16 farm-fresh food.

17 And we've made it easier for our
18 agencies and our school districts and
19 municipalities to actually buy local food from
20 farmers so that, again, everybody is eating
21 something nutritious.

22 We've also invested in the Catskills
23 again, and we've made a commitment in this
24 resolution to actually address short-term
25 rentals, which is one of the biggest challenges

1 in the housing market in upstate communities like
2 mine. They are strangling an already limited --

3 ACTING PRESIDENT PERSAUD: Senator,
4 how do you vote?

5 SENATOR HINCHEY: -- housing stock.

6 For this and so many more, I am
7 proud to vote aye and I thank the leader and my
8 colleagues for working on a budget resolution
9 that brings all of us together.

10 Thank you.

11 ACTING PRESIDENT PERSAUD: Senator
12 May.

13 SENATOR MAY: Thank you,
14 Madam President.

15 I'm grateful for many things in this
16 budget resolution. I'm grateful for the Bottle
17 Bill, I'm grateful for the clean water
18 infrastructure.

19 But most of all I want to thank my
20 colleagues and Leader Stewart-Cousins for getting
21 a couple of steps closer to true Fair Pay for
22 Home care. Last year advocates, home care
23 workers, home care providers, people who need
24 home care really lit up the Capitol with their
25 advocacy for this issue, and we secured an

1 unprecedented \$3 increase above minimum wage for
2 home care workers.

3 In this resolution we are raising
4 that to \$5 above minimum wage, we are insisting
5 that home care is not a minimum-wage job and we
6 will not let it merge back with minimum wage.
7 And we are adding a lot of transparency and
8 making sure that the taxpayer money for minimum
9 wage actually goes to the workers and not to big
10 insurance companies.

11 So I couldn't be more grateful, and
12 I proudly vote aye.

13 ACTING PRESIDENT PERSAUD: Senator
14 Jackson.

15 SENATOR JACKSON: Thank you,
16 Madam President. I rise in order to support the
17 one-house resolution.

18 As you know, I represent the 31st
19 Senatorial District, which is part of Northern
20 Manhattan and the Northwest Bronx. And I want to
21 talk about the district priorities and the
22 statewide priorities, including public education.
23 And we all have benefited from the Foundation Aid
24 formula; the last phase is coming in.

25 But not only public education --

1 environmental justice, civil service reform,
2 Tier 6 reform, the full platform of Invest in our
3 New York, taxes so that we can make sure that
4 everyone in New York State has the opportunity to
5 have a minimum wage, a living wage. Fighting for
6 environmental justice. All of these are the
7 things that we all want for our ourselves and our
8 families.

9 And the most important thing I want
10 to say to you today is that with an Invest in Our
11 New York campaign, we will help people have
12 affordable housing and healthcare. Extremely
13 important. The two top budget priorities is
14 healthcare and education.

15 So with that, I want to thank our
16 Majority Leader, Andrea Stewart-Cousins, and the
17 staff for putting our one-house resolution
18 together. And I vote aye, knowing that the
19 discussions will continue as we finalize the
20 budget.

21 Thank you, Madam President.

22 ACTING PRESIDENT PERSAUD: Senator
23 Thomas.

24 SENATOR THOMAS: Thank you, Madam
25 Leader. Thank you to the Super-Majority Leader,

1 our committee chairs, and staff for working so
2 hard to keep New Yorkers first.

3 And this budget is a clear win for
4 Long Island.

5 The Governor is right when it comes
6 to the lack of affordable housing. Her plan is
7 ambitious, but we have to understand the
8 realities on the ground. We must recognize the
9 importance of local input and the need to listen
10 to those who know their communities best. This
11 conviction is going to leave it up to the local
12 municipalities to come up with a housing plan
13 that works for Long Island.

14 We are going to be allocating
15 \$500 million as a starting point just for
16 infrastructure, to incentivize our towns and
17 villages to make the necessary improvements to
18 build.

