

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 March 28, 2024

11 11:30 a.m.

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13
14 REGULAR SESSION

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18 SENATOR JAMAAL T. BAILEY, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

2 ACTING PRESIDENT BAILEY: 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 BAILEY: Today
9 Rabbi Michael Baum, of Temple Beth Am of
10 Merrick & Bellmore, New York, will deliver
11 today's invocation.

12 Rabbi?

13 RABBI BAUM: Good morning.

14 (Response of "Good morning.")

15 RABBI BAUM: As you heard, my name
16 is Rabbi Michael Baum, and I'm the Rabbi and
17 Director of Education of Temple Beth Am of
18 Merrick & Bellmore in Nassau County on
19 Long Island, for those of you unfamiliar with
20 downstate.

21 As somebody born, raised, educated,
22 lived, worked and raising a family here in
23 New York, it truly is an honor to have been
24 invited here by my friend and your colleague
25 Senator Rhoads, and from all of you, to deliver

1 the opening invocation this morning.

2 Eloheinu. Lord our God, God of all
3 people, Eternal Spirit of the universe, we ask
4 for Your blessings on this house today, on this
5 honorable body, the Senate of the State of
6 New York.

7 Keep us strong as a state. Sustain
8 in us a deep sense of justice. Incline our
9 hearts to work for the betterment of all and
10 peace for the human family.

11 Bless this state with prosperity.
12 Teach us all to celebrate our differences, to
13 unite around our common values.

14 God, we ask that You be present with
15 us in our homes, our places of work, and on our
16 way.

17 Watch over all those who serve in
18 this Senate. Keep them ever mindful of our
19 expectations and the trust that we place in them.
20 Give them wisdom for their actions, and grant to
21 each of them that when they leave this chamber
22 daily, the joy of being able to say that the
23 words of their mouths and the meditations of
24 their hearts are acceptable in Your sight, and
25 thereby truly know that each and every one of

1 them are a blessing to those of us for whom they
2 stand here.

3 God, we ask Your blessing on our
4 Senators and all who serve this esteemed body,
5 that today and every day they lead wisely and
6 with civility, working together for our common
7 good.

8 We thank You, Lord, for this day and
9 the opportunity to serve you by serving others.

10 And let us say amen.

11 (Response of "Amen.")

12 ACTING PRESIDENT BAILEY: Thank
13 you, Rabbi.

14 Reading of the Journal.

15 THE SECRETARY: In Senate,
16 Wednesday, March 27, 2024, the Senate met
17 pursuant to adjournment. The Journal of Tuesday,
18 March 26, 2024, was read and approved. On
19 motion, the Senate adjourned.

20 ACTING PRESIDENT BAILEY: 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 good morning.

8 As you know, today is Opening Day
9 for baseball in the United States.

10 Unfortunately, the Mets are rained out today, so
11 we can say with certainty they will be undefeated
12 going into tomorrow's games. And I know you
13 agree with me, Mr. President, when we say "Let's
14 go, Mets!"

15 ACTING PRESIDENT BAILEY: Let's go,
16 Mets!

17 SENATOR GIANARIS: All right.

18 We're going to begin today with
19 simultaneously calling an immediate meeting of
20 the Finance Committee, followed thereafter by a
21 meeting of the Rules Committee in Room 332.

22 And we will take up resolutions
23 while that is unfolding.

24 Let's begin with previously adopted
25 Resolution 1894, by Senator Murray, read its

1 title, and recognize Senator Fernandez to speak
2 on that resolution.

3 ACTING PRESIDENT BAILEY: So in the
4 first order of business, there will be immediate
5 meetings of the Finance and Rules Committee.

6 The Secretary will read the
7 resolution.

8 A little bit of order, please.

9 THE SECRETARY: Resolution 1894,
10 by Senator Murray, memorializing Governor
11 Kathy Hochul to proclaim March 2024 as
12 Brain Injury Awareness Month in the State of
13 New York.

14 ACTING PRESIDENT BAILEY: Senator
15 Murray on the resolution.

16 SENATOR MURRAY: Thank you,
17 Mr. President.

18 I'm just going to read this one
19 section from the resolution. "Whereas, Brain
20 Injury Awareness Month is dedicated to educating
21 the public about brain injuries and
22 destigmatizing brain injury, empowering those who
23 have survived brain injury and their caregivers,
24 and promoting the many types of support that are
25 available to people living with brain injuries."

1 I bring this up -- this is important
2 to me because I lost a loved one. My cousin,
3 Sharon-Kay, this past November passed away at the
4 young age of 55. But back in 1990, she was
5 involved in a horrific accident, a bicycle
6 accident. Thank God she was wearing her helmet.
7 Had she not been wearing the helmet, they say she
8 would have passed away right then and there.

9 But a drunk driver unfortunately hit
10 her while she was riding her bike. She suffered
11 a traumatic and very serious brain injury, was in
12 the hospital for quite some time. She suffered
13 from cognitive damage, her mobility was affected.
14 It took just years for her to fight her way back.

15 And in speaking to my other
16 cousin -- her brother, Mark -- the other night,
17 he had explained to me -- and I didn't realize
18 this. It's very interesting, I didn't realize we
19 have multiple senses of taste. I thought it was
20 all just one taste. We have multiple senses, one
21 of them being sour.

22 I bring that up only because,
23 because of this injury, she lost every sense of
24 taste except for that, the sour taste. So
25 everything she ate had a sour taste. She ended

1 up losing a dramatic amount of weight because of
2 this.

3 She worked her way through. And
4 through the help, thank God, of therapy and many
5 resources and wonderful people that helped her,
6 she worked her way through this and many other of
7 the struggles that she had.

8 But it just -- it goes to show you
9 that, you know, people are struggling with things
10 that maybe we don't see on the outside. And we
11 know that people are struggling every single day
12 with their own struggles they are facing. And in
13 this case, this was hers.

14 So it's important that we recognize
15 those struggles and those that overcome those
16 struggles, like my cousin and like the many, many
17 who suffer from traumatic brain injuries but that
18 fight every day, push their way through, do an
19 amazing job and live wonderful lives.

20 And we want to also, as we said,
21 remember and recognize those that give them the
22 care that helps them through it as well.

23 So, Mr. President, I thank you for
24 the opportunity to speak on this.

25 Thank you.

1 ACTING PRESIDENT BAILEY: Thank
2 you, Senator Murray.

3 Senator Fernandez on the resolution.

4 SENATOR FERNANDEZ: Thank you,
5 Mr. President.

6 Thank you, Senator Murray, for this
7 really important resolution.

8 As we recognize Traumatic Brain
9 Injury Awareness Month now in March, it's
10 important to shine a light on not only TBI as a
11 result of sports injury, accidents, but on the
12 specific challenges faced by survivors of
13 domestic violence who suffer from TBI.

