NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 31, 2023

12:18 p.m.

REGULAR SESSION

SENATOR SHELLEY B. MAYER, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT MAYER: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT MAYER: Reading of the Journal.

THE SECRETARY: In Senate, Thursday, March 30, 2023, the Senate met pursuant to adjournment. The Journal of Wednesday, March 29, 2023, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Stavisky

moves to discharge, from the Committee on Rules, Assembly Bill Number 1060A and substitute it for the identical Senate Bill 1043A, Third Reading Calendar 153.

Senator Krueger moves to discharge, from the Committee on Finance, Assembly Bill Number 3002 and substitute it for the identical Senate Bill 4002, Third Reading Calendar 587.

ACTING PRESIDENT MAYER: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good afternoon, Madam President.

Amendments are offered to the following Third Reading Calendar bills:

By Senator Parker, Calendar Number 233, Senate Print 2474;

By Senator Comrie, Calendar Number 447, Senate Print 630.

ACTING PRESIDENT MAYER: The amendments are received, and the bills will retain their place on the Third Reading Calendar.

Senator Gianaris.

SENATOR GIANARIS: Can we now take up previously adopted Resolution 605, by Senator Bailey, read that resolution's title, and recognize Senator Bailey.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senate Resolution 605, by Senator Bailey, mourning the death of Bobby Caldwell, music industry icon, brilliant artist, and inspiration to millions around the world.

ACTING PRESIDENT MAYER: Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Madam President.

"What You Won't Do For Love" -- it's a statement. One of the best love songs of all time by one of my favorite artists of all time, Bobby Caldwell. We lost him last week.

But there's a really interesting story about Bobby Caldwell. You know, Bobby

Caldwell was a world-renowned artist who made a lot of incredible music, but he was what they called a "blue-eyed soul" singer. And "blue-eyed soul," for those of you who don't know, is when soul music is sung by people who are not necessarily African-American, Madam President.

And music is one of those things that can unify all of us, regardless of what we look like. And I think Bobby Caldwell teaches us never to judge a book by its cover. Because the story is, as legend would have it -- but actually as it would be true -- is that the record executives did not think that Black audiences would like Bobby Caldwell because he was a white man. But he sung with such soul.

So when his album came out, they took a picture of him that he liked, and they actually had a silhouette of him, so that you would not be able to tell whether -- that he was not an African-American. And as legend would have it, he went to a concert and the audience was stunned that Bobby Caldwell in fact was not Black.

But again, Madam President, it shows that soul is soul. And if you have it in your

soul, it doesn't matter what you look like or where you come from. Because "What You Won't Do For Love" is one of the greatest songs of all time. And one of our also dearly departed artists, DMX -- hailing from your town of Yonkers, New York, Madam President -- "What You Won't Do For Love" was DMX's favorite song. And he would sing it at karaoke places. It's been world-renowned on the internet. It's pretty awesome.

And I speak about hip-hop -- Bobby Caldwell was sampled by so many artists in using interpolations of his music. And he continues to live on in -- on a humorous note, there's a comedian called KevOnStage, and he did a bit about the day that he found out that Bobby Caldwell in fact wasn't Black, that he almost called out of work because it was so shocking and so surprising.

(Laughter.)

SENATOR BAILEY: But we shouldn't be surprised that music has the transformative power to change lives and to change perceptions of individuals. And sometimes maybe it takes that silhouette for us to realize that we all

have common ground that we can build upon.

The last thing I'll say is that the week before -- excuse me, that same day -- the day before Bobby Caldwell died on Tuesday, I was coming up here on Monday and I was listening to shuffle, and it had Bobby Caldwell's song "Open Your Eyes," which was sampled by the artist Common in his song "The Light." And may we all open our eyes to the great wizardry of Bobby Caldwell, who left us far too soon.

And, you know, I'll rap on the floor but I'll never sing on the floor, Madam President, but "What You Won't Do for Love" is one of the most incredible love songs ever. If you've never heard of it, I would implore you to go to whatever streaming service that it is that you have -- or if you have the vinyl, it sounds even clearer and cleaner.

But thank you, Madam President. I vote aye.

ACTING PRESIDENT MAYER: Thank you, Senator Bailey.

The resolution was previously adopted on March 28th.

Senator Gianaris.

SENATOR GIANARIS: Can we now move on to previously adopted Resolution 614, also by Senator Bailey, read that resolution's title, and once again recognize Senator Bailey.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senate Resolution 614, by Senator Bailey, mourning the death of Willis Reed, legendary Hall of Fame Center for the Championship New York Knicks, celebrated NBA All-Star, MVP, and Captain.

ACTING PRESIDENT MAYER: Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Madam President. This is my Tim Kennedy impression.

(Laughter.)

SENATOR BAILEY: Where's TK? Where's TK?

(Laughter.)

SENATOR BAILEY: Oh, man.

But 50 years ago, if you know -- if you know anything about me, you know I love rap music and you know I love the New York Knicks. And it's been 50 years since we won our last

championship. I think we're going to win it this year, Madam President. I hope so. Hope springs eternal.

But one of the driving forces in the 1970 and 1972 championships was The Captain, Willis Reed. We lost him a couple of weeks ago. One of the most pivotal moments of like Knick fan lore, or fandom -- even though I wasn't around, I read about it -- was in Game 7 of the 1970 championship. See, Game 6 he had sustained a severe injury to his thigh. It was later found out that it was going to be a tear of his thigh. And they did not think that Willis would be able to play, much less play successfully.

