

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 March 13, 2025

11 11:25 a.m.

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14 REGULAR SESSION

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18 SENATOR ROXANNE J. PERSAUD, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

2 ACTING PRESIDENT PERSAUD: The
3 Senate will come to order.

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

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

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

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

13 ACTING PRESIDENT PERSAUD: Reading
14 of the Journal.

15 THE SECRETARY: In Senate,
16 Wednesday, March 12, 2025, the Senate met
17 pursuant to adjournment. The Journal of Tuesday,
18 March 11, 2025, was read and approved. On
19 motion, the Senate adjourned.

20 ACTING PRESIDENT PERSAUD: 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: Good morning,
7 Madam President.

8 There's a privileged resolution at
9 the desk, Senate Resolution 488, by
10 Leader Stewart-Cousins. Please take it up and
11 read its title.

12 ACTING PRESIDENT PERSAUD: The
13 Secretary will read.

14 THE SECRETARY: Resolution 488, by
15 Senator Stewart-Cousins, resolution in response
16 to the 2025-2026 Executive Budget submission.

17 SENATOR GIANARIS: Madam President,
18 this resolution, as everyone knows, is the
19 Senate's one-house budget resolution. We have an
20 agreement with our Minority colleagues that
21 debate will be strictly limited to two hours.

22 As usual, our Finance chair,
23 Senator Krueger, will lead the debate for the
24 Majority, with other members getting up in their
25 areas of expertise as necessary.

1 We're ready to begin.

2 ACTING PRESIDENT PERSAUD: Senator
3 O'Mara.

4 SENATOR O'MARA: Good aft -- good
5 morning. It's not afternoon yet.

6 ACTING PRESIDENT PERSAUD: Good
7 morning, Senator.

8 SENATOR O'MARA: Good morning,
9 Madam President.

10 I have a few questions on the
11 budget, if Senator Krueger would not mind
12 responding to some questions.

13 ACTING PRESIDENT PERSAUD: Senator
14 Krueger, do you mind?

15 SENATOR O'MARA: It's been a long
16 two weeks without you, Liz, so it's good to get
17 back together again after a month of budget
18 hearings. But --

19 ACTING PRESIDENT PERSAUD: The
20 Senator is ready.

21 SENATOR KRUEGER: I'm ready.

22 SENATOR O'MARA: All right. I've
23 just got a few questions. I don't think I have a
24 whole lot today. I know we've got a lot of
25 members here that do have a lot of questions on

1 this.

2 But overall, this is roughly about a
3 \$259 billion budget at this point?

4 SENATOR KRUEGER: That is correct,
5 Senator.

6 SENATOR O'MARA: And you have
7 increased, over -- through you, Madam President
8 if the Senator will continue to yield.

9 ACTING PRESIDENT PERSAUD: Will the
10 Senator yield?

11 SENATOR KRUEGER: Yes, I do.

12 ACTING PRESIDENT PERSAUD: The
13 Senator yields.

14 SENATOR O'MARA: And this is an
15 increase -- this one-house budget bill here in
16 the Senate is an increase of how much over what
17 the Executive proposed, the Executive's -- how
18 much over what the Governor proposed?

19 SENATOR KRUEGER: Approximately
20 6.5 billion, Madam President.

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

24 ACTING PRESIDENT PERSAUD: Will the
25 Senator yield?

1 SENATOR KRUEGER: Yes.

2 ACTING PRESIDENT PERSAUD: The
3 Senator yields.

4 SENATOR O'MARA: The -- and the
5 Governor had raised spending about what over last
6 year?

7 SENATOR KRUEGER: The Governor's
8 growth between last year and this year is
9 approximately 3.6 percent.

10 SENATOR O'MARA: No, the dollar
11 increase I was asking for.

12 SENATOR KRUEGER: About \$9 billion
13 dollars.

14 SENATOR O'MARA: Okay. So through
15 you, Madam President, if the Senator will
16 continue to yield.

17 ACTING PRESIDENT PERSAUD: Does the
18 Senator yield?

19 SENATOR KRUEGER: Yes, I do.

20 ACTING PRESIDENT PERSAUD: The
21 Senator yields.

22 SENATOR O'MARA: So in all total,
23 this is about \$17 billion increased spending over
24 last year's budget?

25 SENATOR KRUEGER: Approximately

1 15 billion, Madam President. Her 9 billion plus
2 our 6.5 billion. 15 and a half billion.

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

6 ACTING PRESIDENT PERSAUD: Does the
7 Senator yield?

8 SENATOR KRUEGER: Yes, I do.

9 ACTING PRESIDENT PERSAUD: The
10 Senator yields.

11 SENATOR O'MARA: Well, my figures
12 have it closer to 17 billion, but what's a couple
13 billion between friends here.

14 And we're looking -- it's roughly --
15 it's almost a 13 percent increase over last
16 year's budget, what we have proposed here. Would
17 you agree with that?

18 SENATOR KRUEGER: Yes. You know,
19 we're different on the exact numbers, but we show
20 about a 12.7 percent from our one-house to last
21 year, yes.

22 SENATOR O'MARA: Very good.
23 Madam President, if the Senator will continue to
24 yield.

25 ACTING PRESIDENT PERSAUD: Does the

1 Senator yield?

2 SENATOR KRUEGER: Yes.

3 ACTING PRESIDENT PERSAUD: The
4 Senator yields.

5 SENATOR O'MARA: We came back to
6 the same number, because I have 12.7 percent on
7 my sheet here too.

8 SENATOR KRUEGER: There we go.

9 SENATOR O'MARA: We'll have to
10 figure out where that \$2 billion is not showing
11 up or showing up here. But we'll -- I'm sure
12 we'll get to that before we get to the final
13 budget here in a few weeks.

14 Where is the -- through you,
15 Madam President, if the Senator will continue to
16 yield.

17 ACTING PRESIDENT PERSAUD: Does the
18 Senator yield?

19 SENATOR KRUEGER: Yes.

20 ACTING PRESIDENT PERSAUD: The
21 Senator yields.

22 SENATOR O'MARA: This 15 to
23 17 billion dollars of increased spending, how is
24 that being raised? Where's the revenues coming
25 from?

1 SENATOR KRUEGER: Through you,
2 Madam President. In our one-house we obviously
3 have the 800 million addition from the revenue
4 consensus agreement.

5 We have an increase in the personal
6 income tax for the highest level earners in the
7 State of New York, an increase for those with
8 5 million and up in income, and another bump for
9 people with \$25 million and up.

10 And then we also do an increase in
11 the corporate income tax for businesses with over
12 \$5 million in revenue. So larger businesses.

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

15 Madam President, if the Senator will
16 continue to yield.

17 ACTING PRESIDENT PERSAUD: Does the
18 Senator yield?

19 SENATOR KRUEGER: I do.

20 ACTING PRESIDENT PERSAUD: The
21 Senator yields.

22 SENATOR O'MARA: We're increasing
23 state income taxes on the highest earners, those
24 over \$5 million a year, is that correct?

25 SENATOR KRUEGER: Yes.

1 SENATOR O'MARA: And that rate is
2 going up to 10.8 percent for those --

3 SENATOR KRUEGER: Yes. Yes,
4 Madam President.

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

8 ACTING PRESIDENT PERSAUD: Does the
9 Senator yield?

10 SENATOR KRUEGER: I do.

11 ACTING PRESIDENT PERSAUD: The
12 Senator yields.

13 SENATOR O'MARA: Now, in my
14 district that I represent in rural upstate
15 New York, frankly, there's not many of those
16 earners in that district. But in the state,
17 there is. And particularly in our financial
18 services industry, which accounts for almost
19 20 percent of our total revenues, are you
20 concerned that raising income taxes -- are they
21 going to cause more of those people to leave the
22 state?

23 SENATOR KRUEGER: Through you,
24 Madam President. No, I'm actually not.

25 When you look at the data, not just

1 questions of what do we charge in taxes or a
2 budget for the State of New York, but when you
3 look at it in relationship to the growth of the
4 gross product for New York State, New York State
5 at the end of 2024 -- granted, we've been in a
6 new administration for a couple of months now --
7 had the most successful economy in the country.
8 We had higher growth than most states in the
9 country.

10 When you evaluate us in the
11 decisions we make on tax policy or spending
12 policy, a better evaluation would be looking at
13 us as a world economy, not as one of 50 states.
14 Because technically, if we were our own nation,
15 New York State would be the 10th largest economy
16 in the world.

17 So when you ask questions about why
18 do people come here to live or to grow businesses
19 or to stay and to do business, you look at it in
20 a world economic analysis. And on that analysis,
21 on report after report after report, New York is
22 doing terrifically.

23 So I am not worried that a very
24 small percentage increase on the highest earners
25 on their state taxes will have any impact on the

1 decisions they make from a marginal perspective
2 on the people who live here.

3 SENATOR O'MARA: Thank you.

4 Through you, Madam President, if the
5 Senator will continue to yield.

6 ACTING PRESIDENT PERSAUD: Does the
7 Senator yield?

8 SENATOR KRUEGER: I do.

9 ACTING PRESIDENT PERSAUD: The
10 Senator yields.

11 SENATOR O'MARA: We seem to be
12 doing our best here in New York -- and I disagree
13 with your analysis on the impacts of these tax
14 increases, particularly in light of recent news
15 just in the last couple of weeks, and in the last
16 few days, that the New York Stock Exchange is
17 opening an exchange in Texas. Goldman Sachs, one
18 of the largest financial firms in the state, in
19 the country, in the world, is encouraging their
20 New York managers to move to Texas.

21 These -- I don't see how these tax
22 increases are not going to just accelerate that
23 even more and move higher earners out of our
24 state.

25 But what is your analysis of Goldman

1 encouraging their workers to move to Texas, of
2 the New York Stock Exchange opening in Dallas?
3 What's the impact of that going to have on the
4 revenues in New York State?

5 SENATOR KRUEGER: Appreciate the
6 question, Madam President.

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1 The fact is in today's world where
2 finance industry can be anywhere -- it's true you
3 don't need to be tethered to a specific stock
4 market floor somewhere, everything is done in the
5 clouds -- there is more distribution of the
6 financial sector, as there's more distribution of
7 other parts of the economy that have been rushing
8 to New York. So that New York City, particularly
9 its economy, is heavily driven now by healthcare,
10 professional business services, tech, fintech,
11 retail, trade, manufacturing, education, where
12 growth has been extremely strong.

13 And again, I was describing that we
14 raised both corporate taxes through 9A on larger
15 industries -- businesses, excuse me -- as well as
16 the highest earner PIT. So those companies have
17 to pay those taxes whether they are in New York
18 or not in New York. I would prefer they stay in
19 New York for everyone. But if they're doing
20 business with the State of New York, those taxes
21 will come to us whether they decide to move their
22 location to Texas or somewhere else.

23 For the very top earners who are
24 sometimes involved with these sectors, and often
25 not, they already have multiple homes. They

1 already go back and forth. So they pay part of
2 their taxes to us here in New York, and they may
3 pay taxes somewhere else.

4 Yes, you can read me reports of
5 such-and-such company. But when I talk to,
6 actually, people who are in business to move
7 them, what I'm hearing back is, Yes, some of them
8 are moving there. And then they say, Oh, I don't
9 like it here. I can't move back the company
10 right away, I already moved people. But I'm not
11 spending a lot of time here. New York is where
12 it's happening. New York is where the innovation
13 happens, where the talent is.

14 And frankly, combined with
15 climate-change crises, which we are apparently
16 not officially allowed to talk about in this
17 country anymore, many of those same states are
18 the states people are actually having to flee.

19 So big picture, I'm not really
20 worried.

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

24 ACTING PRESIDENT PERSAUD: Does the
25 Senator yield?

1 SENATOR KRUEGER: Yes.

2 ACTING PRESIDENT PERSAUD: The
3 Senator yields.

4 SENATOR O'MARA: Well, I do worry
5 because I see the people leaving. And I see
6 people leaving -- even lower-income people
7 leaving because of the affordability in this
8 state and the amount of people leaving to other,
9 lower-cost states.

10 Now, this \$259 billion one-house
11 budget here actually comes in a few billion
12 dollars less than what the Assembly one-house
13 came in at, as I'm informed.

14 But it's a \$17 billion increase, and
15 I'm assuming that it is a balanced budget,
16 because it has to be, by law. But we have
17 concerns over outyear budget gaps that are
18 created through this budget of an estimated --
19 for fiscal year '27, 6.5 billion; fiscal year
20 '28, 9.8 billion; and fiscal year '29, 11 billion
21 of structural deficits moving forward.

22 How is this budget setting us up --
23 or why is this budget setting us up with these
24 outyear gaps?

25 SENATOR KRUEGER: Sorry. I

1 appreciate my colleague's questions. And even
2 his statement about -- earlier in his prequestion
3 was about concerns about affordability. And I
4 want to assure everyone the Democratic Conference
5 is very focused on affordability for New York.
6 And if we weren't just talking about the
7 financial plan but, rather, what we have put in
8 our one-house budget and what we have not
9 accepted from the Governor, the bottom-line theme
10 of that is how we increase affordability and
11 protect New Yorkers of lower incomes to be able
12 to stay here and take care of their children and
13 pay their taxes and continue to live and work and
14 thrive here.

15 So we are very focused on
16 affordability, which we'll probably get to a
17 little later, hopefully in the presentation.

18 And as far as outyear debt, I've
19 been here 23 years. I'm not sure when we've not
20 shown outyear debt looking pretty bad, sometimes
21 horrible. It's one of the reasons we did support
22 the Governor in investing even more money in
23 state reserves and rainy day funds, so that if in
24 fact bad things happen to our economy or bad
25 policy comes out of Washington -- always a

1 possibility right now -- we will be able to try
2 to sustain that.

3 In fact, if something radically
4 different happens within the budget year or
5 heading towards the following budget year, guess
6 what? We'll be back, and we'll have to adjust.

7 But right now the fact that there is
8 outyear debt showing approximately I think
9 7 billion -- do we agree with that?
10 Approximately, we agree. We have lived through
11 years where we saw much larger dollar amounts in
12 outyear debt.

13 I guess the other good news for us,
14 we have less debt per capita now than we've had
15 in 20 years. So New York is actually financially
16 in a very strong position, or was by the end of
17 2024. Again, lots of things may be happening in
18 2025.

19 Our growth rate is good. Actually,
20 we're seeing people return to the State of
21 New York, based on demographic data. Job
22 opportunities have been strong, and our debt per
23 capita and in relationship to GDP has actually
24 been lower, and the bond market is assuring us
25 they are very comfortable with the state's debt

1 situation and are still very positive about the
2 future of New York economically.

3 Thank you, Madam President.

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

7 ACTING PRESIDENT PERSAUD: Does the
8 Senator yield?

9 SENATOR KRUEGER: Yes.

10 ACTING PRESIDENT PERSAUD: The
11 Senator yields.

12 SENATOR O'MARA: Senator, in
13 addition to spending \$259 billion in this
14 one-house budget proposal, there are, by my
15 count, 162 Article VII policy proposals in this
16 budget. Most or certainly many of those are
17 really nonbudgetary items of policy in here, one
18 of the biggest ones being the NY HEAT Act that is
19 your legislation, and that has no budgetary
20 impact on the budget.

21 Why is that and all these other 160
22 policy proposals in this budget?

23 SENATOR KRUEGER: Well, there's a
24 different answer for each one of those policy
25 questions. But since -- thank you very much for

1 bringing up my NY HEAT Act. The NY HEAT Act is
2 projected by our work and by outside reviewers to
3 save the ratepayers of New York an enormous
4 amount of money.

5 So we often think of looking at
6 budget issues as what's going to cost us money,
7 but isn't it refreshing to actually have a policy
8 proposal that would save the ratepayers of
9 New York so much money as is projected the NY
10 HEAT Act would do?

11 Very simply, just on one part of it,
12 if we are not spending hundreds of millions of
13 dollars per year to put new oil pipes in the
14 ground, that saves the utility companies that
15 cost and that saves us as ratepayers that cost.
16 And frankly the State of New York as a government
17 also has to pay these costs in our own utilities.
18 So I think that's the perfect example of the kind
19 of policy issue we should take up in the budget.

20 SENATOR O'MARA: Through you,
21 Madam President, actually just on the resolution.

22 Thank you, Senator --

23 SENATOR KRUEGER: Thank you, sir.

24 SENATOR O'MARA: -- for your --

25 ACTING PRESIDENT PERSAUD: Senator

1 O'Mara on the resolution.

2 SENATOR O'MARA: You know, I'll
3 just reiterate my strong concerns with this
4 increased spending proposal, \$259 billion. Now,
5 we on this side of the aisle, you know, we lost
6 the majority in the election of 2018. It has
7 been one-party rule in this state starting in
8 2019. The budget that year was \$168 billion --
9 \$90 billion less than this year's budget in just
10 seven years.

11 That increased spending is
12 unsustainable. It is leading to and is an
13 exacerbation of the affordability of living in
14 this state. And we're seeing it with people
15 voting with their feet and leaving this state.

16 We're seeing it with our largest
17 industry in this state, the financial services
18 industry -- 20 percent of our total revenues --
19 leaving this state for greener pastures, leaving
20 to Texas where they're being lured. And now we
21 have the biggest players in the financial
22 services industries encouraging their top
23 employees to leave New York State.

24 The concerns are immense. But just
25 in addition to the spending increases of \$90

1 billion in seven years, the state's population
2 has only increased 1.5 percent since that time.
3 So the per-capita spending is much higher than it
4 was.

5 We have, in this budget proposal,
6 162 Article VIIIs. The NY HEAT Act, which has
7 absolutely nothing to do with this budget -- and
8 I'm not asking any questions on this because we
9 have members here that are eager to ask these
10 questions.

11 But, you know, policies in here, in
12 this budget, like allowing bars and restaurants
13 to buy 12 bottles of liquor or wine from a liquor
14 store, that's not related to a budget. There's
15 just things in here that are totally unrelated to
16 the spending plan and should not be included in a
17 budget. They should be debated individually on
18 this floor so that we can get into those, the
19 pros and cons of each.

