

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

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

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

15 THE SECRETARY: In Senate, Sunday,  
16 April 2, 2023, the Senate met pursuant to  
17 adjournment. The Journal of Saturday, April 1,  
18 2023, was read and approved. On motion, the  
19 Senate adjourned.

20 ACTING PRESIDENT COONEY: 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: Mr. President,  
7 just to inform members about the plan for the  
8 day.

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

15 So the Senate will stand at ease.

16 ACTING PRESIDENT COONEY: The  
17 Senate will stand at ease.

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

20 (Whereupon, the Senate reconvened at  
21 3:48 p.m.)

22 ACTING PRESIDENT COONEY: The  
23 Senate will come to order.

24 Senator Gianaris.

25 SENATOR GIANARIS: Mr. President,

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

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

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

8                    ACTING PRESIDENT COONEY:     The  
9       Senate will stand at ease.

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

12                   (Whereupon, the Senate reconvened at  
13       3:58 p.m.)

14                    ACTING PRESIDENT COONEY:     The  
15       Senate will return to order.

16                    Senator Gianaris.

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

20                    Can we please take that up.

21                    ACTING PRESIDENT COONEY:     The  
22       Secretary will read.

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

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

4                   The bill reports direct to third  
5           reading.

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

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

11                   (Response of "Aye.")

12                   ACTING PRESIDENT COONEY:   Opposed,  
13          nay?

14                   (No response.)

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

17                   Senator Gianaris.

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

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

22                   The Secretary will read.

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

1 the identical Senate Bill 6200, Third Reading  
2 Calendar 588.

3 ACTING PRESIDENT COONEY:  
4 Substitution so ordered.

5 The Secretary will read.

6 THE SECRETARY: Calendar Number  
7 588, Assembly Bill Number 6063, by  
8 Assemblymember Weinstein, an act making  
9 appropriations for the support of government.

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

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

16 SENATOR GIANARIS: I move to accept  
17 the message.

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

21 (Response of "Aye.")

22 ACTING PRESIDENT COONEY: Opposed,  
23 nay.

24 (Response of "Nay.")

25 ACTING PRESIDENT COONEY: The

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

3 SENATOR LANZA: Lay it aside.

4 ACTING PRESIDENT COONEY: Lay it  
5 aside.

6 Senator Gianaris.

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

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

12 We will go to the controversial  
13 calendar.

14 SENATOR GIANARIS: Thank you.

15 ACTING PRESIDENT COONEY: The  
16 Secretary will ring the bell.

17 The Secretary will read.

18 THE SECRETARY: Calendar Number  
19 588, Assembly Print Number 6063, by  
20 Assemblymember Weinstein, an act making  
21 appropriations for the support of government.

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

24 SENATOR O'MARA: Yes.

25 Mr. President, I was wondering if the sponsor

1 would yield for a few questions on this.

2 ACTING PRESIDENT COONEY: Senator  
3 Krueger, do you yield?

4 SENATOR KRUEGER: Of course I will.

5 ACTING PRESIDENT COONEY: Senator  
6 Krueger yields.

7 SENATOR O'MARA: Good afternoon,  
8 Senator Krueger.

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

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

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

16 ACTING PRESIDENT COONEY: Does the  
17 sponsor yield?

18 SENATOR KRUEGER: Of course.

19 ACTING PRESIDENT COONEY: The  
20 sponsor yields.

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

25 SENATOR KRUEGER: I think we

1 usually call these extender bills.

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

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

6 ACTING PRESIDENT COONEY: Will the  
7 sponsor yield?

8 SENATOR KRUEGER: Of course.

9 ACTING PRESIDENT COONEY: The  
10 sponsor yields.

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

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

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

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

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

3                   ACTING PRESIDENT COONEY:   Will the  
4   sponsor yield?

5                   SENATOR KRUEGER:    Yes.

6                   ACTING PRESIDENT COONEY:   The  
7   sponsor yields.

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

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

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

21                  ACTING PRESIDENT COONEY:   Will the  
22   Senator yield?

23                  SENATOR KRUEGER:    Certainly.

24                  ACTING PRESIDENT COONEY:   The  
25   sponsor yields.

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

3                   SENATOR KRUEGER:    No.

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

7                   ACTING PRESIDENT COONEY:    Will the  
8 sponsor yield?

9                   SENATOR KRUEGER:    Yes.

10                  ACTING PRESIDENT COONEY:    The  
11 sponsor yields.

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

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

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

25                  SENATOR O'MARA:    Through you,

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

3 ACTING PRESIDENT COONEY: Does the  
4 sponsor yield?

5 SENATOR KRUEGER: Yes.

6 ACTING PRESIDENT COONEY: The  
7 sponsor yields.

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

12 SENATOR KRUEGER: No, I do not  
13 believe so.

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

17 ACTING PRESIDENT COONEY: Will the  
18 sponsor yield?

19 SENATOR KRUEGER: Yes.

20 ACTING PRESIDENT COONEY: The  
21 sponsor yields.

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

1 reached at the next meeting?

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

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

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

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

17 ACTING PRESIDENT COONEY: Does the  
18 sponsor yield?

19 SENATOR KRUEGER: Yes.

20 ACTING PRESIDENT COONEY: The  
21 sponsor yields.

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

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

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

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

12                  SENATOR O'MARA:    Thank you,  
13 Senator Krueger.

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

16                  ACTING PRESIDENT COONEY:    Will the  
17 sponsor yield?

18                  SENATOR KRUEGER:    Yes.

19                  ACTING PRESIDENT COONEY:    The  
20 sponsor yields.

21                  SENATOR O'MARA:    Senator, can you  
22 tell us what the total appropriation is for this  
23 10-day extender?

24                  SENATOR KRUEGER:    \$592.5 million.

25                  SENATOR O'MARA:    Thank you,

1 Mr. President. Thank you, Senator Krueger.

2 SENATOR KRUEGER: Thank you.

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

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

6 Seeing and hearing none, debate is  
7 closed.

8 Senator Gianaris.

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

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

14 The Secretary will read the last  
15 section.

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

18 ACTING PRESIDENT COONEY: Call the  
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT COONEY: Announce  
22 the results.

23 THE SECRETARY: Ayes, 61.

24 ACTING PRESIDENT COONEY: The bill  
25 is passed.

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

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

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

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

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

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

17  
18  
19  
20  
21  
22  
23  
24  
25