Willis limped out on the court to one of the most raucous crowd noises ever in Madison Square Garden, the world's most famous arena, and he scored the first two baskets of the game. And rarely ever would you say that four points in a basketball game would change the course of not just a game, not just a series, but history. But Willis Reed's two buckets in the opening minutes of that game changed the trajectory of the New York Knick franchise.

He played 27 minutes in that game,

and he didn't have the greatest stat line, but the fact that the intangible thing that happened -- (child screaming in balcony) -- maybe there are some Celtic fans or Brooklyn Nets fans here --

(Laughter.)

SENATOR BAILEY: And I understand, I understand.

(Laughter.)

SENATOR BAILEY: You know, but this is the Knicks' year, so.

But Willis Reed was affectionately known as The Captain. And sometimes when you're in a leadership position, you don't have to have the greatest stat lines. You don't have to score the most points or get the most rebounds or the most assists. Just your presence sometimes will inspire those.

And I think Willis Reed's presence -- and I would say I know Willis Reed's presence, by virtue of the interviews that have happened since, with other legends like Walt "Clyde" Frazier and Earl "The Pearl" Monroe and Dave DeBusschere and Bill Bradley and so many other Knick legends. And they said that

Willis Reed's presence on the court that day gave them a rush, that they knew that they can beat those Lakers. Those Lakers that were anchored by one of the greatest also of all time, Wilt Chamberlain. And that team was no -- there were no slouches. And so for Willis Reed to be able to play and do that was incredible.

He had a -- he went on to coach, he went on to be an executive in the front office with the New York Knicks, and he did a lot of community, you know, give-backs in his time. But I would just say that, you know, he -- you know, sometimes in this town -- New York City is, I think, the greatest sports town ever. And I happen to believe that when the New York Knicks are good, there is nothing like it in the entire city. And we've been waiting 50 years for a championship in New York City, and I'm hopeful that when we get that, there's going to be somebody else who rises to the occasion like The Captain did.

So may God bless the memory of Willis Reed, No. 19, born out of Louisiana, went to an HBCU, historically Black college or university -- you know, very important to note

that. And Willis, you know, if you're a Knick fan, you know that No. 19, The Captain, he's going to live forever in Knick fan lore. And maybe when we win the championship and we go on to -- go to the Canyon of Heroes soon, Madam President, we can hold up a banner in his honor.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Bailey.

Senator Sepúlveda on the resolution.

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

I remember -- first of all, I have nothing but the utmost respect for my colleague on his choice of the Knicks. I question his choice on baseball, being a New York Mets fan, but that's for another discussion.

(Laughter.)

SENATOR SEPÚLVEDA: I remember being six years old in 1970 and walking into the living room, where they had the black-and-white TVs, and my uncles screaming at the top of their lungs because some guy named Willis Reed was

coming back into the game -- I remember Wilt Chamberlain apparently had 45 points, 27 rebounds in Game 6 -- so he went to the coach and says "Put me in no matter what."

It was at that moment that I fell in love with the game of basketball. And I was so honored when the Knicks won again in 1973.

But I don't think many people know that Willis Reed was also Rookie of the Year, he was an MVP, and he was an executive in basketball, one of the first ones, and also a person who fought for civil rights and social justice throughout his entire life.

And so I have nothing but the utmost respect for Willis Reed. He will always live in Knick lore, and hopefully the Knicks in the immediate future will win the title, although I'm not too hopeful.

Thank you.

ACTING PRESIDENT MAYER: Thank you, Senator Sepúlveda.

The resolution was previously adopted on March 28th.

Senator Gianaris.

SENATOR GIANARIS: Thank you,

Madam President.

To correct the record, Senator Bailey has the best taste in sports teams of all sports.

(Laughter.)

SENATOR GIANARIS: And I know he would like to open these resolutions for cosponsorship, Madam President.

ACTING PRESIDENT MAYER: The resolutions are open for cosponsorship. Should you choose not to be a cosponsor on the resolutions, please notify the desk.

Senator Gianaris.

SENATOR GIANARIS: Please take up the reading of the calendar.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 153, Assembly Print Number 1060A, by Assemblymember Paulin, an act to amend the Education Law and the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 6. This act shall take effect 18 months after it shall

have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Canzoneri-Fitzpatrick to explain her vote.

SENATOR CANZONERI-FITZPATRICK: Thank you, Madam President.

I have some concerns regarding this bill. I understand the purpose, and I do applaud that. However, as a mom of four who -- you know, we have various health issues that are contraindicated by some of these drugs that are being able to be prescribed. And the scenario that I can see is that a minor could go to a pharmacist and get hormone replacement drugs or hormone contraceptives and then not have the -- and opt out of the ability for the pharmacist to consult with their primary care physician.

Some of these drugs have, you know, blood-clotting issues and other contraindications. And without the ability for a pharmacist to then consult with a primary care physician, I think we're putting our minors in great jeopardy to have other medical

contraindications.

So for that reason, I'm voting no on this bill. Thank you.

ACTING PRESIDENT MAYER: Senator Canzoneri-Fitzpatrick to be recorded in the negative.

