

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 April 15, 2024

11 3:36 p.m.

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14 REGULAR SESSION

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19 SENATOR JEREMY A. COONEY, Acting President

20 ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT COONEY: The
Senate will come to order.

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

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

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

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

ACTING PRESIDENT COONEY: Reading
of the Journal.

THE SECRETARY: In Senate, Sunday,
April 14, 2024, the Senate met pursuant to
adjournment. The Journal of Saturday, April 13,
2024, was read and approved. On motion, the
Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Kavanagh

1 moves to discharge, from the Committee on
2 Commerce, Economic Development and Small
3 Business, Assembly Print Number 8615 and
4 substitute it for the identical Senate Bill 8385,
5 Third Reading Calendar 569.

6 ACTING PRESIDENT COONEY:

7 Substitution so ordered.

8 Messages from the Governor.

9 Reports of standing committees.

10 Reports of select committees.

11 Communications and reports from
12 state officers.

13 Motions and resolutions.

14 SENATOR GIANARIS: Mr. President,
15 good afternoon.

16 I ask my colleagues to please join
17 us, at the request of Senators Mannion and May,
18 in a moment of silence for the fallen law
19 enforcement officials, the Syracuse police
20 officer and the Onondaga County sheriff's deputy
21 who lost their lives recently.

22 (Whereupon, the assemblage rose and
23 respected a moment of silence.)

24 SENATOR GIANARIS: Thank you.

25 ACTING PRESIDENT COONEY: Senator

1 Gianaris.

2 SENATOR GIANARIS: Moving into
3 motions and resolutions, Mr. President,
4 amendments are offered to the following
5 Third Reading Calendar bills:

6 By Senator Hoylman-Sigal, page 37,
7 Calendar Number 700, Senate Print 2477C;
8 Senator Harckham, page 34, Calendar
9 Number 657, Senate Print 6752A;
10 Senator May, page 32, Calendar
11 Number 623, Senate Print 612B.

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

15 Senator Gianaris.

16 SENATOR GIANARIS: Now let's move
17 on to previously adopted Resolution 1576, by
18 Senator Persaud, read that resolution's title,
19 and recognize Senator Webb on that resolution,
20 please.

21 ACTING PRESIDENT COONEY: The
22 Secretary will read.

23 THE SECRETARY: Senate Resolution
24 1576, by Senator Persaud, memorializing
25 Governor Kathy Hochul to proclaim April 11-17,

1 2024, as Black Maternal Health Week in the State
2 of New York.

3 ACTING PRESIDENT COONEY: Senator
4 Webb on the resolution.

5 SENATOR WEBB: Thank you,
6 Mr. President.

7 I rise and I want to thank
8 Senator Persaud for introducing this important
9 resolution memorializing Governor Kathy Hochul to
10 proclaim April 11th through the 17th of 2024 as
11 Black Maternal Health Week in the State of
12 New York.

13 This has been an annual
14 commemoration. This is actually the seventh
15 year. And the theme for this year's Black
16 Maternal Health Week is "Our bodies still belong
17 to us. Reproductive justice now."

18 And so I'm proud that here in this
19 chamber we are joining the voices of many other
20 chambers, local communities across this great
21 state and this country, to lift up this important
22 issue.

23 I'm very proud of the work that we
24 are doing in this chamber to pass legislation to
25 address this public health crisis facing Black

1 mothers in New York, because the stakes
2 unfortunately are staggeringly high for Black
3 mothers, their infants, their families, for all
4 birthing people.

5 In the U.S. Black women are three
6 times more likely to die from a pregnancy-related
7 cause than white women. The CDC notes that more
8 than 80 percent of pregnancy-related deaths are
9 also preventable. Black women face poorer health
10 outcomes than their peers because of systemic
11 issues in the healthcare system. These
12 shortcomings include and are not limited to
13 racism in the healthcare system, reduced
14 high-quality care options for Medicaid
15 recipients, and incentives for providers to
16 perform more expensive procedures due to Medicaid
17 reimbursements for vaginal births and less
18 invasive procedures.

19 Major underrepresentation of people
20 of color in the medical field. Also, systemic
21 issues in our society, including higher levels of
22 chronic long-term stress for Black women,
23 compounded by the effects of poverty, lack of
24 access in low-income and rural areas.

25 The impact of restrictive abortion

1 laws and denied abortion care disproportionately
2 affect Black mamas, worsened further by
3 structural barriers such as economic disparities
4 and limited access to quality family planning
5 services. And that comes from NIH, or the
6 National Institutes of Health.

7 Mr. President, these disparities
8 also impact Black maternal mental health. In the
9 United States, 29 to 44 percent of Black women
10 experience postpartum depressive symptoms, also
11 known as PDS -- and I want to thank my esteemed
12 colleague Senator Samra Brouk, our chair of
13 Mental Health, who has been a strong champion on
14 this issue as well -- yet few are properly
15 identified and/or connected to mental care
16 services.

17 As a state, we can and must do
18 better for mothers, birthing people, and their
19 infants. As the chair of the Senate's Women's
20 Issues Committee, I am committed to fighting to
21 ensure that New York is a safe and supportive
22 place for mothers, infants and their families.

23 I am especially grateful to our
24 Senate Majority Leader, Andrea Stewart-Cousins,
25 for her support and leadership in making this

1 happen, along with my colleagues. Just this year
2 we introduced a package of 12 pieces of
3 legislation that are designed to address maternal
4 reproductive health outcomes here in New York --
5 and it was introduced on the anniversary of Roe
6 v. Wade -- lifting up the importance of doing
7 this work and expanding access to maternal
8 reproductive healthcare.

9 I am very proud to be voting in
10 favor of this resolution, and I hope my
11 colleagues will join me in celebrating Black
12 Maternal Health Week by voting aye.

13 Thank you, Mr. President.

14 ACTING PRESIDENT COONEY: Thank
15 you, Senator Webb.

16 Senator Brouk on the resolution.

17 SENATOR BROUK: Thank you,
18 Mr. President.

19 And I want to thank Senator Persaud
20 and Senator Webb for their leadership, and of
21 course our Majority Leader for bringing this
22 resolution once again.

23 Because as we say we like to
24 celebrate Black Maternal Health Week, the truth
25 is I really look forward to a time when it can

1 just be an entire week talking about the joys of
2 birth and the joys of motherhood and the fact
3 that Black women are no longer more likely to die
4 in childbirth.

5 Until that point, though, we are
6 going to use this week not just to celebrate --
7 yes, there is still joy in childbirth and in
8 motherhood -- but to also take it as a charge to
9 continue doing the work that this body has really
10 in earnest begun to do in the past few years to
11 address the Black maternal morality crisis.

12 In this state where we all have the
13 honor and privilege of representing New Yorkers,
14 Black women today are five times more likely to
15 die in childbirth. Black women today are twice
16 as likely to suffer from a maternal mental health
17 condition, and half as likely to get the help
18 that they need.

19 The good news is that this body
20 together has truly come together, and I will say
21 in a bipartisan effort, to ensure that we are
22 tackling the maternal mortality crisis and that
23 we are putting Black women at the center of how
24 we address these issues.

25 So I want to say thank you again to

1 all of my colleagues for our continued work, and
2 to say I look forward, as many of you do, to the
3 day where we are simply enjoying and celebrating
4 Black motherhood during this week and we no
5 longer have the mortality crisis in front of us.

6 Thank you.

7 ACTING PRESIDENT COONEY: Thank
8 you, Senator Brouk.

9 The resolution was adopted on
10 January 9th.

11 Senator Gianaris.

12 SENATOR GIANARIS: Let's move on
13 next to previously adopted Resolution 1922, by
14 Senator Harckham, read that resolution's title,
15 and recognize Senator Harckham.

16 ACTING PRESIDENT COONEY: The
17 Secretary will read.

18 THE SECRETARY: Resolution 1922, by
19 Senator Harckham, mourning the death of
20 Herbert F. Geller, distinguished veteran and
21 devoted member of his community.

22 ACTING PRESIDENT COONEY: Senator
23 Harckham on the resolution.

24 SENATOR HARCKHAM: Thank you very
25 much, Mr. President.

1 I rise today to celebrate the life
2 of my friend and mentor Herbert F. Geller.

3 Herb was quite an individual -- part
4 of the Greatest Generation, served in World
5 War II in England and in Germany, came back, went
6 to journalism school, married the love of his
7 life, Gloria, had three daughters -- Nisa,
8 JeriAnn, and Sharon. And Herb worked in
9 journalism both locally and regionally.

10 But I knew Herb from politics. And
11 you know, we get to these offices and I'm sure we
12 all like to think it's because of the force of
13 our personality or our dashing good looks -- not
14 in my case, of course. But the reality is we
15 know we stand on the shoulders of our
16 predecessors.

17 And the part of Westchester County
18 I'm from very often was not represented by folks
19 from my party. In fact, I was the first person
20 in over 100 years to win this seat for my party,
21 and it was in large part due to the work of
22 people like Herb Geller.

23 Herb was tireless in his efforts
24 long before I was even in that part of the
25 county. He was a passionate Democrat. He was an

1 FDR Democrat. And the funny thing was he used to
2 call me "kid." And I suppose when you're 102 you
3 can call someone in their sixties "kid."

4 (Laughter.)

5 SENATOR HARCKHAM: But I used to
6 relish my time with Herb and with Gloria.

7 But Herb was not just a partisan. I
8 mean, Herb was well-respected in the community in
9 which he lived, North Salem. He was a commander
10 of the VA. He for decades ran the Memorial Day
11 parade and the 9/11 celebration, and was really a
12 credible force in the community for bringing the
13 community together around our common values.

