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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

April 24, 2023

11:15 a.m.

REGULAR SESSION

SENATOR SHELLEY B. MAYER, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

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

2 ACTING PRESIDENT MAYER: The Senate
3 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 MAYER: Head
9 Priest Giani Dharamveer Singh, of the
10 Sikh Cultural Society of South Richmond Hill,
11 New York, will deliver today's invocation.

12 (Whereupon, Head Priest Giani
13 Dharamveer Singh recited in Punjabi the
14 Prayer Ardas, translated as follows:

15 "Unto The One Supreme God Who by the
16 grace of Sat guru (GOD) is realized. Remember,
17 first, God the Almighty. Think then of
18 Guru Nanak: of Angad Guru and Amar Das, and
19 Ram Das. May their protection be ever with us!
20 Remember Arjan, Hargobind, and the holy Har Rai.
21 Let us think of the holy Har Krishan whose sight
22 annuls all sorrow. Let us remember Tegh Bahadur,
23 and all the nine treasures will come flowing in.
24 May he protect us everywhere! May the Tenth
25 Guru, the holy Guru Gobind Singh, protector of

1 faith, help us everywhere!

2 "Turn your thoughts, O Khalsa, to
3 the Guru Granth Sahib, the visible body of the
4 Gurus, and their word, and say, Waheguru, glory
5 be to God! The five Loved Ones, the Guru's four
6 sons, the Forty saved and other holy and heroic
7 men, saints and martyrs: Remember their selfless
8 and heroic deeds, and say, Waheguru, glory be to
9 God!

10 "O Waheguru, please give the
11 strength, the wisdom and ability to the elected
12 Senators to do the right and deliver for what
13 they are elected for.

14 "We, the Sikhs, thank you all for
15 the passing of this Resolution, which will not
16 only create a history but also bring the
17 awareness of their religion and articles of
18 faith. May the Almighty help you to help fellow
19 humans irrespective of their faith, color or
20 creed.

21 "Once again, thanks to you all, the
22 Senators and the Governor, for providing this
23 opportunity to the Sikh community of the
24 great State of New York.")

25 ACTING PRESIDENT MAYER: Reading of

1 the Journal.

2 THE SECRETARY: In Senate,
3 Saturday, April 22, 2023, the Senate met pursuant
4 to adjournment. The Journal of Friday, April 21,
5 2023, was read and approved. On motion, the
6 Senate adjourned.

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

9 Presentation of petitions.

10 Messages from the Assembly.

11 Messages from the Governor.

12 Reports of standing committees.

13 Reports of select committees.

14 Communications and reports from
15 state officers.

16 Motions and resolutions.

17 Senator Gianaris.

18 SENATOR GIANARIS: Good morning,
19 Madam President.

20 I wish to call up the following
21 bills, which were recalled from the Assembly and
22 are now at the desk: Senate Bill 608A and
23 Senate Bill 636.

24 ACTING PRESIDENT MAYER: The
25 Secretary will read.

1 THE SECRETARY: Calendar Number 77,
2 Senate Print 608A, by Senator Salazar, an act to
3 amend the General Business Law.

4 Calendar Number 174, Senate Print
5 636, by Senator Comrie, an act to amend the
6 Business Corporation Law and the Limited
7 Liability Company Law.

8 SENATOR GIANARIS: Move to
9 reconsider the vote by which these bills were
10 passed.

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: The bills
15 are restored to their place on the Third Reading
16 Calendar.

17 SENATOR GIANARIS: I offer the
18 following amendments.

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

22 Senator Gianaris.

23 SENATOR GIANARIS: Madam President,
24 just to give my colleagues a sense of the order
25 for the day, we're going to take up a resolution

1 shortly and then break for a Rules Committee
2 meeting, which will produce the budget extender
3 bill, which we will take up.

4 At that point we will break for
5 party conferences and come back and take up the
6 remaining bill off the supplemental calendar.

7 So let's begin by taking up
8 previously adopted Resolution 751, by
9 Senator Scarcella-Spanton, read its title, and
10 recognize Senator Scarcella-Spanton.

11 ACTING PRESIDENT MAYER: The
12 Secretary will read.

13 THE SECRETARY: Senate Resolution
14 751, by Senator Scarcella-Spanton, memorializing
15 Governor Kathy Hochul to proclaim April 2023 as
16 the Month of the Military Child in the State of
17 New York.

18 ACTING PRESIDENT MAYER: Senator
19 Scarcella-Spanton on the resolution.

20 SENATOR SCARCELLA-SPANTON: Thank
21 you, Madam President.

22 Our military families and their
23 children make countless sacrifices to serve our
24 country and keep us safe, and it is essential
25 that we take the time to acknowledge and honor

1 their contributions.

2 Military children face unique
3 challenges as they navigate frequent moves,
4 deployments of their parents, and the stress that
5 comes with having a loved one in harm's way.