20 Certainly in a \$259 billion budget,
21 there's a lot of good things in here that you
22 can -- that you can look at and say yeah, that's
23 good, that's great. But is it affordable? And
24 is it sustainable for the citizens of New York
25 State to continue down this road of spending --

1 increasing \$90 billion in just seven years, from
2 a \$168 billion budget, which was too big then, to
3 a \$259 billion budget, which is way too big
4 today?

5 This budget further does nothing
6 to -- despite all the spending, does nothing to
7 pay down the unemployment insurance debt that was
8 built up during COVID. My understanding is the
9 Assembly's one-house budget does eliminate that,
10 which is an important thing to eliminate for the
11 cost of doing business in New York so that
12 employers are not being assessed fees upon every
13 employee, when 35 other states in this country
14 used their COVID -- federal COVID relief funds to
15 pay down that debt, yet we're still somewhere
16 around \$7 billion owed on that and taxing every
17 employer every year on that.

18 It's something that needs to be paid
19 down. It's something that we should be
20 addressing in this budget. It's something we
21 should have addressed in the last several years'
22 budgets. And it's just -- it's not appropriate
23 to not be dealing with that. It's irresponsible
24 to not be paying that down.

25 We need to be looking at ways to

1 make the cost of doing business in New York
2 lower, the cost of living in New York lower.
3 Most everything in this budget is making things
4 more expensive and less affordable, and that is
5 not the direction that we should be going.

6 But thank you, Madam President.
7 I'll be voting no on this one-house budget
8 resolution and encouraging others to join me.

9 Thank you.

10 ACTING PRESIDENT PERSAUD: Thank
11 you, Senator.

12 Senator Mattera.

13 SENATOR MATTERA: Thank you,
14 Madam President.

15 This is on Part EEE, the HEAT Act.
16 And would the sponsor please yield for a couple
17 of questions?

18 ACTING PRESIDENT PERSAUD: Will the
19 Senator yield?

20 SENATOR KRUEGER: I certainly will.

21 ACTING PRESIDENT PERSAUD: The
22 Senator yields.

23 SENATOR MATTERA: Thank you. And
24 it's great to see you, Senator Krueger.

25 SENATOR KRUEGER: Thank you.

1 SENATOR MATTERA: And I know you're
2 very consistent and persistent on your HEAT Act.
3 But --

4 SENATOR KRUEGER: I like to be
5 consistent and persistent on almost everything.
6 Thank you.

7 SENATOR MATTERA: Oh, you are. And
8 I'm going to tell you, it's just a total disaster
9 for all New Yorkers.

10 (Laughter.)

11 SENATOR MATTERA: I see that before
12 January 1, 2030, that no resident customer will
13 have gas services discontinued without the
14 consent of the customer. Will customers have
15 their gas services discontinued after January 1,
16 2030, with -- against their consent? Will the
17 customer have a say?

18 SENATOR KRUEGER: Thank you. Thank
19 you for asking the question.

20 So actually we have amended the bill
21 introduced this year, because we do hear people
22 and we try to modify to make our bills better,
23 and I think we have.

24 So in this new version in fact there
25 is a two-year process with community

1 participation and review before there's any
2 decision about ending gas service in any specific
3 geographic area. And there has to be
4 alternatives available before any gas service
5 would be ended.

6 So no, there's no reason for people
7 to worry that if they haven't shifted to an
8 alternative or are not able to shift to an
9 alternative, that they will lose their gas
10 service.

11 SENATOR MATTERA: So,
12 Madam President, will the sponsor still continue
13 to yield.

14 ACTING PRESIDENT PERSAUD: Does the
15 Senator yield?

16 SENATOR KRUEGER: Yes, I will.

17 ACTING PRESIDENT PERSAUD: The
18 Senator yields.

19 SENATOR MATTERA: So does that mean
20 that the community gets together and they say, We
21 don't want to eliminate our natural gas, we're
22 fine with this -- you're then okay with this
23 bill, this is saying that that's okay?

24 SENATOR KRUEGER: If the community
25 doesn't come to an agreement about the proposal

1 being made and there's no other alternatives
2 available to people there in existing buildings,
3 yes.

4 Although I think that dialogue over
5 two years might really focus on "Look how
6 expensive your current utility costs are and how
7 much cheaper it will be if we do change to a less
8 costly sustainable."

9 And I suspect many of these
10 communities, once they go through this process,
11 will come to the same conclusion many of us
12 already have come to, that our utility rates are
13 eating us alive because we're on an oil-and-gas-
14 based system and there are far less expensive and
15 safer options.

16 SENATOR MATTERA: Madam President,
17 would the sponsor still continue to yield for
18 questions.

19 ACTING PRESIDENT PERSAUD: Does the
20 Senator yield?

21 SENATOR KRUEGER: Yes, I will.

22 ACTING PRESIDENT PERSAUD: The
23 Senator yields.

24 SENATOR MATTERA: Will the bill
25 still include the language to eliminate the

1 so-called hundred-foot rule, which requires
2 utilities to provide gas services to new
3 customers that are within a hundred feet of the
4 gas line for free?

5 SENATOR KRUEGER: So
6 Madam President, yes, it still has the ending of
7 the hundred-foot rule. Which, one, allows PSC to
8 decide to waiver and allow the pipes if there's a
9 justification that that's the only option
10 available in that specific building -- often a
11 manufacturing setting or location.

12 But also it transfers the cost of
13 that to whoever is asking for that new pipe to go
14 in, rather than all of us utility ratepayers
15 having to pay that cost.

16 SENATOR MATTERA: Will the sponsor
17 still continue to yield.

18 ACTING PRESIDENT PERSAUD: Does the
19 Senator yield?

20 SENATOR KRUEGER: Yes, I will.

21 ACTING PRESIDENT PERSAUD: The
22 Senator yields.

23 SENATOR MATTERA: So -- good, so
24 you did answer that. So right now the customers,
25 there it is, there's five homes that -- usually

1 that's how that works, is a lot, five homes.
2 They go and they put the application in -- just
3 want to make sure all New Yorkers understand
4 this. If they go put the application in, that
5 means the utility will be coming in and they will
6 be putting that in for free and it's not going to
7 cost any of the ratepayers.

8 SENATOR KRUEGER: No. Right now it
9 costs all the ratepayers. We pay for all of that
10 through our rates.

11 Under this law, only those
12 facilities that we're waivering out of not being
13 able to get the pipes and got approval to
14 continue to put the pipes in for those new
15 buildings, would pay for it themselves instead of
16 every one of us in the state paying for it.

17 SENATOR MATTERA: Would our sponsor
18 still continue to yield.

19 ACTING PRESIDENT PERSAUD: Does the
20 Senator yield?

21 SENATOR KRUEGER: Yes, I do.

22 ACTING PRESIDENT PERSAUD: The
23 Senator yields.

24 SENATOR MATTERA: So will the
25 ratepayers pay for all the electrification then

1 also?

2 SENATOR KRUEGER: Actually, the
3 state will be paying for the transition costs
4 moving into an electrification system, with
5 special programs even within my legislation to
6 have the maximum utility cost be no more than
7 6 percent of people's income. Many people are
8 paying more than that now, particularly I think
9 in Nassau County, where my colleague lives, I
10 think has one of the highest utility rates
11 certainly in the state, but maybe in the country.
12 So that it will actually be lower utility rates
13 as we transition to electricity, with the state
14 picking up much of the cost of the transition.

15 SENATOR MATTERA: Would the sponsor
16 still continue to yield for --

17 ACTING PRESIDENT PERSAUD: Does the
18 Senator yield?

19 SENATOR KRUEGER: Yes, I will.

20 ACTING PRESIDENT PERSAUD: The
21 Senator yields.

22 SENATOR MATTERA: Where is this in
23 any of -- I haven't seen any of that language --
24 in other words, the state is going to be paying
25 for this. Because right now our ratepayers,

1 right now their bills are skyrocketing because of
2 the mandates that have been put in place.

3 So do you believe that the emission
4 mandates under the CLCPA are still achievable by
5 the 2030 deadline? Do you really feel, in other
6 words, that our infrastructure -- it's always the
7 cart before the horse, what we do here. Do you
8 feel that our infrastructure right now can handle
9 what we're looking to do by 2030? I know on
10 Long Island not one thing has been done about
11 that to go and make sure the infrastructure's put
12 in place, then we can transition into renewable
13 energy.

14 So my question again is, where does
15 it say in here that, in other words, the state's
16 paying that? Because I know our utility bills
17 are going up as we speak because of this mandate.

18 SENATOR KRUEGER: Through you,
19 Madam President. Our utility bills are going up
20 because we're so heavily dependent on oil and
21 gas, often foreign, and the skyrocketing costs of
22 the products we're using under the system we
23 have.

24 The costs are not going up because
25 of the CLCPA. My colleague is right, we're not

1 as far along as we hoped to be. I think we'd
2 actually be seeing utility rate decreases if we
3 were further ahead.

4 But his two specific questions,
5 where in this bill does it say that that cost is
6 going to be taken on by the state -- and I will
7 refer him to Section 3008--B, page 108 on my
8 printout, section -- it's always a challenge --
9 66-z and paragraph 4, Section (b), "have access
10 to funding and technical support for the purchase
11 and installation of customer-owned equipment at
12 low or no cost" through the state.

13 And on the bigger question, Can we
14 meet the targets of the CLCPA - and my colleague
15 might be right. But you know what we did in the
16 CLCPA that takes care of that question? We
17 require reliability. So if we don't have the
18 alternative options with reliability, we are not
19 going to meet the 2030 deadline. We will have to
20 extend. But it requires no legislative change
21 now.

22 But to assure all New Yorkers, when
23 we wrote the CLCPA we were very conscious about
24 making sure that reliability was a top priority,
25 along with transition to sustainable options.

1 And so you don't get one without the other. We
2 require both. It doesn't require us to change
3 the law if we aren't going to meet a 2030
4 deadline in any specific subsection of that law.
5 We were smart. We're covered.

6 Thank you, Madam President.

7 SENATOR MATTERA: So would the
8 sponsor still yield for a couple of questions.

9 ACTING PRESIDENT PERSAUD: Does the
10 Senator continue to yield?

11 SENATOR KRUEGER: Yes.

12 ACTING PRESIDENT PERSAUD: The
13 Senator yields.

14 SENATOR MATTERA: So I am so happy,
15 I am so thrilled that you finally told all
16 New Yorkers that in other words that we're not
17 going to meet this goal, because it's again the
18 cart before the horse.

19 So who is going to pay for the
20 equipment needed for this transition? Who is
21 going to be -- who is going to be -- who is going
22 to be using -- who's going to get this equipment?
23 Who's going to be -- to transition into this?

24 SENATOR KRUEGER: Through you,
25 Madam President, I think I just read the section

1 of the NY HEAT Act that explains that, that it
2 will be a cost that applies to the state. And
3 we're prepared to deal with this because, guess
4 what, it's going to be saving everybody money.

5 So there are some up-front costs in
6 infrastructure to change our model of heating and
7 air conditioning and lighting our houses into new
8 sustainable models. But that infrastructure cost
9 will be made up for very quickly because the
10 actual kilowatt hours of cost dramatically
11 plummet when you make that change, not to mention
12 the advantages for the environment and our
13 personal health. So I'm not concerned about
14 that.

15 And you say I've made some grandiose
16 statement that we might not hit the 2030
17 waiver -- '30 deadline. Some sections of it are
18 2035, some sections I think are even later than
19 2035. That's right, we recognized when we wrote
20 the law, when we worked for several years on a
21 plan, that we were going to do our best, we were
22 going to be as broad-based-thinking as we could
23 be, and we were going to count on the industry to
24 actually come up with new models that could be
25 even more effective and save us even more money.

1 And you know what? Even though we
2 haven't hit any of those deadlines, that's
3 exactly what's happened. The kilowatt-hour costs
4 for wind and solar and geothermal have dropped
5 significantly. The technology's getting better
6 and better. So even though, yes, we have
7 infrastructure costs in changing the model of how
8 we handle energy in our state, it's not just a
9 win economically, it's not just a win for
10 climate, it's also resulted in a whole new world
11 of jobs opening up, today and in the future.

12 And that's -- so it's a win/win/win.
13 We're saving people money long term. We're
14 creating an infrastructure that has good-paying
15 labor jobs, unionized jobs. And it's actually
16 ultimately cost-saving the state and utility
17 payers dramatically larger amounts of money than
18 if we didn't do what we're doing.

19 SENATOR MATTERA: Will the sponsor
20 please continue to yield.

21 ACTING PRESIDENT PERSAUD: Does the
22 Senator yield?

23 SENATOR KRUEGER: Yes, I will.

24 ACTING PRESIDENT PERSAUD: The
25 Senator yields.

1 SENATOR MATTERA: I'm so glad,
2 Senator, that you brought up jobs. Do you
3 realize the jobs, the millions of jobs that are
4 going to be lost? We had the pipefitters up here
5 yesterday. Really, they are so concerned. The
6 apprentices, there they are. Do you realize in
7 the State of New York that we have licensing, we
8 have to have certifications that the state put
9 forward. Right? The gas operator's
10 qualification, this came about.

11 We make sure that we have to train
12 all these workers to say to them, Guess what, now
13 you're going to have to become an electrician.
14 That's how bad this is. Millions of jobs, not
15 just for the contractors, don't -- seriously,
16 this is the truth. They were up here yesterday,
17 very, very concerned.

18 We're asking the state to make --
19 the state is asking to make sure that our workers
20 are certified. We do this. The next thing you
21 know, to say to them, Guess what, we're going to
22 shut it down by 2030 -- which I hope it's going
23 to be a pause, just like congestion pricing was a
24 pause. But guess what, then it continued.

25 But my point again is this. What

1 about the contractors, the utility workers that
2 are trained for this? Because New York State
3 makes that sure that we train all these workers.
4 Just me personally, what I have done to get the
5 hardworking men and women to go to work, get into
6 that trench, to learn, to be qualified. And
7 you're saying it's going to create jobs? Are you
8 telling right now all these workers, Senator,
9 that guess what, you better go right now, get
10 training to be an electrician?

11 SENATOR KRUEGER: Through you,
12 Madam President --

13 SENATOR MATTERA: Because there's
14 nothing in here that states where the funding is
15 for all these people to get retrained. I was
16 wondering -- I was hoping -- we talked about this
17 last year, that we were going to have something
18 like that in here this year.

19 SENATOR KRUEGER: Through you,
20 Madam President. We continue to invest in
21 training in our state budgets across the board on
22 many different issues.

23 The pipefitters -- and I know my
24 colleague is a pipefitter, so I appreciate his
25 unique specialty area. We're not laying off

1 pipefitters tomorrow. These are 25-year
2 timelines. It's new generations of people coming
3 in who will need to be trained and certified and
4 licensed in new fields, not just the traditional
5 ones that pipefitters have been doing.

6 There will still need to be
7 pipefitters, but they might be running different
8 products through those pipes. In fact, yesterday
9 I believe the pipefitters were here in New York
10 State talking about support for training in
11 geothermal because they're so excited about
12 moving into geothermal. So they recognize
13 themselves that the world is changing, that the
14 opportunities for the next generation of workers
15 coming in are real.

16 But there will be new training
17 requirements. And frankly, I've talked to many
18 construction unions about what the impact is of a
19 changing world, and they recognize as proactive
20 unions that jobs change for their workers over
21 time all the time, hence why they have continuing
22 education, continuing training, internships and
23 apprenticeships that are training people in
24 different skills than perhaps their father who
25 was in the same union 30 years earlier. That's

1 what happens in the world and in business and in
2 jobs.

3 And again, the data is clear: There
4 are more jobs for people in a -- moving into a
5 green economy than there are under the current
6 system. So no, I don't worry that we're going to
7 be laying people off and telling them "There's no
8 future for you." I do not accept that argument.

9 SENATOR MATTERA: Through you,
10 Madam President, I want to take a little time for
11 just a couple more questions, please. Would the
12 sponsor please --

13 ACTING PRESIDENT PERSAUD: Does the
14 Senator yield?

15 SENATOR KRUEGER: Yes, I do.

16 ACTING PRESIDENT PERSAUD: The
17 Senator yields.

18 SENATOR MATTERA: You know, and I'm
19 going to say something that was so important,
20 that there it is, you're eliminating natural gas.
21 This is what you're looking to do. I know this.
22 And you know what, for somebody that you're
23 sitting there saying it's not going to eliminate
24 jobs, and you're sitting there and saying,
25 Senator, that in other words they have to be

1 retrained -- there's nothing in this that shows
2 that, in other words, we are going to put money
3 into education with the apprenticeship programs.
4 There isn't anything.

5 So the other thing is we talked
6 about, yes, we're talking about -- which is very,
7 very important -- thermal energy. Okay? I have
8 nothing in here that says anything about thermal
9 energy.

10 Let's talk about green hydrogen.
11 There's nothing in here that says anything about
12 that.

13 Let's talk about retooling our
14 existing power plants, which I have bills out
15 that I'm hoping that Senator Parker will be
16 looking to do this, to go show about carbon
17 capture. Any stack that's going up that we could
18 actually recover.

19 You know what? And again, anything
20 in the City of New York where you live, thousands
21 and thousands and thousands of gallons per day of
22 condensate that is being dumped out, all that
23 water that's being dumped out into the East River
24 that could be reused. That's something that I
25 would have loved to see --

1 ACTING PRESIDENT PERSAUD: Senator,
2 are you on the resolution?

3 SENATOR MATTERA: So my question
4 is -- thank you, I just wanted to get into my
5 question. My question is, I would have loved
6 that to be into your HEAT Act, that you were
7 going to add all this renewable energy. But you
8 see nothing. All this says is we're going to
9 eliminate natural gas in the future.

10 But you don't have anything else in
11 there. If you would have put a couple of things
12 in there, it would have made me feel warm and
13 cozy, I would feel very, very happy if you were
14 to do that. But you know what, there's nothing
15 about education and there's nothing about other
16 sources of renewable energy. We just hear about
17 it.

18 So I wish you would please maybe
19 amend this and add this and make me happy.

20 (Laughter.)

21 SENATOR KRUEGER: I'll try to
22 make --

23 ACTING PRESIDENT PERSAUD: The
24 Senator was on the resolution.

25 SENATOR KRUEGER: Well, I don't --

1 in fairness, Senator Mattera is right. All of
2 that is not in the HEAT Act. It's one bill. I
3 carry many bills, many of us carry bills to
4 expand our transition to a climate-protecting
5 model of energy. My colleague Senator Parker, as
6 the Energy chair, works on this all the time. My
7 colleague Senator Harckham works on this all the
8 time.