Senator Stavisky to explain her vote.

SENATOR STAVISKY: Yes, thank you, Madam President.

In response, let me just say that with the repeal of Roe v. Wade, there has to be an opportunity for women to access birth control, and this is one method.

There are a lot of safeguards in this legislation. For example, the pharmacist, when he dispenses the drugs, has to do a self-screening questionnaire for the client, for the patient to fill out. There are additional safeguards. He must within 72 hours refer the patient to her primary care provider. And if there is none -- and he notifies the primary care provider.

There are a lot of safeguards. The most important one, I think, is that he can

refuse to fill the prescription.

So for all of these reasons, Madam President, I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 153, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads, Stec, Tedisco, Walczyk. Also Senator Martinez.

Ayes, 48. Nays, 15.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 265, Senate Print 527, by Senator Thomas, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 265, voting in the negative: Senator Walczyk.

Ayes, 62. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 349, Senate Print 2796, by Senator Breslin, an act to amend the Insurance Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

408, Senate Print 2088, by Senator Kavanagh, an act to amend the General Obligations Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 408, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Skoufis, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 42. Nays, 21.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 439, Senate Print 2820, by Senator Skoufis, an act to amend the Highway Law.

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 439, voting in the negative: Senator Brisport.

Ayes, 62. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 459, Senate Print 945, by Senator Gianaris, an act to amend the Election Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: In relation to Calendar Number 459, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 43. Nays, 20.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 488, Senate Print 4742A, by Senator Cooney, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 498, Senate Print 3392, by Senator May, an act to amend the Elder Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator May to explain her vote.

SENATOR MAY: Thank you, Madam President.

And I want to thank my colleagues. I want to thank the Aging chair for having brought this bill forward.

Naturally occurring retirement communities, or NORCs, are a wonderful New York State invention. They started in some of the big high-rise apartment buildings in New York City, where a lot of families moved in at the same time when the buildings were built, and then they aged

together in those buildings. And eventually you had a critical mass of people who were fairly elderly and in need of services of various kinds. And rather than moving them all to other kinds of retirement communities, they banded together and got services right there in their buildings.

And we in this state codified this into law as a -- as something we were going to support. And it expanded to something called Neighborhood NORCs as well. So there are some residential developments upstate that have been designated as NORCs. But in a city like mine, where we don't have high-rise apartment buildings, we have smaller apartment buildings, it's harder to create a NORC by the way the statute is created.

So I am very proud that we are now opening this innovation, this wonderful New York tradition, to some of our smaller cities and communities all across the state that may look a little different from the communities where they originally started.

So I am very pleased that we are passing this today, and excited that this opportunity will be available to seniors across

this state.

And I vote aye. Thank you.

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

Senator Cleare to explain her vote.

SENATOR CLEARE: Thank you, Madam President.

I want to thank Senator May for this very important bill.

And I rise not only to commend us for passing this out of my committee, because it will expand what NORCs are considered to be, but also it provides standards for the winding down of NORC communities to make sure that people are not left without services. And you know, we're going to be informing residents where they can get commensurate supportive services.

I think it's so important that we help our seniors age in place, help them stay in the neighborhoods that they know and they're familiar with. So I am very happy to support this bill, and I proudly vote aye and ask everyone else to do the same.

Thank you. Thank you, Senator May.

ACTING PRESIDENT MAYER: Senator

Cleare to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 525, Senate Print 4790, by Senator Rivera, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 525, those Senators voting in the negative are Senators Borrello, Rhoads and Walczyk.

Ayes, 60. Nays, 3.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 535, Senate Print 4505A, by Senator Liu, an act to amend the Education Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Chu to explain her vote.

SENATOR CHU: Thank you, Madam President.

I would like to thank Senator Liu for introducing this important piece of legislation that acknowledges and respects the diversity of students throughout the State of New York.

Our state is made up of various cultures, religions and experiences, and that's the beauty of New York. And that's why it is so important to protect those who have been historically targeted for their religious practice.

Schools are a place of learning and fostering positive environments, but for some this is not the reality. And it is our responsibility to change that for the better. Particularly as we are in the middle of Ramadan, we seek to respect the observance of these students and ensure that they are protected from all forms of discrimination.

And I'm proud to be a cosponsor of this bill. For these reasons, I vote aye.

So thank you, Madam President.

ACTING PRESIDENT MAYER: Senator Chu to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 547, Senate Print 3354, by Senator Skoufis, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 547, those Senators voting in the negative are Senators Borrello, Helming, Murray, O'Mara, Ortt, Walczyk and Weik.

Ayes, 56. Nays, 7.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 587, Assembly Print Number 3002, Assembly Budget Bill, an act making appropriations for the legal requirements of the state debt service.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

Senator Gianaris, that completes the reading of today's calendar.

SENATOR GIANARIS: Can we please move to the controversial calendar.

ACTING PRESIDENT MAYER: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 587, Assembly Print Number 3002, Assembly Budget Bill, an act making appropriations for the legal requirements of the state debt service.

ACTING PRESIDENT MAYER: Senator O'Mara, why do you rise?

SENATOR O'MARA: Thank you, Madam President. Through you, if I believe Senator Krueger would yield for a few questions on this.

ACTING PRESIDENT MAYER: Senator Krueger, do you yield?