6 As myself and Senator Ashby's
7 children can attest to, military children live a
8 life of constant change. Military families move,
9 on average, every two to three years, which
10 causes military children to constantly change
11 schools, make new friends, and adapt to new
12 support networks.

13 In my family's case, my husband
14 deployed to Afghanistan for the second time when
15 our daughter was just 10 days old.

16 Despite these challenges, military
17 children demonstrate remarkable resilience and
18 strength. Moving forward, throughout the month
19 of April we celebrate military children and
20 express our gratitude for their courage, strength
21 and sacrifice.

22 Thank you.

23 ACTING PRESIDENT MAYER: Thank you,
24 Senator.

25 Senator Ashby on the resolution.

1 SENATOR ASHBY: Thank you,
2 Madam President.

3 I want to thank Chairwoman
4 Scarcella-Spanton and my colleagues for bringing
5 this resolution to the floor.

6 And, like her and so many families
7 out there, the children of military families
8 endure tremendous sacrifice and are often born
9 into it. Like her family, my daughter Ellie was
10 six months old during my first deployment -- or
11 my second deployment. My son, who thought it
12 would be better to go on a field trip today
13 rather than come to the chamber --

14 (Laughter.)

15 SENATOR ASHBY: -- he was just a
16 few weeks old during my first deployment.

17 Which oftentimes we talk about the
18 sacrifices of those who served and we forget or
19 sometimes overlook the sacrifices of the
20 families. And it's important to remember that.
21 Although our hardships, though we endured, are
22 pale in comparison to those children whose family
23 members -- whose parents, whose brothers, whose
24 sisters -- did not come back, were unable to come
25 back. And oftentimes, when they do come back,

1 struggle.

2 And it's important for us to
3 remember and recognize the struggles of those
4 families and to do our utmost in this chamber to
5 help them.

6 So again, I want to thank my
7 colleague for all she does as the chairwoman of
8 the Veterans Committee, and thank my colleagues.

9 And thank you, Madam President. I
10 proudly vote aye.

11 ACTING PRESIDENT MAYER: Thank you,
12 Senator.

13 The resolution was previously
14 adopted on April 18th.

15 Senator Gianaris.

16 SENATOR GIANARIS: Madam President,
17 Senator Scarcella-Spanton would like to open this
18 resolution for cosponsorship.

19 ACTING PRESIDENT MAYER: The
20 resolution is open for cosponsorship. Should you
21 choose not to be a cosponsor on the resolution,
22 please notify the desk.

23 Senator Gianaris.

24 SENATOR GIANARIS: There will be an
25 immediate meeting of the Rules Committee in

1 Room 332.

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

5 SENATOR GIANARIS: The Senate
6 stands at ease.

7 ACTING PRESIDENT MAYER: The Senate
8 stands at ease.

9 (Whereupon, the Senate stood at ease
10 at 11:25 a.m.)

11 (Whereupon, the Senate reconvened at
12 11:32 a.m.)

13 ACTING PRESIDENT MAYER: The Senate
14 will return to order.

15 Senator Gianaris.

16 SENATOR GIANARIS: Madam President,
17 back to motions and resolutions.

18 We're going to now take up
19 previously adopted Resolution 633, by
20 Senator Thomas, read its title, and recognize
21 Senator Thomas.

22 ACTING PRESIDENT MAYER: The
23 Secretary will read.

24 THE SECRETARY: Senate Resolution
25 633, by Senator Thomas, memorializing

1 Governor Kathy Hochul to proclaim April 2023 as
2 Sikh Awareness Month in the State of New York.

3 ACTING PRESIDENT MAYER: Senator
4 Thomas on the resolution.

5 SENATOR THOMAS: Thank you,
6 Madam President.

7 Sat Sri Akal.

8 (Response from gallery.)

9 SENATOR THOMAS: Thank you to
10 Giani Dharamveer Singh from the Richmond Hill
11 Gudwara in Queens for that prayer --
12 Senator Addabbo's district.

13 Once again, today I want to
14 highlight how blessed we are in this great state
15 with our diversity.

16 April is Sikh Heritage and Awareness
17 Month, and this month was chosen because Sikhs
18 celebrate Vaisakhi, which is the Birth of the
19 Khalsa.

20 It is a religion founded more than
21 500 years ago by Guru Nanak, who taught that all
22 paths lead to one God, all people are equal, and
23 we should serve our community without asking for
24 anything in return.

25 Through today's resolution I want to

1 recognize the many contributions that
2 Sikh Americans have made to our nation, and to
3 reflect on the pluralism that is a hallmark of
4 America.

5 Sikhs have a long and rich history
6 here in the United States. As early as the
7 1800s, Sikh men and women have been making
8 notable contributions to American society. Early
9 settlers played a major role in building
10 America's railroads. Sikh Americans served in
11 the U.S. military during the world wars. And the
12 first Asian-American Congressman was a Sikh
13 American elected to office in 1957.