19 I'm happy that there is no MTA
20 payroll mobility tax in our one-house, and I do
21 agree we need to look at what the MTA is doing to
22 always be at the edge of fiscal disaster year
23 after year.

24 Long Islanders deserve the best
25 service and the best infrastructure. Long Island

1 will always have LIRR service, and they will not
2 be cut off.

3 Crime is complicated and
4 multifaceted. So if any more changes are needed,
5 we must look at the data first. We need to make
6 sure judges in criminal court apply the law and
7 not choose when they should.

8 Some more good things in the budget:
9 Funding programs for our veterans, increases for
10 home-care workers, Foundation Aid increases to
11 our schools, more funding for pre-K. Rejecting
12 tuition increases for our students at SUNY and
13 CUNY, but at the same time increasing funding for
14 those institutions. Funding a universal school
15 meal program. Increasing state aid. Moving
16 forward with plans to build a new Belmont Park.
17 An additional 100 million for clean water
18 infrastructure.

19 I proudly vote in the affirmative.

20 Thank you.

21 ACTING PRESIDENT PERSAUD: Senator
22 Mannion.

23 SENATOR MANNION: Thank you,
24 Madam President.

25 I'd like to work my remarks around

1 who is coming to New York State. Micron
2 Technologies, they're coming to New York State
3 and my district in Clay, New York, for a number
4 of reasons. We have excellent schools, excellent
5 transportation systems. We have a fantastic
6 workforce. We also have more green clean energy
7 flowing through Clay, New York, out of upstate
8 New York, more than almost anywhere else in the
9 world. And that is why they are coming here.

10 I commend Senator Cooney. It was
11 his bill that established Green CHIPS. I was
12 fortunate to be able to work with him along those
13 lines, and that is what contributed to landing
14 Micron in my district.

15 Why did they come here? For several
16 reasons. Things we've already invested in and
17 will continue to: Our education systems,
18 expansion of UPK, support for K through 12 by
19 fully funding our Foundation Aid formula,
20 investing in apprenticeships, investing in higher
21 education. And this year, along with my work
22 with Senator Mayer, I'm proud to say that we will
23 finally get our 853 and 4410 school rate
24 reimbursements correct.

25 I also want to add that with this

1 expansion we're looking at a major housing boom
2 in the area, and we need more housing. I support
3 policies that are going to provide for
4 public/private partnerships that make sure that
5 our supply increases and we keep the control
6 local.

7 Finally, I'd like to say that we are
8 significantly investing in our disability systems
9 with an 8.5 percent cost-of-living adjustment,
10 but that investment has been flat for over a
11 decade until we just had two small increases. It
12 is hurting our workforce.

13 The workforce is depleted, and this
14 causes disruption as it relates to housing as
15 homes get consolidated, a decrease in job
16 opportunities for people with disabilities,
17 educational programs and day programming. So
18 we must --

19 ACTING PRESIDENT PERSAUD: Senator
20 Mannion, how do you vote?

21 SENATOR MANNION: -- also invest in
22 the disabilities world.

23 I proudly vote aye, Madam President.
24 Thank you.

25 ACTING PRESIDENT PERSAUD: Senator

1 Webb.

2 SENATOR WEBB: Thank you,
3 Madam President. I rise to explain my vote.

4 I want to thank our Senate Majority
5 Leader, all of my colleagues who have been
6 working to put together a one-house budget
7 proposal that centers and supports the needs of
8 New Yorkers in equitable ways, especially those
9 in New York who are most vulnerable.

10 As one of our new Senators that
11 represents a district in upstate New York that is
12 rural, urban and suburban, this one-house budget
13 proposal addresses the urgency of this moment
14 with significant investments in upstate
15 New York's families and small businesses.

16 So just to highlight a couple of
17 things. As relates to our local municipalities,
18 as a former municipal elected myself, I
19 understand the importance of having state
20 resources such as AIM, such as investments in our
21 roads, that help us to provide long-overdue
22 overhauls in our infrastructure.

23 As it pertains to small business, in
24 this one-house proposal we are investing in small
25 businesses by ensuring that we provide

1 \$100 million for small business grants and
2 3 million to support minority and women business
3 enterprises and to make sure that they are not
4 left behind.

