NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

April 3, 2023

12:38 p.m.

REGULAR SESSION

SENATOR JEREMY A. COONEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

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

THE SECRETARY: In Senate, Sunday, April 2, 2023, the Senate met pursuant to adjournment. The Journal of Saturday, April 1, 2023, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, just to inform members about the plan for the day.

We are awaiting an extender, a budget extender bill from the Governor that will then be given to the Minority for their review. And so we are going to stand at ease while we wait for that process to unfold. We anticipate at some point today taking that bill up.

So the Senate will stand at ease.

ACTING PRESIDENT COONEY: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 12:40 p.m.)

(Whereupon, the Senate reconvened at 3:48 p.m.)

ACTING PRESIDENT COONEY: The Senate will come to order.

Senator Gianaris.

SENATOR GIANARIS: Mr. President,

there will be an immediate meeting of the Rules Committee in Room 332.

ACTING PRESIDENT COONEY: There will be an immediate meeting of the Rules Committee in Room 332.

SENATOR GIANARIS: The Senate will go back to standing at ease.

ACTING PRESIDENT COONEY: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 3:48 p.m.)

(Whereupon, the Senate reconvened at 3:58 p.m.)

ACTING PRESIDENT COONEY: The Senate will return to order.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, there's a report of the Rules Committee at the desk.

Can we please take that up.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Senator Stewart-Cousins, from the Committee on Rules, reports the following bill:

Senate Print 6200, by Senator Krueger, an act making appropriations for the support of government.

The bill reports direct to third reading.

SENATOR GIANARIS: Move to accept the report of the Rules Committee.

ACTING PRESIDENT COONEY: All those in favor of accepting the report of the Rules Committee signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT COONEY: Opposed, nay?

(No response.)

ACTING PRESIDENT COONEY: The report of the Rules Committee is accepted.

Senator Gianaris.

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

ACTING PRESIDENT COONEY: There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Krueger moves to discharge, from the Committee on Rules, Assembly Bill Number 6063 and substitute it for

the identical Senate Bill 6200, Third Reading Calendar 588.

ACTING PRESIDENT COONEY: Substitution so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 588, Assembly Bill Number 6063, by Assemblymember Weinstein, an act making appropriations for the support of government.

SENATOR GIANARIS: Is there a message of necessity and appropriation at the desk?

ACTING PRESIDENT COONEY: There is a message of necessity and appropriation at the desk.

SENATOR GIANARIS: I move to accept the message.

ACTING PRESIDENT COONEY: All those in favor of accepting the message please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT COONEY: Opposed, nay.

(Response of "Nay.")

ACTING PRESIDENT COONEY: The

message is accepted, and the bill is before the house.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT COONEY: Lay it aside.

Senator Gianaris.

SENATOR GIANARIS: Please go to the reading of the controversial calendar.

ACTING PRESIDENT COONEY: Just to clarify, Senator Gianaris, that completes the reading of the supplemental calendar.

We will go to the controversial calendar.

SENATOR GIANARIS: Thank you.

ACTING PRESIDENT COONEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 588, Assembly Print Number 6063, by Assemblymember Weinstein, an act making appropriations for the support of government.

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

SENATOR O'MARA: Yes. Mr. President, I was wondering if the sponsor

would yield for a few questions on this.

ACTING PRESIDENT COONEY: Senator Krueger, do you yield?

SENATOR KRUEGER: Of course I will.

ACTING PRESIDENT COONEY: Senator Krueger yields.

SENATOR O'MARA: Good afternoon, Senator Krueger.

Why didn't we do this bill last Friday when everybody was already here?

SENATOR KRUEGER: The Governor only handed it to us today. This afternoon, even.

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

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR KRUEGER: Of course.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR O'MARA: Is this -- this bill then was put forth by the Governor, basically a program bill, as we normally call them, coming from the Governor at this point?

SENATOR KRUEGER: I think we

usually call these extender bills.

But yes, it came with a message of necessity from the Governor today.

SENATOR O'MARA: Through you, Mr. President.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR KRUEGER: Of course.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR O'MARA: You know -- and I understand why we're doing this and am supportive to keep government going, albeit this Legislature and the Executive has again failed to pass an on-time budget.

But the workers of New York State, various entities, and the recipients of services from New York State, you know, I think deserve that their government continues despite our inability to do our jobs timely.

This is an extender for just 10 days from -- retroactive to April 1st till next Monday, April 10th?

SENATOR KRUEGER: Yes, it ends April 10th, that's correct.

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

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR O'MARA: So -- and we have to do this today for the Comptroller so that payroll for the state workers that are paid this week, this Wednesday, that can be processed in time to get to them for this week's payroll, correct?

SENATOR KRUEGER: Through you, Mr. President, not only yes, but I feel my colleague knows the answers to these questions before he asks them. Yes.

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

ACTING PRESIDENT COONEY: Will the Senator yield?

SENATOR KRUEGER: Certainly.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR O'MARA: Does this extender do anything with the pay for the Governor?

SENATOR KRUEGER: No.

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

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR O'MARA: So through this bill, going until next Monday, the house will be at ease throughout the Passover and Easter holidays, and we'll be back here at it again Monday.

Will the majorities be engaged in continued budget negotiations in between the specific holiday periods of the next week?

SENATOR KRUEGER: My understanding is yes, that if the Governor is calling for three-way discussions between herself and the leaders and/or staff, that there will continue to be negotiations through next Monday.

SENATOR O'MARA: Through you,

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

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR O'MARA: Senator, has there, at the negotiations thus far, been any table targets set for the various sections of the budget to be able to close those areas down?

SENATOR KRUEGER: No, I do not believe so.

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

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR O'MARA: Senator Krueger, do you know when the next scheduled negotiating session is with the Executive and the legislative leaders and whether table targets are going to be

reached at the next meeting?

SENATOR KRUEGER: So my understanding is that the leaders meet with the Governor at the request of the Governor. And as of walking in this room a few minutes ago, I have not heard that she had requested another meeting at this point. But somebody may have more recent information than myself.

And no, I don't believe that discussing table targets is necessarily a priority in any given specific meeting that might take place.

SENATOR O'MARA: Thank you, Senator.

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

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR O'MARA: Aside -- from what I see, this bill is pretty much a bare-bones extender of just state operations for this 10-day period.

Are there any policy issues in here that the Governor inserted that we're approving today?

SENATOR KRUEGER: No, I don't believe there's any policy changes.

It's pretty much what we call a straight extender for the money that absolutely must be made available the next 10 days to make sure that our government continues to operate and the employees of the State of New York, other than the legislators, continue to get paid.

SENATOR O'MARA: Thank you, Senator Krueger.

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

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR O'MARA: Senator, can you tell us what the total appropriation is for this 10-day extender?

SENATOR KRUEGER: $592.5 million.

SENATOR O'MARA: Thank you,

Mr. President. Thank you, Senator Krueger.

SENATOR KRUEGER: Thank you.

SENATOR O'MARA: That's all I have.

ACTING PRESIDENT COONEY: Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed.

Senator Gianaris.

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

ACTING PRESIDENT COONEY: The bill is returned to the noncontroversial calendar.

The Secretary will read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 61.

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

SENATOR GIANARIS: I move to adjourn to the call of the Temporary President of the Senate, with the intervening days being legislative days.

ACTING PRESIDENT COONEY: On motion, the Senate stands adjourned until the call of the Temporary President, intervening days being legislative.

(Whereupon, at 4:07 p.m., the Senate adjourned.)