14 Sikhism's principles of equality,
15 service, interfaith cooperation and respect are
16 principles shared by all Americans. Their faith
17 centers on equality of all humankind and the need
18 for compassion in our service to others -- like
19 what we do in this chamber.

20 This month provides an opportunity
21 for all of us to recognize the invaluable
22 contributions of the Sikh community to our state
23 and our nation. The Sikh community in New York
24 is an integral part of our diverse population.
25 They have contributed greatly to our state.

1 Sikh Americans continue to be
2 recognized for their outstanding contributions in
3 various fields, including medicine, law,
4 business, the military, media and more.

5 That's why I am excited to welcome
6 some special guests today: Mr. Harpreet Singh
7 Toor, Mr. Jatinder Singh Boparai, Mr. Bhupinder
8 Singh Boparai, Mr. Buta Singh, and Mrs. Rajwinder
9 Kaur. Thank you for joining us.

10 However, a sad reality is that Sikhs
11 have also faced discrimination and hate crimes in
12 our country. It is important to stand in
13 solidarity with our Sikh brothers and sisters,
14 denounce hate and bigotry, and work towards a
15 more inclusive society.

16 As we celebrate Sikh Awareness
17 Month, let us take the time to learn about the
18 Sikh religion, its values, and its contributions
19 to our society.

20 Madam President, please recognize my
21 guests in the gallery who have come from all over
22 New York State today to grace us with their
23 presence this morning.

24 Thank you so much.

25 (Response from the gallery.)

1 ACTING PRESIDENT MAYER: Thank you,
2 Senator Thomas.

3 Senator Addabbo on the resolution.

4 SENATOR ADDABBO: Thank you very
5 much, Madam President.

6 Good afternoon, everybody.

7 I want to thank Senator Thomas for
8 the resolution. Thank you very much.

9 And for my friends who have visited
10 Albany, thank you so much for being here.

11 The Sikh Cultural Society, thank you
12 very much. And obviously Dharamveer Singh, thank
13 you very much for being here all the way from
14 Richmond Hill.

15 You know, the Census doesn't account
16 for religion when they do their census. But the
17 American Community Survey, they account for
18 religion throughout our state. And in our state
19 there's roughly 27,000 Sikhs living in New York
20 State, 10,000 of which are in my district in
21 Richmond Hill. And we do appreciate their
22 contributions to the community and being a part
23 of our community and community members.

24 The Sikh religion advocates for
25 equality, social justice, service to the

1 community, and tolerance for other religions,
2 which is very important in such a diverse state
3 like ours and in the Borough of Queens, the most
4 diverse borough in the world.

5 But also the message of the Sikh
6 religion is freedom of religion, reverence to
7 God, and towards practicing the ideals of
8 honesty, compassion, humility and generosity.
9 Honesty, compassion, humility and generosity.

10 No matter what our background is, if
11 we applied those principles to our lives, we
12 would be a far better society and even a better
13 government.

14 Thank you very much,
15 Madam President.

16 ACTING PRESIDENT MAYER: Thank you,
17 Senator Addabbo.

18 Senator Comrie on the resolution.

19 SENATOR COMRIE: Thank you,
20 Madam President.

21 I want to thank Senator Addabbo and
22 Senator Thomas for bringing this resolution
23 today.

24 The Sikh community is very prominent
25 in Queens. I've been honored to work with them

1 over the years, for many years.

2 The Sikh Cultural Society has not
3 only been active in making sure that they inform
4 the entire community of their history and
5 religion, but they're also involved in community
6 and civic activities, having been very involved
7 in the pandemic and making sure that people were
8 taken care of, making sure that people were fed
9 and making sure that people had opportunity for
10 medical services.

11 I'm proud to have a small section of
12 the Sikh community in my new district. I had a
13 larger section in my old district, but I will
14 continue to work with all parts of the
15 Sikh community, because it's important that we
16 allow folks to be able to express themselves,
17 that we can do tolerance for each other, make
18 sure that all communities in Queens and
19 throughout New York State get to understand and
20 appreciate each other.

21 Thank you, Madam President, for
22 allowing this resolution to come forward.

23 (Response from the gallery.)

24 ACTING PRESIDENT MAYER: Thank you,
25 Senator Comrie.

1 Senator Stavisky on the resolution.

2 SENATOR STAVISKY: Thank you to the
3 Senators for recognizing the Sikh community.

4 And notice that we're from Queens --
5 Senator Addabbo and Senator Comrie and I have in
6 common the Sikh community, and we thank them and
7 honor them today.

8 Thank you, Madam President.

9 ACTING PRESIDENT MAYER: Thank you,
10 Senator Stavisky.

11 Senator Kennedy on the resolution.

12 SENATOR KENNEDY: Thank you,
13 Madam President.

14 I too want to recognize the Sikh
15 leadership for being here today, our friends from
16 the Sikh community; our colleagues for bringing
17 this to the floor, from Senator Thomas from
18 Long Island, Senator Addabbo from Queens. You
19 heard from Senator Comrie and Senator Stavisky,
20 both from Queens.