9 Many of the questions my colleague
10 is asking me are answered actually in the CLCPA
11 law that we've already passed, are answered in
12 the Scoping Plan that has also been approved. So
13 that the answers are there. But are they in this
14 piece of legislation, just a small piece of the
15 bigger assignment? No, they're not in this piece
16 of legislation.

17 SENATOR MATTERA: Madam President,
18 again, on the bill. And I thank you,
19 Senator Krueger --

20 ACTING PRESIDENT PERSAUD: Senator
21 Mattera on the resolution.

22 SENATOR MATTERA: -- but please,
23 amend this to do something.

24 You know, just so all New Yorkers
25 understand what is going on over here, you right

1 now with this HEAT Act is eliminating our natural
2 gas for our future. It's amazing when I go speak
3 to my constituents and say that to them,
4 especially, you know, there it is, cooking that
5 you're going to make sure by 2030 if something
6 does happen, you're not going to be able to
7 replace your gas stove, your boiler, dryer,
8 et cetera -- ovens. That's the way this is
9 looking right now.

10 You're going to be losing -- if a
11 business has gas in that building and for some
12 reason is trying to rent a store out, just so
13 everybody understands, a certain amount of time
14 that they don't rent that, that gas will be
15 eliminated. That's what's going to be happening.

16 Natural gas is being eliminated from
17 New York State. Again, the cart before the
18 horse. Wind, solar, I could sit there and say,
19 you know what, I like it, it's just not going to
20 make -- it's not going to produce enough energy
21 for what we're looking to do with the CLCPA.

22 Battery storage is nothing but a
23 total disaster. All it is is an experiment. And
24 it's going to cost all New Yorkers trillions of
25 dollars in their utility bills. And it's already

1 starting to happen, everybody. And you know
2 what? I'm receiving phone calls -- and I
3 guarantee you, everybody in this room, in this
4 great chamber, is receiving phone calls that
5 their bills are already starting to go up because
6 of this mandate.

7 We need to sit back, you know what,
8 just sit there and say \$280 billion is going to
9 fix our grid and all New York State -- that's the
10 number I heard. Two hundred and eighty billion
11 dollars? That's not even going to fix the grid
12 in New York City, no less the rest of New York
13 State.

14 Again, it's going to cost billions
15 of dollars with this experiment, and it's not
16 going to work. Let's do the right thing. Let's
17 look at the bills that I have right now in the
18 Energy Committee that's not moving forward,
19 because they're the right ones. The most
20 economical way and the most efficient way is to
21 go right now, retool our existing power plants.

22 The other thing no one talks about,
23 too, close to 40 percent -- 40 percent of our
24 transmission lines come from other states. We
25 don't even talk about that. But guess what, that

1 are ran on fossil fuels. That are ran on fossil
2 fuels. We don't talk about eliminating them to
3 be self-sufficient and self-reliant. We don't
4 talk about that.

5 Right now we're boosting up the
6 pressure on the Iroquois Pipeline because we have
7 a gas capacity shortage. Look at what just
8 happened this past winter. A very cold winter.
9 We needed to make sure we boosted up. But it's
10 okay to have trucks, natural -- frozen natural
11 gas. Right now, guys, just understand this,
12 driving on our roadways and our bridges, frozen
13 natural gas. Then it gets liquefied and gets
14 pumped into our system. That's the way
15 New Yorkers -- that's what we have, a capacity
16 shortage on natural gas. But it's okay to have
17 frozen natural gas to be on our roadways and our
18 bridges right now.

19 Again, this is called dysfunctional
20 government at its worst. If we don't do
21 something about this right now, that -- other
22 resources of renewable energy? Sorry, our
23 infrastructure cannot handle it.

24 It needs to be put on pause. It
25 needs to be stopped. This is ridiculous. It's

1 just continuing every time, every year. Jobs are
2 going to be lost. My brothers and sisters in the
3 workforce are going to be losing their jobs. But
4 there's nothing in here that states that we're
5 going to go and put money in education, we're
6 going to go and put money, in other words, that
7 we're going to protect your jobs. But no, you've
8 got to go and find a new profession.

9 Guess what? The electricians are
10 sitting back and going like this (gesturing).
11 Which is good, I have good friends with
12 electricians. We need to make sure that we
13 protect all jobs and continue. There's a reason
14 why we have certifications. There's a reason why
15 we have licenses. And then what are we going to
16 do? We're going to just shut it down? I
17 understand that.

18 I wish -- I wish we would just put
19 this on pause and just stop this madness. And I,
20 Madam President, vote no on this.

21 ACTING PRESIDENT PERSAUD: Thank
22 you, Senator.

23 SENATOR MATTERA: Thank you.

24 ACTING PRESIDENT PERSAUD: Senator
25 Stec.

1 SENATOR KRUEGER: Through you,
2 Madam President, I just want to point out that my
3 colleague's last set of statements weren't
4 relating to the budget. None of that is in the
5 NY HEAT Act. None of that is actually in the
6 budget.

7 Although there is an Article VII
8 section of the budget that has a number of
9 proposals to advance language for evaluating our
10 energy situation, reviewing whether we in fact
11 need to make any changes and updates in our gas
12 supply infrastructure capital planning
13 requirements, targets to limit energy burden and
14 not to exceed the 6 percent of household income.

15 We already know from the CLCPA,
16 which my colleague really was debating -- fine,
17 it's just that it's not on the floor right now --
18 that there's a projected 200,000 new jobs in a
19 green economy that will grow out of the law we
20 did pass that he continues to urge that we pause.
21 And he has every right to, but just for the
22 record, none of it was germane to the bill we're
23 debating today.

24 Thank you, Madam President.

25 ACTING PRESIDENT PERSAUD: Thank

1 you, Senator.

2 Senator Stec.

3 SENATOR STEC: Thank you,
4 Madam President. If the sponsor will yield, this
5 naval nuclear engineer is going to give everyone
6 a pass on my opinions on the lunacy of the energy
7 policies in this chamber. I think my colleague
8 Senator Mattera covered that very well.

9 I would like to discuss corrections
10 and public protection. Not the criminal
11 protection, but the public protection portion of
12 the budget.

13 ACTING PRESIDENT PERSAUD: Senator
14 Salazar.

15 SENATOR KRUEGER: Senator Salazar
16 will be covering us for that.

17 SENATOR STEC: Thank you.

18 Madam President, through you, if
19 Senator Salazar would yield.

20 ACTING PRESIDENT PERSAUD: Senator,
21 do you yield?

22 SENATOR SALAZAR: Yes.

23 ACTING PRESIDENT PERSAUD: The
24 Senator yields.

25 SENATOR STEC: Thank you,

1 Madam President.

2 This one-house budget includes the
3 Governor's proposal to authorize the closure of
4 up to five of our remaining prisons, is that
5 correct?

6 SENATOR SALAZAR: Yes.

7 SENATOR STEC: Thank you,
8 Madam President. If the sponsor would continue
9 to yield.

10 ACTING PRESIDENT PERSAUD: Does the
11 Senator yield?

12 SENATOR SALAZAR: Yes.

13 ACTING PRESIDENT PERSAUD: The
14 Senator yields.

15 SENATOR STEC: Does this budget
16 repeal the HALT Act?

17 SENATOR SALAZAR: Through you,
18 Madam President, no, it does not.

19 SENATOR STEC: Will the sponsor
20 continue to yield?

21 SENATOR SALAZAR: Yes.

22 ACTING PRESIDENT PERSAUD: The
23 Senator yields.

24 SENATOR STEC: Thank you.

25 Does this budget make any changes at

1 all to the HALT Act?

2 SENATOR SALAZAR: Through you,
3 Madam President, no, it does not.

4 SENATOR STEC: Will the sponsor
5 continue to yield?

6 ACTING PRESIDENT PERSAUD: Does the
7 Senator yield?

8 SENATOR SALAZAR: Yes.

9 ACTING PRESIDENT PERSAUD: The
10 Senator yields.

11 SENATOR STEC: Thank you.

12 Does this budget include anything
13 that would address the valid concerns of safety
14 that we've been hearing from corrections officers
15 since the adoption of HALT went into effect?

16 SENATOR SALAZAR: Through you,
17 Madam President. I believe that the proposals,
18 including the correctional facility closures,
19 actually do address safety concerns.

20 It is in the interest of public
21 safety and prison safety that prisons are able to
22 operate effectively and efficiently, and right
23 now that is not the case in many of our
24 correctional facilities due to staffing
25 shortages. Which is a problem that the closure,

1 potential closure of up to five facilities would
2 seek to address.

3 SENATOR STEC: Will the sponsor
4 continue to yield?

5 ACTING PRESIDENT PERSAUD: Does the
6 Senator yield?

7 SENATOR SALAZAR: Yes.

8 ACTING PRESIDENT PERSAUD: The
9 Senator yields.

10 SENATOR STEC: Thank you.

11 While I'm not sure that the
12 corrections officers would agree that fewer
13 corrections officers and concentrating remaining
14 nominates into fewer prisons is a step in the
15 direction of addressing issues of HALT or their
16 own workforce safety.

17 But the question would be, is there
18 nothing in the budget that expands the ability
19 for DOCCS to impose disciplinary sanctions on
20 inmates who assault COs, staff or other inmates?
21 Is that correct?

22 SENATOR SALAZAR: Through you,
23 Madam President, it is correct.

24 And I would add that correction
25 officers do already have the ability to

1 discipline incarcerated individuals.

2 SENATOR STEC: Through you, Madam
3 President, would the sponsor continue to yield?

4 ACTING PRESIDENT PERSAUD: Does the
5 Senator yield?

6 SENATOR SALAZAR: Yes.

7 ACTING PRESIDENT PERSAUD: The
8 Senator yields.

9 SENATOR STEC: I suppose that would
10 significantly depend on the -- what your
11 definition of discipline is.

12 But does Part II direct the IG --
13 does it direct the IG to investigate sexual
14 assaults on inmates?

15 SENATOR SALAZAR: Through you,
16 Madam President. It would authorize the
17 Inspector General to receive complaints of sexual
18 misconduct, including sexual assault from
19 incarcerated individuals, yes.

20 SENATOR STEC: Will the sponsor
21 continue to yield?

22 ACTING PRESIDENT PERSAUD: Does the
23 Senator yield?

24 SENATOR SALAZAR: Yes.

25 ACTING PRESIDENT PERSAUD: The

1 Senator yields.

2 SENATOR STEC: Is there any part of
3 this public protection bill that would direct the
4 IG to investigate assaults on corrections
5 officers or staff?

6 SENATOR SALAZAR: Through you,
7 Madam President, no. If a correction officer or
8 corrections staff is sexually assaulted or is the
9 victim of a sex crime, they have multiple avenues
10 of recourse and ways of reporting that crime that
11 are not currently available to incarcerated
12 individuals because they don't have the liberty,
13 for example, to report a crime to State Police.

14 SENATOR STEC: Will the sponsor
15 continue to yield.

16 ACTING PRESIDENT PERSAUD: Does the
17 Senator yield?

18 SENATOR SALAZAR: Yes.

19 ACTING PRESIDENT PERSAUD: The
20 Senator yields.

21 SENATOR STEC: And there continues
22 to be significant limitations on the ability of
23 DOCCS to separate dangerous inmates from the
24 general population, correct?

25 SENATOR SALAZAR: Through you,

1 Madam President, I -- I disagree.

2 SENATOR STEC: Well, if I could
3 have another question. Will the sponsor yield?

4 ACTING PRESIDENT PERSAUD: Does the
5 sponsor yield?

6 SENATOR SALAZAR: Yes.

7 ACTING PRESIDENT PERSAUD: The
8 Senator yields.

9 SENATOR STEC: So an inmate that
10 puts a padlock in a sock and is walking down the
11 hallway and hauls off and swings that sock and
12 breaks somebody's eye socket -- staff member or
13 inmate -- the appropriate behavioral control
14 there or message to send to that inmate and other
15 inmates would be that the most that they could
16 possibly get, assuming that they're older than 22
17 and younger than 55 -- because if you're younger
18 than 55, you're still dangerous, but if you're
19 older than 55, you're not dangerous. And for the
20 record, I'm older than 55, and I'm certain I'm
21 dangerous.

22 (Laughter.)

23 SENATOR STEC: If that incarcerated
24 individual hauls off and hits somebody and they
25 happen to be between the ages of 22 and 55 when

1 they do so, smashes that person's face -- and
2 that person's out of work for months or maybe
3 never works again -- that the most that that
4 person can get, their punishment, would be
5 15 days in solitary confinement, which is special
6 housing, which is a cell the same size as general
7 population; they have more access to tablets;
8 they have more access to programming; they are
9 mandated to make sure that their needs are met
10 before those in the general population. So when
11 I talk to an Honor Block inmate and they say, You
12 know what, the message here is that people have a
13 better deal if they're in SHU than if they're in
14 the general population -- I'm not sure that's the
15 message we want to send to the incarcerated.

16 But that the most that that person
17 is going to get punished would be 15 days of less
18 time with their fellow inmates but more access to
19 tablets and programming for 15 days while that
20 person, that employee of ours, may be out of work
21 for months because they shattered bones in their
22 face. Does that seem like a good behavioral
23 control to you?

24 SENATOR SALAZAR: Through you,
25 Madam President. I will just note that

1 currently -- well, first of all, the HALT
2 Solitary Confinement Act did not modify the size
3 of cells. So even if HALT were not the law, the
4 SHU cells would be the size that they are right now
5 and were before HALT was enacted.

6 I'll also add that the tablets that
7 are available to incarcerated individuals are
8 available to individuals in the general
9 population as well. There's also now wifi
10 available to incarcerated individuals in the
11 general population, as it is in SHU or RRU.

12 What Senator Stec has described is
13 what I would say is an assault that causes
14 physical injury, for which someone can be given a
15 SHU sentence or an RRU sentence. And I think
16 that that is an appropriate response.

17 I don't think that it is appropriate
18 to put people in solitary confinement
19 indefinitely or for a long period of time. It's
20 well-documented the physical, even, and mental
21 negative impacts on individuals if they are held
22 in solitary confinement.

23 And additionally, people
24 decompensate if they are kept in solitary
25 confinement for a long time, and that is not in

1 the interest of safety for staff or anyone else
2 in a correctional facility.

3 SENATOR STEC: Will the sponsor
4 continue to yield?

5 ACTING PRESIDENT PERSAUD: Does the
6 Senator yield?

7 SENATOR SALAZAR: Yes.

8 ACTING PRESIDENT PERSAUD: The
9 Senator yields.

10 SENATOR STEC: All right. Again,
11 I'm not sure that most people would agree that
12 wifi in special housing is a terrible punishment.

13 And again, I'll point out that if
14 you're 55 or older or 21 or younger, you can haul
15 off with that padlock in a sock and you don't
16 receive any discipline for that.

17 But contraband overdose and exposure
18 continues to be a major problem for everyone
19 inside our facilities. In 2023's ELFA bill, body
20 scanners were made optional for visitors and
21 inmates. Does this budget make them not
22 optional?

23 SENATOR SALAZAR: Through you,
24 Madam President, I will note that visitors who
25 come to a correctional facility, as well as

1 incarcerated individuals, are expected to go
2 through a body scanner as part of security. And
3 if they refuse to go through the body scanner or
4 if, let's say, for example, the visitor or the
5 incarcerated individual is a pregnant person,
6 right, they for health reasons should not be
7 subjected to these body scanners.

8 If they refuse or are ineligible to
9 go through the body scanner, they are subject to
10 a different search technique. They may be
11 strip-searched. They also may be denied entry to
12 the facility.

13 I will also note that contraband is
14 a serious problem. Incarcerated individuals and
15 visitors are not the only people who bring in
16 contraband. And it is noteworthy that staff,
17 DOCCS staff, correction officers, are not
18 required to go through the body scanners. And it
19 might be worth considering that this is an
20 opportunity for contraband to be introduced to
21 facilities as well.

22 SENATOR STEC: Will the sponsor
23 continue to yield.

24 ACTING PRESIDENT PERSAUD: Will the
25 Senator yield?

1 SENATOR SALAZAR: Yes.

2 ACTING PRESIDENT PERSAUD: The
3 Senator yields.

4 SENATOR STEC: You know, if you
5 want to get on a plane, good luck telling the TSA
6 you're not going to get scanned. And pregnant
7 women get scanned in the airport.

8 These are contact visits. If you
9 don't want to have a contact visit, then you
10 don't need to go through the scanner. Monticello
11 just put out a temporary emergency directive that
12 makes a reasonable modification: If you don't
13 want to get scanned, right now, today, then you
14 have a noncontact visit. You have Plexiglass
15 between you. You're still seeing the same
16 person, but you're not sharing a bag of gummies.

17 So there are options. And it is a
18 major problem.

19 On the resolution.

20 ACTING PRESIDENT PERSAUD: Senator
21 Stec on the resolution.

22 SENATOR STEC: New York State is
23 experiencing its most significant crisis in the
24 history of the Department of Corrections right
25 now. It started long before more than half of

1 the 14,000 corrections officers and sergeants
2 went on strike in February. It started long
3 before two dozen of my constituents at Upstate
4 Correctional Facility in Malone were exposed to
5 an unknown chemical, a contraband chemical, and
6 more than two dozen of them went to the emergency
7 room in one night back in January. It started
8 long before the beating death of an inmate at a
9 correctional facility in December. It started
10 with the adoption of HALT in 2021 that went into
11 effect in 2022. DOCCS's own data has shown the
12 tremendous, undeniable spike in inmate-on-staff
13 assaults and inmate-on-inmate assaults.

14 Now, this budget, I've noticed,
15 we've allocated \$400 million and language that
16 would mandate body cameras be worn by everybody
17 at all times working in a correctional facility,
18 essentially. And that's fine.

19 But I'll point out that last year
20 seven inmates died of overdose. They didn't get
21 it legally; this is contraband. Now, a couple of
22 years ago we spent \$13 million on body scanners.
23 We're about to spend \$400 million on cameras --
24 again, fine. But a couple of years ago we spent
25 \$13 million on body scanners, had them installed

1 in every facility.