14 We know that traumatic brain
15 injuries can be permanent, having lasting impacts
16 on victims' cognitive functions and overall
17 quality of life. For individuals subjected to
18 domestic violence, the impact of traumatic brain
19 injury can be particularly devastating.

20 Far too often, victims of domestic
21 violence face the choice between seeking
22 healthcare and ensuring their own safety. The
23 path to appropriate medical care is challenged by
24 the fear of future violence, financial obstacles,
25 and the lack of awareness about available

1 resources.

2 This reality highlights the need for
3 increased awareness and education, not just among
4 the healthcare providers, but the public more
5 broadly. The symptoms of TBI often mimic the
6 symptoms of anxiety and PTSD, making it easy for
7 healthcare providers to misdiagnose or overlook.

8 By educating and speaking openly
9 about the signs and symptoms of traumatic brain
10 injury and domestic violence, we can equip
11 providers with the tools needed to treat not only
12 the physical injuries but the psychological and
13 social dimensions of abuse.

14 We need to integrate questions about
15 domestic violence into routine health assessments
16 to create more opportunities for victims to
17 disclose abuse in a safe and supportive
18 environment.

19 As we push for greater awareness and
20 understanding of the impact of traumatic brain
21 injury within the context of domestic violence,
22 let's pledge to create a more informed,
23 empathetic, responsive approach that guarantees
24 the dignity and well-being of every individual
25 affected.

1 Thank you for letting me speak on
2 this resolution.

3 ACTING PRESIDENT BAILEY: Thank
4 you, Senator Fernandez.

5 The resolution was previously
6 adopted on March 5th.

7 Senator Kennedy.

8 SENATOR KENNEDY: Thank you,
9 Mr. President.

10 Please take up previously adopted
11 Resolution 1996, by Senator Helming, read the
12 resolution by title only and recognize
13 Senator Helming.

14 ACTING PRESIDENT BAILEY: The
15 Secretary will read.

16 THE SECRETARY: Resolution 1996, by
17 Senator Helming, congratulating the Roberts
18 Wesleyan University Men's Volleyball Team upon
19 the occasion of capturing the 2024 National
20 Christian College Athletic Association
21 Invitational Title on January 227, 2024.

22 ACTING PRESIDENT BAILEY: Senator
23 Helming on the resolution.

24 SENATOR HELMING: Thank you,
25 Mr. President.

1 It is my honor to welcome to the
2 chamber an incredible group of young men from my
3 district, the Roberts Wesleyan University Red
4 Hawks Men's Volleyball Team. They are the 2024
5 National Christian College Athletic Association's
6 Men's Volleyball Champions.

7 Since this was their first season,
8 it was difficult to know how this team would
9 bond. At the tournament in January, the odds
10 were stacked against the Red Hawks. To win the
11 championship, they had to defeat a Canadian
12 Redeemer University team that they had lost to --
13 they had lost five sets to just the day before.
14 It would have been easy to fold.

15 Instead, something that the coach
16 recognized, Coach Dede recognized early on from
17 this group of young, talented men is that they
18 were very competitive, and regardless of the
19 score, they were never going to give up and never
20 going to fold. Instead, this young team
21 regrouped and, with perseverance and drive, they
22 won.

23 It was a total team effort. The
24 tournament's most outstanding player was freshman
25 Griffin Monrad, who recorded five aces. The

1 Roberts Wesleyan University Men's Volleyball Team
2 became the eighth program to ever win the NCCAA
3 invitational championship.

4 I'd like to congratulate Coach
5 Mike Dede and Assistant Coach Mitch Segbers. You
6 have been building the foundation for this
7 program by assembling a small but mighty roster
8 of young men dedicated to their school, to their
9 sport and character.

10 You have taught these athletes a
11 valuable lesson -- to never get down, never fold,
12 and never stop doing your best even when it's
13 hard. These are lessons that will serve them
14 long after their playing days are over.

15 I'd like to quickly introduce the
16 team members who are here. We have Jonah, Eli,
17 Noah, Alexander, Kaidan, Troy, Moises, Michael,
18 Riley, Spencer, Omar, Josh, Griffin and Paul.

19 Congratulations, and thank you for
20 visiting the Senate chamber today to allow my
21 colleagues and I to recognize you and honor your
22 accomplishments. Please know how proud you've
23 made us all be. Congratulations.

24 Mr. President, I am proud to support
25 this resolution.

1 ACTING PRESIDENT BAILEY: To our
2 championship-winning volleyball team, we extend
3 to you all of the privileges and courtesies of
4 this house.

5 Please rise and be recognized.

6 (Standing ovation.)

7 ACTING PRESIDENT BAILEY: The
8 resolution was previously adopted on March 19th.

9 Senator Kennedy.

10 SENATOR KENNEDY: Thank you,
11 Mr. President.

12 Please take up the reading of the
13 calendar.

14 ACTING PRESIDENT BAILEY: The
15 Secretary will read.

16 THE SECRETARY: Calendar Number
17 123, Senate Print 1748, by Senator Sanders, an
18 act to amend the Banking Law.

19 SENATOR PALUMBO: Lay it aside.

20 ACTING PRESIDENT BAILEY: Lay it
21 aside.

22 THE SECRETARY: Calendar Number
23 219, Senate Print 4304, by Senator Parker, an act
24 to amend the Public Service Law and the
25 Public Authorities Law.

1 ACTING PRESIDENT BAILEY: Read the
2 last section.

3 THE SECRETARY: Section 4. This
4 act shall take effect the first of January.

5 ACTING PRESIDENT BAILEY: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BAILEY: Announce
9 the results.

10 THE SECRETARY: Ayes, 53.

11 ACTING PRESIDENT BAILEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 234, Senate Print 7872A, by Senator Rivera, an
15 act to amend Part C of Chapter 57 of the Laws of
16 2022.

17 SENATOR KENNEDY: Mr. President,
18 lay that aside for the day.

19 ACTING PRESIDENT BAILEY: The bill
20 will be laid aside for the day.

21 THE SECRETARY: Calendar Number
22 257, Senate Print 440, by Senator Skoufis, an act
23 to amend the Executive Law.

24 ACTING PRESIDENT BAILEY: Read the
25 last section.

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

3 ACTING PRESIDENT BAILEY: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BAILEY: Announce
7 the results.

8 THE SECRETARY: Ayes, 53.

9 ACTING PRESIDENT BAILEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 268, Senate Print 2919, by Senator Cleare, an act
13 to amend the Executive Law and the State Finance
14 Law.