SENATOR KRUEGER: Absolutely.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR O'MARA: Good afternoon, Senator. Thank you.

Now, this bill is the first budget bill we're bringing to the floor of this budget cycle, with probably another eight or nine or so bills to come.

How many of those other bills are ready to proceed?

SENATOR KRUEGER: I don't believe any of the other bills have gone to print yet,

Madam President.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes, I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR O'MARA: Senator Krueger, have the capital budget portions been agreed to yet?

SENATOR KRUEGER: Again, none of the bills have gone to print. Hence, everything is still under negotiation except for the one budget bill we have before us today.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes, I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR O'MARA: Senator Krueger,

what is the outstanding debt obligation of New York State?

SENATOR KRUEGER: State-supported debt is currently $58.5 billion for fiscal year '23.

SENATOR O'MARA: Thank you.

Madam President, if Senator Krueger will continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Absolutely.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR O'MARA: Senator, the New York State Constitution requires that state bonding be voter-approved. Of that nearly $60 billion figure you mentioned, how much of that has actually been approved by the voters of New York State?

SENATOR KRUEGER: The general obligation debt is $2.2 billion, which has been approved. The remaining debt are revenue bond debts, which is $56.2 billion.

And you are incorrect -- a 1994 case, Schulz versus State of New York,

established the state's revenue bond finance program and its financing is in fact constitutional debt and therefore is not a problem.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes, I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR O'MARA: Did the voters of New York have any say in that additional revenue bond debt that you mentioned in the $50 billion range?

SENATOR KRUEGER: The voters of the State of New York have something to say about what is in our Constitution. And when challenged in court as to whether this was constitutional, the courts ruled it was constitutional.

So I think it's reasonable to say that the people of New York did have a say in our Constitution and what it decides.

SENATOR O'MARA: Thank you.

Through you, Madam President, if Senator Krueger will continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes, I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR O'MARA: Senator Krueger, how much non-state-obligated debt is there through the various authorities of New York State? How much is that? My figures tell me it's in the range of $330 billion.

SENATOR KRUEGER: We believe it's approximately 224 billion through the authorities. So a bit lower than your numbers show.

SENATOR O'MARA: Thank you.

Through you, Madam President, would Senator Krueger continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR O'MARA: How much of

that -- whether you're right at 230 billion or my figure is right at 330 billion, or somewhere in between -- how much of that has been approved by the voters of New York State?

SENATOR KRUEGER: So of that, roughly 60 billion is the state-supported debt. And the remaining is -- so the remaining is under the authority of the individual public authorities to issue the debt. So that does not go before the voters.

SENATOR O'MARA: Thank you, Madam President. If Senator Krueger will continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: I do.

But I just want to clarify my last sentence. It's not technically state debt when it goes through the authorities.

SENATOR O'MARA: Thank you.

So, Senator, it's not technically state debt. And we're talking authorities like the MTA, the Thruway Authority and other ones. Those are probably two of the bigger ones that people are familiar with.

What is the obligation of New York State and New York State taxpayers to pay that debt?

SENATOR KRUEGER: Excuse me. Just to make sure I'm understanding the question correctly, that is assuming that for some reason the authorities were to default on their obligations? Is that the question?

SENATOR O'MARA: Yes, that's the question.

SENATOR KRUEGER: Thank you.

So my understanding is that if an authority defaults on its debt, the responsibility is the authority's, not the State of New York.

It brings up an excellent question, which I think is the really core of this discussion today: What if governments fail to pay their debts? And unfortunately, the answer is crisis. Banks fail. Recessions start. People lose their jobs. Pensioners are disproportionately invested in bonds, underwritten bonds the State of New York bonds through our authorities. Truly, there would be statewide crisis if not actually, with a state

the size of New York, national crisis.

So this is why I'm asking my colleagues today to please vote yes on this bill, because I feel very strongly we can't possibly do anything that would put at risk the State of New York and the money of so many people in the State of New York if we failed to pay our debts and if we started a train that we wouldn't be able to stop of there being possible default on debts owed by the State of New York or its related authorities.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: I will.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR O'MARA: In light of that, is there anything in this bill before us today obligating the state to make payments on the MTA debt, the Thruway Authority debt, other authorities' debt?

SENATOR KRUEGER: No specifics, no.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR O'MARA: I agree with you, Senator, that there certainly would be crisis if any of these major authorities were to collapse in debt.

And while New York State itself and New York State taxpayers are not be obligated as guarantors of that debt, would there really, for all intents and purposes, be any choice but the state and the New York State taxpayers to step up and take the obligation of making good on that debt for those authorities?

SENATOR KRUEGER: Knock on wood, we have not had that situation occur in the State of New York. So I don't know how the State of New York would respond.

Since my colleague chose to use the MTA as an example, I guess I would highlight that

if the MTA were to be in so much trouble that it were to default on any of its debt, it would clearly message that the MTA was in a complete crisis and meltdown.

And since the economy of the 12 southern counties of this state are completely dependent on a functioning MTA, that would by definition trigger an economic meltdown in the 12 southern counties of the state, which are often referred to as the economic breadbasket of the state.

So I think something like that not only would be a statewide crisis but would require the State of New York to come up with an answer fast.