2 And I've been in eight facilities in
3 the last couple of weeks, and I've seen them
4 collecting dust. They're optional. Again, they
5 don't have dust on them at the airport. And the
6 ELFA bill, when we authorized them a couple of
7 years ago, said that they're optional. Why on
8 earth would you spend that kind of money, and
9 then make it optional, is beyond me.

10 Where does this budget address the
11 shortcomings of HALT or contraband? It doesn't.
12 Where is the Department of Labor on workplace
13 safety and safe staffing ratios? We talk about
14 staffing ratios around here. What about some
15 staffing ratios and staffing hours and what's a
16 reasonable amount of time to expect somebody to
17 keep their head on a swivel because they're
18 working amongst people that are convicted felons
19 and most of them dangerous unless they're 22 or
20 younger or 55 or older.

21 The majority members usually climb
22 over one another to get to a strike line to
23 support these employees. Where have they been
24 for the 14,000 COs that felt so threatened by
25 their safety -- for their own safety that they

1 struck against the provisions -- the very painful
2 provisions of the Taylor Act? Where has
3 Governor Hochul been? Her response to thousands
4 of COs was to threaten them with arrest, strip
5 families of the employees of their health
6 insurance, and ultimately to terminate 2,000 of
7 our employees.

8 The National Guard is going to be
9 there forever. They're going to be there for
10 many, many months.

11 It will take years to recruit and
12 train corrections officers to replace these 2,000
13 people that the Governor says have no place in
14 employment anymore.

15 And that's of course assuming that
16 this recruitment poster of the last three weeks
17 is going to do good for recruiting future
18 corrections officers.

19 This budget had an opportunity --
20 the only place for real movement inside for
21 corrections facilities' safety to have happened
22 was in this budget. And your budget and the
23 Governor's proposed budget are utter failures
24 when it comes to corrections and safety in our
25 facilities. I'll be voting no on this resolution

1 and I'll be voting no on any budget bill that
2 fails to do what needs to be done in our
3 correctional facilities.

4 Thank you, Madam President.

5 ACTING PRESIDENT PERSAUD: Thank
6 you, Senator.

7 SENATOR GIANARIS: Thank you,
8 Madam President.

9 Just for purposes of time
10 management, there are several members of the
11 Minority Conference on the list to ask questions
12 and speak. We are halfway through the two-hour
13 period, and we do intend to shut down the debate
14 in one hour.

15 Please continue. Thank you.

16 ACTING PRESIDENT PERSAUD: Senator
17 Gallivan.

18 SENATOR GALLIVAN: Thank you,
19 Madam President. I have several questions in the
20 health area of the budget -- of the proposal, and
21 ask if the sponsor would yield.

22 ACTING PRESIDENT PERSAUD: Senator
23 Rivera will answer your questions.

24 SENATOR RIVERA: And will yield.

25 ACTING PRESIDENT PERSAUD: And he

1 will yield.

2 SENATOR GALLIVAN: So total state
3 Medicaid spending this year or in the proposed
4 budget will be \$35.7 billion. And given all the
5 drivers that have led to this total, it appears
6 that there's a 2.0 billion dollar Medicaid
7 deficit for fiscal year 2026, which the Governor
8 has proposed to make up in a number of different
9 ways. But as we project into the future, we're
10 looking at a \$1.6 billion deficit in fiscal year
11 '27, 1.9 billion in fiscal year '28, and a
12 \$3.4 billion Medicaid deficit in 2029.

13 This Senate one-house proposal
14 increases Medicaid spending and eliminates the
15 Executive's proposed Medicaid deficit offsetting
16 measure using the \$500 million in funding that
17 the Governor was using towards the deficit from
18 the MCO tax in spending in the various areas.
19 And they're designated, they're lined out, and I
20 don't intend to go to the individual items.

21 But my question is given the
22 increased Medicaid deficit in this upcoming year
23 and the outyears, according to the financial
24 plan, why reallocate this funding that the
25 Executive meant to help close the deficit, to

1 spend more without proposing additional Medicaid
2 cost-saving measures to offset the action?

3 SENATOR RIVERA: Through you,
4 Madam President. So there's a lot there, but
5 let's start with some basics.

6 The -- what you're talking about is
7 the Medicaid cap. One of the things that you're
8 talking about is the Medicaid cap, which is a
9 fiction that was created by the former
10 administration to act like they had Medicaid
11 costs and Medicaid growth under control.

12 We never -- well, not never, but
13 certainly over the last couple of years have not
14 believed that the cap was something that we
15 should have. And you are correct, we do away
16 with it in this budget resolution. And I have a
17 bill to get rid of it altogether. But if we're
18 going to talk about Medicaid shortfalls -- and
19 let's remember what we're talking about.
20 Medicaid is an insurance product that is for poor
21 and working-class folks that have not just lived
22 downstate, but certainly live in your districts
23 as well.

24 What we should be focusing on is the
25 attacks of the federal government and the cuts

1 that are going to come from your friends in
2 Washington that are going to severely hurt
3 New Yorkers all across the state, not just in my
4 district but certainly in yours as well.

5 So -- but the 500 that -- the MCO
6 tax that you're referring is something that we
7 got approved last year. We managed to get it
8 approved again from the prior administration. I
9 doubt very much we would have gotten it approved
10 under the current one. And this gave us about
11 \$500 million that the Governor proposed to use
12 for what they call Medicaid cap relief. Since we
13 do away with the Medicaid cap in our resolution,
14 what we did is we actually shuffled some of that
15 around for reinvestment in different areas that
16 are incredibly necessary. Which again, I will
17 point out, benefit the entire state, not just
18 Democratic districts.

19 Whether we're talking about hospital
20 investments, safety net transportation programs,
21 nursing homes, hospice treatments, Federally
22 Qualified Health Centers, whether we're talking
23 about assisted living programs, et cetera, there
24 is a breakdown of it and we can certainly go down
25 each one. But what we did with the 500 is that

1 we reshuffled it around and we put it into areas
2 of need, trying to shore up what will certainly
3 be places that are going to be severely struck by
4 what the federal government is going to choose to
5 do in the next couple of years.

6 SENATOR GALLIVAN: Thank you.
7 Would the sponsor continue to yield.

8 ACTING PRESIDENT PERSAUD: Does the
9 Senator yield?

10 SENATOR RIVERA: I do.

11 ACTING PRESIDENT PERSAUD: The
12 Senator yields.

13 SENATOR GALLIVAN: It should be
14 noted that there are those that believe that
15 there should be a cap on Medicaid spending. But
16 in talking about the federal government, we know
17 that there's been discussion about this MCO tax
18 and the potential for the federal government to
19 rescind its approval of that.

20 How does -- what is the Senate's
21 plan to make up for this money if in fact the
22 federal government cuts this funding or cuts this
23 approval?

24 SENATOR RIVERA: Well, through you,
25 Madam President, first things first. The cap is

1 not a cap on spending, the cap is a cap on
2 growth. What the cap proposes, the -- not the --
3 which we do away with, because we think it's --
4 in this proposal, because we think it is not a
5 good idea.

6 But it was a method, it was a
7 calculation that was baked back in 2011, and I
8 think it has remain unmoved since then. So it's
9 a calculation on a year-to-year basis as far as
10 the growth of the program. And we do not believe
11 that that measure is valid any longer, which is
12 the reason why we do away with it.

13 As it refers to the MCO tax, we have
14 been approved for at least two years. So in this
15 fiscal year, so '25-'26, and then '26-'27, we
16 should receive about 1.5 million -- billion,
17 apologies, 1.5 billion, roughly. So 3.8 billion
18 total over that two-year period.

19 And as far as making up the
20 shortfall, we will have some very tough decisions
21 to make. And certainly I will speak strictly for
22 myself and not what is in the current Senate
23 one-house, but I certainly believe that we should
24 be taxing the wealthy at a higher rate so that we
25 have more revenue to be able to cover some of the

1 shortfalls that we're going to have from, again,
2 your friends in Washington.

3 SENATOR GALLIVAN: Well, I don't
4 know that we would characterize people as
5 friends, but there are people that are separately
6 elected --

7 ACTING PRESIDENT PERSAUD: Senator,
8 are you on the resolution?

9 SENATOR GALLIVAN: Yes.

10 ACTING PRESIDENT PERSAUD: Okay,
11 Senator Gallivan on the resolution.

12 SENATOR GALLIVAN: I don't know
13 that we would characterize everybody in
14 government as friends, but we do recognize and I
15 certainly recognize that people are elected to do
16 a job at every level of government. Our level of
17 government is state government, and that's what
18 I'm focused on, not necessarily what decisions
19 will ultimately be made in Washington by our
20 federal partners, regardless of who is voting for
21 it of either party. And of course unless it has
22 an impact on our New York State policies, budget
23 and our constituents.

24 I'd like to move on to nursing homes
25 and ask if the sponsor would continue to yield.

1 ACTING PRESIDENT PERSAUD: Does the
2 Senator yield?

3 SENATOR RIVERA: Yes.

4 ACTING PRESIDENT PERSAUD: The
5 Senator yields.

6 SENATOR GALLIVAN: We know that
7 New York hasn't updated its methodology to set
8 the rates for nursing homes in close to
9 two decades, and I think that we both believe
10 that this is something that should change.

11 And my question is, why does the
12 one-house not include language that would require
13 the Department of Health to rebase the nursing
14 home rates?

15 SENATOR RIVERA: Through you,
16 Madam President. So there are a few things that
17 we have that are in this proposal, whether it's
18 some rates -- we do have some rate increases that
19 are related to this, just one year. So it's not
20 a permanent thing like the rebasing would do.
21 And we also have a capital rate add-on as it
22 relates to capital expenses that might happen at
23 nursing homes.

24 But we did not include the language
25 for rebasing on a permanent basis. It's ironic,

1 because although I certainly agree that we should
2 actually do that, that would actually certainly
3 cost us more money, which I think we should do.
4 But we're trying to balance out based on what we
5 have before us.

6 You will actually see that we did
7 not make -- some of the big additions that were
8 being spoken about by some of my colleagues
9 earlier, weirdly enough, don't happen in this
10 part of the budget. We actually took most of
11 what the Governor proposed and we just reshuffled
12 it around a little bit. So even though we did do
13 increases to nursing homes, we did not include
14 language that would permanently change the rates.

15 SENATOR GALLIVAN: Thank you.

16 Would the sponsor continue to yield.

17 ACTING PRESIDENT PERSAUD: Does the
18 Senator yield?

19 SENATOR RIVERA: Yes.

20 ACTING PRESIDENT PERSAUD: The
21 Senator yields.

22 SENATOR GALLIVAN: The next
23 question has to do with the Consumer Directed
24 Personal Assistance Program and that
25 transition -- commonly known as CDPAP, of course.

1 I know we've had tremendous discussion about
2 this. There was significant discussion about
3 this at the Health Budget Hearing and many of us,
4 on both sides of the aisle and in both houses,
5 expressed great concern about this transition and
6 whether or not it was -- well, first, whether or
7 not it was appropriate. But moving past that,
8 whether or not it was feasible that it would meet
9 this April 1, 2025, deadline for the transition
10 to the one fiscal intermediary.

11 My question is, does the one-house
12 budget address this transition at all? And if
13 so, why not?

14 SENATOR RIVERA: Through you,
15 Madam President. I can assure you that it is
16 something that we are deeply concerned about as a
17 conference, and we remain involved in all sorts
18 of conversations about it. We chose not to
19 include it in this particular budget proposal.

20 SENATOR GALLIVAN: Is there
21 separate plans outside of the budget -- will the
22 sponsor continue to yield?

23 ACTING PRESIDENT PERSAUD: Does the
24 sponsor yield?

25 SENATOR RIVERA: Yes, ma'am.

1 ACTING PRESIDENT PERSAUD: The
2 Senator yields.

3 SENATOR GALLIVAN: Are there
4 separate plans outside of the budget to deal with
5 this transition, the deadline, April 1st, if it
6 cannot be met?

7 SENATOR RIVERA: Through you,
8 Madam President, as I can assure you, there are
9 continued conversations even to -- I'm getting a
10 text right now regarding this stuff.

11 It is something that we as a
12 conference and certainly me as chair remain
13 deeply involved in because I have the concerns
14 that I expressed last year on the floor right
15 here during this conversation that we had last
16 year, that I've expressed both publicly and
17 privately about this incessantly since the
18 beginning of the year.

19 So I can assure you that we're
20 deeply involved in conversations to try to
21 resolve the issue, but we chose not to include it
22 in this particular proposal.

23 SENATOR GALLIVAN: My last question
24 has to do with --

25 SENATOR RIVERA: And I will yield.

1 ACTING PRESIDENT PERSAUD: The
2 sponsor will yield.

3 SENATOR GALLIVAN: Excellent. I
4 was just going to ask if he would.

5 The last question has to do with HMM
6 Part S, and that has to do with material
7 transactions. And what that specifically has to
8 do with, of course, is independent medical
9 practices looking to come together.

10 The Governor proposed significant
11 reporting requirements for this healthcare
12 transaction where somebody might want to merge or
13 bring in different investors. And the Senate
14 one-house actually increases the amount of data
15 that is required to be collected and reported,
16 and then of course there's different deadlines.

17 The concern, though, is -- well, do
18 you have a concern that the administrative burden
19 presented by the combination of the Governor's
20 proposal and the amendment in the Senate
21 one-house will be so burdensome as to prevent
22 these transactions and these mergers from taking
23 place, which would ultimately lead to the closing
24 of many of the independent practices and the
25 consolidation of the medical providers in

1 hospitals?

2 SENATOR RIVERA: Through you,
3 Madam President, no.

4 SENATOR GALLIVAN: In the proposal
5 it allows for the reporting requirements and a
6 Department of Health response. The Department of
7 Health is permitted six months --

8 ACTING PRESIDENT PERSAUD: Senator,
9 are you asking the Senator to yield?

10 SENATOR GALLIVAN: Yeah, I was just
11 giving him a little background information before
12 I did, though.

13 (Laughter.)

14 SENATOR GALLIVAN: Would the
15 sponsor continue to yield.

16 ACTING PRESIDENT PERSAUD: Will the
17 sponsor yield?

18 SENATOR RIVERA: Only if he'll
19 provide background information.

20 (Laughter.)

21 ACTING PRESIDENT PERSAUD: The
22 Senator yields.

23 SENATOR GALLIVAN: Thank you.

24 For this transaction or proposed
25 transaction after all this information is

1 submitted, the Department of Health has 180 days
2 to review this information and make a decision,
3 of course, delaying the process even further and
4 putting these independent practices in further
5 jeopardy.

6 If the Department of Health, when
7 they do their review, and at the end of six
8 months has additional questions and they send
9 them back out there to the people involved in the
10 transaction, could this potentially delay this
11 another six months?

12 SENATOR RIVERA: Through you,
13 Madam President. The language that we included
14 in this proposal does not lay out a timeline, so
15 I would not be able to answer the question about
16 whether or not it would add six months or not.
17 Hopefully it would not.

18 SENATOR GALLIVAN: On that
19 particular portion of the bill, Madam President,
20 I have great concern -- you know, we look across
21 the state at our healthcare providers and we know
22 that we struggle to ensure that we have enough
23 healthcare providers that provide quality
24 healthcare to all. And the imposition of this
25 particular provision that would put impediments

1 in the way of independent providers being able to
2 continue as independent providers, I think can
3 lead to an even greater share -- an even greater
4 number of problems as it relates to the
5 availability of providers that are out there and
6 negatively impact our healthcare system.

7 So of course I too, like Senator
8 Mattera, want to be happy. I'm not -- I don't
9 know that this makes me happy or unhappy, but I
10 think it's problematic. I'll be voting no as
11 well.

12 Thank you, Madam President, and
13 thanks to Senator Rivera for his responses.

14 ACTING PRESIDENT PERSAUD: Thank
15 you, Senator.

16 Senator Murray.

17 SENATOR MURRAY: Thank you,
18 Madam President. I have a few questions in
19 different parts, so I'd like to start with public
20 protection discovery, Part PPGG, Part B.

21 ACTING PRESIDENT PERSAUD: Senator
22 Bailey will respond.

23 Senator Bailey, do you yield?

24 SENATOR BAILEY: Certainly.

25 ACTING PRESIDENT PERSAUD: The

1 Senator yields.

2 SENATOR MURRAY: Thank you, Senator
3 Bailey.

4 The first -- the Governor included a
5 proposal that made several changes to the
6 discovery reform laws in an effort to make the
7 laws fairer for prosecutors and victims. Not all
8 of the DAs loved the changes, but thought it was
9 at least a start. And these would prevent cases
10 from getting dismissed for minor errors in
11 discovery disclosures.

12 Does this resolution include that
13 proposal?

14 SENATOR BAILEY: Through you,
15 Madam President, the Senate Majority thought that
16 while the Governor's proposal was the beginning
17 of a conversation, we omitted it and put language
18 in there that shows that we are committed to the
19 conversation that says that as legislators we are
20 responsible enough to consider possible changes
21 and that the dialogue will continue.

22 SENATOR MURRAY: Would the sponsor
23 continue to yield.

24 ACTING PRESIDENT PERSAUD: Does the
25 Senator yield?

1 SENATOR BAILEY: I do.

2 ACTING PRESIDENT PERSAUD: The
3 Senator yields.

4 SENATOR MURRAY: Thank you,
5 Senator.

6 So is there anything in this
7 proposal that would in fact change the
8 discovery laws?

9 SENATOR BAILEY: Through you,
10 Madam President, there is no statutory language
11 that would specifically change anything in the
12 discovery laws.

13 However, this is the one-house and I
14 want to remind everybody that this is on the
15 one-house and this is not changing the law --
16 nothing in this is changing the law, and that we
17 are committed to an ongoing conversation
18 regarding the discovery laws.