21 But out in Buffalo and Western
22 New York we also have a thriving Sikh community.
23 I'm proud to represent that Sikh community in my
24 district. The one thing I've learned over many
25 years is the Sikh leadership and the

1 Sikh community represents a community of peace.

2 And these are leaders throughout our
3 community in Western New York, and clearly across
4 the state and the nation, that are leading both
5 in the community and in business, and in helping
6 other people thrive.

7 And so it's with great honor that I
8 welcome you here too to the chamber today, and
9 it's with great pride that I represent the
10 Sikh community in Western New York.

11 Thank you.

12 ACTING PRESIDENT MAYER: Thank you,
13 Senator Kennedy.

14 To our guests, I welcome you on
15 behalf of the Senate. We extend to you the
16 privileges and courtesies of the house.

17 Please rise and be recognized.

18 (Standing ovation.)

19 ACTING PRESIDENT MAYER: The
20 resolution was previously adopted on April 10th.

21 Senator Gianaris.

22 SENATOR GIANARIS: Senator Thomas
23 would like to open that resolution for
24 cosponsorship.

25 ACTING PRESIDENT MAYER: The

1 resolution is open for cosponsorship. Should you
2 choose not to be a cosponsor, please notify the
3 desk.

4 Senator Gianaris.

5 SENATOR GIANARIS: There's a report
6 of the Rules Committee at the desk.

7 Can we take that up, please.

8 ACTING PRESIDENT MAYER: The
9 Secretary will read.

10 THE SECRETARY: Senator
11 Stewart-Cousins, from the Committee on Rules,
12 reports the following bills:

13 Senate Print 5889, by
14 Senator Breslin, an act to amend the
15 Insurance Law;

16 Senate Print 6454, Independent
17 Redistricting Commission, an act to amend the
18 State Law;

19 Senate Print 6480, by
20 Senator Krueger, an act making appropriations for
21 the support of government.

22 All bills reported direct to third
23 reading.

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

1 ACTING PRESIDENT MAYER: All those
2 in favor of accepting the report of the Rules
3 Committee signify by saying aye.

4 (Response of "Aye.")

5 ACTING PRESIDENT MAYER: Opposed?

6 (No response.)

7 ACTING PRESIDENT MAYER: The report
8 of Rules Committee is accepted.

9 Senator Gianaris.

10 SENATOR GIANARIS: Please take up
11 the supplemental calendar.

12 ACTING PRESIDENT MAYER: The
13 Secretary will read.

14 THE SECRETARY: Calendar Number
15 627, Senate Print 6454, Independent Redistricting
16 Commission, an act to amend the State Law.

17 SENATOR GIANARIS: Lay aside that
18 bill temporarily, please.

19 ACTING PRESIDENT MAYER: The bill
20 is temporarily laid aside.

21 THE SECRETARY: Calendar Number
22 628, Senate Print 6480, by Senator Krueger, an
23 act making appropriations for the support of
24 government.

25 SENATOR GIANARIS: Is there a

1 message of necessity and appropriation at the
2 desk?

3 ACTING PRESIDENT MAYER: There is a
4 message of necessity and appropriation at the
5 desk.

6 SENATOR GIANARIS: Move to accept
7 the message.

8 ACTING PRESIDENT MAYER: All those
9 in favor of accepting the message please signify
10 by saying aye.

11 (Response of "Aye.")

12 ACTING PRESIDENT MAYER: Opposed?

13 (Response of "Nay.")

14 ACTING PRESIDENT MAYER: The
15 message is accepted, and the bill is before the
16 house.

17 SENATOR LANZA: Lay it aside.

18 ACTING PRESIDENT MAYER: The bill
19 is laid aside.

20 That completes the reading of the
21 calendar, Senator Gianaris.

22 SENATOR GIANARIS: Can we now go to
23 the controversial calendar, please.

24 ACTING PRESIDENT MAYER: The
25 Secretary will ring the bell.

1 The Secretary will read.

2 THE SECRETARY: Calendar Number
3 628, Senate Print 6480, by Senator Krueger, an
4 act making appropriations for the support of
5 government.

6 ACTING PRESIDENT MAYER: Senator
7 Borrello, why do you rise?

8 SENATOR BORRELLO: Why do I rise?
9 Well, it's not to make another Groundhogs Day
10 joke, I can promise you that.

11 (Laughter.)