So, is there an obligation in law? No. Would there be an obligation in the sense of our responsibility to the people of New York, wherever they live, to make sure something like this did not happen or then in fact domino throughout the state -- and, I would argue, if it was the MTA, the entire multistate region? Yes, I think we would be required to take action to make sure that didn't happen.

SENATOR O'MARA: Thank you,

Senator.

Madam President, if Senator Krueger will continue to yield.

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

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR O'MARA: Senator, I agree with you, and I have no doubt that this body and the other house and the Governor would certainly have to take action on that. Yet none of that debt, I guess my point is, has been really approved by voters, although for all intents and purposes we'll be making good on it if need be.

But for all that authorities' debt that's out there, none of that is accounted for in this bill before us today that has appropriation authority of up to $15.6 billion for payment of the state's outstanding obligations, correct?

SENATOR KRUEGER: That's correct.

This bill is to guarantee to the people we owe money to that we are going to continue to pay money to them as our state fiscal

year rolls over to the next fiscal year. So it is to assure the people who we have borrowed money from and owe that money to that we are good for our commitments, there is no reason for them to be concerned that the State of New York will not continue to pay the debts we owe them.

And those are the numbers within this bill because those are the monies we, the State of New York, owe them from our General Fund budget and other categories within the budget.

SENATOR O'MARA: Thank you, Senator.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes, I will.

ACTING PRESIDENT MAYER: Yes, the Senator yields.

SENATOR O'MARA: So my reading of the bill with the $15.6 billion of payment authority in this bill, it -- there's only really clarified payments of about 3.5 billion to actually be made throughout the course of the fiscal year out of that authority of

15.6 billion.

SENATOR KRUEGER: Basically correct. We show 15.7, of which 3.5 billion is cash. But I'm prepared to, you know, agree -- 0.6, 0.7, about the same, yes.

SENATOR O'MARA: Thank you, Senator.

Through you, Madam President, if Senator Krueger will continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes, I will.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR O'MARA: I would agree that may well be a rounding error, up or down, to get to that.

But anyway, so that leaves a gap of slightly over $12 billion for what we're anticipating paying throughout the course of the year than what we're approving to be paid over the course of the year.

SENATOR KRUEGER: Approximately, yes.

SENATOR O'MARA: Does that --

through you, Madam President, if Senator Krueger would continue to yield.

ACTING PRESIDENT MAYER: Senator, do you continue to yield?

SENATOR KRUEGER: Absolutely.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR O'MARA: Then does that roughly $12 billion of gap there, does that account for what's projected to be approved in the capital budgets that may be forthcoming?

SENATOR KRUEGER: So this would give us the authority to do this much additional borrowing.

But we sincerely don't know the exact numbers because we haven't negotiated a full budget, so it is quite possible that we would be giving authority that would not be used in the next year to actually borrow against.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR O'MARA: Is this bill giving authority to make payments on whatever new debt may come out of the budget this year in payments on that obligation?

SENATOR KRUEGER: Yes. Although you usually don't end up having to start the payments in the same months that you're borrowing money. So conceivably there would be some initial interest payments on money that was borrowed in the fiscal year, but usually you're talking about paying that money out in the outyears.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes, I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR O'MARA: Would you agree that -- the figure I have is that there's basically a projection in the draft budgets that

are out there now that there would be another new about $9.8 billion in new debt if the budget bills actually come in kind of where we are now?

SENATOR KRUEGER: That's the Governor's number, not our number. So we sincerely don't know what the final number will be at this time.

SENATOR O'MARA: Through you, Madam President, if Senator Krueger would yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR O'MARA: What is that number in the Senate's one-house bill, as far as projected new debt?

SENATOR KRUEGER: In our one-house, we believe that the approximate borrowing would be 10 billion.

SENATOR O'MARA: Thank you, Senator.

Madam President, if the Senator will continue to yield.

ACTING PRESIDENT MAYER: Do you

continue to yield?

SENATOR KRUEGER: Yes, I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR O'MARA: In the projected 3.5 billion of estimated payments that's being approved in this bill, how much of that is payments going towards the $8 billion Unemployment Insurance Fund loan that we owe the federal government?

SENATOR KRUEGER: The unemployment fund is a completely separate issue and set of responsibilities, so none of this money relates to paying back the federal loans to the unemployment fund.

SENATOR O'MARA: Thank you, Senator.

On the bill, Madam President.

ACTING PRESIDENT MAYER: Senator O'Mara on the bill.

SENATOR O'MARA: I certainly concur and fully support this house taking action on our obligation to pay the debt that we have outstanding.

And those payments here are roughly

in the range of $3.5 billion. However, this authorization goes far beyond that to provide appropriation authority of $15.6 billion, in excess of $12 billion -- for what, we don't know. We don't have the budget bills before us to know what that's going to be, and we certainly want to pay our bills that are due.

So not that this bill in itself is premature, because we're going to pass the budget deadline in about 11 hours from now. We clearly will not have a budget, so we want to make it clear to our lenders that the state is going to make good on its obligations. But those payments for the year at this point are about $3.5 billion, $12 billion less than what's being approved through appropriation in this bill.

And yet even with that, none of the $8 billion owed to the federal government for our Unemployment Insurance Fund is being paid for through this debt service bill.