14 And so, you know, I worked with Herb
15 for several decades to build capacity and finally
16 begin winning elections in our part of
17 Westchester and the Hudson Valley. And the
18 success that many people are enjoying today is
19 because of the tireless work of people like
20 Herb Geller for years.

21 And I want to go back to one other
22 thing in his career. And I didn't even know this
23 about Herb because he was so humble, until I
24 reread the resolution. Herb was nominated for a
25 Pulitzer Prize for his journalism. And it was

1 never about Herb. Like he never -- he never
2 mentioned the nomination for the Pulitzer, he
3 never mentioned his service in World War II,
4 which was truly heroic. And these are the folks
5 who built our country, who built our communities,
6 and are the shoulders who we stand on.

7 So I stand again to pay tribute to
8 my friend and mentor Herb Geller. Rest in peace.

9 ACTING PRESIDENT COONEY: Thank
10 you, Senator Harckham.

11 The resolution was adopted on
12 March 12th.

13 Senator Gianaris.

14 SENATOR GIANARIS: Mr. President,
15 the two resolutions we took up are open for
16 cosponsorship.

17 ACTING PRESIDENT COONEY: The
18 resolutions are open for cosponsorship. Should
19 you choose not to be a cosponsor, please notify
20 the desk.

21 Senator Gianaris.

22 SENATOR GIANARIS: There is a
23 report of the Finance Committee at the desk.
24 Let's take that up now, please.

25 ACTING PRESIDENT COONEY: The

1 Secretary will read.

2 Senator Krueger, from the Committee
3 on Finance, reports the following nomination.

4 As Executive Director of the
5 Thruway Authority: Francis G. Hoare.

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

8 And please recognize
9 Senator Krueger.

10 ACTING PRESIDENT COONEY: All in
11 favor of accepting the report of the Finance
12 Committee signify by saying aye.

13 (Response of "Aye.")

14 ACTING PRESIDENT COONEY: Opposed,
15 nay?

16 (No response.)

17 ACTING PRESIDENT COONEY: The
18 report of the Finance Committee is accepted.

19 Senator Krueger on the nomination.

20 SENATOR KRUEGER: Thank you very
21 much, Mr. President.

22 I'm very proud to stand here to ask
23 my colleagues to all support the confirmation of
24 Francis Hoare, usually known as Frank, to be the
25 head of the New York State Thruway Authority.

1 Some of us might think, hasn't he
2 been doing that forever? And the answer is yes,
3 but under different titles, and yet to be
4 confirmed by this house. Many people here know
5 Frank Hoare. Many people here also wonder why
6 anyone would want to run the Thruway Authority.
7 It's like getting the job running the MTA --
8 people are just mad at you all the time.

9 So really appreciate that knowing
10 what the job is, he actually wants to become the
11 official head of the New York State Thruway
12 Authority.

13 People may know that Frank has
14 worked in public service in a variety of ways
15 through his entire life. As I mentioned, he's
16 been at the Thruway Authority since 2020. Prior
17 to that, he was a Deputy Secretary for
18 Legislative Affairs at the then-Governor's
19 office. He's been general counsel at the
20 New York State Division of Homeland Security and
21 Emergency Services. He tried the private sector
22 for a little while, but came back.

23 He's been a Deputy Attorney General
24 for the Attorney General of the State of
25 New York, associate counsel for the New York

1 State Division of Military and Naval Affairs.
2 Many of us know him from his work with
3 Assemblymember Herman "Denny" Farrell for an
4 extended period of time. And he was also
5 involved with civil litigation in federal and
6 state courts.

7 And he's also been a member of the
8 U.S. Army Reserves in a number -- bless you -- of
9 legal and judge advocate roles, advancing to the
10 rank of lieutenant colonel. I checked that out;
11 that's a very high rank. Well done, Francis
12 Hoare.

13 So I think, again, he performed
14 excellently in the committee hearings. He
15 covered all the questions people had -- again,
16 highlighting people's frustration with the
17 Thruway Authority. We really care about our
18 transportation.

19 And I do appreciate the fact that he
20 and his family are willing to continue their
21 commitment to the State of New York through
22 continuing in this position.

23 And I hope all of my colleagues will
24 also hope to support him today. Thank you.

25 Thank you.

1 ACTING PRESIDENT COONEY: Thank
2 you, Senator Krueger.

3 Senator Mayer on the nomination.

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

6 It's really an honor and a pleasure
7 to speak on behalf of my friend Frank Hoare.

8 You know, sometimes in this chamber
9 we diminish the value of experience in state
10 government, but there is a great deal to be said
11 for someone who has served in as many capacities
12 as Frank, including in the Assembly, in the
13 Executive, as commissioner and for agencies.

14 And with those years of service,
15 Frank has a distinguished record not only of his
16 own, as being a judge advocate for the U.S. Army
17 Reserves. But to me, the things that Frank
18 stands for are not only experience but
19 competence, honesty, and integrity.

20 He is a breath of fresh air at the
21 Thruway Authority. I had my own struggles with
22 them prior to his appointment. And I think the
23 kind of character that he brings to this job is
24 the kind of thing we are looking for when we
25 fight on behalf of our constituents to have

1 agencies respond.

2 So I really, really couldn't be more
3 pleased with the Governor's appointment. I look
4 forward to continuing to work closely with Frank.
5 And I just know that his stellar reputation, his
6 commitment to public service, his knowledge of
7 what regular New Yorkers want from state agencies
8 and authorities will drive his performance. And
9 I am confident that notwithstanding the struggles
10 he'll have with members of the Legislature, which
11 goes with the job and he knows it very well, it
12 will all be on the side of serving the people of
13 New York.

14 I'm proud to vote aye on his
15 nomination.

16 ACTING PRESIDENT COONEY: Thank
17 you, Senator Mayer.

18 Senator Kennedy on the nomination.

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

21 I rise today to support the
22 nomination of Frank Hoare as executive director
23 of the Thruway Authority.

24 First I want to recognize the
25 Governor for putting forward such an

1 extraordinary nominee, somebody that has served
2 this state in so many different capacities and
3 has served this great country, who has earned his
4 rightful place, whether it be in government here
5 today at the highest levels, helping to move
6 people throughout our state, or whether it be out
7 in the community where he has served so nobly and
8 extensively.

9 He is impeccably qualified for the
10 role of executive director of the
11 Thruway Authority.

12 Today in the chamber he's joined by
13 his wife, Cathy Calhoun, in her own right an
14 expert in transportation and a leader in
15 government over many years. He also is joined by
16 their daughter Chelsea and his brother Thomas, as
17 well as their beautiful grandson Landon.

18 Welcome to all of you.

19 As we move this nomination on the
20 floor of the Senate today, I think it's important
21 not only that we recognize the role that he's
22 served as a public servant in government in the
23 many capacities that have already been
24 articulated, but in his leadership role as
25 lieutenant colonel, spending 28 years in the

1 United States Army Reserve as a judge advocate,
2 including overseas deployments to Germany,
3 Bosnia, Iraq and Afghanistan, after earning his
4 J.D. from SUNY Law School here in Albany.

5 And more recently we've seen him in
6 action at the Thruway Authority, both as the
7 counsel as well as the interim executive director
8 since the end of 2022. As the chair of the
9 Transportation Committee, I can tell you that
10 Frank went through extensive questioning on a
11 wide range of issues from all across the State of
12 New York, and answered the questions in a
13 professional, honest and extremely educated
14 style -- that's how he operates. That's who he
15 is -- and in that capacity, reiterating what
16 Senator Mayer already mentioned, demonstrated his
17 unique moral character that he is defined by both
18 professionally as well as personally.

19 And so on a personal note, I've
20 known Frank for well over a decade and have seen
21 him in action here in New York State, serving in
22 the many capacities, but again out in the
23 community as an advocate, always helping people
24 and playing an advocate role both within and
25 outside of government.

1 So with all of that said, it is a
2 tremendous honor and privilege that we nominate
3 you here today, Frank Hoare, as the executive
4 director of the Thruway Authority. I'm confident
5 that Frank and his team will do incredible work
6 with him spearheading the way in his new capacity
7 and continue his lifetime of service to our state
8 and our country.

9 I vote aye. Congratulations.

10 ACTING PRESIDENT COONEY: Thank
11 you, Senator Kennedy.

12 Senator Jackson on the nomination.

13 SENATOR JACKSON: Thank you,
14 Mr. President.

15 I rise in support of Frank Hoare as
16 the executive director of the New York State
17 Thruway. And I've known Frank and his family
18 growing up in Washington Heights and Inwood, the
19 areas that I represent. And when I opened up the
20 booklet and saw Frank's name, I said, Wow, I'm so
21 happy for him and his family.

22 So Frank, good to see you and your
23 family. Tom. You know, I've always admired the
24 family working in the community where we grew up
25 at. And I say to you, I'm so proud of you today.

1 And Mr. President, I proudly vote
2 aye.

3 ACTING PRESIDENT COONEY: Thank
4 you, Senator Jackson.

5 Senator Gianaris, to close on the
6 nomination.

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

9 I have known Frank Hoare for about
10 three decades, when I was a member of the staff
11 of the State Assembly and he was the top staffer
12 for the late, great Denny Farrell, and have
13 worked with him ever since, in different
14 capacities for each of us.

15 But one thing I can say about Frank
16 is he is a true public servant in the best sense
17 of the word, very responsible, diligent, honest,
18 and will always give you the answers you're
19 seeking even if it's not what you want to hear,
20 such as when these rest stops are going to reopen
21 all along the Thruway.

22 (Laughter.)