19 SENATOR MURRAY: Will the sponsor
20 continue to yield, Madam President.

21 ACTING PRESIDENT PERSAUD: Will the
22 Senator yield?

23 SENATOR BAILEY: I certainly do.

24 ACTING PRESIDENT PERSAUD: The
25 Senator yields.

1 SENATOR MURRAY: Thank you.

2 And now a question on the
3 Challenging Wrongful Convictions Act. That act
4 passed both houses and was vetoed by the Governor
5 in 2023 because as she stated, and this is her
6 quote: "A sweeping expansion of eligibility for
7 postconviction relief and relaxation or outright
8 elimination of certain procedural rules would
9 upend the judicial system and create an
10 unjustifiable risk of flooding the courts with
11 frivolous claims."

12 Does the version included in the
13 one-house budget have any changes from the 2023
14 version that was vetoed by the Governor?

15 SENATOR BAILEY: Through you,
16 Madam President, there were no changes to the
17 that bill.

18 However, in the actual text of the
19 bill that Senator Murray referenced, there is a
20 permissible standard that no court has to act
21 upon with the statutory language. It is
22 permissible. So there is no mandate on there.
23 So we would -- I would respectfully point that
24 out.

25 SENATOR MURRAY: Would the sponsor

1 continue to yield, Madam President.

2 ACTING PRESIDENT PERSAUD: Does the
3 Senator yield?

4 SENATOR BAILEY: I do.

5 ACTING PRESIDENT PERSAUD: The
6 Senator yields.

7 SENATOR MURRAY: So just for
8 clarification, though, was this proposal that's
9 included here, was it changed at all from the
10 2023 proposal that was vetoed?

11 SENATOR BAILEY: Through you,
12 Madam President, the bill that makes it
13 permissible and not required by the courts was
14 not changed.

15 SENATOR MURRAY: Okay, got it,
16 thank you.

17 Would the sponsor continue to yield?

18 ACTING PRESIDENT PERSAUD: Does the
19 Senator yield?

20 SENATOR BAILEY: I yield.

21 ACTING PRESIDENT PERSAUD: The
22 Senator yields.

23 SENATOR MURRAY: Does this
24 resolution -- and I'm kind of switching gears
25 here, but I want to talk about law enforcement

1 and hiring and recruiting and the shortages that
2 we have, including our corrections officers.

3 Does this proposal have any
4 incentives or anything to help law enforcement
5 with hiring and retention?

6 SENATOR BAILEY: Through you,
7 Madam President. In personal conversations that
8 I've had with sergeants and detectives and other
9 members of law enforcement, they've had
10 conversations about a piece of legislation that
11 is in this bill that is not necessarily public
12 protection related. But they indicate that it
13 would assist them in the retention of certain
14 members who hit a certain point -- I think it's
15 past 20 years -- in their service.

16 So direct conversations with
17 members, high-ranking members of those unions
18 have indicated to me specifically and directly
19 that that would help with some retention, one of
20 the bills in there.

21 SENATOR MURRAY: Thank you,
22 Madam President. Will the sponsor continue to
23 yield?

24 ACTING PRESIDENT PERSAUD: Does the
25 Senator yield?

1 SENATOR BAILEY: Through you,
2 Madam President, I've been, you know, informed as
3 to the prior question by the Incredible Avengers
4 assembled behind me --

5 (Laughter.)

6 SENATOR BAILEY: -- that there is a
7 Part C that does remove residency requirements
8 for I believe State Troopers as well as
9 correction officers, which would expand the
10 options for possible officers. I just wanted to
11 make sure we clarified that, that we are doing
12 more to make sure for our friends in
13 law enforcement that we can expand the pool.

14 But I do yield, Madam President.

15 ACTING PRESIDENT PERSAUD: The
16 Senator yields.

17 SENATOR MURRAY: Thank you,
18 Madam President.

19 So I believe the section you were
20 talking about in regards to that was for NYPD,
21 and it was regarding Tier 3 and changing the
22 retirement -- the 20-year retirement plan. Which
23 does affect, in fact, the NYPD but not
24 necessarily those outside of New York City.

25 So I ask, is there anything in this

1 resolution to address Tier 6?

2 SENATOR BAILEY: Through you,
3 Madam President, no.

4 SENATOR MURRAY: Thank you,
5 Madam President.

6 I'd like to switch gears now --
7 thank you, Senator Bailey.

8 ACTING PRESIDENT PERSAUD: Thank
9 you, Senator.

10 SENATOR MURRAY: I'd like to switch
11 gears now, and I don't have the actual section in
12 front of me, but it's regarding OTDA -- which
13 actually might be you, Madam President, now that
14 I think about it.

15 (Laughter.)

16 ACTING PRESIDENT PERSAUD: Senator
17 Krueger will answer your questions.

18 SENATOR MURRAY: Okay, very good.
19 Would the Senator yield?

20 SENATOR KRUEGER: I'll give it my
21 best.

22 ACTING PRESIDENT PERSAUD: The
23 Senator yields.

24 SENATOR MURRAY: Okay. So I was
25 looking at the budget; I believe that we've

1 allocated in this resolution \$8.1 billion for the
2 Office of Temporary Disability Assistance. Part
3 of that regards SNAP benefits. There's been an
4 ongoing problem with SNAP benefits being stolen
5 from the EBT cards because of the strips, and
6 we're doing the swiping instead of the chip
7 technology.

8 Is there any money allocated -- I've
9 had many conversations with the commissioner.
10 She says the cost would be 40 million to make the
11 switch, thereabout. However, we pick up only
12 half of that. Is there any money allocated in
13 here to switch to chip technology regarding the
14 SNAP benefits cards?

15 SENATOR KRUEGER: So the Governor's
16 Executive Budget does have money to help with the
17 transition to the chip cards on EBT. We did not
18 amend that section or -- so we accepted the
19 Governor's proposal.

20 SENATOR MURRAY: Would the sponsor
21 continue to yield.

22 ACTING PRESIDENT PERSAUD: Does the
23 Senator yield?

24 SENATOR KRUEGER: Yes.

25 ACTING PRESIDENT PERSAUD: The

1 Senator yields.

2 SENATOR MURRAY: Is there a time
3 frame for that, and do you have an amount that
4 was allocated for that? Is it basically whatever
5 is needed, or was there a specific amount
6 allocated?

7 SENATOR KRUEGER: So I know we've
8 also had conversations with the commissioner of
9 OTDA about this, because we share your concern
10 that New York is seemingly becoming a center of
11 criminal activity stealing people's SNAP
12 benefits. And the federal government was helping
13 reimburse for those for a while, but has stopped.
14 So it's really crucial that we address this.

15 There seem to be some delays in
16 trying to do the contracting for this because not
17 that many states have moved forward yet, and
18 those that have each run into their own issues,
19 including I think there's only one company now
20 that's bidding -- I may be wrong. When you only
21 have one company out there bidding for a
22 contract, sometimes they try to blow up their
23 profit margin beyond what we think is
24 appropriate. So I think there's been some
25 struggle to try to get this contract let at an

1 appropriate amount of money.

2 But I will assure you that we urge
3 the Governor and her agencies to get this done as
4 quickly as possible because it's a lose/lose.
5 The people who need these benefits aren't getting
6 them, which also means the stores that they go
7 food shopping in aren't getting the revenue and
8 the jobs that they should be getting.

9 And it's a national issue, as I
10 think you and I both know, and I wish the federal
11 government was doing more to move this more
12 quickly, but unfortunately I don't feel like they
13 are right now.

14 SENATOR MURRAY: Thank you,
15 Madam President.

16 I'd like to switch gears now and
17 finally go to -- and again, I apologize, I'd like
18 to address the MTA. So Transportation, whatever
19 portion that would be. Would that -- there you
20 go, okay.

21 ACTING PRESIDENT PERSAUD: Senator,
22 do you yield?

23 SENATOR MURRAY: Would the Senator
24 yield?

25 SENATOR KRUEGER: Yes, I will.

1 ACTING PRESIDENT PERSAUD: The
2 Senator yields.

3 SENATOR MURRAY: Thank you.

4 Can you give us the current status
5 of the MTA's 2025 to 2029 capital program? What
6 is in this resolution regarding the capital
7 program?

8 SENATOR KRUEGER: Through you,
9 Madam President. We made a commitment in our
10 resolution that we are going to work with the
11 Governor and the Assembly to come up with the
12 funding to meet the full MTA capital plan needs
13 for the '25-'29 capital plan. But we didn't put
14 a specific dollar on it, nor the revenue streams,
15 because those are still in discussion between the
16 MTA, the Governor's office, and both houses.

17 SENATOR MURRAY: Thank you.

18 Will the sponsor continue to yield?

19 ACTING PRESIDENT PERSAUD: Does the
20 Senator yield?

21 SENATOR KRUEGER: Through you, just
22 to clarify also, we did accept the Governor's
23 ongoing \$3 billion commitment which has pretty
24 much been an annual arrangement. So we didn't
25 take -- we neither increased or decreased that

1 amount.

2 Sorry. Now, yes, of course I yield.

3 ACTING PRESIDENT PERSAUD: The
4 Senator yields.

5 SENATOR MURRAY: Thank you very
6 much.

7 I'd like to address the -- first the
8 expansion of the -- Fair Fares program. We're
9 expanding that program. Do you have a dollar
10 amount of how much that expansion will cost?

11 SENATOR KRUEGER: We put in
12 \$40 million to assist with the Fair Fares
13 program, but the rest of the cost, which would be
14 significantly more, would be the obligation of
15 the City of New York.

16 SENATOR MURRAY: Will the sponsor
17 continue to yield.

18 ACTING PRESIDENT PERSAUD: Does the
19 Senator yield?

20 SENATOR KRUEGER: Yes.

21 ACTING PRESIDENT PERSAUD: The
22 Senator yields.

23 SENATOR MURRAY: So in regards to
24 the Fair Fares program -- and we're putting in
25 \$40 million. That means all taxpayers in

1 New York are paying that. But even though the
2 expansion of that program applies to the LIRR and
3 the Metro-North, a resident of Nassau or Suffolk
4 County or Westchester County, would they be able
5 to take advantage of this?

6 SENATOR KRUEGER: No, not unless
7 those counties came forward and asked to
8 participate in some kind of program where they
9 also pick up the majority of the costs.

10 SENATOR MURRAY: Would the sponsor
11 continue to yield.

12 ACTING PRESIDENT PERSAUD: Does the
13 Senator yield?

14 SENATOR KRUEGER: Yes.

15 ACTING PRESIDENT PERSAUD: The
16 Senator yields.

17 SENATOR MURRAY: So this also
18 expands -- this resolution calls for the
19 expansion of the city's Fare-Free Bus Pilot
20 Program with an additional 15 new fare-free
21 routes. How much would that cost?

22 SENATOR KRUEGER: An estimated
23 \$45 million.

24 SENATOR MURRAY: Forty-five. Okay,
25 very good.

1 Madam President, I'd like to go on
2 the bill, please. Or on the resolution.

3 ACTING PRESIDENT PERSAUD: Senator
4 Murray on the resolution.

5 SENATOR MURRAY: Thank you,
6 Senator Krueger.

7 A lot to unpack here, so I'll go
8 quickly; I know there are others.

9 Let's start with the OTDA and the
10 SNAP benefits. So while that answer was nice, in
11 doing some further digging into this, we've lost
12 \$40 million since 2002 through stolen benefits.

13 And while, yes, the federal
14 government said we're not going to start
15 replenishing that, it's because we have the
16 solution. The federal government said, We're not
17 going to continue to throw good money after bad
18 because we have the solution to fix the problem
19 so we won't lose that funding. And yet we're not
20 acting on it.

21 As for the vendor to change to the
22 chip technology, we had the vendor. We changed
23 vendors. How do I know this? Because the
24 New York State Department of Labor uses the chip
25 technology for their unemployment benefits

1 already, and they go through Conduent. Conduent
2 is the vendor. OTDA had Conduent as their vendor
3 and changed.

4 The Department of Labor's been using
5 this technology for almost two years. But yet we
6 continue to allow New Yorkers who need these
7 benefits to go hungry, and they will continue to
8 go hungry because we're not acting quickly
9 enough. And the money hasn't been there. We
10 need to do better.

11 Finally, with the MTA. I mean, year
12 after year after year they're coming asking for
13 more money. We lost nearly \$800 million last
14 year to toll and fare evasion, and the answer of
15 the Senate Majority now is let's give away more
16 free rides. Great. I'm sure the rest of the
17 taxpayers love footing the bill.

18 By the way, the ones that are
19 abiding by the law and are paying their fares,
20 they got hit with a fare increase, just so we
21 know.

22 And then, finally, the capital plan.
23 Again, year after year we need more money, more
24 money. I've heard the number thrown out
25 33 billion for the five-year capital plan that we

1 still need. And that is, Well, congestion
2 pricing would cover that. Well, I think that's
3 probably going to be gone.

4 I don't understand how we're passing
5 a budget resolution that leaves that gaping hole
6 with no explanation of how we're going to fill
7 it. I just want to read the statement that's in
8 here. This is what the Senator was referring to.
9 This is the statement in this resolution
10 addressing that.

11 "The Senate recognizes the
12 importance of a fully funded MTA capital program
13 to the tristate region and, correspondingly, to
14 the national economy, and fully supports
15 identifying and mobilizing financial resources to
16 properly fund the 2025-2029 MTA Capital Plan in
17 partnership with the Metropolitan Transportation
18 Authority, City of New York" -- hold on -- "the
19 New York State Assembly, and the Governor of the
20 State of New York. The Senate also recognizes
21 the importance of the MTA using its resources
22 efficiently and transparently, so that it can
23 instill confidence in the taxpayers and riders
24 who rely on the system."

25 That's your budget proposal. I

1 don't hear a dollar sign. I don't hear any plan
2 for how we're going to get there. I guess I'll
3 just tell my mortgage lender that I'll get a plan
4 and figure out how to pay my mortgage.

5 This isn't a full budget proposal if
6 we haven't answered these questions. So for that
7 reason and many, I'll be voting no.

8 Thank you, Madam President.

9 ACTING PRESIDENT PERSAUD: Thank
10 you, Senator.

11 Senator Borrello.

12 SENATOR BORRELLO: Thank you,
13 Madam President.

14 I have questions on Rev Part WW,
15 specifically with the Unemployment Insurance
16 Benefit Fund.

17 Madam President, will the sponsor
18 yield for a question.

19 ACTING PRESIDENT PERSAUD: Senator
20 Krueger, do you yield?

21 SENATOR KRUEGER: Yes, I do.

22 ACTING PRESIDENT PERSAUD: The
23 Senator yields.

24 SENATOR BORRELLO: Oh, so you're
25 handling labor as well now, I see.

1 (Laughter.)

2 SENATOR BORRELLO: So you are
3 multitasking today. Yes, thank you.

4 Well, for years now we've known that
5 there is a giant hole in our Unemployment
6 Insurance Fund. It started at \$11 billion; it's
7 now down to about 6.5 billion entirely paid by
8 the businesses, small businesses like myself, for
9 largely fraud that was committed during the
10 pandemic unemployment insurance.

11 I know you have a questioning look
12 on your face because the Department of Labor will
13 not tell us how much fraud we experienced.
14 However, the Comptroller estimated it at
15 \$11 billion. So the amount of the whole
16 unemployment insurance deficit equals the amount
17 of fraud that the Comptroller thinks that we
18 experienced here during that.

19 So most every other state except for
20 New York took the pandemic relief money from the
21 federal government and filled that hole so that
22 their businesses wouldn't be burdened with these
23 additional costs. But New York didn't dedicate a
24 dime to it, not one thin dime.

25 So as a result, every business right

1 now in New York State is paying the top
2 unemployment insurance rates and a fine assessed
3 every quarter, that to the tune of about \$215 per
4 employee. So billions of dollars that are
5 actually being obviously passed along to the
6 consumers here in New York.

7 Now, in this bill you've added
8 \$6 billion -- billion with a B -- to appropriate
9 the Unemployment Insurance Benefit Fund, to
10 subsidize that deficit. Can you please tell me
11 how that money is going to be distributed? Or is
12 it just going to go right into the fund?

13 SENATOR KRUEGER: Through you,
14 Madam President. No, this is specifically to go
15 to small businesses, 50 employees or less, to pay
16 the cost difference between their pre-COVID UIB
17 costs and their post-COVID UIB costs. Which have
18 gone up, I agree with my colleague. And so this
19 is specifically to address that issue for the
20 small businesses in New York State.

21 I do have to take objection to my
22 colleague's description that our costs grew so
23 much because of fraud. I think the national data
24 shows that our cost of unemployment skyrocketed
25 because so many businesses did lay off people

1 during the COVID pandemic. Hence, we drew down
2 more unemployment benefits for people -- and
3 thank goodness we did at the time.

4 And yes, the state has had a
5 significant obligation to pay back the federal
6 government. I'm advised that I think at the rate
7 it's getting paid back now, we'll be completed
8 in -- three years or two years? '27. In 2027.
9 So in two fiscal years, that will have been
10 completed.

11 We could also have a further
12 discussion of maybe we didn't have enough money
13 in our reserve fund for UIB because we hadn't
14 been increasing the UIB rates on our businesses
15 for many years, while other states had been. But
16 that's a discussion perhaps either for history to
17 review or for us to discuss in the future about
18 making our UIB trust system more ready to handle
19 downturns.

20 Let's hope we never have a pandemic
21 like that again, although I worry -- I suspect my
22 colleague also worries about that.

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

25 ACTING PRESIDENT PERSAUD: Will the

1 Senator yield?

2 SENATOR KRUEGER: Yes.

3 ACTING PRESIDENT PERSAUD: The
4 Senator yields.

5 SENATOR BORRELLO: Yes, we both
6 agree that there -- we fear something like that
7 ever happening again, and let's hope it doesn't
8 happen.

9 The real issue wasn't so much that
10 New Yorkers -- in droves, they were basically
11 forced to be laid off. The businesses didn't
12 choose to. I can tell you that our experience in
13 our businesses was we had a pile of unemployment
14 claims piling up on our desk while we were
15 receiving requests for unemployment for people
16 that could have worked. So the problem was a lot
17 of those people didn't actually work for us,
18 because they were -- there was fraud in the
19 system, a tremendous amount of fraud, because we
20 had a software program for unemployment --

21 ACTING PRESIDENT PERSAUD: Senator,
22 are you on the resolution?

23 SENATOR BORRELLO: I'll ask a
24 question based on this. But will the sponsor
25 yield?

1 ACTING PRESIDENT PERSAUD: Does the
2 sponsor yield?

3 SENATOR KRUEGER: Yes.

4 ACTING PRESIDENT PERSAUD: The
5 sponsor yields.

6 SENATOR BORRELLO: So you mentioned
7 changing the rules so that it's not just filling
8 the gap, which is what we should do, but we're
9 going to have a tax credit for employers with 50
10 or less people. Now, is that people or is that
11 FTEs? In business we measure employment by FTEs,
12 which is a full-time equivalent.