So I would urge a no vote, a no vote on this bill as a whole. I certainly support the payment and approval of paying our obligations of the 3.5 billion and think that this body should be approving that today, at the eleventh hour of

when a budget is due, because we can always come back and amend this at the time we're passing the rest of the budgets, particularly the capital portions of the budget, that will change what the bonding might be throughout the year and what the payments might be.

And I don't think we need a gap on our obligation of 3.5 billion, that we need another 12 billion approval on top of that at this point.

Thank you, Madam President. I would urge a no vote and that this bill be amended to cover the 3.5 billion at this point and then modified, amended, as we get the rest of the budget put together. Thank you.

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

Senator Walczyk, why do you rise?

SENATOR WALCZYK: Through you, Madam President, I wonder if the chair on Finance would yield for some questions.

ACTING PRESIDENT MAYER: Senator Krueger, do you yield?

SENATOR KRUEGER: Of course I do.

ACTING PRESIDENT MAYER: Yes, the

Senator yields.

SENATOR WALCZYK: Do we have a financial plan for '23-'24 in writing right now for the State of New York?

SENATOR KRUEGER: We have the Governor's proposed, with her Executive Budget. We have the version we gave out to you for our one-house. I'm sure the Assembly had one also.

But since we continue to negotiate pretty much all of the revenue and expenses for the State of New York for the coming year, no, we do not have a final one.

SENATOR WALCZYK: And through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR WALCZYK: When was the last public hearing on any of these budget bills or this process?

SENATOR KRUEGER: You mean the last budget hearing?

SENATOR WALCZYK: Yeah, we sat in the room together --

SENATOR KRUEGER: No, I remember, I'm just trying to remember the last date. I want to say it was -- the 27th? The 27th of February, I believe.

Do you know the answer? Was this a test question? I spent a lot of days in that room.

SENATOR WALCZYK: Through you, Madam President, I think it was right around the end of February, beginning of March, I think was the last time we heard from the public on this budget, a month ago.

SENATOR KRUEGER: Oh, no. We keep hearing from the public on this budget. I could give you my emails from literally when I've been in this room.

March 1st was the last hearing, excuse me.

SENATOR WALCZYK: March 1st.

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

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

SENATOR KRUEGER: Yes, I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR WALCZYK: So this is the fist budget bill that we're taking up, the debt service bill. Are the other nine or 10 bills in print today as we take this up?

SENATOR KRUEGER: You know, I believe Senator O'Mara asked me that question and I said this was the only bill in print today.

SENATOR WALCZYK: Thank you.

Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Walczyk on the bill.

SENATOR WALCZYK: So this is the debt service bill in the State of New York. This pays the state's mortgages and loans to the tune of $66 billion. It also pays the minimum on the state's credit card.

And what this body is bringing forward here today is asking that credit card to increase our limit without knowing what we are even going to spend. The Governor proposed $127 billion; you proposed 136 billion.

This is not your money. This is not

the Governor's money. This is not your debt that you're accruing or planning for. This is not an increase in a credit card that you have in your wallet. This is the increase of the taxpayer of the State of New York in the future generations in this state. It belongs to your children, your grandchildren, and your grandchildren's grandchildren.

Do you think this state should pay the bills? Of course. Yeah, we think we should pay the bills. But this budget is due at midnight tonight. We have no idea what the spending plan is. Nothing is in print. And we haven't heard from the public, as you can hear, officially on what any plan is. Sure, you hear feedback, but it's feedback into darkness, because there's been no public hearings in over a month.

There's a total lack of transparency, and there's absolutely no excuse for it. You're spending other people's money and you're assuming debt on their behalf without a spending plan.

Madam President, I vote no.

ACTING PRESIDENT MAYER: Senator

Tedisco on the bill.

SENATOR TEDISCO: Thank you, Madam President.

The fact that this is the debt service bill, where there's really not much debate about this on your side, I don't think, and nine other parts of the bill are not ready to be discussed on behalf of the people of State of New York -- I hate to have to say this to you, but arguably you have failed to do the most important thing you are elected to do, and that is pass a good, balanced, timely budget which helps the quality of life in the State of New York and makes sure we keep people in this state.

And I think we all realize that all levers of power are controlled by my colleagues on that side and the colleagues on the other side in the Assembly, and the Governor. Super-majorities. You've been given a super-majority in this house, in the Assembly a super-majority. You have a Governor of your affiliation. If I had to define the process to get to this point, we don't know what the final process will look like right now. We know this

is a part of it, this debt service.

And I want to tell you, many of us along the way in relationship to this bill have not voted for this debt. When you listen to the Comptroller, he talks about how about paying as you go along on occasion? We just had a $4.2 billion infrastructure environmental bond that was passed which added to debt. We got more debt here. If I had to define the process to get to this point, it's kind of like the Titanic moving towards the iceberg. Now, it looks like it's in slow motion, but it is going full steam. But one caveat left. You're not rearranging the chairs, you're rearranging less than the chairs on the Titanic. You're doing less than that right now to get to this point with that much power.

You all had the understanding of when the budget should be passed. You all had an understanding of what the differences are with the Governor, with you and the Assembly. And right now we're standing here with less than one-tenth of the budget, or maybe one-tenth of the budget being done, moving into we don't know how many days it's going to be late.

So I have to tell you, first of all, I'm not going to vote for paying a debt service on debt that I and I think my constituents didn't agree to, because not much of this was put on the ballot to vote for my constituents. But, I mean, the process itself is arguably the worst you could have had with all that power.