5 We are also investing in our
6 workforce by honoring and going beyond what the
7 Governor has proposed with the 8.5 percent COLA
8 increase in this one-house proposal, along with
9 other historic and long-overdue investments in
10 healthcare and mental health services.

11 I also want to lift up that when it
12 comes to our schools, the long-overdue funding
13 that was needed for districts such as mine and
14 others across the state with the honoring of the
15 Foundation Aid -- this is going to make
16 significant improvements for our schools and,
17 especially as relates to higher education, our
18 funding for SUNY and CUNY and our community
19 colleges.

20 Negotiations are going to continue,
21 and I will continue to fight alongside all of our
22 colleagues to make sure that our priorities,
23 especially for our New Yorkers who are most
24 vulnerable, continue to get prioritized in our
25 final state budget.

1 I will be voting aye on this bill,
2 and I hope my colleagues will do the same.

3 Thank you.

4 ACTING PRESIDENT PERSAUD: Senator
5 Comrie.

6 SENATOR COMRIE: Thank you,
7 Madam President. I rise to support the
8 resolution, and I just want to take a moment to
9 thank all of my colleagues in the room for their
10 points of view and for their focusing on trying
11 to make our state better.

12 I want to thank our Majority Leader
13 and I especially want to thank the staff of both
14 houses on trying to put together a concept and
15 position and talking points to make sure that
16 people around the state can understand that we're
17 trying to deliver government that serves all of
18 the people of the state and all of the people
19 that contribute to the state.

20 There are a lot of good things in
21 the budget and there are a lot of things that
22 we're still working on to try to make better.
23 The first is the Governor's housing compact,
24 which I think needs to be taken out of the budget
25 and discussed, and give all communities around

1 the state an opportunity to really talk about
2 housing.

3 This was presented last year. There
4 are a lot of people that have major
5 consternations about what is happening and what
6 could be done to them. There's a threat of
7 taking over people's sovereign right for zoning
8 and communities. And we need to give people an
9 opportunity to have full discussions about what's
10 happening in their community.

11 We talk about affordable housing.
12 And not to do a Mitchell-Lama plan, not to do a
13 real affordable housing plan, just to do a plan
14 that would only create more expensive housing in
15 areas and communities that already have high rent
16 initiatives because of the AMI, is not addressing
17 the entire problem.

18 We need to pull this out of the
19 budget and have a full -- give communities an
20 opportunity to weigh in, give communities an
21 opportunity to step up and then let government
22 deal with it afterwards. But to do this in a
23 six-week period is not fair to residents all over
24 New York State.

25 Small property owners also have been

1 not getting the help that they need in this
2 budget in the last couple of years. We need to
3 do more to make sure that small property owners
4 that are already underwater -- every day in my
5 district I have a homeowner coming to me saying
6 they can't get their rent for three years, that
7 they're over \$10,000 to \$20,000 in arrears,
8 they're working three jobs to try to hold on to
9 their homes because they are behind with their
10 mortgage.

11 We need to do more for mortgage
12 relief, we need to do more in our tax relief for
13 people that can prove that they're underwater.

14 There's a lot more that I would want
15 to talk about in that area, but I'll leave it to
16 the point that we need to move the housing
17 compact and let the entire state have an
18 opportunity to weigh in on it. It's important
19 that we deal with that.

20 On other issues regarding housing,
21 we need to revamp the Office of Court
22 Administration. We should have a statewide
23 housing court to try to deal with the backlog, to
24 make sure that these things happen. And if we
25 don't take that responsibility to make that

1 happen, we're doing a disservice to the thousands
2 of people that are backlogged in housing court
3 now.

4 Also, there are other -- a lot of
5 good things in the bill, so I'm going to vote for
6 the resolution. But I think we have more work to
7 do to make sure that there's equity. There's
8 been 40 years of nonequity in this budget that we
9 have to make up. And we need to do the things
10 necessary --

11 (Loud sneeze.)