15 ACTING PRESIDENT BAILEY: Read the
16 last section.

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

19 ACTING PRESIDENT BAILEY: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BAILEY: Senator
23 Cleare to explain her vote.

24 SENATOR CLEARE: Thank you,
25 Mr. President.

1 Sadly, the consequences of redlining
2 are still being felt throughout our communities
3 nearly 100 years after the abhorrent
4 FHA-sanctioned process locked Black families out
5 of stable, affordable housing, opportunities for
6 growth and advancement, and the type of
7 generational wealth that others enjoy and may
8 take for granted.

9 The system that was put in place,
10 with red lines separating those who could get a
11 mortgage from those who would be denied entry
12 into certain neighborhoods, is in many ways still
13 in place.

14 This bill is part of a series of
15 efforts to deal with this unfortunate and
16 punitive legacy of housing discrimination. It is
17 designed to discourage appraisal discrimination,
18 as study after study have shown that race and the
19 racial composition of home buyers, sellers and
20 neighborhoods have a disparate impact that still
21 disadvantages people of color. Consider this
22 New York Times headline from 2022: "Home
23 appraised with a Black owner, \$472,000; with a
24 white owner, \$750,000."

25 This bill would root out those who

1 engage in appraisal discrimination, revoke their
2 licenses if necessary, and fine them, with those
3 fines being directed back into antidiscrimination
4 efforts in housing.

5 I proudly vote aye.

6 ACTING PRESIDENT BAILEY: Senator
7 Cleare to be recorded in the affirmative.

8 Senator Sanders to explain his vote.

9 SENATOR SANDERS: First I'd like
10 to -- thank you, Mr. President.

11 First I'd like to thank the sponsor
12 for a well-thought-out bill. It seems that this
13 one is a no-brainer.

14 It's easy to escape the fines and
15 penalties: Don't break the law. If you just
16 don't break the law, this will have nothing to do
17 with you.

18 And if one does break the law, then
19 certainly the fines should go back to protecting
20 the citizens.

21 Sounds like a no-brainer. I'm glad
22 you thought of it, though. I proudly vote aye.

23 ACTING PRESIDENT BAILEY: Senator
24 Sanders to be recorded in the affirmative.

25 Announce the results.

1 THE SECRETARY: In relation to
2 Calendar 268, those Senators voting in the
3 negative are Senators Ashby, Mattera, Murray,
4 Oberacker, Ortt, Tedisco, Weber and Weik.

5 Ayes, 45. Nays, 8.

6 ACTING PRESIDENT BAILEY: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 347, Senate Print 167, by Senator Gianaris, an
10 act to amend the Criminal Procedure Law and the
11 Penal Law.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

14 THE SECRETARY: Section 5. This
15 act shall take effect immediately.

16 ACTING PRESIDENT BAILEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 347, those Senators voting in the
23 negative are Senators Ashby,
24 Canzoneri-Fitzpatrick, Chu, Gallivan, Griffo,
25 Martinez, Martins, Mattera, Murray, Oberacker,

1 O'Mara, Ortt, Palumbo, Rhoads, Rolison,
2 Scarcella-Spanton, Stec, Tedisco, Weber and Weik.
3 Also Senator Helming.

4 Ayes, 33. Nays, 21.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 435, Senate Print 6746, by Senator Ryan, an act
9 to amend the Public Authorities Law and the
10 Not-For-Profit Corporation Law.

11 ACTING PRESIDENT BAILEY: Read the
12 last section.

13 THE SECRETARY: Section 6. This
14 act shall take effect on the 90th day after it
15 shall have become a law.

16 ACTING PRESIDENT BAILEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Senator
20 Ryan to explain his vote.

21 SENATOR RYAN: Thank you,
22 Mr. President.

23 In New York State, agencies like the
24 Department of Health, Department of Education,
25 they're all under the purview of the Comptroller.

1 But the Comptroller's authority doesn't extend to
2 authorities like NYSERDA or NYPA or the hundreds
3 of industrial development agencies across the
4 state.

5 They're nominally overseen by the
6 Authorities Budget Office, but the ABO doesn't
7 have all the tools it needs to oversee those
8 state entities, ensuring that our money is being
9 spent in the best way possible.

10 This bill gives the ABO more
11 authority, more in line with the authority
12 granted to the Comptroller. And for those
13 reasons, Mr. President, I proudly vote aye.

14 ACTING PRESIDENT BAILEY: Senator
15 Ryan to be recorded in the affirmative.

16 Announce the results.

17 THE SECRETARY: In relation to
18 Calendar 435, those Senators voting in the
19 negative are Senators Canzoneri-Fitzpatrick,
20 Gallivan, Griffo, Helming, Martins, Oberacker,
21 O'Mara, Ortt, Rhoads, Stec and Tedisco.

22 Ayes, 43. Nays, 11.

23 ACTING PRESIDENT BAILEY: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 530, Senate Print 6328, by Senator Ramos, an act
2 to amend the Labor Law.

3 SENATOR LANZA: Lay it aside.

4 ACTING PRESIDENT BAILEY: Lay it
5 aside.

6 THE SECRETARY: Calendar Number
7 533, Senate Print 643D, by Senator Kavanagh, an
8 act to amend the Environmental Conservation Law.

9 ACTING PRESIDENT BAILEY: Read the
10 last section.

11 THE SECRETARY: Section 10. This
12 act shall take effect immediately.

13 ACTING PRESIDENT BAILEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BAILEY: Announce
17 the results.

18 THE SECRETARY: Ayes, 54.

19 ACTING PRESIDENT BAILEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 651, Senate Print Number 5505, by Senator
23 Scarcella-Spanton, an act to amend the Penal Law.

24 ACTING PRESIDENT BAILEY: Read the
25 last section.

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

3 ACTING PRESIDENT BAILEY: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BAILEY: Announce
7 the results.

8 THE SECRETARY: Ayes, 54.

9 ACTING PRESIDENT BAILEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 695, Senate Print 5955A, by Senator Chu, an act
13 to amend the Tax Law.