If you can't get the single most important thing you're expected to do in a timely fashion, controlling both houses and the Governor, I think if we lost 319,000 people last year, we're going to lose 600,000 in the upcoming year, because they're talking about they can't afford to live here anymore.

Not one of these bills spends less than $7 billion. You're spending up to $16 billion more when you combine what the Governor wants to spend -- and I'm not sure they're doing that much better in the Assembly.

So I'm not going to be voting for this. And I want to see what it looks like when you hit that iceberg and the chairs of the deck go flying off the ship and you impact our quality of life even worse and that bleeding continues to happen.

So, very disappointed that the budget's not in place. My constituents sent me here to tell you that. And we're very hopeful that you can look back and really look at the fact you're not just Senators, you're not just Assemblypeople, you're representatives. What does a representative do? It listens to its constituents. Every survey, every poll says the two top areas -- affordability, we can't afford to live here, and public safety.

You took the one thing out so far that the Governor put in here which made some sense. Forty-nine other states do it, talk about the dangerousness of those individuals before our judges and giving them the opportunity to have discretion. You took that out of the budget.

So you're doubling down so far -- I want to see the final analysis -- on the two most important things in the surveys that our constituents are talking to us about. It's not only Republicans. On those two most important issues, it's Democrats and Republicans.

So I can't be confident in voting for this, and I'm certainly not confident going forward, from what I've seen in the process.

Thank you, Madam Speaker.

ACTING PRESIDENT MAYER: Senator Borrello on the bill.

SENATOR BORRELLO: Thank you, Madam President.

So I realize the argument is we have to pay our debts. And that's about $3.5 billion. Yet we're opening up a line of credit for 15.6 billion. And as Senator O'Mara pointed out, we really have no idea where that money's going.

What makes this egregious, in my opinion, is the fact that New York State opened up a line of credit for $11 billion on behalf of every business owner in New York State, every small business owner and everyone else. Governor Kathy Hochul didn't address it in her budget, didn't address it at all. Our Senate one-house didn't address it. But we're saying, Well, you know what, we might need another $12 billion for something else.

And what makes that particularly concerning for me at this moment is that there's really been no movement on deciding what we're going to spend. And you're saying now, to all the people out there, all the people that come

into the halls here and demand more free stuff, that there's an extra $12 billion for you to spend on more free stuff. And that's why this is irresponsible.

It's irresponsible because we're opening up this line of credit while we have yet to address the fact that every single business owner, every single employer is paying an extra $200 per employee just because of the debt that was racked up on their behalf by state government. And we've ignored that debt. And we've continued to ignore that debt.

So how can we say we're going to lend a little bit more, spend a little bit more, when we can't even tell you what we're going to be spending it on?

I vote no. Thank you.

ACTING PRESIDENT MAYER: Senator Gianaris.

SENATOR GIANARIS: Madam President, we've agreed to return this bill to the noncontroversial calendar.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you.

I want to thank all my colleagues, and for the dialogue today.

I just want to reinforce some people have a frustration with the other bills of the budget, but we're not on the other bills of the budget. But we will get there.

And what it is really important today to understand is this bill says let's keep paying our debt. And yes, it has appropriation language that would allow us to borrow, but only if within the other bills of the budget we decide to do so. So it doesn't mean that money is going to be spent or how that money is going to be spent, because that's not what's before us today.

But I want to reinforce -- and it was mentioned that why should I vote yes, maybe this wasn't even debt I had signed on to. Well, I was in the Minority here many more years than

I've been in the Majority here, and every year we do a bill like this, and every year I voted yes, whether in the Minority or the Majority, because I actually do understand, and I'm hoping everyone understands, to not commit to paying our debts would be basically the biggest financial crisis we could imagine setting up for ourselves.

The last state to default on its obligations was Arkansas in 1933. It took them over 40 years to dig themselves out of the crisis that was created by that, and it was created during the Depression. So it's been a long time.

There are other countries around the world that have gone into sovereign debt crises, very often because of civil war or collapse of the government or complete collapse of their economic structure, and then the storylines just get worse and worse from there.

We are literally watching, in Washington, D.C., a debate continue of whether the federal government is going to raise its debt ceiling to avoid a crisis that -- there's data showing the impact on New York State alone if that issue doesn't get addressed.

So we can have our partisan fights,

and we're supposed to. We can disagree about what's in the overall budget, expenditures and revenues, and we're supposed to. We can agree we don't want to be late, and we are running a little late. But we should also admit that's happened before, and thanks to options we have available, frankly other than us not getting paid, everybody else in the State of New York will continue to get paid, and the state will continue to function.

Even though I agree, I would prefer to be closer to the actual deadline. But I also prefer a good budget to a budget I am not happy with.

But if we were to actually somehow change the outcome of this vote today -- and I hope we won't -- and say no, we're not going to pass the debt service bill, we are not going continue to make our payments, I think one could comfortably say it would be the worst vote any individual in this house ever took. Because what they would be unleashing would be a Pandora's box that I'm not sure if we would know how to close.

So I am urging my colleagues, even if they've had their discussion about the

imperfection of our entire system, don't make it worse by actually putting the State of New York in a position where we wouldn't be legally able to make good on our debt. Please vote yes.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Senator Krueger to be recorded in the affirmative.