13 SENATOR KRUEGER: So the definition
14 references a worker earning at least \$13,000 a
15 year. And so I don't think we tried to go into
16 FTE in the definition because there can be so
17 many different categories of people who work.

18 So I can try to get better
19 clarification for you, but that's the best I can
20 offer right now. Yes.

21 SENATOR BORRELLO: All right.
22 Madam President, will the sponsor continue to
23 yield.

24 ACTING PRESIDENT PERSAUD: Does the
25 Senator yield?

1 SENATOR KRUEGER: I do.

2 ACTING PRESIDENT PERSAUD: The
3 Senator yields.

4 SENATOR BORRELLO: So every
5 business in New York State that has an employment
6 that pays, you know, unemployment insurance
7 benefits -- in other words, anybody that's not a
8 sole proprietor is paying for this. This is not
9 government money. This is paid for by employees
10 and employers, the unemployment insurance that
11 they pay. And we have funds that were drained
12 because of the -- more money paid out than was
13 going into the system, as you referenced earlier.

14 So why would we limit this to just
15 this number of people? We owe about 6.5 billion
16 right now. This is a \$6 billion appropriation.
17 So you could virtually cover it all. With an
18 extra near half a billion dollars, you could get
19 rid of it entirely. Why would we limit this to
20 just certain businesses?

21 SENATOR KRUEGER: Through you,
22 Madam President, we project this is \$490 million
23 a year for two years, so close to a billion of
24 the cost. And, you know, it would be an
25 interesting discussion that my colleagues would

1 want to find 6 billion to pay, which probably
2 would require even further tax increases, which I
3 suspect my colleagues would choose to vote no on,
4 but I can't assume that.

5 So we actually think we are making a
6 reasonable expansion beyond the Governor to try
7 to address the small businesses who we know often
8 carry the biggest weights on their shoulders when
9 something changes in the economy.

10 And so we are fairly confident that
11 the larger businesses in this state will continue
12 to be able to make the payments as they have been
13 doing since the end of pandemic. And again, we
14 estimate that it's only two more years till we
15 resolve the post-pandemic obligations to the
16 federal government.

17 SENATOR BORRELLO: Madam President,
18 will the sponsor continue to yield.

19 ACTING PRESIDENT PERSAUD: Does the
20 Senator yield?

21 SENATOR KRUEGER: Yes.

22 ACTING PRESIDENT PERSAUD: The
23 Senator yields.

24 SENATOR BORRELLO: I will have to
25 respectfully challenge that two-year payoff. The

1 NFIB, the Business Council and others have
2 assumed this would be a 10-year payback, of which
3 we are about four years into it. So to
4 accelerate to two years I think would be
5 unrealistic.

6 So we did have the opportunity --
7 and I'm going to get to a question if the sponsor
8 would continue to yield.

9 ACTING PRESIDENT PERSAUD: Will the
10 sponsor yield?

11 SENATOR KRUEGER: I do.

12 ACTING PRESIDENT PERSAUD: The
13 Senator yields.

14 SENATOR BORRELLO: Why didn't we
15 spend the federal money like every other state
16 did to help fill that gap the first time around?
17 Because you said we should raise taxes to fill
18 this gap. But we had the money in our hands, and
19 we spent it on other things. In fact, we spent
20 it on creating new programs and new, you know,
21 bureaucratic jobs that we now have to continue to
22 pay for with that federal money.

23 So why didn't we take the money that
24 we were given that every other state, almost,
25 used to fill that unemployment insurance gap?

1 Why didn't we do it then?

2 SENATOR KRUEGER: Through you,
3 Madam President. Budgets are a set of
4 priorities, and you make your decision about what
5 you're prioritizing. I know that post-pandemic
6 California and New York found themselves with the
7 biggest gaps in having to have had borrowing. So
8 we did have a larger obligation to meet during
9 the pandemic than most states, leaving us in this
10 situation.

11 I'm not sure what it means that we
12 instead used the money for more bureaucrats. So
13 I guess I would need more clarification on that.
14 But every year we come here and we do our best to
15 figure out what revenue we have, what we should
16 be using it for, whether we need to raise more,
17 and how we prioritize our issues for the people
18 of New York State.

19 And my colleague and I may in fact
20 disagree on how money was prioritized to not
21 factor in a bigger or quicker solution for
22 businesses on their UIB obligations.

23 SENATOR BORRELLO: Madam President,
24 on the bill.

25 ACTING PRESIDENT PERSAUD: Senator

1 Borrello on the resolution.

2 SENATOR BORRELLO: Thank you,
3 Senator Krueger.

4 I think that the issue here is that
5 the Assembly actually proposed paying off the
6 debt entirely, what's left. Because keep in mind
7 that nearly half of it's already been paid on the
8 backs of every worker and business in New York
9 State.

10 But this is more of a kind of a -- I
11 guess more for show. Because when you limit it
12 to 50 people or less -- which is great, those are
13 small businesses -- you're also excluding most
14 businesses, all of which paid that UI debt.

15 So I have a -- I take issue with
16 that. The Assembly I think has a better
17 solution, and it's one that I think is long
18 overdue in New York State.

19 So then I'm going to switch gears
20 now and would like to talk about TED Part EEE,
21 the HEAT Act.

22 SENATOR KRUEGER: What are we on
23 now?

24 SENATOR BORRELLO: It's the HEAT
25 Act. I'm sure you're familiar with it.

1 SENATOR KRUEGER: I'll give it a
2 shot. I was just checking if it was anybody
3 else's territory.

4 SENATOR BORRELLO: Will the sponsor
5 yield for a question?

6 ACTING PRESIDENT PERSAUD: Senator,
7 do you yield?

8 SENATOR KRUEGER: I do.

9 ACTING PRESIDENT PERSAUD: The
10 Senator yields.

11 SENATOR BORRELLO: We've referenced
12 in a previous debate that we know that our energy
13 costs are up here in New York State. No one
14 disputes that. But one of the key components of
15 this is that we're going to somehow limit what we
16 know is going to be an increase in energy costs
17 with a 6 percent cap. How is that 6 percent cap
18 being funded?

19 ACTING PRESIDENT PERSAUD: Senator
20 Serrano.

21 SENATOR SERRANO: Sorry to
22 interrupt. I just wanted to remind members to be
23 mindful of time as we have about 15 minutes left
24 in this debate.

25 Thank you.

1 ACTING PRESIDENT PERSAUD: Thank
2 you, Senator.

3 SENATOR KRUEGER: Through you,
4 Madam President. I'll try to get the answers out
5 faster.

6 In this budget we have allocated
7 200 million to help pay for those costs to make
8 sure we can hit the 6 percent cap. And the
9 Assembly did as well.

10 SENATOR BORRELLO: Madam President,
11 will the sponsor continue to yield?

12 ACTING PRESIDENT PERSAUD: Senator,
13 do you yield?

14 SENATOR KRUEGER: Yes.

15 ACTING PRESIDENT PERSAUD: The
16 Senator yields.

17 SENATOR BORRELLO: So that's the
18 Energy Affordability Program. But we're
19 estimating this gap to be more like \$3 billion.
20 So that's, what, 12, 15 percent of what the cost
21 is going to be? So how are we going to get the
22 rest of it? Is this going to be ratepayers?

23 SENATOR KRUEGER: I am not aware of
24 any math that shows that number. So I'd be happy
25 to talk to my colleague, perhaps not on the floor

1 today, about that projection of the cost.

2 But I have been working on this bill
3 and moving it through houses for several years,
4 and I don't ever remember seeing a number like
5 that.

6 SENATOR BORRELLO: Madam President,
7 will the sponsor continue to yield.

8 ACTING PRESIDENT PERSAUD: Senator,
9 do you yield?

10 SENATOR KRUEGER: I do.

11 ACTING PRESIDENT PERSAUD: The
12 Senator yields.

13 SENATOR BORRELLO: Just a quick
14 answer to your question: This is what utility
15 companies are expecting. And we can have that
16 discussion later.

17 But I want to move on to the actual
18 policy that we're going to allow the PSC to
19 essentially have the authority to discontinue
20 service.

21 Why does -- if this is really -- if
22 people are still going to have the option of
23 being able to keep natural gas, then why does the
24 PSC need the ultimate authority to disconnect
25 customers?

1 SENATOR KRUEGER: The PSC already
2 has authority to make decisions about whether new
3 pipes can be put in the ground or not. That's
4 existing law. What we are saying within this law
5 is the PSC can actually, through a process in
6 community participation, evaluate whether that
7 should be continued automatically for any new
8 buildings, since we have now changed the law to
9 require new buildings to be operated without gas
10 unless there is a necessity to, in which case
11 they can continue to waiver to allow the pipes to
12 be put in.

13 So I think -- maybe you weren't here
14 when I was discussing it with Senator Mattera. I
15 think we went through this step-by-step.

16 So yes, if you still need this and
17 you can show that you can, PSC can say fine.
18 Right now PSC can also say no to you. And there
19 will be a formal process by which you
20 participate, PSC with community, to evaluate the
21 options available. And last but not least, gas
22 will not be turned off anywhere unless there is
23 another option available.

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

1 ACTING PRESIDENT PERSAUD: The
2 Senator yields?

3 SENATOR KRUEGER: Yes.

4 ACTING PRESIDENT PERSAUD: The
5 Senator yields.

6 SENATOR BORRELLO: But this is --
7 you're calling this a transition away from gas.
8 So how can we say it's really a transition if
9 people will still be able to use it? And why
10 would we allow the PSC to discontinue service
11 that already exists?

12 SENATOR KRUEGER: Again, if there's
13 an alternative that is cheaper and safer and less
14 polluting, I'm a little confused why somebody
15 wouldn't want that option. Because in fact what
16 we know is the alternative options even available
17 today -- and more will be coming -- actually are
18 cheaper per kilowatt hour, are cleaner, and are
19 actually in people's best interests based on
20 those who have already gone through transition
21 who come to our hearings and testify that it's
22 actually working terrifically for them.

23 So we are supporting transition --
24 not specifically alone in this bill, but we
25 passed an entire package of energy and

1 environmental transition obligations through the
2 CLCPA. Then we spent two years with experts
3 advising us on exactly the steps we ought to
4 take. And we built into all of this a
5 requirement for reliability so that we're not
6 leaving anybody hanging out there.

7 SENATOR BORRELLO: On the bill,
8 Madam President.

9 ACTING PRESIDENT PERSAUD: Senator
10 Borrello on the resolution.

11 SENATOR BORRELLO: Thank you,
12 Senator Krueger.

13 Just quickly, I'm going to say that
14 this is not about giving choice to customers.
15 This is about discontinuing the most reliable,
16 most affordable form of energy we have -- natural
17 gas.

18 Also, these alternatives are not
19 cheaper. I mean, no one actually believes that
20 except for the folks that have voted yes on the
21 CLCPA. So the reality is we're already seeing
22 electric costs go up 40 percent -- 40 percent.
23 And we're seeing renewable energy projects being
24 canceled in the droves because they can't afford
25 to build the projects unless they get gobs and

1 gobs more, billions upon billions more of
2 taxpayer dollars to do so.

3 So I'm not sure where the affordable
4 part's coming from, because we can't afford to
5 build the things now that were already proposed.

6 So this is a disaster, as my
7 colleague has mentioned before, but it's a
8 disaster that's going to be paid for by the
9 people of New York State. And with that, I will
10 be voting no on this.

11 Thank you.

12 ACTING PRESIDENT PERSAUD: Thank
13 you, Senator.

14 Senator Rhoads.

15 SENATOR RHOADS: Thank you,
16 Madam President.

17 In the absence of Senator Rivera,
18 would Senator Krueger please rise to answer a few
19 questions? On health.

20 SENATOR KRUEGER: We can wait until
21 he returns.

22 SENATOR RHOADS: Okay. May not
23 have that kind of time.

24 ACTING PRESIDENT PERSAUD: Senator,
25 do you yield?

1 SENATOR RIVERA: (Rapidly entering
2 chamber.) I got this.

3 (Laughter.)

4 ACTING PRESIDENT PERSAUD: The
5 Senator will yield.

6 SENATOR RHOADS: Thank you.

7 With respect to Part EE in the
8 Governor's budget, I actually found something
9 which I never thought I'd find in the Governor's
10 executive proposal, which is something that
11 resembled a good idea.

12 SENATOR RIVERA: By the way, I
13 yield.

14 ACTING PRESIDENT PERSAUD: I did,
15 yes.

16 SENATOR RIVERA: The involuntary
17 commitment and assisted outpatient treatment,
18 right? The Senate one-house bill rejects the
19 Executive proposal to allow intervention when
20 individuals are at a substantial risk of harm due
21 to their inability to meet basic needs of food,
22 shelter or medical care. It would improve care
23 for individuals at risk of self-neglect, it would
24 prevent crises by allowing people to get
25 treatment as opposed to being released back out

1 onto the streets, which would assist with our
2 homeless population. It included the inability
3 to meet --

4 ACTING PRESIDENT PERSAUD: Senator?

5 SENATOR RIVERA: Madam Chair,
6 through you. In the sake of limited time, that I
7 will go back to my bagel, since Senator Brouk
8 will actually answer questions regarding this.

9 SENATOR RHOADS: Okay.

10 ACTING PRESIDENT PERSAUD: Senator
11 Brouk?

12 SENATOR BROUK: Hi.

13 SENATOR RHOADS: Senator Brouk,
14 will you yield to a question?

15 SENATOR BROUK: I will. I will
16 yield.

17 SENATOR RHOADS: Did you hear the
18 first part of my question?

19 SENATOR BROUK: I did. We can pick
20 up where you left off.

21 SENATOR RHOADS: It would have
22 included eligibility for court-ordered outpatient
23 treatment, and it also would have ensured
24 vulnerable individuals who might fall through the
25 cracks due to inability to meet basic needs were

1 not left without necessary healthcare.

2 The Senate, in its one-house, put
3 that the Senate remains committed to
4 collaborating with the Executive and the Assembly
5 to develop a balanced solution that helps people
6 experiencing mental health challenges access the
7 care that they need. But what other than
8 sunshine, rainbows and good intentions does the
9 Majority intend to actually propose in response
10 to the Governor's proposal?

11 SENATOR BROUK: Through you,
12 Madam President. I'd like to start with one
13 fact, that sunshine is a major part of
14 maintaining mental wellness and mental health, so
15 we would add that if we could.

16 On a more serious note, though, you
17 know, I think this Senate body in particular has
18 really put forward a number of proposals and
19 investments over the last four years when it
20 comes to fighting our mental health crisis. This
21 is the body that started with the first
22 cost-of-living adjustment for our mental health
23 workforce in over 10 years. There has not been a
24 legislative session that has passed without this
25 body taking major steps in addressing the mental

1 health crisis.

2 And if one were to look at our
3 one-house budget, what they will see is that we
4 have once again really taken major steps forward
5 in not just addressing the mental health crisis
6 but in ensuring that we are bringing in the
7 voices of impacted individuals, of mental health
8 providers, of those who are in the field seeing
9 this crisis on the ground.

10 Some of the things that we've done
11 are we have increased our investments in peer
12 services. Every study shows that when it comes
13 to really bridging the gap when individuals can't
14 find the care they need or are not in a position
15 to seek that care, having peers creating
16 relationships with individuals with severe mental
17 illness can be a kind of stopgap to get them to
18 bridge over to that care. So we've increased
19 investment in those peer services.

20 We've also expanded our ability to
21 get voluntary services to those who need them by
22 including the entire bill text of Daniel's Law in
23 this one-house budget. That is one way that we
24 are able to ensure that those who are in mental
25 health crisis are not escalating that crisis, but

1 rather we are sending mental health
2 professionals -- peers, social workers, crisis
3 counselors -- to meet folks who are in that
4 crisis.

5 And with this budget resolution we
6 have taken this a step further with not only an
7 initial \$22 million investment that includes a
8 statewide technical assistance center,
9 particularly for the safety of our first
10 responders and those in mental health crisis.

11 We also make a commitment for
12 continual funding so that, statewide, we can
13 have, for once and for all, a mental health
14 crisis response system that works.

15 SENATOR RHOADS: Thank you,
16 Senator.

17 On the resolution.

18 ACTING PRESIDENT PERSAUD: Senator
19 Rhoads on the resolution.

20 SENATOR RHOADS: The Governor's
21 proposal would have done all that simply by
22 allowing these facilities to be able to have an
23 involuntary hold, expanding it from 72 hours to
24 30 days. It would have provided those vital
25 services that those who are facing a mental

1 health crisis would have needed, and would have
2 kept them off the streets.

3 I also want to comment on the fact
4 that Nassau University Medical Center again
5 receives no funding, despite the request that was
6 made by four members of this body to provide that
7 funding, that critical funding for Long Island's
8 only safety-net hospital, despite the fact that
9 SUNY Downstate has received last year 400 million
10 in a direct allocation and receives another 700
11 million this year -- over a billion dollars for
12 Downstate. While Nassau University Medical
13 Center, facing its own fiscal crisis, receives
14 nothing.

15 With respect to public protection
16 and the V-FIRE grant, there's an additional
17 \$10 million. But I wanted to make the point that
18 in the V-FIRE grant, Long Island fire departments
19 were excluded. Not a single Long Island fire
20 department was judged to meet the criteria for
21 the V-FIRE grant. And there is nothing within
22 this budget proposal, other than adding
23 additional funds, that corrects that injustice.

24 Thank you, Madam President.

25 ACTING PRESIDENT PERSAUD: Thank

1 you.