23 SENATOR GIANARIS: I know he's
24 working as hard as he can to get them open
25 expeditiously.

1 But there's nobody I would rather
2 have in this job to make sure that the Thruway
3 Authority is being run responsibly and to the
4 best of his ability.

5 So Frank, looking forward to working
6 with you in another new capacity for you. And I
7 know it's going to be a very successful
8 assignment.

9 I very proudly vote yes,
10 Mr. President.

11 ACTING PRESIDENT COONEY: Thank
12 you, Senator Gianaris.

13 The question is on the nomination.
14 Call the roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT COONEY: Announce
17 the results.

18 THE SECRETARY: Ayes, 56.

19 ACTING PRESIDENT COONEY: The
20 nominee is confirmed.

21 Please rise and be recognized,
22 Cathy Calhoun and your family.

23 (Standing ovation.)

24 ACTING PRESIDENT COONEY: Senator
25 Gianaris.

1 SENATOR GIANARIS: Mr. President,
2 we want to make sure the new Thruway Authority
3 director gets paid, so there will be an immediate
4 meeting of the Rules Committee in Room 332.

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

8 SENATOR GIANARIS: The Senate will
9 stand at ease.

10 ACTING PRESIDENT COONEY: The
11 Senate will stand at ease.

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

14 (Whereupon, the Senate reconvened at
15 4:08 p.m.)

16 ACTING PRESIDENT COONEY: The
17 Senate will return to order.

18 Senator Gianaris.

19 SENATOR GIANARIS: Mr. President,
20 let's begin by taking up the calendar at this
21 time.

22 ACTING PRESIDENT COONEY: The
23 Secretary will read.

24 THE SECRETARY: Calendar Number
25 474, Senate Print 688, by Senator May, an act to

1 amend the Executive Law.

2 SENATOR LANZA: Lay it aside.

3 SENATOR GIANARIS: Lay it aside for
4 the day, please.

5 ACTING PRESIDENT COONEY: The bill
6 is laid aside for the day.

7 THE SECRETARY: Calendar Number
8 478, Senate Print 2481, by Senator Hoylman-Sigal,
9 an act to amend the Executive Law.

10 ACTING PRESIDENT COONEY: Read the
11 last section.

12 THE SECRETARY: Section 2. This
13 act shall take effect on the first of January.

14 ACTING PRESIDENT COONEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT COONEY: Announce
18 the results.

19 THE SECRETARY: In relation to
20 Calendar 478, those Senators voting in the
21 negative are Senators Borrello, Griffo, Helming,
22 Oberacker, O'Mara, Ortt, Rhoads and Rolison.

23 Ayes, 50. Nays, 8.

24 ACTING PRESIDENT COONEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 569, Assembly Print Number 8615, by
3 Assemblymember Fall, an act to amend the
4 Alcoholic Beverage Control Law.

5 ACTING PRESIDENT COONEY: Read the
6 last section.

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

9 ACTING PRESIDENT COONEY: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT COONEY: Announce
13 the results.

14 THE SECRETARY: In relation to
15 Calendar Number 569, voting in the negative:
16 Senator Martinez.

17 Ayes, 57. Nays, 1.

18 ACTING PRESIDENT COONEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 608, Senate Print 4349, by Senator Sepúlveda, an
22 act to amend the Real Property Tax Law.

23 ACTING PRESIDENT COONEY: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT COONEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT COONEY: Announce
6 the results.

7 THE SECRETARY: Ayes, 58.

8 ACTING PRESIDENT COONEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 648, Senate Print 2730, by Senator Sanders, an
12 act to amend the Penal Law.

13 ACTING PRESIDENT COONEY: Read the
14 last section.

15 THE SECRETARY: Section 13. This
16 act shall take effect on the 180th day after it
17 shall have become a law.

18 ACTING PRESIDENT COONEY: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT COONEY: Announce
22 the results.

23 THE SECRETARY: In relation to
24 Calendar 648, voting in the negative are
25 Senators Brisport and Salazar.

1 Ayes, 56. Nays, 2.

2 ACTING PRESIDENT COONEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 691, Senate Print 3381A, by Senator Kennedy, an
6 act to amend the Executive Law.

7 ACTING PRESIDENT COONEY: Read the
8 last section.

9 THE SECRETARY: Section 5. This
10 act shall take effect immediately.

11 ACTING PRESIDENT COONEY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT COONEY: Senator
15 Kennedy to explain his vote.

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

18 I rise today to speak about this
19 bill I'm proud to sponsor, the Language Access
20 Expansion Act.

21 We all know that the years that we
22 went through the pandemic magnified the
23 disparities that exist within all of our
24 communities. Those in the immigrant, refugee and
25 non-native-English-speaking communities

1 disproportionately felt the pain of the pandemic.
2 Not only did those communities suffer the loss of
3 life like so many others, but they were often
4 left without life-saving information and
5 essential communication.

6 In 2011 the Executive issued an
7 order that required translation services for the
8 top six languages spoken across New York State.
9 But this being New York, we knew that that was
10 inadequate. That's why we drafted legislation in
11 collaboration with the New York Immigration
12 Coalition that would require essential public
13 documents to be translated into the 12 most
14 common non-English languages spoken across
15 New York State.

16 I'm proud to report that we were
17 able to include a significant portion of the bill
18 in last year's budget, a huge victory for
19 language access and our intent with this
20 legislation. Now we're focused on other aspects
21 of that bill that were not included in the
22 budget, which is why we're here today.

23 Just as important as the number of
24 languages is how we update the languages based
25 upon the population of individuals across the

1 state. Under this legislation, there would also
2 be a regular review of languages spoken in
3 New York based on the U.S. Census and
4 American Community Survey, and the origin of the
5 most recent arrivals for the previous five years.

6 It would also direct state agencies
7 to make translations of documents available in
8 each region of the state in the three most common
9 non-English languages that are spoken in that
10 particular region and not already included in the
11 12 most common languages that are spoken that
12 were already mentioned.

13 This legislation was designed to
14 open the doors of government to so many and to
15 provide these communities with the dignity that
16 they rightfully deserve here in this great state
17 and here in this great country.

18 I want to thank our Majority Leader,
19 Andrea Stewart-Cousins, and our entire
20 Democratic Conference for their strong commitment
21 to this issue and everything that's been shown to
22 improve the lives of all New Yorkers,
23 specifically by increasing accessibility and
24 inclusivity. And this policy will do just that.

25 Lastly, this -- like so many

1 ideas -- was driven by advocates. I want to take
2 a moment to thank the New York Immigration
3 Coalition and specifically the executive
4 director, Murad Awawdeh, as well as the upstate
5 advocacy director, Meghan Maloney de Zaldivar,
6 and the entire team at the coalition for leading
7 this effort.

8 They are the boots on the ground,
9 the frontline helpers going above and beyond to
10 ensure that we're opening doors here in New York
11 instead of closing them. I'm grateful for their
12 partnership, their thoughtfulness, and their
13 attention to detail as we improve these important
14 policies and move them forward here in this
15 chamber.

16 With that, Mr. President, I thank
17 you. I vote aye.

18 ACTING PRESIDENT COONEY: Senator
19 Kennedy to be recorded in the affirmative.

20 Announce the results.

21 THE SECRETARY: In relation to
22 Calendar 691, those Senators voting in the
23 negative are Senators Borrello,
24 Canzoneri-Fitzpatrick, Griffo, Helming, Lanza,
25 Martins, Mattera, Murray, Oberacker, O'Mara,

1 Ortt, Palumbo, Rhoads, Stec, Tedisco, Weber and
2 Weik.

3 Ayes, 42. Nays, 17.

4 ACTING PRESIDENT COONEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 694, Senate Print 4790, by Senator Rivera, an act
8 to amend the Social Services Law.

9 ACTING PRESIDENT COONEY: Read the
10 last section.

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

14 ACTING PRESIDENT COONEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT COONEY: Announce
18 the results.

19 THE SECRETARY: In relation to
20 Calendar 694, those Senators voting in the
21 negative are Senators Borrello, Lanza, Oberacker,
22 O'Mara, Ortt and Rhoads.

23 Ayes, 53. Nays, 6.

24 ACTING PRESIDENT COONEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 720, Senate Print 1669, by Senator Addabbo, an
3 act to amend the Education Law.

4 SENATOR LANZA: Lay it aside.

5 ACTING PRESIDENT COONEY: Lay it
6 aside.

7 THE SECRETARY: Calendar Number
8 729, Senate Print 1092, by Senator Bailey, an act
9 to amend the Penal Law.

10 ACTING PRESIDENT COONEY: Read the
11 last section.

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

14 ACTING PRESIDENT COONEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT COONEY: Announce
18 the results.

19 THE SECRETARY: Ayes, 59.

20 ACTING PRESIDENT COONEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 758, Senate Print 2722, by Senator Skoufis, an
24 act to amend the Alcoholic Beverage Control Law.

25 ACTING PRESIDENT COONEY: Read the

1 last section.

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

4 ACTING PRESIDENT COONEY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT COONEY: Announce
8 the results.

9 THE SECRETARY: Ayes, 59.

10 ACTING PRESIDENT COONEY: The bill
11 is passed.

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

14 SENATOR GIANARIS: Mr. President,
15 there's a report of the Rules Committee at the
16 desk. Let's take that up.

17 ACTING PRESIDENT COONEY: The
18 Secretary will read.

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

22 Senate Print 9055, by
23 Senator Krueger, an act making appropriations for
24 the support of government.

25 The bill reports direct to third

1 reading.

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

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

7 (Response of "Aye.")

8 ACTING PRESIDENT COONEY: Opposed,
9 nay.

10 (No response.)