12 SENATOR COMRIE: -- to ensure that
13 all residents in New York State -- God bless
14 you -- can be able to --

15 (Laughter.)

16 SENATOR COMRIE: I thought you were
17 saying something else there for a second.

18 (Laughter.)

19 SENATOR COMRIE: But we need to
20 make sure that all residents in New York State
21 can benefit from this budget, can contribute to
22 the benefits of this state.

23 And I just want to finally say we're
24 not done with oversight on the MTA. We're all
25 going to be taking a hard look at that. But at

1 the end of the day we want to make sure that we
2 get more people taking the trains into the city,
3 that we have a better Penn Station plan that
4 allows the Thruway so that we can have
5 interconnectivity, so that people from all over
6 the Northeast region can come in and out of
7 Penn Station --

8 ACTING PRESIDENT PERSAUD: Senator
9 Comrie, how do you vote?

10 SENATOR COMRIE: -- or hopefully go
11 to Long Island and do the things necessary to
12 ensure that --

13 ACTING PRESIDENT PERSAUD: How do
14 you vote, Senator Comrie?

15 SENATOR COMRIE: -- New York can
16 remain the economic engine for the city.

17 I proudly vote aye.

18 ACTING PRESIDENT PERSAUD: Thank
19 you.

20 Senator Krueger.

21 SENATOR KRUEGER: Thank you, Madam.
22 I actually didn't think I needed to speak. Since
23 I've spoken quite a bit on this. I think most
24 people know I'm a strong yes vote.

25 Thank you, Madam President.

1 (Laughter.)

2 ACTING PRESIDENT PERSAUD: Thank
3 you.

4 Majority Leader Andrea
5 Stewart-Cousins to close.

6 SENATOR STEWART-COUSINS: Thank you
7 so much, Madam President.

8 So we are officially beginning the
9 middle of the budget. And as we go towards
10 enacting our state budget, first of all, I want
11 to thank our intrepid, intrepid Finance chair,
12 Senator Liz Krueger. Thank you so much,
13 Senator Krueger, for what you do for all of us.

14 SENATOR KRUEGER: Thank you.

15 SENATOR STEWART-COUSINS: And also
16 for -- I want to thank my deputy leader, Mike
17 Gianaris, for making sure, as usual, not only
18 that everything goes smoothly here but also
19 helping to steer the ship forward.

20 And to all of the Majority
21 Senators, thank you so much. And for all of the
22 Senators. What we do here is valuable to all of
23 New York, and our participation in making sure we
24 get to the right answers matters. So I want to
25 thank everyone.

1 And of course my incredible,
2 incredible staff, including my Secretary of
3 Finance Dave Friedfel; my Head of Counsel
4 Eric Katz; the director of intergovernmental
5 affairs, Loren Amor; my communications director
6 and his deputy, Mike Murphy and Jonathan Heppner;
7 and, again, all of the staff that makes sure that
8 every day we are prepared to serve New Yorkers.

9 And I'll give a shout out to the
10 Secretary, Ale Paulino, as well, who makes our
11 stay here comfortable.

12 When I spoke at the opening of the
13 2023 legislative session, I made it clear that as
14 we emerge from the pandemic our emphasis must be
15 on economic stability and affordability.
16 Unfortunately, record inflation levels continue
17 to hamstring our families, worsening the
18 affordability crisis and leaving many to wonder
19 how they will pay for today, much less tomorrow.

20 The Majority viewed this year's
21 budget as an opportunity, as we always do. This
22 one is important to stop the bleeding and to
23 bring much-needed relief to our working- and
24 middle-class New Yorkers who have been stretched
25 at both ends. That means putting hard-earned

1 dollars back into people's pockets by raising
2 wages and making housing more affordable. It
3 means doing our part to fight the climate crisis
4 while creating good-paying middle-class jobs for
5 workers who will build the infrastructure and get
6 us to our future. It means keeping the cost of
7 childcare down, college tuition down, and simply
8 getting to and from work under control.