12 SENATOR BORRELLO: Will the sponsor
13 yield for a question.

14 ACTING PRESIDENT MAYER: Senator
15 Krueger, do you yield?

16 SENATOR KRUEGER: Yes, I will.

17 ACTING PRESIDENT MAYER: The
18 Senator yields.

19 SENATOR BORRELLO: Thank you.
20 Through you, Madam President.

21 So here we are, I believe this is
22 our fifth budget extender today, if I'm counting
23 correctly, five.

24 What's the value of today's
25 extender?

1 SENATOR KRUEGER: Today's extender
2 is worth \$4.8 billion and lasts through Friday.

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

5 ACTING PRESIDENT MAYER: Do you
6 continue to yield?

7 SENATOR KRUEGER: Yes.

8 ACTING PRESIDENT MAYER: The
9 Senator yields.

10 SENATOR BORRELLO: So almost
11 \$5 billion for four days. This should be an
12 identifier to the people of New York State of
13 exactly what it costs or what our government
14 spends each and every day here in New York State.

15 So for the -- the question is, is
16 this a straight policy -- or is this a straight
17 extender? Is there any policy in the budget
18 today?

19 SENATOR KRUEGER: It's a straight
20 extender. I don't believe there's any policy
21 per se.

22 There is some new money that we
23 haven't seen in previous weeks, I think for the
24 EPIC program, which is the Elderly Pharmaceutical
25 IC -- Insurance Coverage. I knew I knew that.

1 Thank you. So there's approximately \$7.8 million
2 in this for the money needed for EPIC.

3 SENATOR BORRELLO: Thank you.

4 Madam President, will the sponsor
5 continue to yield.

6 ACTING PRESIDENT MAYER: Do you
7 continue to yield?

8 SENATOR KRUEGER: Yes.

9 ACTING PRESIDENT MAYER: Senator
10 Krueger yields.

11 SENATOR BORRELLO: So this extender
12 will take us through Friday, April 28th. So do
13 we expect to see some budget bills, perhaps even
14 tonight, so that they have time to age and we can
15 vote on them before Friday?

16 SENATOR KRUEGER: I'm pretty
17 optimistic we will see budget bills. I don't
18 believe we will see any by tonight.

19 You are right about the normal aging
20 process of three days. But as you might have
21 noticed, we seem to do budget bills using
22 messages of necessity, which are not an ideal
23 scenario but perhaps are better than continuing
24 extenders.

25 SENATOR BORRELLO: Madam President,

1 will the sponsor continue to yield.

2 ACTING PRESIDENT MAYER: Do you
3 continue to yield?

4 SENATOR KRUEGER: Yes.

5 ACTING PRESIDENT MAYER: Senator
6 Krueger yields.

7 SENATOR BORRELLO: So it sounds
8 like things are somewhat improving, we'll say, in
9 the budget negotiation logjam.

10 What's the status of the
11 negotiations right now?

12 SENATOR KRUEGER: So the three
13 leaders have been continuing to meet, and the
14 secretaries have been continuing to meet. And
15 everybody I think feels that we are making
16 progress.

17 Some policy issues that the Governor
18 put in her original budget are what I guess -- I
19 don't know if this is the official term, but
20 people seem to be using it, falling off the
21 table. And appropriations are continuing forward
22 pretty effectively.

23 So I think there are still a handful
24 of some big-picture policy issues that need to be
25 addressed. But again, I'm always

1 glass-half-full, Madam President. But I feel
2 like we could actually get this done before we go
3 home again.

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

6 ACTING PRESIDENT MAYER: Do you
7 continue to yield?

8 SENATOR KRUEGER: Yes.

9 ACTING PRESIDENT MAYER: The
10 Senator yields.

11 SENATOR BORRELLO: Well, I'm glad
12 to hear you're glass-half-full. And we all, I
13 think, are hopeful.

14 But, you know, I've heard your
15 folks -- the folks on your side of the aisle say
16 that we'd rather have, you know -- rather than a
17 bad budget, we'd rather have a good budget, so it
18 doesn't necessarily have to be on time.

19 But really, you know, what do you
20 anticipate that's going to be in this budget
21 that's going to be so much better that it
22 couldn't have been negotiated and done on time?
23 What's -- what's better that we are now so late,
24 historically late, for this budget?

25 SENATOR KRUEGER: So I'm not sure

1 we are historically late, Madam President,
2 because I've been here in August and done budgets
3 in August. So I don't think we're anywhere near
4 historical lateness. And I don't wish for us to
5 ever do that again, thank you.

6 And it is interesting, because
7 people do say they would rather have a good
8 budget than an on-time budget, and it's an
9 interesting question. I'd say it's in the eye of
10 the beholder, because you and I each might have
11 very different definitions of what's a good
12 budget and what makes a budget better or not
13 better than the original Executive proposal. So
14 I think that's a much longer discussion.

15 I will highlight that I think the
16 importance to the people of New York of our doing
17 these extenders are that government is continuing
18 to function. We are paying the workers. We are
19 continuing to make -- pay our debts. We are
20 paying the bills. Government has not ceased to
21 function because we are late in the budget.

22 Now, interestingly, this year -- and
23 people seem to have forgotten pretty quickly,
24 because the Governor is allowed to submit her
25 budget two weeks later the first year after an

1 election -- she did submit it two years -- two
2 years? -- two weeks later. So technically we're
3 not as far behind as we think, because we had two
4 weeks less before April 1st to negotiate and get
5 done.