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

13 Senator Gianaris.

14 SENATOR GIANARIS: Now let's take
15 up the supplemental calendar.

16 ACTING PRESIDENT COONEY: The
17 Secretary will read.

18 THE SECRETARY: Calendar Number
19 813, Senate Print 9055, by Senator Krueger, an
20 act making appropriations for the support of
21 government.

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

25 ACTING PRESIDENT COONEY: There is

1 a message of necessity and appropriation at the
2 desk.

3 SENATOR GIANARIS: Move to accept
4 the message of necessity and appropriation.

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

8 (Response of "Aye.")

9 ACTING PRESIDENT COONEY: Opposed,
10 nay.

11 (Response of "Nay.")

12 ACTING PRESIDENT COONEY: The
13 message is accepted, and the bill is before the
14 house.

15 SENATOR LANZA: Lay it aside.

16 ACTING PRESIDENT COONEY: Lay it
17 aside.

18 Senator Gianaris, that completes the
19 reading of the supplemental calendar.

20 SENATOR GIANARIS: Let's now take
21 up the controversial calendar.

22 ACTING PRESIDENT COONEY: The
23 Secretary will ring the bell.

24 The Secretary will read.

25 THE SECRETARY: Calendar Number

1 813, Senate Print 9055, by Senator Krueger, an
2 act making appropriations for the support of
3 government.

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

6 SENATOR O'MARA: Thank you.

7 Mr. President, I have a few
8 questions on this extender bill for
9 Senator Krueger, if she would yield.

10 ACTING PRESIDENT COONEY: Senator
11 Krueger, do you yield?

12 SENATOR KRUEGER: Of course I will.

13 ACTING PRESIDENT COONEY: The
14 Senator yields.

15 SENATOR O'MARA: Senator, this is
16 our fifth extender now. We are now two weeks
17 late on the budget, so five extenders in 14 days.
18 How long does this extender keep government in
19 the state going?

20 SENATOR KRUEGER: This runs through
21 April 18th, so that would be Thursday.

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

25 ACTING PRESIDENT COONEY: Will the

1 Senator yield?

2 SENATOR KRUEGER: Yes.

3 ACTING PRESIDENT COONEY: The
4 Senator yields.

5 SENATOR O'MARA: Does that mean we
6 would have to do another extender on Thursday if
7 the budget isn't done? Or could we do the next
8 extender on Friday?

9 SENATOR KRUEGER: I believe we
10 would have to do one Thursday if it's still
11 necessary, if we've not completed budget bills.

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

15 ACTING PRESIDENT COONEY: Will the
16 Senator yield?

17 SENATOR KRUEGER: Yes.

18 ACTING PRESIDENT COONEY: The
19 Senator yields.

20 SENATOR O'MARA: Senator, there's
21 still a lot of people around the Capitol here
22 that are in the dark on what's going on with this
23 budget process. There's no eclipse this week.
24 We're in full daylight now, although I feel like
25 I still have those glasses on with regards to

1 this budget, as do most people around this
2 Capitol.

3 Can you tell us at this moment where
4 we stand on a budget agreement and actually
5 putting together budget bills to bring to the
6 floor to vote and debate?

7 SENATOR KRUEGER: So interestingly,
8 I just got an announcement that the Governor's
9 doing a 4:45 presser on the budget. And so that
10 was news to me. So we might all learn something
11 at 4:45 today.

12 SENATOR O'MARA: Well, thank you,
13 Senator Krueger. Because that was going to be my
14 next question, as to whether Leader
15 Stewart-Cousins or Speaker Heastie were going to
16 be involved in that announcement at 4:45. So I
17 guess the answer to that is no.

18 SENATOR KRUEGER: I can't speak for
19 Mr. Heastie or the Assembly. I think it was a
20 surprise to all of us in the Senate.

21 SENATOR O'MARA: Thank you.

22 Mr. President, would the Senator
23 continue to yield.

24 ACTING PRESIDENT COONEY: Senator,
25 will you yield?

1 SENATOR KRUEGER: Yes.

2 ACTING PRESIDENT COONEY: The
3 Senator yields.

4 SENATOR O'MARA: You know, Senator,
5 we're running now into these delays where we're
6 encroaching into the school budget cycle, and our
7 school budgets are getting increasingly antsy on
8 finalizing their budgets that need to go to the
9 public in May.

10 And I've been hearing from
11 superintendents: What's it going to be, where
12 are we at? Can you tell us where we are with the
13 education portion of the budget where that
14 spending's going to be and what we should be
15 telling our school superintendents as they
16 formulate their budgets?

17 SENATOR KRUEGER: Unfortunately,
18 until we complete the budget process and pass
19 bills, I cannot give any specific information
20 about what happens to schools.

21 I do think we will get there before
22 the schools need to know what the numbers are.
23 And I agree it's extremely frustrating for school
24 districts. It's probably the one area where,
25 when we have delays like this, you start to hear

1 from people that they're concerned.

2 I can say, on behalf of myself only,
3 I'm relatively optimistic that the outcome of the
4 budget will be much better for school districts
5 than the original Executive Budget.

6 SENATOR O'MARA: Thank you,
7 Mr. President.

8 On the bill.

9 ACTING PRESIDENT COONEY: Senator
10 O'Mara on the bill.

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

13 I wish I could share your optimism.
14 But since little to no specifics have come out on
15 this budget thus far, other than rumors and
16 speculation and that there was a deal over the
17 weekend and that fell apart because of
18 significant issues, to tell my school
19 superintendents that don't worry, I'm optimistic,
20 you know -- you know, be loose, hang loose on
21 putting your budget together -- that's not the
22 way they operate. They're far more responsible
23 than that in putting together the school budgets
24 that they have to do to put before the voters.

25 We just have to put together a

1 budget here to put before us in the Legislature,
2 not the public. Because we have really a job
3 that we have to do here so that others in the
4 state can do their jobs. And these delays are
5 only aggravating the situation, so ...

6 I'll be supporting this extender
7 today. I'm not sure how much longer I can
8 continue to support these extensions with -- with
9 no information out there other than, you know,
10 I'm optimistic that schools are going to be okay.
11 We need to know that sooner rather than later.

12 Thank you, Mr. President.

13 ACTING PRESIDENT COONEY: Thank
14 you, Senator O'Mara.

15 Senator Weik, why do you rise?

16 SENATOR WEIK: Thank you,
17 Mr. President. On the bill.

18 ACTING PRESIDENT COONEY: Senator
19 Weik on the bill.

20 SENATOR WEIK: This budget is two
21 weeks late. And because it's two weeks late,
22 it's created nothing but chaos for schools and
23 the school budget process.

24 I have eight or nine schools that
25 stand to lose millions and millions of dollars,

1 which means laying off teachers, cutting
2 programs. Our students are going to lose out
3 even further. After two years of COVID learning
4 loss, this is not the time to be laying off
5 teachers and cutting programs.

6 How can schools create a budget to
7 be voted on next month if we don't have the
8 information for them now? So many of my school
9 districts are meeting this week to create that
10 budget that gets voted on next week. So many
11 teachers stand to lose their job. Voting
12 New Yorkers are going to lose their job if
13 schools are not fully funded like we did last
14 year.

15 This year, because of cuts of other
16 funding, our schools not only need to have full
17 funding of Foundation Aid, but we need to
18 allocate 3 percent to the hold-harmless so that
19 they can continue doing the great jobs that
20 they've been doing and not lay off teachers or
21 cut programs.

22 And for that, Mr. President, I will
23 be voting in favor of this bill. However, I
24 think this is the last extender I can vote on.

25 ACTING PRESIDENT COONEY: Thank

1 you, Senator Weik.

2 Senator Helming, why do you rise?

3 SENATOR HELMING: Thank you,
4 Mr. President.

5 If the sponsor will yield for a
6 couple of questions.

7 ACTING PRESIDENT COONEY: Senator
8 Krueger, will you yield?

9 SENATOR KRUEGER: Yes, sir.

10 ACTING PRESIDENT COONEY: Senator
11 Krueger yields.

12 SENATOR HELMING: Thank you,
13 Senator Krueger. Through you, Mr. President.

14 Senator Krueger, when Senator O'Mara
15 was asking questions about schools and stressing
16 the importance of getting them the information so
17 they could plan their budgets, I thought I heard
18 you say that you're optimistic that we will get
19 the information out to the schools before they
20 need it.

21 Can you expand on that a little bit?
22 What do you mean by "before they need it"?

23 SENATOR KRUEGER: Well, given the
24 date, obviously they would have preferred to have
25 it by April 1st. I think we are quite close to

1 closing down the budget negotiations, but we are
2 not there yet. So there's not a lot of detail I
3 can offer other than the school districts could
4 try to plan for their current year -- their
5 future year using the numbers that the Governor
6 offered in her Executive Budget. I suppose that
7 would be the most conservative action to take.

8 I'm pretty confident that we're
9 going to end up in a much better place for them
10 than if we had accepted the Governor's budget.
11 So it goes back to I think a point I made the
12 last time we did an extender. I would personally
13 rather have a late budget than a bad budget. And
14 so if being late means we're going to get to a
15 better place for our communities, for our school
16 districts, then I'm willing to accept that yes,
17 being late is no one's ideal, but coming up with
18 better numbers for education because we did take
19 the time to fight this out is worth it.

20 SENATOR HELMING: Mr. President, if
21 the sponsor will continue to yield.

22 ACTING PRESIDENT COONEY: Will the
23 sponsor yield?

24 SENATOR KRUEGER: Yes.

25 ACTING PRESIDENT COONEY: The

1 sponsor yields.

2 SENATOR HELMING: So,
3 Senator Krueger, you are saying that what you
4 anticipate being in the final budget will be
5 better for school districts across the board than
6 what they had last year? Or are you saying it
7 should be equal to what they received last year?