9 Affordability generates opportunity.
10 And I'm proud that our one-house proposal
11 animates the values that we have always embodied
12 and allows us to put words into action on behalf
13 of people of New York.

14 We agree with the Governor that we
15 need to significantly increase New York's housing
16 stock. Communities across the state are
17 experience housing shortages where rents are
18 rising faster than incomes and the supply of
19 affordable homes are far below the demand.

20 Our proposal rejects mandates that
21 override local autonomy, but rather incentivizes
22 communities to build housing by providing
23 \$500 million for those localities that meet
24 growth targets.

25 But it's not enough to get people

1 into housing; we need to make sure they can stay
2 there. This conference has always stood on the
3 side of tenants and small homeowners. As a
4 result, our budget proposals include protections
5 and funding to support tenants and homeowners.

6 Even after people put down their
7 roots, they still have places to go. We
8 absolutely need reliable public transportation to
9 serve as the engine of our economy and keep our
10 residents interconnected. The MTA is the most
11 sophisticated form of public transit in the
12 United States and services over 2 million riders
13 a day. MTA failure is not an option.

14 But we must also remember that this
15 public good is only helpful if it's affordable.
16 That's why we reject fare hikes to subsidize MTA
17 costs. We can't fix the MTA's balance sheets on
18 the backs of working New Yorkers who rely on our
19 public transportation system. We've advanced a
20 responsible revenue plan that asks the most
21 profitable corporations to do their fair share,
22 rejects the increase to the payroll mobility tax,
23 and generates new revenue in New York City
24 without putting more costs on city property
25 taxpayers.

1 And, after years of advocacy, I'm
2 sure my friends on Long Island, just as we in
3 Westchester, we're happy that we are increasing
4 funding for non-MTA public transportation.

5 We're investing in human services
6 that communities depend on for their health and
7 well-being, and ensuring that no one is left
8 stranded in a healthcare desert. And although
9 we've overcome the worst of the COVID pandemic,
10 we are still dealing with the inequalities that
11 this devastating virus exposed in our society.

12 No one should be denied care based
13 on income, nor should anyone be unable to find
14 help due to resource constraints. That's why
15 we're advancing a billion dollars in additional
16 state funding for financially distressed and
17 safety-net hospitals, and hundreds of millions to
18 prevent Medicaid costs from being shifted onto
19 our local governments. We are also asking the
20 federal government to help us achieve the goal of
21 coverage for all.

22 We are accepting the Governor's
23 \$1 billion investment in mental health services
24 and adding an additional \$10 million to establish
25 the Daniel's Law pilot program in continuance of

1 our efforts to strengthen and coordinate mental
2 health outreach throughout our state.

3 The Senate Majority greatly values
4 the dedicated workers that care for New Yorkers
5 in need. That's why we are continuing to
6 champion Fair Pay for Home Care workers, we are
7 continuing to increase the salaries of day-care
8 workers, and we've proposed cost-of-living
9 increases for many of the public employees who
10 care for our most vulnerable populations.

11 We remain laser-focused on
12 Early Intervention being the best form of
13 prevention and will always advocate for resources
14 needed to help keep people safe and healthy.

15 One of the best things we can do is
16 to invest resources in education. For the past
17 three years we've made history with our
18 transformative cradle-to-college-to-career
19 pipeline, which supports the next generation
20 through every step of their schooling.

21 Now we want to protect access to
22 those opportunities. That's why our one-house
23 proposal rejects any calls to increase in-state
24 tuition for SUNY and CUNY. Instead, we're adding
25 over a billion dollars to improve access to

1 childcare for families, increasing funding for
2 UPK programs by 125 million, and fully funding
3 Foundation Aid for the first time in New York's
4 history. This is crucial in ensuring public
5 education is indeed public and not contingent on
6 a zip code.

7 In a significant victory for
8 New York's kids, we're providing 280 million for
9 universal school meals, which will require all
10 schools that participate in the National School
11 Lunch and Breakfast Program to serve breakfast
12 and lunch at no cost, a game-changer for the
13 health and success for so many of our students.