6 So I actually think those first two
7 weeks of being late were sort of putting us back
8 on a normal schedule, bizarrely. But now we are
9 a couple of weeks late.

10 But again, for the people who may be
11 out there listening and watching and making sure
12 that government is continuing to function, it
13 absolutely is as long as we get this extender
14 passed before noon today.

15 So I don't wish to continue
16 extenders. I can guarantee you the staff do not
17 wish to continue extenders. But it is far, far
18 better to have the extender option and continue
19 to complete our negotiations and get to budget
20 bills we are confident in, because we are not
21 doing harm to the functioning of the State of
22 New York on behalf of all of our constituents.

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

25 ACTING PRESIDENT MAYER: Do you

1 continue to yield?

2 SENATOR KRUEGER: I do.

3 ACTING PRESIDENT MAYER: The
4 Senator yields.

5 SENATOR BORRELLO: So
6 notwithstanding the two-week mulligan that you've
7 given yourself in this, I think we are certainly
8 frustrated. Because although we are continuing
9 to limp along, and our operations are running, I
10 hear from folks every day that want to know
11 what's going on because so much of their budget,
12 so much depends on what happens here and this
13 budget being passed.

14 So with that being said, you know,
15 budgets are about budgets, they're about money,
16 they're about what we're going to expend, what
17 the revenues are. It's clear that it's policy
18 that's holding up this budget and not the
19 finances of New York State.

20 So with that being said, why are we
21 discussing policy in the budget?

22 SENATOR KRUEGER: I like the
23 question. Thank you very much, Madam President.

24 Some people think we shouldn't do
25 any policy in a budget. And some states have

1 far, far less policy built into their budget
2 documents. I would probably vote for less policy
3 in our budgets, although it's impossible not to
4 have some because when you're appropriating money
5 for programs, you're often creating programs at
6 the same time, or redesigning them.

7 So I think it would be impossible to
8 remove policy from our budgets, but I actually
9 would agree with my colleague that perhaps
10 there's just too much policy going into our
11 budget document and we could be working on those
12 as freestanding bills and changing statutes.

13 Ironically, being so tied up in the
14 budget being late, we have less time to be
15 working on those statutes that I think all of us
16 would like to see moved.

17 So yes, if I was writing the
18 Executive Budget, if I was queen for a day --
19 which I am not -- maybe I wouldn't have as much
20 policy proposals in it as we have been given.
21 But under our rules, or more like under a court
22 case decision -- that's Pataki v. Silver, which
23 gave the Governor such a disproportionate amount
24 of the powers and authority when it comes to what
25 goes into a budget, what comes out, and what else

1 can go in -- this is the hand we have been dealt.

2 SENATOR BORRELLO: Madam President,
3 on the bill.

4 ACTING PRESIDENT MAYER: Senator
5 Borrello on the bill.

6 SENATOR BORRELLO: I want to thank
7 Senator Krueger again for those thoughtful
8 responses. And I think we all appreciate the
9 fact that we are now on our fifth extender and
10 the holdup indeed is policy.

11 And I appreciate the fact that you
12 agree we shouldn't have as much policy. I think
13 that that's really the holdup here.

14 And, you know, that's part of the
15 problem of why most people don't feel that their
16 government represents them in a transparent way,
17 because we try to hide all this policy in the
18 budget. It's actually difficult for our staff to
19 try and find that needle in the haystack. When
20 we talk about, for example, bail reform, and it
21 ends up in a part of the budget that has
22 absolutely nothing to do with criminal justice.

23 You know, that's the kind of shell
24 game that is played here in Albany. And quite
25 frankly, you know, that's somewhat unique for

1 New York State in a lot of ways. But it is the
2 reason why people lack faith.

3 And the people who depend on us the
4 most to get this budget done, the people that
5 deal with our most vulnerable citizens -- people
6 with disabilities, senior citizens -- all those
7 folks are waiting every day. And although a lot
8 of our constituents don't know that the budget is
9 late, the people that we need to supply critical
10 funding and resources for, they do.

11 And I urge everyone to move as
12 quickly as possible to finalize this so that the
13 people that are dealing with the most vulnerable
14 citizens in New York State have some assurance
15 that their government does indeed work.

16 Thank you, Madam President.

17 ACTING PRESIDENT MAYER: Senator
18 Helming, why do you rise?

19 SENATOR HELMING: Thank you,
20 Madam President. If the sponsor will yield for a
21 question.

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

24 SENATOR KRUEGER: Certainly.

25 SENATOR HELMING: Thank you,

1 Senator Krueger. Through you, Madam President.

2 Senator Krueger, I heard you make a
3 comment to the effect that government continues
4 to function as we pass these extenders. And
5 Senator Borrello just raised an excellent point
6 that there are many organizations and agencies
7 that are out there, and they're struggling,
8 waiting. And the fact that we haven't passed a
9 budget, it is impacting them.