14 ACTING PRESIDENT BAILEY: Read the
15 last section.

16 THE SECRETARY: Section 2. This
17 act shall take effect on the first day of a
18 sales tax quarterly period.

19 ACTING PRESIDENT BAILEY: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BAILEY: Announce
23 the results.

24 THE SECRETARY: Ayes, 54.

25 ACTING PRESIDENT BAILEY: The bill

1 is passed.

2 Senator Gianaris, that completes the
3 reading of the noncontroversial calendar.

4 SENATOR GIANARIS: Thank you,
5 Mr. President.

6 I believe there's a report of the
7 Finance Committee at the desk. Please take that
8 up.

9 ACTING PRESIDENT BAILEY: The
10 Secretary will read.

11 THE SECRETARY: Senator Krueger,
12 from the Committee on Finance, reports the
13 following bill:

14 Senate Print 8302, Senate Budget
15 Bill, an act making appropriations for the legal
16 requirements of the state debt service.

17 The bill is reported direct to third
18 reading.

19 ACTING PRESIDENT BAILEY: The
20 Secretary will read.

21 THE SECRETARY: Senator
22 Stewart-Cousins, from the Committee on Rules,
23 reports the following bills:

24 Senate Print 8919, an act making
25 appropriations for the support of government;

1 Senate Print 8920, an act to amend
2 Part C of Chapter 57 of the Laws of 2022.

3 Both bills reported direct to third
4 reading.

5 SENATOR GIANARIS: Move to accept
6 the report of the Finance Committee,
7 Mr. President.

8 ACTING PRESIDENT BAILEY: Those in
9 favor of accepting the report of the Finance
10 Committee signify by saying aye.

11 (Response of "Aye.")

12 ACTING PRESIDENT BAILEY: Opposed,
13 nay.

14 (No response.)

15 ACTING PRESIDENT BAILEY: The
16 report of the Finance Committee is accepted.

17 Senator Gianaris.

18 SENATOR GIANARIS: There's also a
19 report of the Rules Committee at the desk.

20 Please take that up.

21 ACTING PRESIDENT BAILEY: The
22 Secretary will read.

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

1 Senate Print 8919, by
2 Senator Krueger, an act making appropriations for
3 the support of government;

4 Senate Print 8920, by
5 Senator Krueger, an act to amend Part C of
6 Chapter 57 of the Laws of 2022.

7 Both bills reported direct to third
8 reading.

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

11 ACTING PRESIDENT BAILEY: Those in
12 favor of accepting the report of the
13 Rules Committee, signify by saying aye.

14 (Response of "Aye.")

15 ACTING PRESIDENT BAILEY: Opposed,
16 nay.

17 (No response.)

18 ACTING PRESIDENT BAILEY: The
19 report of the Rules Committee is accepted.

20 Senator Gianaris.

21 SENATOR GIANARIS: Can we take up
22 the controversial calendar at this time.

23 ACTING PRESIDENT BAILEY: The
24 Secretary will ring the bell.

25 The Secretary will read.

1 THE SECRETARY: Calendar Number
2 123, Senate Print 1748, by Senator Sanders, an
3 act to amend the Banking Law.

4 ACTING PRESIDENT BAILEY: Senator
5 Weber, why do you rise?

6 SENATOR WEBER: Thank you,
7 Mr. President. Will the sponsor yield for just
8 one question?

9 ACTING PRESIDENT BAILEY: Will the
10 sponsor yield?

11 SENATOR SANDERS: Certainly,
12 Mr. President.

13 ACTING PRESIDENT BAILEY: The
14 sponsor yields.

15 SENATOR WEBER: Good morning,
16 Senator Sanders, how are you?

17 SENATOR SANDERS: Good morning,
18 good morning, how are you?

19 SENATOR WEBER: I just have one
20 question on this bill.

21 The federal regulations -- the
22 Consumer Financial Protection Bureau already has
23 regulations that we feel may already cover what
24 you're trying to accomplish here. Do you agree
25 with that statement, that the federal government

1 regulations already cover that? And if so, why?

2 And if no, why not?

3 SENATOR SANDERS: Through you,
4 Mr. President. The truth is not as truthful as
5 it seems, sir.

6 There are judges that don't look for
7 regulations, they look for laws. And there are
8 difficulties with the DFS in enforcing it without
9 state laws.

10 SENATOR WEBER: Okay, that was my
11 question. Thank you.

12 SENATOR SANDERS: Thank you.

13 Thank you, Mr. President.

14 ACTING PRESIDENT BAILEY: Thank
15 you.

16 Are there any other Senators wishing
17 to be heard?

18 Seeing and hearing none -- Senator
19 Gianaris.

20 SENATOR GIANARIS: Mr. President,
21 we've agreed to restore this to the
22 noncontroversial calendar.

23 ACTING PRESIDENT BAILEY: The bill
24 will be restored to the noncontroversial
25 calendar.

1 Read the last section.

2 THE SECRETARY: Section 3. This
3 act shall take effect on the 90th day after it
4 shall have become a law.

5 ACTING PRESIDENT BAILEY: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BAILEY: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar 123, those Senators voting in the
12 negative are Senators Ashby, Gallivan, Griffo,
13 Martins, Mattera, Murray, Oberacker, O'Mara,
14 Ortt, Palumbo, Rhoads, Stec, Tedisco, Weber and
15 Weik.

16 Ayes, 44. Nays, 15.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 530, Senate Print 6328, by Senator Ramos, an act
21 to amend the Labor Law.

22 ACTING PRESIDENT BAILEY: Senator
23 Lanza, why do you rise?

24 SENATOR LANZA: Mr. President, I
25 believe there's an amendment at the desk. I

1 waive the reading of that amendment and ask that
2 you recognize Senator Murray and, thereafter,
3 Senator Weik to be heard.

4 ACTING PRESIDENT BAILEY: Thank
5 you, Senator Lanza.

6 Upon review of this amendment, in
7 accordance with Rule 6, Section 4B, I rule it
8 nongermane and out of order at this time.

9 SENATOR LANZA: Accordingly,
10 Mr. President, I appeal the ruling of the chair
11 and ask that Senator Murray be heard on the
12 appeal. And when he's through with his remarks,
13 that you then recognize Senator Weik to be heard.

14 ACTING PRESIDENT BAILEY: The
15 appeal has been made, and Senators Murray and
16 Weik may be heard.

17 Senator Murray first.

18 SENATOR MURRAY: Thank you,
19 Mr. President.

20 This amendment is germane,
21 Mr. President, I believe because like the call
22 center bill, it also protects workers and seeks
23 to provide much-needed relief to workers in
24 Tier 5 and Tier 6.