Senator Rhoads to explain his vote.

SENATOR RHOADS: Thank you, Madam President.

I think there probably is nothing that is more symbolic of Albany under one-party rule than what we are seeing unfold before us when it comes to the State Budget.

We are supposed to have a budget in 10 hours and 43 minutes from now. Right now we are debating Budget Bill No. 1. There is no hope that there will be Budget Bills 2, 3, 4, 5, 6, 7, 8, 9 or 10 anytime in the near future. In fact, we are probably moments away, after we take this vote, from gaveling out to come back on Monday -- conceding that there will be no budget by the deadline.

What we have before us, the only thing we have before us to consider, is what

New York is known for -- debt. And the bill that's before us is not a bill to pay the debt service on the debt that we owe. That's only $3.5 billion. If this bill only had $3.5 billion -- which, so the public understands, is not to pay off the state's debt but merely to pay the interest that's owed on the state debt -- you would probably have 63 votes. But this isn't a $3.5 billion bill. This is a $15.6 billion or $15.7 billion bill. But what's a hundred million dollars between friends, right?

Money that the taxpayers owe. Four and a half times more than what we actually need to pay the state's debt. That's why there are going to be "no" votes today. Because we're not talking about what we owe, we're talking about prospectively what we may owe after we have a chance to take a look at the eight or nine other budget bills that are going to be advanced.

And this doesn't even address the entirety of the state's debt -- 8.1 billion for the Unemployment Insurance Fund. Our employers are paying for that. The state's not paying for that. We incurred the debt, and we're pushing it off.

We mentioned the MTA. The MTA is hemorrhaging cash. They won't default, because we keep going back to the taxpayers through congestion pricing, through the MTA payroll tax -- billions and billions of dollars that we're sucking out of our state's economy to keep the entity afloat.

The bottom line is I'm voting no to this bill today not because we want to default on the state's obligations, but because we continue to ignore that those obligations are being paid by 20 million people who are counting on us to do our jobs. And we continue to keep them last in the equation instead of putting them first.

I ask you to record my vote in the negative.

ACTING PRESIDENT MAYER: Senator Rhoads to be recorded in the negative.

Senator Lanza to explain his vote.

SENATOR LANZA: Thank you, Madam President.

I just want to join Senator Rhoads in explaining my vote in the same way, basically.

You know, to clarify for the people back home, voting no is not some vote that is

going to more quickly usher in the apocalypse here. As has been said, we believe that we ought to pay our past debts. This goes well beyond that. The world will not come to an end if we vote no here on this bill.

What will happen, and what we're suggesting, is let's come back and do what everyone is saying we need to do, and that which if we do not do, things will, you know, spiral out of control. Put a bill on the floor that pays our past debt. Instead of putting a bill on the floor that not only does that but gives -- you know, creates this new line of credit for some future and looming spending spree, the details of which no one in the State of New York knows anything about.

So, Madam President, I'm voting no, my colleagues are voting no not because this bill pays the past debt, but because it goes well beyond and puts the State of New York and its people further in debt. And at the end of the day, we know who gets the bill when that credit card statement comes in. It's handed to the taxpayers, the people of the State of New York.

That's why, Madam President, I'll be

voting in the negative.

ACTING PRESIDENT MAYER: Senator Lanza to be recorded in the negative.

Senator Gianaris to explain his vote.

SENATOR GIANARIS: Madam President, once again it falls to me to correct the record because of the misstatements of some of my colleagues in the Minority.

It is laughable to suggest that one-party rule is a cause of late budgets in this state. It is a complete ignorance of history and even recent history of this state. The Republicans controlled this State Senate for much of the last century, and late budgets were a norm up until recently. In fact, there was a time in the nineties when, under the Republican Majority in the Senate, the budgets were late by four and five months. We're talking about a couple of days here.

So give me a large break when you try and suggest that that's because of one-party rule in this state. Because when the Republicans held the Majority, they did a lot worse. And by the way, they passed debt relief bills also as

part of the budget process. Because that's what happens, that's the responsible thing to do, and that's what keeps the state functioning.

One of my colleagues mentioned or made an analogy to the Titanic. Well, what they're suggesting in trying to defeat this bill is not waiting for the iceberg, they would just take out a drill, puncture the hull of the ship, and let it sink right now. Because that is what would happen if New York was unable to fulfill its debt obligations.

So I understand it's frustrating to be in the Minority and not make decisions about the direction of this state. That's where the voters put you all. We'll all have to live with it. I was there once. It's not fun, I get it. But let's make the rhetoric match the reality a little bit more.

I vote yes, Madam President.

ACTING PRESIDENT MAYER: Senator Gianaris to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 587, those Senators voting in the negative are Senators Borrello

Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 43. Nays, 20.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gianaris, that completes the reading of today's calendar.

SENATOR GIANARIS: Is there any further business at the desk?

ACTING PRESIDENT MAYER: There is no further business at the desk.

SENATOR GIANARIS: Madam President, I move to adjourn until Monday, April 3rd, at 12:00 noon, intervening days being legislative days.

ACTING PRESIDENT MAYER: On motion, the Senate stands adjourned until Monday, April 3rd, at 12:00 p.m., with the intervening days being legislative days.

(Whereupon, at 1:24 p.m., the Senate adjourned.)