10 I have heard over the last several
11 days from several childcare providers,
12 not-for-profit providers who are really
13 struggling right now. They depend upon the
14 stabilization grant funding. I've heard -- in
15 conversations with OCFS, I've heard the
16 stabilization grants referred to as lifelines for
17 these not-for-profit childcare providers.

18 Can you tell me if there's any
19 funding or any resources in the extender that
20 will help our childcare providers?

21 SENATOR KRUEGER: One second.

22 Thank you. Sorry, I needed to
23 double-check something.

24 Our understanding is stabilization
25 grants are more like one-time grants, and that

1 the childcare providers can be submitting bills
2 for reimbursement on their ongoing costs under
3 their contracts.

4 But I don't disagree with you that
5 there are many groups out there hoping that they
6 will see additional monies in the new fiscal year
7 above and beyond what they were being paid under
8 their ongoing contracts. In fact, I think I
9 tried to add up sort of the master list of what
10 everyone was asking for, and I had to sit down
11 because it was I think about \$40 billion of hopes
12 and dreams that people were submitting to us.
13 And I'm pretty sure they won't be getting all
14 that.

15 But yes, childcare providers are not
16 getting any kind of new one-shot stabilization
17 grants yet until we resolve this budget.

18 SENATOR HELMING: Thank you.

19 On the bill, Madam President.

20 ACTING PRESIDENT MAYER: Senator
21 Helming on the bill.

22 SENATOR HELMING: So this is very
23 concerning to me. As I stated, I had a number of
24 not-for-profit childcare centers reach out to me.
25 Some have gone as far as closing down classrooms.

1 I have another one that serves over a hundred
2 families, and they've maxed out credit cards to
3 try and meet their payroll and their other
4 financial obligations.

5 They were waiting for the Round 3
6 stabilization grants to be passed. And of
7 course, as we just heard, that's not going to
8 happen until the budget is approved.

9 There isn't any more money left from
10 Round 2 funding that the OCFS can pass out to
11 these childcare providers. This is a real
12 concern not only to families and to employers
13 trying to get people to work, but also to
14 children who, when their routine is disrupted, it
15 has a negative impact.

16 So I would urge the Majority to do
17 everything they can, that if we're back here on
18 Friday with another extender, we have something
19 in it to help these providers. Personally, I
20 hope we're not passing a sixth extender, that
21 we're actually starting to work on the budget.

22 Thank you, Madam President.

23 ACTING PRESIDENT MAYER: Thank you,
24 Senator Helming.

25 Are there any other Senators wishing

1 to be heard?

2 Senator Stec, why do you rise?

3 SENATOR STEC: Thank you. If the
4 sponsor would yield for a question, please.

5 ACTING PRESIDENT MAYER: A quick
6 question, do you yield?

7 SENATOR STEC: A quick question. I
8 hope.

9 SENATOR KRUEGER: I will answer a
10 quick question.

11 SENATOR STEC: Thank you. Good
12 morning, Senator Krueger.

13 In previous discussion about the
14 amount of policy that's in the budget with
15 another colleague of ours, you made reference to
16 the progress that had been made over the weekend
17 and that some policy items that were under
18 discussion have, quote, fallen off the table.

19 I was just wondering if you could
20 enlighten us and the 20 million New Yorkers what
21 those items might be, since the budget's 24 days
22 late and everyone's curious to know what's going
23 on with the budget.

24 Thank you.

25 SENATOR KRUEGER: I'm sorry, no, I

1 don't have a master list. And I think quite a
2 few of them have already hit the press. So I
3 would say that the housing package of the
4 Governor is one of the items that she has pulled
5 back on. I think there are a number of other
6 items that she's already announced she's pulled
7 back on.

8 And I apologize that there's no
9 others that are just jumping to my mind right
10 now. But again, I think anything that is known
11 has also already been shared through the press,
12 because there are no secrets in this town and
13 they're pretty good at tracking what's happening.

14 SENATOR STEC: Madam President, if
15 the sponsor would yield for one quick follow-up.

16 ACTING PRESIDENT MAYER: Will you
17 yield for a quick question?

18 SENATOR KRUEGER: If it's a
19 follow-up, yes.

20 ACTING PRESIDENT MAYER: The
21 Senator yields.

22 SENATOR STEC: Thank you,
23 Senator Krueger.

24 Can you give us an update on where
25 we stand at this moment with bail reform, since

1 that was the one that's been most talked about?
2 I still think there's a cloud of uncertainty over
3 what we're doing on criminal justice.

4 SENATOR KRUEGER: So I do not
5 believe that has fallen off the table.

6 I do believe that there are changes
7 in criminal justice that will be part of the
8 final budget bills. But it is not necessarily my
9 bailiwick, so I do not actually have details I
10 can share yet.