25 So my background, before I got here,

1 I am a small business owner. And as part of that
2 business, I owned an advertising agency that
3 published and made different specialty
4 publications and websites. And the core of the
5 business was one in particular, and that was the
6 Long Island Job Finder employment newspaper and
7 website. It was exactly as it was, it was an
8 employment newspaper and website where companies
9 would place their help-wanted ads, people would
10 pick it up, they would apply, they would get
11 work.

12 So in my business of, well, almost
13 25 years of doing so, I would work with human
14 resources directors and recruitment managers and
15 different companies and schools and the
16 Department of Labor. We would put on job fairs
17 where 40, 50 companies would be there recruiting,
18 and hundreds of jobseekers would come. And we'd
19 talk to some of the jobseekers.

20 My point there is that for more than
21 20 years, I was in the employment business. And
22 it was kind of an understanding that when you're
23 looking for a job, if you're looking for a good
24 salary and you're not really worried about
25 benefits or retirement, all of that that much,

1 that you'd go to the private sector. But if you
2 were thinking down the road and the benefits, the
3 health insurance, the retirement, all of that was
4 really important to you, then you understood that
5 maybe you forgo the really great salary to get
6 those benefits.

7 And that was the understanding.
8 That's the way it was for years and years -- that
9 was, until 2012. 2012 is when Tier 6 took place.
10 Now, in 2012 I was down the hall, I was in the
11 Assembly. And when that vote came up, I was a no
12 vote. I was a no vote for two words. The reason
13 I gave were two words: Recruitment, retention.

14 See, in my business in employment
15 and hiring and recruiting, I knew that down the
16 road this was going to hurt us, and hurt us bad.
17 This was going to hurt us with recruitment and
18 retention. See, Tier 6, it was pitched as a
19 solution to a pension problem. But in reality,
20 it really is a recruitment and retention
21 nightmare. And it's resulted in a critical
22 workforce shortage.

23 When you combine the negative impact
24 of Tier 6 with the punishing inflation we've all
25 seen in recent years, it's no surprise that we've

1 seen a flood of experienced and highly qualified
2 workers leaving the workforce or refusing to
3 enter the public workforce.

4 So first, let's look -- what does
5 this mean to the public, the current public
6 workforce? Well, it means mandatory enforced
7 overtime, which I might remind you comes with a
8 cost. It comes with a cost both now and later.

9 You see, it comes with a cost now
10 because the overtime comes at time and a half,
11 double time, sometimes more. So we're paying
12 more. Later, because most of those still left to
13 work the overtime that we're forcing upon them
14 are the more experienced Tier 3, Tier 4 workers
15 whose pensions now -- here's the irony of all
16 ironies. Ironically, their pensions will be
17 increased by the mandatory overtime we're forcing
18 on them because of Tier 6.

19 But the impact to the current
20 workforce and to the public goes beyond the
21 money. It's also about health. It's about
22 safety. It's about quality of life. And I say
23 that because -- let's take a look at some of
24 these positions like DCPs, direct care
25 professionals. Now, we all know every year they

1 are up here asking for help: Please, supplement
2 our salaries. They are certainly not doing this
3 work for the money.

4 I mean, they are doing God's work,
5 let me tell you. They do work that most can't
6 imagine. They're helping seniors, they're
7 helping the disabled, the severely disabled.
8 They're doing things like clothing them and
9 feeding them and bathing them, changing diapers.
10 They're doing things we couldn't even imagine.

11 You know what they're also doing?
12 They're burning out right now because their
13 caseload is through the roof. Why? Because of
14 the workforce shortage. Why? Because of the
15 recruitment problem that we are having because of
16 Tier 6.

17 How about child protective services?
18 We hear all these -- again, first off, they're
19 not getting in this to get rich. They're getting
20 in this to make a difference and help. And you
21 hear all these terrible stories, these tragedies
22 of what happens in -- with neglect and abuse in
23 these families. And you ask yourself, why didn't
24 they catch this? Why didn't somebody go there,
25 why didn't they see this was happening?

1 Well, when you have a caseload
2 that's supposed to be about this high (gesturing)
3 and that caseload ends up this high (gesturing),
4 you can't be expected to see every one. They're
5 overworked. They're overburdened. They are
6 burning out. Their caseloads are out of control.

7 How about corrections officers? I
8 spoke to the corrections officers union
9 president, and he was saying, Man, we are -- I
10 mean, we are forcing the overtime down their
11 throats. We have corrections officers burning
12 out so bad right now. They've earned vacation
13 time and they need it, they want it, and we're
14 having to tell them, I'm sorry, you can't take
15 that right now. We're just understaffed. You
16 have to work a double. You have to work more.

17 How's that for quality of life? And
18 by the way, how's that for a high-stress work
19 environment?

20 I'll bring up another one, one more.
21 How about school social workers? Every one of us
22 has had superintendents and everyone coming up to
23 talk to us this year. And yes, the school aid's
24 the problem and all. But when you talk to those
25 superintendents and you say, What's one of your

1 biggest concerns? Every one of them: Mental
2 health. Help us with the mental health issue.
3 We need more social workers. Yeah, no kidding.

4 But it's not that easy to just hire
5 more social workers. Again, I go back to the
6 recruitment and the retention issue. You know --
7 did you know that the school social workers, many
8 students who have IPEs, part of the IPE is that
9 they must have counseling. So what happens when
10 you have a shortage of social workers, they're
11 trying to work the IPE, but now they have a
12 crisis they get called to? And nobody to cover
13 for them, so what do they do? Do they go to the
14 crisis -- the student that's in crisis right now,
15 or do they do their mandatory IPE counseling?

16 Well, thank God, they go to the
17 crisis situation. But my point is they're
18 passing up a duty that's mandatory right now.
19 Why? Because there is a shortage. And that's
20 the problem.

21 Are we catching the drift here that
22 retention and recruitment, those are the
23 problems? When these workers reach their
24 breaking points and they end up retiring, when
25 the Tier 3s and 4s start leaving -- as they're

1 doing very quickly right now -- they're burning
2 out and they're leaving. What's left? The
3 shortage is only going to get worse.

4 Now, the amendment that we're asking
5 for today, it doesn't fix everything. It
6 doesn't. And I commend the sponsor,
7 Senator Jackson, on this bill. It doesn't fix
8 everything about it, but it's a step in the right
9 direction. It is a step in the right direction.