14 These are long-overdue investments
15 that not only serve us at the moment but will
16 yield even greater returns in the future.
17 Communities with better schools and greater
18 resources also have less poverty and lower crime
19 rates. Economic scarcity, lack of opportunity,
20 and easy access to guns enable crime to happen.

21 Data continues to prove no
22 correlation between any specific rise in crime
23 and bail reform around misdemeanors, so we will
24 follow the facts and continue to make changes if
25 and when necessary, while we invest in education

1 and programs that reduce crime.

2 We are reupping our investment into
3 gun violence prevention programs like SNUG,
4 providing funding related to the enforcement of
5 Extreme Risk Protection Orders, once again
6 supporting the implementation of Clean Slate, and
7 supporting the Governor's \$36 million investment
8 in the GIVE program to help local law enforcement
9 and communities prevent gun violence.

10 This budget is about creating new
11 opportunities at every turn to lay the groundwork
12 for a stronger tomorrow. But we can't get there
13 if our planet is uninhabitable. I'm incredibly
14 proud of our steps to meet our CLCPA goals and
15 reverse the climate change course. But we need
16 to go further. And that's why we're proposing
17 transformative measures to reduce emissions while
18 building a green economy powered by good union
19 jobs.

20 We're calling for a cap-and-invest
21 and climate change cost recovery program that
22 will hold polluters, past and future, responsible
23 for funding clean energy projects and climate
24 change mitigation. We're also increasing funding
25 for the Environmental Protection Fund and clean

1 water infrastructure.

2 In short, this budget is an
3 expression of our values. And the Senate
4 Majority Conference values a New York where
5 hardworking people can overcome current
6 challenges and take advantage of future
7 opportunities. We're a conference of building
8 the economy, creating good-paying jobs,
9 protecting our small businesses, protecting our
10 environment, providing a good-quality public
11 education, expanding access to housing and
12 healthcare.

13 These principles are present
14 throughout the Senate's budget proposal and will
15 guide us as we work with the Governor and our
16 Assembly partners to deliver a budget that will
17 translate our shared ideals into a better future
18 for all New Yorkers.

19 Madam President, I vote aye.

20 ACTING PRESIDENT PERSAUD: Thank
21 you, Madam Leader.

22 Announce the results.

23 THE SECRETARY: In relation to
24 Resolution 555, those Senators voting in the
25 negative are Senators Ashby, Borrello,

1 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
2 Lanza, Martins, Mattera, Murray, Oberacker,
3 O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec,
4 Tedisco, Walczyk, Weber and Weik.

5 Ayes, 42. Nays, 21.

6 ACTING PRESIDENT PERSAUD: The
7 resolution is adopted.

8 Senator Gianaris.

9 SENATOR GIANARIS: Madam President,
10 before we leave motions and resolutions, on
11 behalf of Senator Sanders I wish to call up
12 Senate Print 1144, recalled from the Assembly,
13 which is now at the desk.

14 ACTING PRESIDENT PERSAUD: The
15 Secretary will read.

16 THE SECRETARY: Calendar Number 83,
17 Senate Print 1144, by Senator Sanders, an act to
18 amend the Banking and Penal Law.

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

21 ACTING PRESIDENT PERSAUD: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 63.

25 ACTING PRESIDENT PERSAUD: The bill

1 is restored to its place on the Third Reading
2 Calendar.

3 SENATOR GIANARIS: I offer the
4 following amendments.

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

8 SENATOR GIANARIS: Is there any
9 further business at the desk?

10 ACTING PRESIDENT PERSAUD: There is
11 no further business at the desk.

12 SENATOR GIANARIS: I move to
13 adjourn until Monday, March 20th, at 3:00 p.m.,
14 intervening days being legislative days.

15 ACTING PRESIDENT PERSAUD: On
16 motion, the Senate stands adjourned until Monday,
17 March 20th, at 3:00 p.m., intervening days being
18 legislative days.

19 (Whereupon, at 2:52 p.m., the Senate
20 adjourned.)

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