8 SENATOR KRUEGER: No, I said that I
9 believe that the outcome when we complete the
10 budget will be better than the proposed
11 Executive Budget when the Governor put hers out.

12 SENATOR HELMING: Through you,
13 Mr. President, if the sponsor will continue to
14 yield.

15 ACTING PRESIDENT COONEY: Will the
16 sponsor yield?

17 SENATOR KRUEGER: Yes.

18 ACTING PRESIDENT COONEY: The
19 sponsor yields.

20 SENATOR HELMING: Senator Krueger,
21 have you personally heard from school districts
22 who are making cuts now in preparation for the
23 state budget?

24 SENATOR KRUEGER: I have heard from
25 colleagues who come from all over the state that

1 have been bringing that issue up to us,
2 absolutely.

3 I represent New York City, so it's a
4 little different story for New York City, who
5 also has significant concerns about the school
6 budgets that are facing proposed cuts by the
7 Mayor of New York City in the city budget.

8 But I don't by definition have lots
9 of individual districts myself. But many of my
10 colleagues do, yes.

11 SENATOR HELMING: Through you,
12 Mr. President, if the sponsor will continue to
13 yield.

14 ACTING PRESIDENT COONEY: Will the
15 sponsor yield?

16 SENATOR KRUEGER: Yes.

17 ACTING PRESIDENT COONEY: The
18 sponsor yields.

19 SENATOR HELMING: Senator Krueger,
20 I do want to make you aware I have -- I represent
21 something like 37 school districts. And there
22 are several of them that year after year I bring
23 up on this floor prior to budget, during budget
24 time, that they're harmed by the Foundation Aid
25 formula. They don't receive their fair share of

1 funding.

2 One of those school districts,
3 Marion, just laid off 30 employees. They gave
4 30 employees notice.

5 Can you elaborate or shed any light
6 on will we see something in this budget that
7 adjusts the Foundation Aid formula so that these
8 schools like Marion, like Caledonia-Mumford, like
9 Honeoye Falls-Lima, like Gananda, that they're
10 not harmed again this year?

11 SENATOR KRUEGER: I can't give out
12 any data on specific school districts. I know
13 that we have talked in other years as well that
14 sometimes we have been able to assist individual
15 districts through bullet aid in addition to the
16 funding formula.

17 I think that my colleague knows we
18 are equally frustrated that the core formula for
19 establishing education money to each district is
20 woefully out of date, and that we have called for
21 and hopefully will now get a -- a -- excuse me,
22 an evaluation of a new set of Foundation Aid
23 formula options that hopefully, by a year from
24 now, we might be using a new improved formula
25 that will more adequately address the needs of

1 school districts.

2 So I think we share both the
3 frustration that the current formula hasn't kept
4 up with the realities of the 21st century, and I
5 think we share a desire to change that formula.

6 That formula will not, by
7 definition, be changing necessarily in this
8 budget year. But we are absolutely trying to
9 protect and hold harmless from school districts
10 cuts that were proposed in the Governor's
11 original Executive Budget for fiscal year
12 '24-'25.

13 SENATOR HELMING: Mr. President, if
14 the sponsor will continue to yield.

15 ACTING PRESIDENT COONEY: Will the
16 sponsor yield?

17 SENATOR KRUEGER: Yes.

18 ACTING PRESIDENT COONEY: The
19 sponsor yields.

20 SENATOR HELMING: Senator Krueger,
21 just going back for a moment to the reality of
22 the timelines that school districts and school
23 boards are subject to, it's my understanding that
24 they're required to put out legal notice on four
25 separate occasions before they pass their budget.

1 The first notice had to be done the
2 week of -- between April 2nd and 6th. Are you
3 aware of that?

4 SENATOR KRUEGER: I don't believe I
5 was aware of that, no. Or if I knew it, I forgot
6 it by now, so I apologize.

7 SENATOR HELMING: Through you,
8 Mr. President, if the sponsor will continue to
9 yield.

10 ACTING PRESIDENT COONEY: Will the
11 sponsor yield?

12 SENATOR KRUEGER: Yes.

13 ACTING PRESIDENT COONEY: The
14 sponsor yields.

15 SENATOR HELMING: Senator Krueger,
16 are you aware that time truly is of the essence
17 so that these school boards can put together a
18 responsible spending plan that people in their
19 districts have time to consider before they vote?
20 Do you know that in 11 days, April 26th, that's
21 the date that they're required to distribute the
22 military ballots?

23 SENATOR KRUEGER: Military ballots
24 for school board elections. Just clarifying.

25 SENATOR HELMING: And the budgets,

1 if somebody wants to vote on the budget.

2 SENATOR KRUEGER: No, that's also
3 useful information. Thank you.

4 SENATOR HELMING: Thank you.

5 Mr. President, on the bill.

6 ACTING PRESIDENT COONEY: Senator
7 Helming on the bill.

8 SENATOR HELMING: We have passed
9 numerous extenders which I have supported because
10 I thought it was extremely important that the
11 state fund programs like housing for our
12 veterans, that we fund programs, continue to make
13 payments for WIC, Women, Infants and Children.

14 But we're getting to that point now
15 where we are really causing undue stress and
16 strain on our school districts, some of our
17 municipalities, and others. We need to get this
18 budget done. This will be the last time that I
19 am voting yes on an extender.

20 ACTING PRESIDENT COONEY: Thank
21 you, Senator Helming.

22 Senator Rhoads, why do you rise?

23 SENATOR RHOADS: Will the sponsor
24 yield to a few questions.

25 ACTING PRESIDENT COONEY: Will the

1 sponsor yield?

2 SENATOR KRUEGER: Yes.

3 ACTING PRESIDENT COONEY: The
4 sponsor yields.

5 SENATOR RHOADS: Senator Krueger,
6 thank you so much for yielding to questions.

7 You just indicated, by the way, that
8 if there was a significant issue with respect to
9 a school district, that there would be bullet aid
10 available. Did you not?

11 SENATOR KRUEGER: No, I pointed out
12 that in previous years we have been able to help
13 individual districts who, because of the I think
14 flaws in the Foundation Aid formula, needed
15 additional help.

16 SENATOR RHOADS: Okay. And if the
17 sponsor will continue to yield.

18 ACTING PRESIDENT COONEY: Will the
19 sponsor yield?

20 SENATOR KRUEGER: Yes.

21 ACTING PRESIDENT COONEY: The
22 sponsor yields.

23 SENATOR RHOADS: Do we know if that
24 bullet aid will be available to individual
25 districts on a case-by-case circumstance this

1 year?

2 SENATOR KRUEGER: We don't know
3 that yet, because it's one of the final things in
4 the budget. But based on my history here, that
5 has usually been available.

6 SENATOR RHOADS: And will the
7 sponsor continue to yield.

8 ACTING PRESIDENT COONEY: Does the
9 sponsor yield?

10 SENATOR KRUEGER: Yes.

11 ACTING PRESIDENT COONEY: The
12 sponsor yields.

13 SENATOR RHOADS: Thank you,
14 Senator Krueger.

15 Incidentally, will the bullet aid be
16 made available to both majority and minority
17 districts?

18 SENATOR KRUEGER: Historically it
19 has. Again, I can't say anything about future.

20 I'm hoping that we can actually
21 address most of these concerns through the actual
22 budget.

23 SENATOR RHOADS: And will the
24 sponsor continue to yield?

25 ACTING PRESIDENT COONEY: Will the

1 sponsor yield?

2 SENATOR KRUEGER: Yes.

3 ACTING PRESIDENT COONEY: The
4 sponsor yields.

5 SENATOR RHOADS: Senator Krueger, I
6 know you indicated that the Governor is planning
7 on having a 4:45 press conference and that the
8 Majority has no idea what the Governor is
9 planning to announce. Is that correct?

10 SENATOR KRUEGER: Well, I can't say
11 for everyone. But I know when we walked in this
12 room we were not aware of that. And when I saw
13 that announcement, I sent a message to leadership
14 saying did we know about this, and the answer was
15 no.

16 So I don't know, between that text
17 and chatting here, whether some new information
18 has come up. But I think we're all wondering
19 what happens at 4:45.

20 SENATOR RHOADS: And will the
21 sponsor continue to yield.

22 ACTING PRESIDENT COONEY: Will the
23 sponsor yield?

24 SENATOR KRUEGER: Yes.

25 ACTING PRESIDENT COONEY: The

1 sponsor yields.

2 SENATOR RHOADS: Would we be safe
3 to assume that based upon the fact that the
4 Governor's having a press conference that the
5 Majority's not aware of, that that would not be
6 to announce that there's some sort of budget
7 deal?

8 SENATOR KRUEGER: Well, I've lived
9 long enough to know that you never really know
10 what's going to happen in Albany till it does.

11 (Laughter.)

12 SENATOR RHOADS: Fair enough. Fair
13 enough.

14 SENATOR KRUEGER: We only have
15 15 minutes to wait.

16 SENATOR RHOADS: On the bill,
17 Mr. President.

18 Thank you, Senator Krueger.

19 ACTING PRESIDENT COONEY: Senator
20 Rhoads on the bill.

21 SENATOR RHOADS: The reality is
22 that school districts are suffering. And I know
23 we've had a number of questions with respect to
24 school districts. The timeline is such that
25 military ballots have to be mailed out by

1 April 26th. Those military ballots do include a
2 budget. Military members have an opportunity not
3 only to vote on their school board members, but
4 have the opportunity to vote on the budget
5 itself.

6 According to the deadlines that have
7 been established for school districts, they must
8 have a budget voted on to be presented in those
9 military ballots by April 23rd. We are eight
10 days away from doing that.