10 We have a chance today to tell our
11 labor force and all New Yorkers that we hear you,
12 we want to fix it. Because we either have to fix
13 it or nix it, but one or the other. So today we
14 have the chance to take a step forward, to take a
15 step in helping to fix Tier 6 to help our work
16 force, to help our labor force, and to help all
17 New Yorkers. Because as I said, it's everyday
18 New Yorkers who will suffer as this workforce
19 shortage gets worse.

20 We have a chance. So,
21 Mr. President, I urge you to please reconsider
22 this. And if not, I ask my colleagues,
23 reconsider for him. Vote in favor of this being
24 germane. Let's take the vote. Let's send the
25 message that we hear you, New York labor, we hear

1 you, New York workers. We are here to help you.

2 Thank you, Mr. President.

3 ACTING PRESIDENT BAILEY: Thank
4 you, Senator Murray.

5 Senator Weik to be heard on the
6 appeal.

7 SENATOR WEIK: Thank you,
8 Mr. President.

9 The bill at hand is germane because
10 it pertains to the protection and the relief to
11 Tier 6 employees. We're facing a crisis in
12 recruiting and retaining public workers who
13 provide some of the most vital services in our
14 communities, including firefighters, law
15 enforcement, direct care workers and teachers.

16 The deficiencies in Tier 6 must be
17 addressed. And our hardworking, dedicated local
18 and state employees have always had our backs,
19 and it's time that we have theirs.

20 Which is why we held hearings in
21 October, this past October, the Civil Service
22 Committee held hearings, public hearings, to hear
23 the complaints -- excuse me. We held hearings,
24 the Civil Service and Pensions Committee, public
25 hearings to discuss retention and recruitment in

1 civil service. And in those hearings I heard
2 overwhelming testimony that Tier 6 is just bad
3 public policy. In fact, I hear it as far as
4 Tier 6 sucks, which was the common catch phrase
5 that everybody was using.

6 The creation of Tier 6 has become
7 the largest obstacle in attracting and retaining
8 adequate numbers of high-quality public-sector
9 workers. It's time to fix or nix it. This is
10 why I've introduced legislation to establish a
11 temporary commission to develop sound solutions
12 for deficiencies in Tier 6.

13 In that public hearing we discussed
14 with so many of the agencies that came to have
15 their complaints heard that we were going to form
16 a committee to make sure that the little tweaks
17 and changes that could be put in place so that we
18 could find common ground. And that's what my
19 bill is established to do, to hear those
20 common-ground complaints and to establish the
21 fiscal to see if it's either worth fixing or just
22 repealing altogether.

23 And so I urge my colleagues to
24 support my bill in introducing that legislation.

25 Thank you.

1 ACTING PRESIDENT BAILEY: Thank
2 you, Senators Weik and Murray.

3 I want to remind everybody that this
4 vote is on the procedures of the house and the
5 ruling of the chair.

6 Those in favor of overruling the
7 chair, please signify by saying aye.

8 (Response of "Aye.")

9 SENATOR LANZA: Show of hands.

10 ACTING PRESIDENT BAILEY: A show of
11 hands has been requested and so ordered.

12 Announce the results.

13 THE SECRETARY: Ayes, 19.

14 ACTING PRESIDENT BAILEY: The
15 ruling of the chair stands, and the bill-in-chief
16 is before the house.

17 Senator Gianaris.

18 SENATOR GIANARIS: Mr. President,
19 please restore this to the noncontroversial
20 calendar.

21 ACTING PRESIDENT BAILEY: The bill
22 will be restored to the noncontroversial
23 calendar.

24 Read the last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BAILEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Senator
6 Jackson to explain his vote.

7 SENATOR JACKSON: Thank you,
8 Mr. President.

9 My colleagues, I rise as the chair
10 of the Civil Service and Pensions Committee, as
11 someone that has heard the cry of members in the
12 State of New York who work for us, basically
13 saying Tier 6 needs to be fixed and it needs to
14 be fixed now.

15 And I agree with my colleagues who
16 speak about the issues and concerns that have
17 been expressed to them and to us. We all hear
18 it. And this is something that we all have to
19 unite and work and focus in order to make the
20 changes that are necessary.

21 So it is encouraging, in my opinion,
22 to hear my colleagues across the aisle
23 acknowledge the necessity of reforming the Tier 6
24 pension plan, and specifically supporting my
25 proposal to reduce the final average salary

1 calculation window from five years to three years
2 for Tier 6 members.

3 The Tier 6, with its inferior
4 benefits, heightened employee contribution rates,
5 and increased retirement age eligibility, has
6 resulted in, as my colleagues said, we can't
7 recruit people. For social workers and others,
8 the salary needs to be higher.

9 And so all of that, in my opinion,
10 is civil service reform. And 12,000 positions
11 lie vacant right now in the State of New York.
12 So in order for us to maybe move Tier 6 to where
13 we want it to be, we need to invest, invest in
14 the employees that are coming in. So that they
15 know that when they work 25, 30 years, they can
16 retire with a pension and with Social Security
17 and be able to live without trying to find a
18 second and third job.

19 So S8490, my bill to reduce the
20 final average salary calculation window to three
21 years, was included in the Senate one-house
22 budget resolution. So I urge my colleagues
23 backing this amendment to join our push for the
24 Executive's support to include this proposal in
25 the final budget.

1 What I say to many union people that
2 are pushing for this -- and I say it loud and
3 clear -- I think that Tier 6 sucks. And I've
4 said it. And because it does. Because I hear it
5 all the way through, all around. And so I --
6 what I do is I turn to the people and say: Know
7 who your State Senator is, know who your
8 State Assemblymember is, and reach out to them
9 and tell them how you feel about Tier 6. If you
10 see the Governor, talk to the Governor about
11 Tier 6. So they need to be able to advocate for
12 themselves and advocate for their employees.

13 So with that, Tier 6 must be fixed,
14 and our public workers deserve better.

15 Thank you, Mr. President.

16 ACTING PRESIDENT BAILEY: Senator
17 Jackson to be recorded in the affirmative.

18 Senator Martins to explain his vote.

19 SENATOR MARTINS: Thank you,
20 Mr. President.

21 First, I call -- I rise to support
22 the bill and I want to compliment our colleague
23 Senator Ramos for protecting call center workers.
24 So thank you, Senator Ramos.

25 I also rise to support

1 Senator Jackson's bill and the efforts of this
2 house in dealing with Tier 6 once and for all.

3 You know, I think we're in a
4 position right now where we are in budget
5 discussions. There are, by last count,
6 \$14 billion that the Majority has projected that
7 they wish to spend over and above what the
8 Governor had projected. So it's very simple. If
9 we want to fix or nix Tier 6, now's the time to
10 do it. Time we put our money where our mouths
11 are.