2 Senator Walczyk.

3 SENATOR WALCZYK: Madam President,
4 how much time do we have left?

5 SENATOR BROUK: Three minutes.

6 SENATOR WALCZYK: Madam President,
7 I'll go on the resolution.

8 Do we have more than three minutes?

9 All right, thank you.

10 On the resolution. So here's some
11 of the questions I was going to ask.

12 Disappointed in your conference's
13 proposal because even your Majority Leader kicked
14 off this legislative session saying
15 affordability, affordability, affordability.
16 This increase in spending is not going to make it
17 more affordable for New Yorkers. So one question
18 I was going to ask is what are we doing about the
19 \$2.3 million spending per day on the National
20 Guard in our prisons? Didn't see anything in
21 your budget resolution or in the Governor's
22 budget to address how much additional spending
23 we're going to be doing on the New York National
24 Guard.

25 And the Governor has refused to ask

1 the president of the United States to federalize
2 the National Guard, which would save us that
3 \$2.3 million per day.

4 I was also going to ask about why on
5 earth is automatic voter registration in our
6 budget? And I had some good questions on that
7 one, but that's probably the most poignant.

8 I also wanted to ask why a public
9 banking commission is worth spending half a
10 million dollars on it and why only Democrats
11 would be appointed to that banking commission.
12 Six appointments from a Democratic Governor,
13 three appointments from a Democratic Majority
14 Leader, three appointments from a Democratic
15 Speaker of the Assembly, and one from the
16 Comptroller, who is a Democrat.

17 Why is public banking a partisan
18 issue? Why wouldn't you want to have Republican
19 input?

20 I was also going to ask some
21 questions -- which my colleagues did -- about why
22 the HEAT Act would be included in this budget
23 proposal. You're already doing a lot
24 legislatively to ban natural gas in the State of
25 New York. None of that is going to make energy

1 more affordable in the State of New York. And
2 energy costs continue to go up.

3 This resolution also increases a
4 special assessment on gas and electric
5 corporations from 28.7 million to 35.7 million
6 dollars. Why do we want the ratepayers and the
7 taxpayers to pay more for their energy?

8 It also doesn't eliminate NYSERDA's
9 systems benefit charge. It also creates a
10 \$1 billion new slush fund for NYSERDA called
11 Sustainable Futures Program. And I had a lot of
12 questions about what the heck that \$1 billion is
13 going to go to and why only the Finance chair and
14 the Ways and Means chair would be put on that
15 program. Why no rankers? Why no chairs of the
16 Energy committees in either house? Why no
17 accountability?

18 And actually, if there's a couple
19 more minutes, maybe someone would yield for a
20 question on the education portion of this
21 resolution.

22 SENATOR MAYER: Yes, I'm happy to
23 answer.

24 ACTING PRESIDENT PERSAUD: Senator
25 Mayer will respond.

1 SENATOR WALCZYK: Thank you. So
2 there's a modification in this Senate proposal to
3 regionalize cost factors, is that correct?

4 SENATOR MAYER: Yes, there is.
5 Through you, Madam President.

6 SENATOR WALCZYK: And through you,
7 Madam President, would the sponsor continue to
8 yield?

9 ACTING PRESIDENT PERSAUD: Does the
10 Senator yield?

11 SENATOR MAYER: Yes.

12 ACTING PRESIDENT PERSAUD: The
13 Senator yields.

14 SENATOR WALCZYK: Am I reading this
15 right? That's for New York City, for Dutchess,
16 for Orange, for Putnam, for Rockland, for
17 Sullivan, for Ulster and for Westchester counties
18 only?

19 SENATOR MAYER: Well, first --
20 through you, Madam President -- it is increased
21 modestly for New York City. It is increased for
22 the Hudson Valley and for Long Island -- or it
23 remains the same for Long Island.

24 SENATOR WALCZYK: And through you,
25 Madam President, that begs the question why not

1 for Long Island, why not for Central New York,
2 why not for the capital region or the Mohawk
3 Valley, why not for Northern New York?

4 ACTING PRESIDENT PERSAUD: Senator,
5 do you yield?

6 SENATOR MAYER: Yes, I yield.

7 Through you, Madam President. The
8 Regional Cost Index is intended to reflect the
9 increasing cost or the additional cost of labor
10 in some regions of the state. It's not equally
11 distributed. These are the regions as determined
12 by the Department of Labor, and that's what we
13 used here.

14 SENATOR WALCZYK: Thank you,
15 Madam President. On the resolution.

16 ACTING PRESIDENT PERSAUD: Senator
17 Walczyk on the resolution.

18 SENATOR WALCZYK: South Dakota,
19 New Hampshire, Vermont, Idaho, Delaware,
20 Arkansas, Rhode Island, Mississippi, Alaska,
21 Wyoming, Montana, West Virginia, Iowa, New
22 Mexico, North Dakota, Oklahoma, Alabama and
23 Maine. You know what all of those and all of
24 those states in the Union have in common? Their
25 budgets, their total state budgets are smaller

1 than what your resolution, than what your
2 resolution proposes in increase over last year's
3 state budget in the State of New York. You're
4 proposing a larger increase to our state budget
5 than all of those states have for their total
6 spend.

7 The United States budget didn't even
8 reach \$259 billion until 1974. They ran the
9 entire country, they fought communism and the
10 Vietnam War on less than what you're proposing to
11 spend here in the State of New York. And you
12 have the gall to say this is going to make it
13 more affordable for New Yorkers.

14 If you could tax and spend your way
15 into affordability for the residents of the State
16 of New York, we would be the most affordable
17 place to live on earth. But the residents know
18 that is not the case.

19 So you're including bloat,
20 inefficiency, graft, waste, political slush
21 funds, hundreds in ill-advised policies in your
22 resolution, hidden taxes, fees, non-hidden taxes,
23 and expensive mandates. You say the word
24 "affordable," but your resolution tells me you
25 have no idea what that means.

1 Madam President, I vote no.

2 ACTING PRESIDENT PERSAUD: Thank
3 you, Senator.

4 The debate is now closed.

5 Call the roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT PERSAUD: Senator
8 Brouk to explain her vote.

9 SENATOR BROUK: Thank you,
10 Madam President.

11 As chair of the Senate Mental Health
12 Committee and as a member of the Rochester
13 community, I recognize that we are in a unique
14 time. This month will mark five years since the
15 death of Daniel Prude, and the mental health of
16 all New Yorkers is still in crisis. The
17 Prude family has been patiently waiting for some
18 semblance of justice for Daniel, and we have to
19 make sure that we deliver it.

20 As legislators and leaders with the
21 ability to make positive change, I urge us to
22 consider the weight of this moment. I urge us to
23 rise to the challenge of solving our mental
24 health crisis. Last year the Daniel's Law Task
25 Force gathered public input on how to best

1 implement Daniel's Law statewide, and we are now
2 including the initial \$22 million investment to
3 make that a reality.

4 What this means is that we are
5 closer now than we ever have been at providing
6 lifesaving care through Daniel's Law. With a
7 statewide crisis response system, we will see
8 fewer individuals falling through the cracks of
9 our mental health care system. We will see more
10 people getting the help that they need.

11 The inclusion of Daniel's Law in
12 this budget will help us care for all New Yorkers
13 and make our state a safer place for all of us to
14 live.

15 Thank you, Madam President. I
16 proudly vote aye.

17 ACTING PRESIDENT PERSAUD: Senator
18 Brouk to be recorded in the affirmative.

19 Senator Fahy to explain her vote.

20 SENATOR FAHY: Thank you,
21 Madam Speaker.

22 I just rise to note the reasons I am
23 in support of this one-house resolution. And I
24 think there are a whole host of them. I'm just
25 going to briefly mention a few.

1 I'm going to start here in the
2 Capital Region, where I am grateful that the
3 Governor has included 400 million to focus on our
4 downtown revitalization efforts as well as a
5 dated State Museum as well as transforming the
6 787 highway that was overbuilt in its time and
7 it's now way overbuilt.

8 Also very grateful that we have
9 included language to transform the Harriman
10 Campus to bring it into the 21st century. Also
11 very grateful to see the Earned Income Tax Credit
12 included, which will begin to address some of the
13 affordability issues. And it's one of the
14 strongest antipoverty programs since the 1960s.
15 We're expanding it here in this state to really
16 target noncustodial parents who are often young
17 men, and this incentivizes and rewards work.

18 Lots on education here. Grateful to
19 what the Governor has put in. We are going
20 beyond that and also including additional monies
21 for pre-K which are so critical, as well as
22 expanding the floor that has been such a problem
23 in so many districts.

24 Same on higher education with
25 operating dollars as well as increased TAP

1 dollars. We know if we encourage students we are
2 reversing national trends by helping to expand
3 TAP, and we are growing our enrollment,
4 particularly in SUNY and CUNY, and also adding in
5 capital dollars that are critical for their
6 energy transition plans and more.

7 The same on childcare as well as the
8 Child Tax Credit, which is so critical to
9 assisting families and again addressing the
10 critical affordability issues that so many
11 families face these days.

12 Similarly on the housing vouchers
13 which will be important, as well as Aid to
14 Localities to address additional housing matters.

15 Transportation, which is always --

16 ACTING PRESIDENT PERSAUD: Senator,
17 how do you vote?

18 SENATOR FAHY: I vote in the
19 affirmative, and very grateful for a number of
20 these additions. Look forward to future
21 conversations on this.

22 Thank you.

23 ACTING PRESIDENT PERSAUD: Senator
24 Fahy in the affirmative.

25 Senator May to explain her vote.

1 SENATOR MAY: Thank you,
2 Madam President.

3 I rise in support of this resolution
4 because, among other things, it is showing how
5 our conference is standing up for upstate
6 communities.

7 In the wake of the Congressional
8 Republicans voting to gut food assistance
9 programs, we are increasing the minimum SNAP
10 benefit and providing more markets for our
11 farmers to connect with our schools.

12 On the day the EPA administrator
13 bragged about getting rid of air pollution
14 protections against acid rain, we are fighting
15 for the health of our lakes and trying to address
16 the harmful algal bloom program that is ravaging
17 communities across upstate.

18 On the day after the Homeland
19 Security czar came here to threaten farmworkers
20 and home care workers, we are standing up for our
21 farmers by promoting more research and investment
22 in their infrastructure.

23 In a week when the President
24 deliberately drove up the cost of construction
25 materials, we are investing in building more

1 housing with a revolving loan fund and a number
2 of other funds to really promote construction and
3 reconstruction of homes and apartments.

4 And in the face of mass layoffs at
5 the federal Department of Education and an
6 all-out assault from Washington on our
7 world-renowned higher education and medical
8 research programs, we are investing in our
9 schools and universities.

10 I am proud to vote aye for this
11 resolution. Thank you.

12 ACTING PRESIDENT PERSAUD: Senator
13 May to be recorded in the affirmative.

14 Senator Mayer to explain her vote.

15 SENATOR MAYER: Thank you,
16 Madam President.

17 I'm proud to vote aye on this
18 resolution. I want to highlight two issues.

19 One, this resolution includes two of
20 the bills I sponsor with many of my colleagues to
21 force changes in the way the Public Service
22 Commission approves sky-high utility rates that
23 benefit utility shareholders and hurt regular
24 ratepayers. We need a change in the way these
25 rates are approved, and my bills would do that.

1 Secondly, in the area of education,
2 we have shown our direct commitment to public
3 education, particularly in the face of this
4 federal administration's efforts to gut public
5 education. We've added Foundation Aid, we've
6 reflected a true Regional Cost Index, we've
7 continued our commitment to pre-K, and we have
8 really put our foot down that we need continued
9 commitment to career and technical education.

10 I want to thank the Majority Leader
11 for her steadfast support of public education,
12 which is reflected in this resolution.

13 I proudly vote aye.

14 ACTING PRESIDENT PERSAUD: Senator
15 Mayer to be recorded in the affirmative.

16 Senator Skoufis to explain his vote.

17 SENATOR SKOUFIS: Thank you very
18 much, Madam President.

19 I'm surprised to hear comparisons to
20 other states from some of my colleagues across
21 the aisle in terms of what we spend here in
22 New York, with the increases here in New York,
23 compared to states like West Virginia was on the
24 list that was rattled off before.

25 You know what the life expectancy

1 here in New York is? Seventy-nine years old.
2 You know what it is in West Virginia?
3 Seventy-one. You live eight years less in
4 West Virginia than you do here in New York.

5 Let's compare air quality. Let's
6 compare teacher pay. They had a teacher strike
7 in West Virginia just a few years ago. Maybe,
8 just maybe there is something to be said about
9 investing in your people in a state government.
10 And so that's what we do here in this one-house.

11 And I didn't hear anything in the
12 questioning about the actual affordability that
13 is advanced here in this one-house, from the
14 Working Families Tax Credit to the reduction in
15 your PIT if you make under \$300,000 a year, to
16 free breakfast and lunch for all. That's going
17 to save most families over a thousand dollars a
18 year.

19 In Orange County, toll relief on the
20 Thruway, toll relief on the Tappan Zee Bridge,
21 and so much more. Senior citizens, three years
22 of checks.

23 It's disingenuous to suggest there
24 is nothing that speaks to affordability in here.
25 This is chock-full of affordability. I proudly

1 vote yes.

2 Thank you.

3 ACTING PRESIDENT PERSAUD: Senator
4 Skoufis to be recorded in the affirmative.

5 Senator Hinchey to explain her vote.

6 SENATOR HINCHEY: Thank you,
7 Madam President.

8 I too rise to celebrate what is in
9 this one-house resolution today. There is a lot
10 to be proud of. The week that the federal
11 government is actually disinvesting in our
12 farmers and our ranchers across the country by
13 cutting multiple programs that help get
14 farm-fresh food into our schools for our kids --
15 the week they are disinvesting and cutting those
16 programs, we in this resolution not only are
17 continuing our expansion of universal school
18 meals for all kids across the state, but we are
19 also expanding, expanding the Farm to School
20 program to include all meals -- breakfast, lunch
21 and snacks -- because we know that kids in every
22 single community in every corner of the state --
23 and, quite frankly, the country -- deserve to eat
24 locally sourced healthy food.

25 We are investing in our upstate

1 communities at a significantly higher rate than
2 we have historically by expanding housing
3 programs that work for smaller communities and
4 rural communities like ours across the state.

5 We're also making sure that we're
6 looking at public transit. And I celebrate the
7 study for the Mid-Hudson Transit Authority, and
8 hopefully we make it into the final budget,
9 because we actually in upstate deserve public
10 transit too, and that's something that we are
11 investing in here.

12 And I celebrate the investment in
13 our education, specifically looking at the cost
14 of living in our Hudson Valley communities that
15 have skyrocketed since the pandemic. Our budget
16 takes that into account to make sure that we're
17 actually supporting our children and recognizing
18 the cost of living where we live in the
19 Hudson Valley.

20 So I am proud to vote aye on this
21 resolution, and I encourage all of our colleagues
22 to do the same.

23 Thank you, Madam President.

24 ACTING PRESIDENT PERSAUD: Senator
25 Hinchey to be recorded in the affirmative.

1 Senator Brisport to explain his
2 vote.

3 SENATOR BRISPORT: Thank you,
4 Madam President.

5 I'd like to start by acknowledging
6 that for decades, nationwide, the Democratic
7 Party has traded away its credibility as a
8 stronghold for working-class people, accepting
9 corporate campaign donations and becoming
10 increasingly relying on them, underregulating
11 entire industries and enabling the resulting
12 monopolies to raise prices and drive inflation.
13 Making repeated cuts to social infrastructure
14 like public education and transit, robbing the
15 working class of stability and quality of life.

16 These were only Republican
17 strategies, but in following their lead, the
18 Democratic Party neutralized itself and
19 normalized empty rhetoric. The consequence was
20 widespread disillusionment and vulnerability to a
21 billionaire con artist.

22 To recover, we must rapidly and
23 fully divorce our party from the ultra-rich and
24 their corporations. Our Governor has so far
25 lacked either the will or the courage to do so.

1 On the other hand, our Majority
2 Leader has put together a budget proposal that
3 would move us in the right direction. By rolling
4 back tax breaks on millionaires and billionaires,
5 we can implement bold policies to transform the
6 lives of working-class families and rebuild a
7 viable economy.

8 Universal childcare offers us the
9 chance to show the nation what genuinely
10 left-wing policies can do for them. On top of
11 resolving the childcare crisis that's crushing
12 families, funding universal childcare is one of
13 the most cost-effective ways we can strengthen
14 our economy.

15 Notably, though, while the Governor
16 claims to support universal childcare, her budget
17 proposal was absent of the actual funding for it.
18 Our Majority Leader thankfully has included
19 \$500 million in this proposal to grow and invest
20 in our childcare workforce, an absolutely
21 essential step in building universal childcare.

22 Stronger messaging that we care
23 about working-class struggle will not turn the
24 tides against President Trump. Funding real
25 solutions will. As the final budget is

1 negotiated, Governor Hochul must hear this from
2 all of us in this room and across New York.

3 I vote aye.

4 ACTING PRESIDENT PERSAUD: Senator
5 Brisport to be recorded in the affirmative.

6 Senator Webb to explain her vote.

7 SENATOR WEBB: Thank you,
8 Madam President.

9 I first want to thank our Senate
10 Majority Leader and our entire staff for working
11 diligently to put forward this one-house
12 resolution.

13 In this moment, this one-house
14 resolution reflects the conversations and
15 investments we've been making in our chamber,
16 most certainly in my time of being here, but
17 beyond. And that is this moment we find
18 ourselves in of continuing to push for more
19 equitable investments for working families -- and
20 also meeting the moment that no one wanted to see
21 and that we are continuing to reel from, and that
22 is the drastic and devastating cuts and proposed
23 cuts that will create disparaging impacts on
24 everyone.

25 This one-house resolution reflects

1 our intentionality in making sure that no
2 New Yorker is left behind. When you talk about
3 the investments we're continuing to make in
4 education, healthcare, our communities are still
5 reeling, as the chair of Women's Issues, from the
6 overturning of Roe v. Wade. Yet we are
7 continuing as a state to make investments in
8 reproductive health and maternal health as we
9 deal with the very real crisis of maternal
10 mortality in our state.

11 This one-house resolution reinforces
12 all those things and more. Madam President, I
13 proudly vote aye on this resolution and look
14 forward to our final budget that will continue to
15 center the needs of our working families across
16 this great state of ours.