11 Now, you would say as a Senate we're
12 not doing our job. But this is only part of the
13 Senate. There are conference committees that are
14 supposed to be taking place, conference
15 committees which both Majority and Minority
16 members are supposed to be participating in.
17 However, other than an initial meeting for the
18 conference committee, none of these conference
19 committees have actually met. Which means it is
20 literally three people or three teams of people
21 in a room, without the Minority being
22 represented.

23 The shame of it is, as alluded to by
24 Senator Krueger not being aware of some of these
25 deadlines that school district face, is that

1 actual districts are making real decisions now.
2 As Senator Helming pointed out, 30 employees lost
3 their job at one district in her district. In my
4 own district, we had several employees laid off
5 from the Hicksville School District because they
6 need to make decisions now.

7 People are literally losing their
8 jobs because you are not doing your job. That is
9 unacceptable.

10 And while I will be supporting this
11 resolution because we need to continue to fund
12 the operations of government, don't let my assent
13 be seen as affirmation or acceptance of the fact
14 that this process is broken, that the Senate
15 continues not to be able to perform its essential
16 responsibilities -- despite the fact that it
17 should theoretically be easier to get an on-time
18 budget when you have one party rule here in
19 Albany. But that seems not to be the case.

20 The process as is dysfunctional as
21 ever. And while I vote aye, Mr. President, I am
22 embarrassed by the state of this process and
23 concerned about the impact that it's having on
24 our school districts and the people that rely
25 upon them for employment as well.

1 Thank you, Mr. President.

2 ACTING PRESIDENT COONEY: Thank
3 you, Senator Rhoads.

4 Senator Tedisco, why do you rise?

5 SENATOR TEDISCO: Would the sponsor
6 yield, Senator Krueger yield for some questions?

7 ACTING PRESIDENT COONEY: Sponsor,
8 will you yield?

9 SENATOR KRUEGER: Yes.

10 ACTING PRESIDENT COONEY: The
11 sponsor yields.

12 SENATOR TEDISCO: So
13 Senator Krueger, I think you and I are from
14 different regions of the state. A lot of your
15 members on that side are from downstate, some
16 from upstate, some Western New York. But I think
17 our constituents are agreed on one area. They
18 want transparency, they want us to be their
19 representatives, they want us to interact with
20 them.

21 And if you're -- you're probably
22 like me; they're many busy people. They're going
23 to work, they're taking their kids to school,
24 medical appointments. They don't have a lot of
25 time to concentrate on what's taking place maybe

1 here, even on a \$235 billion to \$240 billion
2 spending plan.

3 But there's a disconnect sometimes
4 between our regions also. Sometimes it's more
5 serious up here. My constituents are a lot
6 closer to what's taking place at the Capitol, so
7 they're more familiar. If we blow past a
8 deadline -- as I mentioned the other day, they go
9 to work and they don't expect to have a deadline
10 or have something they're expecting to accomplish
11 and not do that and not in some way, financial or
12 otherwise, in terms of having their job, not have
13 it again.

14 But my question to you is -- because
15 I'm out there very close to my constituents,
16 because my district's only 10 to 15 to 20 minutes
17 away from the Capitol here. And what they ask
18 me, because they are in tune with the budget
19 process, with the migration that's taking place,
20 with the exodus with concerns about spending,
21 taxes, and borrowing. And they ask me: Senator,
22 why is the budget so late? Why has it been so
23 late? But primarily they ask me: What is the
24 process that takes place?

25 Now, I know that the Governor gave

1 us her budget and we all looked at that and
2 evaluated that, we took it to conference. Then
3 it was our turn, so the Majority developed their
4 particular spending plan. It was very difficult
5 for us to be involved with that because, as you
6 know, we're in the Minority. The Assembly did
7 the same thing, they had their own budget plan.

8 But Senator, from this point on --
9 Senator, from this point on, with my constituents
10 watching and listening in the media, can you
11 explain -- well, I was going to say how the
12 budget process works, but that's a misnomer
13 because it obviously doesn't work right now. Can
14 you explain, as clearly as you can, the budget
15 process from when it came from the Governor, you
16 developed your one-house and the Assembly
17 developed their one-house? What was the
18 procedure 15 days ago, and what will it be
19 20 days from now or in this process in between?
20 What is the process that takes place?

21 Because some of them are watching,
22 they have the ability to do that, they're
23 listening, some of them. As I said, some of them
24 are busy, many with U-Haul, you know, because
25 we're having this exodus. But they want to know

1 exactly what the process is and potentially, in
2 listening to that, what the hold-up could be with
3 us doing arguably the most important job we're
4 elected to do, be the stewards of their
5 taxpayers' dollars and make sure we're investing
6 in a way that creates a better quality of life,
7 incentivizes people to stay, live, work, build a
8 home, get a job, build a business, get an
9 education.

10 So is it possible to explain what
11 that process is, the budget process itself?

12 SENATOR KRUEGER: Yes. Thank you.

13 So as was mentioned, the Governor
14 puts out her proposed budget. We have budget
15 hearings. We hear from people. We developed our
16 own plan, which we think is a far superior budget
17 proposal, our one-house budget proposal.

18 I think I heard Senator Tedisco say
19 and they put out their plan also, but I don't
20 think they put out a plan. I think just we put
21 out a plan and the Assembly put out a plan.

22 And during -- throughout that time
23 and since we each voted on our budget, one-house
24 budgets, we've been having ongoing three-way
25 dialogues between the Senate, the Assembly and

1 the Governor, literally going line by line from
2 her Executive Budget to what we believe are
3 better answers for the people of New York,
4 including the fact that we believe that the
5 Governor's proposals to cut education aid for
6 half the districts in the state were
7 unacceptable. And so we have been working hard
8 to make sure that every district ends up with
9 more than what was originally proposed. And as I
10 mentioned before already, to reevaluate how we do
11 Foundation Aid and the calculations of it.

12 We know that it's frustrating to be
13 late on budgets. That's why we would far prefer
14 an on-time budget. But we believe it has been
15 worth the fight to get a better set of outcomes
16 for the people of New York State -- whether they
17 are Senator Tedisco's constituents, Senator
18 Murray's constituents, Senator Gustavo Rivera's
19 constituents -- in every part of the state.

20 But it does involve push-and-pull
21 negotiations, line by line, in this budget. And
22 so it's unfortunately taking us longer than we
23 would have hoped.

24 Nobody really wants us to be late.
25 I've been here as long as August waiting to get a

1 budget done, in at least one year. So trust me,
2 I far prefer we get it done sooner. And I think
3 frustration of our constituents, all of them, no
4 matter where they live, does grow as it takes
5 longer and longer. But I am confident that the
6 budget we are going to bring to this floor for a
7 vote will be significantly better for our
8 constituents than the one the Governor originally
9 proposed.

10 And I would even argue that it will
11 have been worth the wait and the fight to get
12 there. I hope I am right on that. I'm feeling
13 pretty good that that will be the storyline. But
14 it's taking us a little longer.

15 Maybe not that much longer. I do
16 think that we are in agreement, through
17 negotiations, on many pieces of the budget. But
18 I don't think we were closed, as they say, today
19 when we walked into the session. Which is why
20 I'm still so interested in what the Governor is
21 going to announce in about three minutes, because
22 I feel like there's pieces that we're missing for
23 us to understand that maybe we will all be
24 enlightened by in a few minutes.

25 Thank you, Mr. President.

1 SENATOR TEDISCO: Would the good
2 Senator yield for another question.

3 ACTING PRESIDENT COONEY: Will the
4 sponsor yield?

5 SENATOR KRUEGER: Yes.

6 ACTING PRESIDENT COONEY: The
7 sponsor yields.

8 SENATOR TEDISCO: So that tells me,
9 as you're the legislative chair of basically the
10 budget process, you're anxious to hear what the
11 Governor has to say. So it makes me feel as
12 though that when you talk about that push and
13 pull and that negotiation taking place, where is
14 that taking place if you're not a part of it and
15 don't know what this Governor is going to be
16 saying on the floor?

17 I think my constituents want to know
18 where that push and pull and negotiation is
19 taking place and who's in the room when they're
20 doing it. Is it three people in the room who are
21 doing that still? Because I know we talked about
22 changing that at one point.

23 SENATOR KRUEGER: Well, I think
24 that Senator Tedisco does know, since he's been
25 here in both houses for quite a long time, in

1 majorities, in minorities, that the process
2 involves specialized groups of staff having
3 discussions on subsections of the budget,
4 representatives of the Senate, the Assembly, the
5 Governor's chambers, bringing those back to
6 relevant chairs of committees for follow-up,
7 bringing those back to ultimately the leaders of
8 both houses to put their input in, to have the
9 dialogue about where they're going next, what
10 we're willing to accept, what we're not willing
11 to accept.

12 So it's many ongoing meetings with
13 all of the counsel staff and the finance staff
14 and the leadership staff, and then bringing back
15 to the members themselves to discuss.

16 It's not three people in a room per
17 se, although occasionally, in what they call
18 leader's meetings, which usually the media knows
19 are happening and wait outside to find out
20 something afterwards. That's when there are
21 three people in a room.

22 But for the frankly exhausting slog
23 of getting through billions of dollars of
24 allocations, it is the professional staff -- that
25 I greatly appreciate -- who work around the clock

1 this time of year.

2 SENATOR TEDISCO: Would the Senator
3 yield for another question.

4 ACTING PRESIDENT COONEY: Does the
5 sponsor yield?

6 SENATOR KRUEGER: Yes.

7 ACTING PRESIDENT COONEY: The
8 Senator yields.

9 SENATOR TEDISCO: I have to agree
10 with you there, Senator. Our staffs on both
11 sides of the aisle do a tremendous job 24/7.