12 We're in the middle of a budget
13 discussion. Let's get it done. No excuses.
14 Five to three, sure -- but we can do better.

15 Mr. President, I vote aye.

16 ACTING PRESIDENT BAILEY: Senator
17 Martins to be recorded in the affirmative.

18 Announce the results.

19 THE SECRETARY: In relation to
20 Calendar 530, those Senators voting in the
21 negative are Senators Canzoneri-Fitzpatrick,
22 Gallivan, Oberacker, O'Mara, Ortt, Stec, Tedisco
23 and Weber.

24 Ayes, 51. Nays, 8.

25 ACTING PRESIDENT BAILEY: The bill

1 is passed.

2 Senator Gianaris.

3 SENATOR GIANARIS: Mr. President, I
4 think when we took up the resolutions we
5 neglected to open them for cosponsorship. So
6 please do that.

7 ACTING PRESIDENT BAILEY: Those
8 resolutions are open for cosponsorship. Should
9 you choose not to be a cosponsor, please notify
10 the desk.

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

13 ACTING PRESIDENT BAILEY: The
14 Secretary will read.

15 THE SECRETARY: Calendar Number
16 750, Senate Budget Bill, Senate Print 8302, an
17 act making appropriations for the legal
18 requirements of the state debt service.

19 SENATOR LANZA: Lay it aside.

20 ACTING PRESIDENT BAILEY: Lay it
21 aside.

22 THE SECRETARY: Calendar Number
23 751, Senate Print 8918, an act making
24 appropriations for the support of government.

25 SENATOR GIANARIS: Mr. President,

1 is there a message of necessity and appropriation
2 at the desk?

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

6 SENATOR GIANARIS: Move to accept
7 the message.

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

11 (Response of "Aye.")

12 ACTING PRESIDENT BAILEY: Opposed,
13 nay.

14 (Response of "Nay.")

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

18 Read the last section.

19 THE SECRETARY: Section 10. This
20 act shall take effect immediately.

21 ACTING PRESIDENT BAILEY: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BAILEY: Announce
25 the results.

1 THE SECRETARY: Ayes, 59.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 Senator Gianaris, that completes the
5 reading of the noncontroversial supplemental
6 calendar.

7 SENATOR GIANARIS: There's one more
8 bill.

9 ACTING PRESIDENT BAILEY: One more
10 bill? Excuse me.

11 THE SECRETARY: Calendar Number
12 752, Senate Print 8920, an act to amend Part C of
13 Chapter 57 of the Laws of 2022.

14 SENATOR GIANARIS: Is there a
15 message of necessity at the desk?

16 ACTING PRESIDENT BAILEY: There is
17 a message of necessity at the desk.

18 SENATOR GIANARIS: Move to accept
19 the message of necessity.

20 ACTING PRESIDENT BAILEY: Those in
21 favor of accepting the message please signify by
22 saying aye.

23 (Response of "Aye.")

24 ACTING PRESIDENT BAILEY: Opposed,
25 nay.

1 (No response.)

2 ACTING PRESIDENT BAILEY: The
3 message is accepted, and the bill is before the
4 house.

5 Read the last section.

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

8 ACTING PRESIDENT BAILEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BAILEY: Announce
12 the results.

13 THE SECRETARY: Ayes, 59.

14 ACTING PRESIDENT BAILEY: The bill
15 is passed.

16 Senator Gianaris, that completes the
17 reading of the supplemental noncontroversial
18 calendar.

19 SENATOR GIANARIS: May we now take
20 up the one bill on the controversial calendar.

21 ACTING PRESIDENT BAILEY: The
22 Secretary will ring the bell.

23 The Secretary will read.

24 THE SECRETARY: Section Number 750,
25 Senate Print 8302, an act making appropriations

1 for the legal requirements of the state debt
2 service.

3 ACTING PRESIDENT BAILEY: Senator
4 O'Mara, why do you rise?

5 SENATOR O'MARA: If Senator Krueger
6 would yield for a few questions.

7 ACTING PRESIDENT BAILEY: Will
8 Senator Krueger yield?

9 SENATOR KRUEGER: Absolutely.

10 ACTING PRESIDENT BAILEY: The
11 Senator yields.

12 SENATOR O'MARA: Good afternoon,
13 Senator.

14 Here we are, four days before the
15 end of the fiscal year, when our next budget is
16 due. We just did two bills to extend government
17 at least until next Thursday.

18 Where do we stand in the budget
19 process? What can we tell our constituents and
20 New Yorkers of where we are on the budget that's
21 April 1st?

22 SENATOR KRUEGER: I think you can
23 tell them, Mr. President, that we are working
24 hard to reach agreement on billions of dollars of
25 spending and revenue.

1 That since we are planning to go
2 home today, with Good Friday tomorrow and Easter
3 on Sunday, it is not realistic that we will get a
4 complete budget done by April 1st. Nor should it
5 be particularly disturbing to anyone in New York
6 State, because I am quite confident with the work
7 we are doing today, both with having done an
8 extender to ensure that state workers will
9 continue to be paid, that specific issues that
10 without the bills we just passed might hit some
11 kind of cliff on or before April 1st, that we are
12 assuring the people of New York government will
13 continue as planned, on schedule, and that this
14 slight delay should have no impact on anyone's
15 lives.

16 I am optimistic we will get to a
17 complete budget within some reasonable period of
18 time when we return after Easter.

19 The one bill I believe it's crucial
20 we do pass today, and it is the first of the
21 budget bills -- and if you track, it's pretty
22 much the first of the budget bills every single
23 year I have been in the Senate, whether it was a
24 Republican-controlled Senate or a
25 Democratic-controlled Senate. And that is this

1 bill, which very simply says: We, the State of
2 New York, will continue to make our debt payments
3 on borrowed money.

4 It would be a disaster if we didn't
5 keep our commitments to pay our debt.
6 Governments always have debt. They're almost
7 designed to have it. Particularly capital debt,
8 taking bonds out to pay for long-term, big,
9 expensive projects. So we have debt. Everyone's
10 government has debt -- cities, states, federal.

11 The most important thing I believe
12 we can do today is pass this bill. Because if we
13 vote no on this bill, it's actually saying to the
14 bond markets, to people who have lent us their
15 money, to investors in these companies who are
16 regular New Yorkers, who have made investments in
17 companies believing that of course the State of
18 New York -- with a very good bond rating, thank
19 you -- would continue to make its payments. I
20 don't even know how we would possibly explain
21 voting no on this.