17 Thank you, Madam President.

18 ACTING PRESIDENT PERSAUD: Thank
19 you, Senator.

20 Senator Webb to be recorded in the
21 affirmative.

22 Senator Baskin to explain her vote.

23 SENATOR BASKIN: Thank you,
24 Madam President.

25 I rise to also thank the leader for

1 this resolution before us today. I want to thank
2 the leader and our staff for increasing funding
3 for lead service line replacement by \$100 million
4 in the Clean Water Infrastructure Act.

5 The federal government last year
6 implemented a rule that all lead service lines
7 across the country must be replaced by the year
8 2037. And my district has a disproportionate
9 number of lead service lines, particularly in the
10 City of Buffalo. So this funding will go a long
11 way to replace this dangerous source of lead
12 poisoning and ensure that our children and our
13 facilities can safely drink water out of their
14 faucets without worrying about its potential
15 impact on their health.

16 Also, Madam President, in this
17 budget I want to thank the leader and our staff
18 for improving resources for our small businesses
19 community. In this budget particularly we have
20 emerging entrepreneurs, minority and women-owned
21 business enterprises, and service-disabled
22 veterans, who will receive an immense amount of
23 resources.

24 This budget proposal increases
25 technical assistance and mentorship for our small

1 businesses across the state, and it also creates
2 a pathway to get more small businesses into the
3 pipeline of contracting with New York State. If
4 a small business can add to their resume that
5 they have worked with the State of New York on a
6 project, it can be a launch pad for them to take
7 the next step and grow their business, which will
8 ultimately help our economy.

9 This is why it is important to
10 holistically improve discretionary buying, which
11 is also what this budget proposal does, to ensure
12 that our discretionary buying policies are
13 resulting in a variety of business types,
14 benefiting those who engage with state
15 contracting.

16 Madam President, I proudly vote in
17 the affirmative. Thank you.

18 ACTING PRESIDENT PERSAUD: Senator
19 Baskin to be recorded in the affirmative.

20 Senator Cooney to explain his vote.

21 SENATOR COONEY: Thank you,
22 Madam President.

23 You know, at a time when our country
24 and our state is so divided, transportation
25 brings us together, both literally and

1 figuratively. You know, I've heard the debate
2 over today's session, and we didn't have a lot of
3 debate around transportation, because this budget
4 delivers big across our state -- whether we're
5 talking about a record investment in upstate
6 public transportation, increasing that frequency
7 and that opportunity in upstate cities, or
8 whether we're talking about our neighbors in
9 New York City and our commitment to fully fund
10 the MTA as it should be.

11 We are also doing two particularly
12 interesting things by looking at transportation
13 through the lens of equity. So we have proposed,
14 as the Senate Majority, a new fund of \$10 million
15 to connect workforce opportunities that are
16 coming to our communities that don't have access
17 to public transportation, so that all New Yorkers
18 can access these good-paying jobs.

19 We've also continued to advance --
20 to dream bigger about public transportation, to
21 dream bigger about how we better connect upstate
22 to downstate, and we do that through high-speed
23 rail. And in this budget we make sure that we
24 are committing the dollars to study an
25 alternative route to connect Toronto to New York

1 City.

2 That's the type of big thinking that
3 this Senate Majority continues to deliver. And
4 I'm grateful for the leadership of Andrea
5 Stewart-Cousins as our Majority Leader, and I
6 will be voting in favor of this budget
7 resolution.

8 Thank you, Madam President.

9 ACTING PRESIDENT PERSAUD: Senator
10 Cooney to be recorded in the affirmative.

11 Senator Krueger to explain her vote.

12 SENATOR KRUEGER: Thank you,
13 Madam President.

14 First, I want to thank my colleagues
15 for their participation here today from both
16 sides of the aisle. I particularly want to thank
17 my colleagues in the Democratic Conference for
18 their incredible work over weeks and weeks and
19 weeks of hearings, workgroups, intense
20 discussions going to late at night, fighting out
21 amongst ourselves what we felt the priorities for
22 the State of New York should be.

23 And I hear my colleagues on the
24 other side say, But this is a big budget, it
25 keeps going up. And they're right. New York

1 State is an expensive state, because we make
2 investments that are paying off. We make
3 investments in our education, in our
4 infrastructure, in our clean water and air, in
5 our training of people to be able to compete here
6 for jobs in New York and to compete with the
7 world economy. Because we are the center of this
8 country's world economy.

9 A new study that just came out
10 evaluating the 50 states on 28 economic metrics
11 said that New York State is the highest ranking
12 and best economy contributing the most to the
13 country's economic growth. The analysis looked
14 at all 50 states, evaluating GDP, unemployment
15 rate, fiscal health, to determine ones that are
16 pulling the most weight when it comes to moving
17 the U.S. economy forward.

18 And there's data point after data
19 point -- yes, our budget costs go up, but nothing
20 in comparison to how rapidly our GDP has been
21 going up over the last decade. Our statewide GDP
22 now is over \$2.3 trillion -- \$2.3 trillion in
23 economic activity in this state.

24 So despite the fact that we have
25 some higher costs than other states, people are

1 coming here, staying here, doing business,
2 frankly being incredibly successful in their
3 businesses. We are considered the global hub for
4 finance, tech, advertising, media, fashion. We
5 have seen strong growth and recovery since the
6 pandemic -- under Democratic leadership at the
7 federal level and the state level. Interesting.

8 We have seen a rebound of our GDP
9 after everyone's plummeting during the pandemic.
10 And New York State alone is one of the largest
11 exporting states in the country, sending nearly
12 \$1.63 billion worth of goods to overseas markets
13 in 2022, a critical issue for us particularly now
14 in light of the strange tariff wars we are facing
15 that will no doubt drive up our costs and
16 probably result in unemployment.

17 And this budget is a reflection of
18 those values and those goals to continue New York
19 on the path of being so effective and successful
20 in translating our government priorities to the
21 programs and services that the people of New York
22 need.

23 And as you heard already from my
24 colleagues, even though the questions weren't
25 asked of us, we've built in all kinds of new

1 improvements of affordability for the New Yorkers
2 who need the help, which is many. And so we are
3 investing in child tax credits. We are investing
4 in expansion of the Earned Income Tax Credit for
5 those without children. We are investing in
6 rebate checks for older New Yorkers who find
7 themselves very often in housing problems because
8 their costs of property taxes are growing as
9 their fixed incomes are not.

10 We are making investments in
11 affordable housing. In fact, the Governor
12 proposed a \$1 billion fund for the City of
13 New York, City of Yes. We took a look and said:
14 But we know exactly where that money should be
15 spent and how it could be most effectively used.
16 So we outlined in our one-house exactly where
17 that billion dollars should be spent.

18 And then we said, but we need to do
19 more for upstate housing as well, so we invested
20 in expanded programs and new programs for
21 affordability in housing -- not just for the City
22 of New York, where they were already putting
23 4 billion in and we were adding a billion, but
24 also for the rest of the state.

25 We understand that mass transit is

1 the future of the economy not just of the City of
2 New York, not even just of the MTA region, but
3 the entire New York-Connecticut-New
4 Jersey-Pennsylvania region. We understand that
5 those kinds of investments -- which create great
6 jobs, by the way, all over the State of
7 New York -- are the kind of investment we need to
8 be making so that we continue to be the leader in
9 the 21st century for our state and our country.

10 And the data's clear. So my
11 colleagues like to talk about some increase in
12 costs of -- I think they said 28 million to
13 35 million specifically for one issue in
14 utilities. So that's like \$7 million. I think
15 the Con Ed president just gave himself a bigger
16 salary increase than that for one person.

17 There's a lot of questions that need
18 to be asked, and they should be asked here and
19 other places. But I am incredibly proud to be a
20 member of this Senate, of being given the honor
21 of being the Finance chair of the New York State
22 Senate. And I'm very, very proud of the work
23 we've done and what we've delivered, and I
24 proudly vote yes.

25 Thank you, Madam President.

1 ACTING PRESIDENT PERSAUD: Senator
2 Krueger to be recorded in the affirmative.

3 Majority Leader Stewart-Cousins to
4 close.

5 SENATOR STEWART-COUSINS: Thank you
6 so much, Madam President. And thank you for
7 presiding over this very important discussion
8 around our budget resolution.

9 I also want to thank Deputy Leader
10 Mike Gianaris as well as our chair of our
11 conference, Senator Serrano, for helping us get
12 through this debate.

13 Of course to our Minority Leader,
14 Robert Ortt, and Senator Gianaris's counterpart,
15 Senator Lanza. I am sorry I missed your birthday
16 yesterday, but a belated Happy Birthday. I'm
17 sure you'll be celebrating; we're going to get
18 you out of here soon.

19 (Laughter.)

20 SENATOR STEWART-COUSINS: And of
21 course to the Finance ranker Tom O'Mara and all
22 of our colleagues across the aisle for your
23 constructive engagement.

24 And of course a special
25 acknowledgement to my Finance chair. You did a

1 great job of doing part of my speech. I don't
2 even --

3 (Laughter.)

4 SENATOR KRUEGER: Sorry.

5 SENATOR STEWART-COUSINS: Yeah,
6 that's good.

7 -- who, you know, tirelessly --
8 you know, she always threatens to -- I'm glad you
9 said you were honored. I will make sure to tell
10 you every time you say "Oh, why me?" that -- but
11 I really, really thank you for your tireless
12 commitment to getting it done and getting it
13 right. And, you know, your expertise and
14 experience really helps us in so many ways. So I
15 thank you.

16 And of course I want to further
17 extend my gratitude to Governor Hochul and to
18 Speaker Heastie for their year-round partnership.

19 And as I always say, I am grateful
20 to be engaged in a rowing exercise where we are
21 all usually rowing in the same direction, and the
22 same is here in this budget.

23 Also I want to offer deep gratitude
24 to the staff on both sides of the aisle. But I
25 do want to give a special thank you to Jonathan

1 Lang, secretary of the Majority Counsel Program;
2 to Dorothy Powell -- yeah, give a little
3 applause --

4 (Laughter; applause.)

5 SENATOR STEWART-COUSINS: To
6 Dorothy Powell, counsel; to David Friedfel,
7 finance secretary; to Mike Murphy, communications
8 director; Leah Goldman, director of
9 intergovernmental affairs; and all the staff
10 members whose hard work and dedication have made
11 today's one-house budget possible. So again,
12 thank you to you all. Thank you.

13 (Applause.)

14 SENATOR MAYER: And of course I
15 want to thank my own Senate Majority colleagues
16 for your unwavering dedication, your hard work,
17 your advocacy not only for your districts but for
18 the entire state. You know, and a real shared
19 vision for the prosperity of the state and
20 everyone in it.

21 Today we come together at a unique,
22 chaotic and arduous moment in the world outside
23 these chambers. As your Senate Majority Leader,
24 we're honored to present our one-house budget
25 resolution, a bold, compassionate and fiscally

1 responsible plan that directly addresses the most
2 pressing concern for New Yorkers: Affordability.

3 We hear a lot about affordability
4 across the aisle, yet my same colleagues stood
5 silent when the Trump administration and
6 Republican congressional majorities proposed
7 massive tax breaks to the ultrawealthy while
8 hardworking lower- and middle-class New Yorkers
9 are paying more for less support, beginning with
10 cuts to Medicare, housing, now Social Security,
11 even food.

12 In stark contrast, this Senate
13 Majority has delivered and expedited the lowest
14 middle-class tax rates New York has seen in over
15 70 years. And now we're even ending the luxury
16 yacht tax break our colleagues across the aisle
17 handed out during your last majority.

18 As I've always said, budgets are
19 priorities. Our budget modifies the Governor's
20 rebate proposal, ensuring long-term financial
21 support for seniors as well as an expansion of
22 the Working Families Tax Credit and the Earned
23 Income Tax Credit, delivering sustained relief to
24 low- and middle-income families. The Earned
25 Income Tax Credit is expanded to younger workers

1 by lowering the eligibility age from 25 to 19,
2 and increasing refunds for single working people
3 to help cover essential costs like rent and
4 groceries.

5 Housing remains a cornerstone in our
6 budget. We commit 250 million to the Housing
7 Access Voucher Program to prevent homelessness
8 and ensure rental assistance. We invest 75
9 million in public housing authorities outside of
10 New York City, 50 million to rehabilitate vacant
11 rental units. And as part of the City of Yes
12 proposal that my colleague just mentioned, we
13 provide a billion dollars for housing, including
14 \$500 million for public housing. And we also
15 provide funding to help homeowners remain in
16 their homes across the state. Every New Yorker
17 deserves a safe and stable home.

18 We continue our historic commitment
19 to education by fully funding Foundation Aid,
20 expanding universal pre-K with \$150 million, and
21 investing a half a billion in childcare workforce
22 stabilization to increase childcare availability.
23 Additionally, 25 million is allocated to expand
24 nontraditional-hour childcare.

25 We build on the Governor's proposal

1 for universal free school meals by expanding Farm
2 to School programs, ensuring children receive
3 nutritious, locally sourced food, and providing a
4 boost to our New York family farms.

5 Our budget also significantly
6 expands support for higher education with an
7 additional 74.3 million for SUNY, 114 million for
8 CUNY. We create a five-year \$1 billion annual
9 capital plan to modernize campuses and hospitals,
10 increase support for student mental health, and
11 expand financial aid.

12 With looming abhorrent Medicaid cuts
13 slated by Republicans in Washington, we safeguard
14 healthcare access with 1.5 billion in new
15 investments, including \$355 million for
16 hospitals, 250 million for nursing homes, and
17 100 million for New York City Health + Hospitals.

18 We strengthen reproductive
19 healthcare with 35 million for the Reproductive
20 Freedom and Equity grant program and expand
21 Medicaid protections for vulnerable communities.

22 Additionally, we invest \$100 million
23 in children's behavioral health clinics and
24 allocate 22 million for crisis response teams
25 under Daniel's Law.

1 Public safety remains a priority,
2 with 46 million for violence prevention and other
3 public safety programs, \$20 million for
4 Family Court access, and expanded support for
5 jail-based medication assisted treatment to
6 combat opioid addiction.

7 Our small businesses, the backbone
8 of our economy, receive targeted support,
9 including new unemployment insurance tax credits
10 for small businesses with 50 or fewer employees,
11 helping offset some of their costs. We also
12 increase MWBE funding and support for Main Street
13 revitalization.

14 Our commitment to affordability and
15 economic security extends to the hardworking
16 people who keep our state running. That's why
17 this budget takes significant steps to support
18 workers across industries. We expand temporary
19 disability insurance to ensure that more
20 New Yorkers have the financial support they need
21 during health challenges. Construction workers
22 will see stronger prevailing wage protections,
23 guaranteeing fair pay on publicly funded
24 projects.

25 This budget reflects our fundamental

1 belief that when we invest in workers, we
2 strengthen New York's economy, families and
3 communities. We take bold steps to address the
4 climate crisis by expanding clean water funding
5 to \$700 million, increasing funding for energy
6 affordability programs by 200 million, and
7 creating a \$2,000 rebate for used zero-emission
8 vehicles.

9 Despite misinformation from fossil
10 fuel interests, states like Texas have
11 demonstrated that renewable energy can provide
12 the cheapest electricity in the nation. Our
13 budget meets this urgency with an additional
14 \$100 million investment in the Environmental
15 Protection Fund, funding for clean water
16 projects, incentives for zero-emission vehicles,
17 and accelerated renewable energy infrastructure.

18 Additionally, we establish the
19 Office of Climate Resiliency to coordinate state
20 responses to climate threats and invest in
21 floating solar incentives.

22 Finally, as the daughter of a combat
23 veteran who bravely served despite
24 discrimination, I was really outraged by a recent
25 Congressman -- a Republican Congressman whose

1 dismissive remarks about veterans employment
2 rights not being God-given. Our budget honors
3 veterans with an increase in veterans' services
4 funding, a new property tax exemption for
5 100 percent service-disabled veterans, and
6 expanded Gold Star annuity benefits. This
7 includes additional funding for the Federal
8 Defense Program and \$300,000 for New York Helmets
9 to Hard Hats to support veterans transitioning to
10 trade careers.

11 Our budget provides nearly
12 \$4 million more for veteran housing, job
13 training, legal assistance and mental health
14 care. Our veterans fought for us. We must fight
15 for them.

16 As we progress, I welcome the
17 challenging yet necessary conversations and
18 negotiations with the Executive and the Assembly.
19 Though the road ahead may be difficult, through
20 collaboration and our shared commitment, we can
21 create greater opportunities and build a stronger
22 New York even in these perilous times for our
23 nation.

24 Today is about more than the
25 budget. It's about our collective promise to

1 every New Yorker. It's about reaffirming our
2 shared values of fairness, equity and resilience,
3 and our commitment to a brighter, stronger future
4 for our state. We have repeatedly proven that
5 when we invest in our people, we strengthen our
6 communities, our economy and our state.

7 So I look forward to the work ahead
8 and delivering on our shared promise to build a
9 New York that truly works for everyone.

10 Thank you, Madam President. I vote
11 yes.

12 ACTING PRESIDENT PERSAUD: Thank
13 you. Majority Leader Andrea Stewart-Cousins to
14 be recorded in the affirmative.

15 (Applause.)

16 ACTING PRESIDENT PERSAUD: Announce
17 the results.

18 THE SECRETARY: In relation to
19 Resolution 488, those Senators voting in the
20 negative are Senators Ashby, Borrello,
21 Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo,
22 Helming, Lanza, Martins, Mattera, Murray,
23 Oberacker, O'Mara, Ortt, Rhoads, Rolison, Stec,
24 Tedisco, Walczyk, Weber and Weik.

25 Ayes, 36. Nays, 21.

1 ACTING PRESIDENT PERSAUD: The
2 resolution is adopted.

3 Senator Serrano.

4 SENATOR SERRANO: Is there any
5 further business at the desk?

6 ACTING PRESIDENT PERSAUD: There is
7 no further business at the desk.

8 SENATOR SERRANO: I move to adjourn
9 until Monday, March 17th, at 3:00 p.m., with the
10 intervening days being legislative days.

11 ACTING PRESIDENT PERSAUD: On
12 motion, the Senate stands adjourned until Monday,
13 March 17th, at 3:00 p.m., with intervening days
14 being legislative days.

15 (Whereupon, at 2:05 p.m., the Senate
16 adjourned.)

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