12 But none of them as I know of have
13 been elected by any of our constituents. They
14 never, I don't think, took an oath of office to
15 negotiate a budget on our behalf. But we took a
16 an oath of office to be a part of everything that
17 takes place in the New York State Senate and
18 Assembly, in the New York State Legislature. And
19 that's our obligation.

20 And in light of that -- you might
21 remember this. It doesn't seem so long, but I
22 think it was a while back. Democrats on your
23 side of the aisle, Republicans on our side of the
24 aisle, even governors started to look at that and
25 said, we're separate branches of government. We

1 have an executive branch, which is the governor.
2 We have a legislative branch. And really,
3 rank-and-file legislators should be more
4 involved. You probably remember that.

5 We're going to solve that problem.
6 We're going to go to a whole series of
7 subcommittees, where myself, like ranking member
8 of the Education Committee, which is a -- I think
9 around a \$36 billion outlay of dollars within
10 this whole budget. It's a very large portion of
11 the -- very important part of the budget process.

12 Those committee meetings are going
13 to reflect all the committees in the Senate and
14 the Assembly. We're going to have subcommittees.
15 We're going to have a much larger committee with
16 the leaders of the budget process for the Senate
17 and the Assembly. And we're going to give
18 recommendations from those committees.

19 I'm going to give you an example of
20 what happened with the Education Committee.
21 Probably all other committees. We had one
22 subcommittee meeting early on. In that
23 subcommittee meeting we were told, be brief. And
24 it was 14 minute and 15 seconds subcommittee
25 meeting. On a \$36 billion outlay from the

1 Education Committee.

2 All the chairmen were there. There
3 were 20 to 25 people. And my thought was we were
4 going to have an interaction with each other, we
5 were going to discuss it, we were going to maybe
6 give tables and outlines of how much we would be
7 spending, some of the issues that you were
8 talking about that were reflective on both sides
9 of the aisle we were concerned about. And we
10 were told to be brief, 14-minute meeting for
11 \$36 billion. Every other committee met once.

12 Can I ask you when the next
13 subcommittee meetings are going to meet?

14 SENATOR KRUEGER: Through you,
15 Mr. President. I believe that the Senator is
16 referencing table subcommittees. I haven't been
17 here in a year where we ever really did that.
18 I've never actually really believed that was a
19 model that was going to prove to be very
20 successful. It doesn't seem to have been under
21 Democratic control or Republican control.

22 Now, that was a very long question.
23 But if I go back to the beginning, what do I tell
24 my constituents, I do tell my constituents I try
25 to stay on top of everything that is happening

1 and keep track of the discussions and the
2 negotiations, three-way, and put in my two cents
3 when I can and respect the chairs of many
4 committees here who know far more than I do on
5 their subject areas, and respect their two cents
6 or positions on the budget.

7 But as far as the Senator's
8 questions about these table scenes, I don't know
9 that I really have a comment because I've never
10 really thought that they played that much of a
11 role in anything that happens during budget time
12 here, at least in the twenty -- I guess this will
13 make the 23rd budget session for me.

14 SENATOR TEDISCO: Will the Senator
15 yield for another question.

16 ACTING PRESIDENT COONEY: Will the
17 Senator yield?

18 SENATOR KRUEGER: We're missing the
19 press conference, just for the record.

20 (Laughter.)

21 SENATOR KRUEGER: So if I have
22 nothing to share because I wasn't listening, it's
23 going to be the Senator's fault.

24 But yes, of course, I will continue
25 to answer.

1 ACTING PRESIDENT COONEY: The
2 Senator yields.

3 SENATOR TEDISCO: Senator, then --
4 I mean, what was the reason why we went to those
5 subcommittees? And should we eliminate them,
6 then, of the rank-and-file members?

7 Because I thought it was to expedite
8 our recommendations, to take some of the pressure
9 off the leadership, and actually have chairpeople
10 and rankers and leaders on other levels, and
11 committee people, say, This is where we stand,
12 these are the things we believe in.

13 And I have to tell you, you're wrong
14 about those meetings. We had six, seven, or
15 eight of those meetings early on. If it was a
16 dog-and-pony show, then it's only a pony show
17 now. Okay? It's even lesser than it was then.
18 But at least we were out in public, we were
19 talking, rank-and-file members, and we were
20 giving recommendations to each other.

21 But I'll ask you this. Should we
22 eliminate that? Is it a waste of time, then?

23 SENATOR KRUEGER: I don't think
24 it's ever a waste of time for members to speak to
25 each other, make their proposals to each other

1 and try to, in a bipartisan way, come up with
2 agreements and better ideas for the state.

3 I'm not sure at this moment in
4 history it's worth just the two of us debating
5 whether that specific model may or may not have
6 been more or less successful in other years. I
7 feel that perhaps the Senator is referencing
8 something at a point in time where I was not a
9 participant.

10 SENATOR TEDISCO: Thank you,
11 Senator. Appreciate your time.

12 On the extender.

13 ACTING PRESIDENT COONEY: Senator
14 Tedisco, are you on the bill? You're speaking on
15 the bill?

16 SENATOR TEDISCO: Yes,
17 subcommittees I think could be significant
18 because we'd be out in public, there would be
19 transparency. You know, we're going to -- we
20 have 10 budget bills. And we're going to get
21 messages of necessity on all 10 budget bills.

22 Now, the constituents watching
23 should know what a message of necessity is. It's
24 different from what -- the reality is from what
25 it is here on the floor. A message of necessity

1 is in the Constitution, to bypass the
2 constitutional three-day mandate that we have
3 bills before us that we can read, understand,
4 talk about in conference, and then come out to
5 the floor and vote on them.

6 For 10 budget bills that add up to
7 235 to 240 billion dollars. Not one of those
8 bills will we probably have three days to
9 evaluate each one on each part of the budget
10 which reflects the spending in the State of
11 New York.

12 That's unconscionable, especially
13 when we're probably going to be at least 20 days
14 late with the budget. You're already 20 days
15 late.

16 Now, the other side says, Well, now
17 you want to spend three days actually reading the
18 budget after you're 20 days late? Well, I want
19 to spend three days reading the budget whenever
20 I'm ready to vote on \$240 billion for my
21 constituents. And I think every other member of
22 this body should want to do that too.

23 But that's not going to happen. And
24 I would beg my colleagues who control the
25 legislation that's going to be coming to the

1 floor. You did a little bit better last year,
2 but continue to do better in some way. We don't
3 need budgets coming out at 2, 3, 4, even if
4 they're late. It won't make a difference after
5 you're 20, 25 and 30, unless you do get up to the
6 school districts when they're voting on that
7 budget. They're already in disarray right now,
8 as the good Senator Helming said and Senator Weik
9 had said.

10 Give us the time, give the public
11 the time to see it. Make sunlight. Give us
12 transparency. Give the media the time to see it.
13 Because ladies and gentlemen, we have a
14 tremendous exodus from this state. And when they
15 contact me, they're talking about spending,
16 taxing and borrowing. They're talking about the
17 fact that it's a beautiful state and people
18 should not be leaving in droves -- 101,000 people
19 left the state last year. Number one in
20 out-migration. It can't be the weather, because
21 I'm told that 16 percent went to New Jersey.
22 Now, that's not exactly the sunny, balmy place of
23 the Northeast. Okay? A lot of
24 cold-weather-season states are growing in
25 population. We just held a press conference

1 today where unfortunately, through that
2 evaluation, bipartisan nationally, we're number
3 one in terms of the lowest in economic
4 development and job creation.

5 We want to change that. We want to
6 incentivize people to stay, live, work in this
7 state. It's a beautiful state. We all love this
8 state. But if you keep doubling down on the same
9 agenda -- affordability, lack of public safety,
10 housing -- it's going to be very problematic to
11 keep people in this state. And I've said this
12 before. We're the Empire State. We don't want
13 to become the empty state. We want people to
14 live and stay here and love the state like we do.
15 And that's why we serve it.

16 Thank you, Mr. President. And
17 thank you, Senator Krueger.

18 ACTING PRESIDENT COONEY: Senator
19 Stec on the bill?

20 SENATOR STEC: On the bill.

21 You know, my engineering training
22 and my time in the Navy's nuclear power program
23 taught me -- beat into me -- the importance of
24 process. I care a great deal about process. We
25 all should care about process. The state's

1 Constitution is a big deal. April 1st is April
2 1st. No one in this room should be surprised
3 that April 1st follows March 31st. It has for
4 two millennia. The budget is late. This is my
5 12th budget. This is the second latest that I've
6 seen, last year being the latest, going into May.

7 You know who else cares about
8 process? School superintendents. School boards.
9 We dictate to them, and we make it very clear to
10 them if they don't follow our dictates, we hold
11 money back. That's how we, the State of
12 New York, bullies local government and our school
13 boards, our school districts.

14 So you've got all these school
15 superintendents, almost a thousand of them in the
16 state, that are sitting on pins and needles
17 trying to put together a budget. Why? Because
18 statutorily they have to send out military
19 ballots on April 26th. And statutorily they have
20 to have their budget ready to go on April 23rd.
21 No one in this room should be surprised by that.
22 Yet every year I hear the same -- Wow, that's
23 good to know, we should remember that next year.

24 A thousand school districts. I've
25 got 48 of them. And I've talked to all of the

1 school superintendents. And I know what's going
2 on in my district, and I'm sure it's the same in
3 all of yours. Some of them are going to -- have
4 told me, and they will be basing their budget on
5 the Governor's numbers. Holy smokes.