22 So that's why this bill is so
23 critical that we get this one done, even if I
24 don't have a better answer yet for my colleague
25 on what happens with all the other budget bills

1 that will follow.

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

4 ACTING PRESIDENT BAILEY: Senator
5 Krueger, do you yield?

6 SENATOR KRUEGER: Yes, I will.

7 ACTING PRESIDENT BAILEY: The
8 sponsor yields.

9 SENATOR O'MARA: Senator, I
10 wholeheartedly agree with you on paying our
11 bills, those bills that are now bonded for and
12 payments due to continue on.

13 However, this bill does more than
14 that. This bill adds another \$8 billion in
15 projected bonds, that may or may not be in the
16 capital projects budget, which isn't done yet.
17 Is that correct?

18 SENATOR KRUEGER: Through you,
19 Mr. President. Each year we combine both the
20 debt payment bill and an anticipation of what we
21 might borrow in the next year.

22 The Governor has asked for the
23 authority to borrow as much as \$8 billion next
24 year. It doesn't mean we're going to. And in
25 fact, if you track previous budgets, we have seen

1 we ask for more than we actually borrow or spend
2 in the coming year. But it gives our government
3 the flexibility to have that authority.

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

7 ACTING PRESIDENT BAILEY: Will the
8 sponsor yield?

9 SENATOR KRUEGER: Yes.

10 ACTING PRESIDENT BAILEY: The
11 Senator yields.

12 SENATOR O'MARA: The other two
13 government extender bills we just passed, they
14 expire next Thursday. Why can't this debt
15 service obligation bill just be extended till
16 next Thursday?

17 SENATOR KRUEGER: Through you,
18 Mr. President --

19 SENATOR O'MARA: Give us time to
20 complete the budget.

21 SENATOR KRUEGER: Through you,
22 Mr. President. Again, I think that for all
23 New Yorkers to sleep better at night, and for
24 everyone who lends money to the State of New York
25 to technically sleep better at night, it makes

1 total sense for us to do this once and have it
2 done.

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

6 ACTING PRESIDENT BAILEY: Will the
7 Senator yield?

8 SENATOR KRUEGER: Yes.

9 ACTING PRESIDENT BAILEY: The
10 sponsor yields.

11 SENATOR O'MARA: Senator, of the
12 \$64.4 billion being assured in this debt service
13 bill, how much of that is direct state obligation
14 as opposed to, I guess, backstopping other
15 entities?

16 SENATOR KRUEGER: Mr. President,
17 this is all state obligation.

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

21 ACTING PRESIDENT BAILEY: Will the
22 sponsor yield?

23 SENATOR KRUEGER: Of course.

24 ACTING PRESIDENT BAILEY: The
25 sponsor yields.

1 SENATOR O'MARA: There's no
2 obligations we're assuring here with regards to
3 the MTA or the Thruway Authority or other similar
4 entities?

5 SENATOR KRUEGER: No, sir.
6 Mr. President, this has nothing to do with other
7 authority debt, just our state obligations.

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

11 ACTING PRESIDENT BAILEY: Will the
12 sponsor yield?

13 SENATOR KRUEGER: Yes.

14 ACTING PRESIDENT BAILEY: The
15 sponsor yields.

16 SENATOR O'MARA: Senator, the state
17 continues to owe a debt to the federal government
18 of about \$6.5 billion for the Unemployment
19 Insurance Fund that built up during COVID for the
20 massive unemployment that occurred then.

21 How much of that 6.5 million debt is
22 assured in this bill?

23 SENATOR KRUEGER: That is not state
24 debt. The unemployment system is a separate
25 system. And so that is not included or addressed

1 in this bill.

2 SENATOR O'MARA: On the bill.

3 ACTING PRESIDENT BAILEY: Senator
4 O'Mara on the bill.

5 SENATOR O'MARA: Thank you,
6 Senator Krueger.

7 I certainly agree with
8 Senator Krueger that the state needs to live up
9 to its obligations. But I believe it's premature
10 at this time, even though this is the way maybe
11 we've always done it. Two wrongs can't continue
12 to make a right here in this body, as it
13 seemingly does year after year.

14 There -- included in this bill is an
15 anticipated, vague \$8 billion increase to the
16 debt on what might be in the capital projects
17 budget bill.

18 We don't know what that is. We
19 don't know whether we support that or don't
20 support that. And there's absolutely no reason
21 that this couldn't be extended, like the other
22 extenders, to next Thursday. Or that this
23 couldn't be done without that \$8 billion in it
24 and come back and amend this at the end of the
25 budget, when we know what that amount actually

1 is.

2 I think certainly myself will sleep
3 just fine at night with a one-week extender on
4 this and not having this extra \$8 billion of
5 padding and debt that we don't have any idea what
6 it's for.

7 So with that, Mr. President, I would
8 urge a no vote on this at this time without those
9 changes.

10 ACTING PRESIDENT BAILEY: Thank
11 you, Senator O'Mara.

12 Are there any other Senators wishing
13 to be heard?

14 Seeing and hearing none, debate is
15 closed.

16 Senator Serrano.

17 SENATOR SERRANO: Mr. President,
18 upon consent, we've agreed to restore
19 Calendar 750 to the noncontroversial calendar.

20 ACTING PRESIDENT BAILEY: Upon
21 consent, the bill has been restored to the
22 noncontroversial calendar.

23 Read the last section.

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

1 ACTING PRESIDENT BAILEY: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BAILEY: Announce
5 the results.

6 THE SECRETARY: In relation to
7 Calendar 750, those Senators voting in the
8 negative are Senators Canzoneri-Fitzpatrick,
9 Gallivan, Griffio, Helming, Lanza, Mattera,
10 Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
11 Rolison, Stec, Tedisco and Weik.

12 Ayes, 43. Nays, 16.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 Senator Serrano, that completes the
16 reading of the supplemental calendar.

17 SENATOR SERRANO: Is there any
18 further business at the desk?

19 ACTING PRESIDENT BAILEY: There is
20 no further business at the desk.

21 SENATOR SERRANO: I move to adjourn
22 until Tuesday, April 2nd, at 3:00 p.m., with the
23 intervening days being legislative days.

24 ACTING PRESIDENT BAILEY: On
25 motion, the Senate stands adjourned until

1 Tuesday, April 2nd, at 3:00 p.m., with the
2 intervening days being legislative.

3 And again: Let's go, Mets!

4 (Whereupon, at 12:24 p.m., the
5 Senate adjourned.)

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