11 SENATOR STEC: Thank you,
12 Madam President.

13 ACTING PRESIDENT MAYER: Thank you,
14 Senator Stec.

15 Senator Tedisco.

16 SENATOR TEDISCO: Will the sponsor
17 yield for a question.

18 ACTING PRESIDENT MAYER: Senator
19 Krueger, will you yield for a quick question?

20 SENATOR KRUEGER: Yes.

21 ACTING PRESIDENT MAYER: I'm adding
22 "quick."

23 SENATOR TEDISCO: Senator
24 Krueger --

25 SENATOR KRUEGER: Look at the

1 clock. Just -- we have the 12 o'clock deadline,
2 sorry. A very quick question.

3 SENATOR TEDISCO: Over the years
4 there have been other budgets that have been
5 late. And at that time there were separate
6 bodies here who were controlled by your side of
7 the aisle, others were controlled by our side of
8 the aisle, so that Republicans blame Democrats,
9 Democrats blame Republicans.

10 But this is kind of different. Your
11 party controls all sides of the aisle --
12 super-majority here, super-majority in the
13 Assembly. You've got the Governor, the same
14 affiliation for you.

15 Whose fault is it that we're here
16 going on four weeks late with the budget this
17 time? Because it can't be our affiliation,
18 because we don't control any part of the system
19 here.

20 SENATOR KRUEGER: Well, we all ran
21 for office, and we're all the government. So I
22 always look in the mirror every morning and say
23 now I'm part of the problem. And I think at a
24 certain level all of us are. We do not have a
25 perfect system of government. Democracy is a

1 delicate balance -- democracy, small D, not party
2 affiliation. So we have not perfected how we get
3 great budgets done on time each year.

4 SENATOR TEDISCO: Very quickly,
5 Senator Sanders has a --

6 ACTING PRESIDENT MAYER: Excuse me,
7 Senator Tedisco. Senator Tedisco.

8 Senator Tedisco, are you asking
9 Senator Krueger to yield?

10 SENATOR TEDISCO: Yes.

11 ACTING PRESIDENT MAYER: I don't
12 think she was finished.

13 SENATOR TEDISCO: Last question,
14 very quickly.

15 Senator Sanders has a bill to
16 penalize the Governor the way we're purportedly
17 penalized, to delay her salary. Is that an
18 indication that you and he and your conference
19 believe she's responsible?

20 SENATOR KRUEGER: Oh, I have not
21 had a discussion with my conference. I signed
22 onto the bill, but I can't speak for anyone else.

23 And it is 12 o'clock,
24 Madam President, so I think I can't answer any
25 more questions.

1 SENATOR TEDISCO: Thank you,
2 Madam President.

3 SENATOR KRUEGER: Thank you.

4 ACTING PRESIDENT MAYER: Thank you,
5 Senator Krueger.

6 Are there any other Senators wishing
7 to be heard?

8 Seeing and hearing none, debate is
9 closed. The Secretary will ring the bell.

10 Read the last section.

11 THE SECRETARY: Section 17. This
12 act shall take effect immediately.

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

18 THE SECRETARY: Ayes, 57.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 Senator Gianaris, that completes the
22 reading of the controversial calendar.

23 SENATOR GIANARIS: At this point
24 we're going to stand at ease while we have
25 respective party conferences.

1 There will be an immediate meeting
2 of the Democratic Conference in Room 332.

3 And please recognize Senator Lanza.

4 SENATOR LANZA: Madam President,
5 there will be an immediate meeting of the
6 Republican Conference in Room 315.

7 ACTING PRESIDENT MAYER: The Senate
8 stands at ease.

9 There will be respective meetings of
10 the Senate conferences.

11 (Whereupon, the Senate stood at ease
12 at 12:02 p.m.)

13 (Whereupon, the Senate reconvened at
14 12:52 p.m.)

15 ACTING PRESIDENT MAYER: The Senate
16 will return to order.

17 Senator Gianaris.

18 SENATOR GIANARIS: Thank you,
19 Madam President.

20 At this time can we return to the
21 supplemental calendar, remove the lay-aside that
22 was placed temporarily on Calendar Number 627,
23 and take that bill up, please.

24 ACTING PRESIDENT MAYER: The
25 Secretary will read.

1 THE SECRETARY: Calendar Number
2 627, Senate Print 6454, Independent Redistricting
3 Commission, an act to amend the State Law.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

6 THE SECRETARY: Section 6. This
7 act shall take effect immediately.

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar Number 627, voting in the negative:
15 Senator Lanza.

16 Ayes, 56. Nays, 1.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

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

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

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

25 SENATOR GIANARIS: Let me remind my

1 colleagues we're going back into a Democratic
2 conference upon adjournment.

3 On that, I move to adjourn until
4 tomorrow, Tuesday, April 25th, at 3:00 p.m.

5 ACTING PRESIDENT MAYER: The Senate
6 stands adjourned until tomorrow, April 25th, at
7 3:00 p.m.

8 (Whereupon, at 12:53 p.m., the
9 Senate adjourned.)

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