6 Some of them will believe what
7 they've heard here today, We think we're going to
8 do a lot better, and they're going to guess at a
9 number. Some of them will guess high on the aid
10 number, and they'll be short. Some of them will
11 guess low on the aid number, and they will
12 overtax the taxpayers. But they will all be
13 guessing.

14 Because it is impossible for a
15 school on Monday, today, if we had a budget
16 today, they would have a hard time hustling to
17 have a budget done next Tuesday. A best case
18 scenario if we were adopting the budget Thursday
19 or Friday of this week, you're asking those
20 school superintendents to put something together
21 over the weekend and get it ready to go by the
22 Tuesday deadline because you couldn't do your
23 job.

24 And it's the same business and same
25 excuse every year. I would not tolerate this

1 from my kid as a college student. And I do
2 compare the way that we respect process,
3 timelines, and our calendar to the way schoolkids
4 do theirs, where they pull the all-nighter for
5 the midterm. That's the budget. Then they pull
6 another all-nighter at the end of session.
7 That's the finals week.

8 We need to do better than that,
9 because there's 19 million people and a
10 \$235 billion budget. We'd better get this right.
11 But right now my concern is for the thousand
12 school districts, 300 of which -- 300 of which
13 were told by the Governor, you're going to get
14 less. And they are guessing as they're putting
15 this budget together.

16 I will vote for this extender, but
17 that's it. Wrap it up.

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

20 Seeing and hearing none, debate is
21 now closed.

22 The Secretary will ring the bell.

23 There is a substitution at the desk.

24 The Secretary will read.

25 THE SECRETARY: Senator Krueger

1 moves to discharge, from the Committee on Rules,
2 Assembly Bill Number 9851 and substitute it for
3 the identical Senate Bill 9055, Third Reading
4 Calendar 813.

5 ACTING PRESIDENT COONEY: The
6 substitution is ordered.

7 Senator Gianaris.

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

11 ACTING PRESIDENT COONEY: The bill
12 is restored to the noncontroversial calendar.

13 Read the last section.

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

16 ACTING PRESIDENT COONEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT COONEY: Senator
20 Mayer to explain her vote.

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

23 I've heard the outrage by my
24 colleagues. And certainly the frustration about
25 a late budget and its impact on schools is felt

1 by everyone in this chamber.

2 But I'd like to talk a little bit
3 about the context in which this occurs, which I
4 believe all of them know very well and knew as we
5 entered into it.

6 First place, every year the
7 closeness of the April 1st deadline to the
8 requirements of school budgets poses a
9 substantial problem to every district. And every
10 year we sit down on the day after the budget, at
11 the moment the budget is passed, and call every
12 district in our districts and tell them what the
13 number is. It has been a persistent problem. It
14 is not unique this year.

15 Unfortunately, the second part is
16 given the Governor's original Executive Budget,
17 many superintendents started to plan layoffs and
18 reductions based on the Governor's proposal long
19 before this moment now.

20 I thought it was unfortunate and
21 premature, because all of us collectively agreed
22 that our number-one priority was to reject the
23 Governor's cuts and to fight for more money. And
24 working with my Republican colleagues and my
25 Democratic colleagues and the Assembly and every

1 single group in the education space, we are
2 fighting back against the Governor's proposal in
3 order to get every district more money.

4 So this idea that now, all of a
5 sudden, the world is falling in -- yes, there are
6 real consequences to layoffs. No one here
7 minimizes that. But these things happen in a
8 context where the Governor has disproportionate
9 power during the budget process.

10 We, the Senate Majority, cannot fix
11 it on our own. Everyone knows that. The
12 Assembly Majority cannot fix it on their own.
13 This requires a three-way agreement. That is
14 what we are trying to do. With the leadership of
15 our conference, we are fighting for every one of
16 these schools, including in all of the districts
17 represented in this chamber.

18 And our conference -- and I won't go
19 to the past -- has gone out of its way to ensure
20 that every school district, regardless of whether
21 they're represented by Majority or Minority, is
22 treated responsibly, respectfully, and with the
23 advocacy they deserve.

24 It wasn't always that way, might I
25 remind some of my colleagues. There were days

1 where you only won for your district if you were
2 in the Majority. That has not been the mode or
3 the method of this Majority. And that will not
4 be the way we operate. We are fighting for every
5 kid regardless of where they live. We are
6 hopeful we are going to do better than the
7 Governor's proposal.

8 But in the interim, we will push as
9 hard as we can to get the money -- the best money
10 deal we can, the quickest time we can. But to be
11 lectured on lateness when we collectively know
12 that we are fighting for more and for every
13 district is a bit disingenuous.

14 I vote aye. I encourage my
15 colleagues: Work with us, not against us, on
16 behalf of every kid.

17 ACTING PRESIDENT COONEY: Senator
18 Mayer to be recorded in the affirmative.

19 Announce the results.

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT COONEY: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 720, Senate Print 1669, by Senator Addabbo, an
25 act to amend the Education Law.

1 ACTING PRESIDENT COONEY: Senator
2 Lanza, why do you rise?

3 SENATOR LANZA: Mr. President, I
4 believe there's an amendment at the desk. I
5 waive the reading of that amendment and ask that
6 you recognize Senator Canzoneri-Fitzpatrick.

7 ACTING PRESIDENT COONEY: Thank
8 you, Senator Lanza.

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

12 SENATOR LANZA: Mr. President,
13 accordingly, I appeal the ruling of the chair
14 and ask that you recognize Senator
15 Canzoneri-Fitzpatrick to be heard on that appeal.

16 ACTING PRESIDENT COONEY: The
17 appeal has been made and recognized. Senator
18 Canzoneri-Fitzpatrick may be heard.

19 SENATOR CANZONERI-FITZPATRICK:
20 Thank you, Mr. President.

21 I rise to appeal the ruling of the
22 chair because my amendment is germane to the bill
23 at hand. Let me be clear. I fully support the
24 bill at hand because it helps make higher
25 education more attainable for our veterans.

1 And I would like to go further by
2 addressing other barriers to education, like the
3 inexcusable acts of antisemitism we have seen on
4 our college campuses across the country and even
5 here in New York State.

6 Just like the bill at hand, my
7 proposed amendment amends the Education Law and
8 it would require the chancellors of CUNY and
9 SUNY, and all presidents of accredited higher
10 education institutions in New York, to implement
11 antisemitism awareness and prevention training as
12 well as record and report antisemitic incidents
13 of hate and discrimination that occur at their
14 institutions.

15 Anyone attending one of our state
16 colleges or universities should feel safe and
17 supported, especially on campuses funded with
18 taxpayer dollars.

19 While incidents of antisemitism have
20 long festered in a variety of settings, some
21 groups and individuals appear to have been
22 emboldened by their hateful rhetoric and actions
23 in the wake of the horrific October 7th attack on
24 Israel.

25 A recent Campus Antisemitism

1 Report Card published by the Anti-Defamation
2 League assessed 14 of New York's higher education
3 institutions on their actions and policies
4 regarding antisemitism on campus. Of those
5 schools, four received a B, four received a C,
6 four received a D, and two received an F, a
7 failing grade. None of the schools assessed in
8 New York received a grade of A.

9 Unfortunately, this is not a
10 surprise to any of us who have been following the
11 issue. Jewish students on our state campuses
12 have been subjected to harassment, threats of
13 violence, and hateful imagery such as swastikas.
14 And this isn't simply coming from severely
15 misguided students. A Cornell professor
16 described the events of October 7th as
17 exhilarating.

18 In the aftermath of Iran launching
19 hundreds of drones and missiles at Israel over
20 the weekend, we are at a time when it is more
21 important than ever to reassure our allies that
22 we stand with them. And we especially need to
23 demonstrate, not only with our rhetoric but with
24 our actions, that we stand with our Jewish
25 brothers and sisters here in New York.

1 For these reasons, Mr. President, I
2 strongly urge you to reconsider your ruling.

3 Thank you.

4 ACTING PRESIDENT COONEY: Thank
5 you, Senator.

6 I want to remind the house that the
7 vote is on the procedures of the house and the
8 ruling of the chair.

9 Those in favor of overruling the
10 chair, signify by saying aye.

11 (Response of "Aye.")

12 SENATOR LANZA: Show of hands.

13 ACTING PRESIDENT COONEY: A show of
14 hands has been requested and so ordered.

15 Announce the results.

16 THE SECRETARY: Ayes, 20.

17 ACTING PRESIDENT COONEY: The
18 ruling of the chair stands, and the bill-in-chief
19 is before the house.

20 Senator Gianaris.

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

24 ACTING PRESIDENT COONEY: The bill
25 is restored to the noncontroversial calendar.

1 Read the last section.

2 THE SECRETARY: Section 3. This
3 act shall take effect on the first of July.

4 ACTING PRESIDENT COONEY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT COONEY: Announce
8 the results.

9 THE SECRETARY: Ayes, 59.

10 ACTING PRESIDENT COONEY: The bill
11 is passed.

12 That completes the reading of
13 noncontroversial calendar -- or the controversial
14 calendar. The noncontroversial calendar.

15 SENATOR GIANARIS: You're right, we
16 restored it. You're right, Mr. President.

17 Is there any further business at the
18 desk?

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

21 SENATOR GIANARIS: Let me remind my
22 Majority colleagues we are immediately moving
23 into a conference in the Majority Conference
24 Room.

25 And with that, I move to adjourn

1 until tomorrow, Tuesday, April 16th, at 3:00 p.m.

2 ACTING PRESIDENT COONEY: On

3 motion, the Senate stands adjourned until

4 Tuesday, April 16th, at 3:00 p.m.

5 (Whereupon, at 5:08 p.m., the Senate

6 adjourned.)

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