

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 April 3, 2025

11 11:27 a.m.

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13
14 REGULAR SESSION

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18 SENATOR JAMAAL T. BAILEY, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

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

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

8 ACTING PRESIDENT BAILEY: Today the
9 Reverend Dr. Elgin Joseph Taylor, Sr.,
10 Senior Pastor of Sweet Pilgrim Missionary
11 Baptist Church here in Albany, New York, will
12 deliver today's invocation.

13 Pastor?

14 REVEREND DR. TAYLOR: May we pray.
15 God of our weary years, God of our
16 silent tears. Thou who has brought us thus far
17 on the way, Thou who has by Thy might led us into
18 the light, keep us forever in the path, we pray.

19 God our Father, we come into Your
20 presence and we honor You for this moment for
21 this Senate, for its members, from Niagara Falls
22 to Montauk Point. We honor You for the work of
23 their hands that You have assigned them to do.

24 Now it is my prayer during these
25 deliberations that You would guide hearts and

1 minds, and that You would allow decisions to be
2 made for the benefit and blessing of Your people.

3 We pray now, God, even as they
4 travel back and forth to their respective
5 locations, that Your hand of protection would
6 rest upon them.

7 Bless them all now. And this is our
8 prayer we pray, and we all say amen.

9 (Response of "Amen.")

10 ACTING PRESIDENT BAILEY: Reading
11 of the Journal.

12 THE SECRETARY: In Senate,
13 Wednesday, April 2, 2025, the Senate met pursuant
14 to adjournment. The Journal of Tuesday, April 1,
15 2025, was read and approved. On motion, the
16 Senate adjourned.

17 ACTING PRESIDENT BAILEY: Without
18 objection, the Journal stands approved as read.

19 Presentation of petitions.

20 Messages from the Assembly.

21 Messages from the Governor.

22 Reports of standing committees.

23 Reports of select committees.

24 Communications and reports from
25 state officers.

1 Motions and resolutions.

2 Senator Gianaris.

3 SENATOR GIANARIS: Good morning,
4 Mr. President.

5 On behalf of Senator Stavisky, on
6 page 20 I offer the following amendments to
7 Calendar 457, Senate Print 4685, and ask that
8 said bill retain its place on Third Reading
9 Calendar.

10 ACTING PRESIDENT BAILEY: The
11 amendments are received, and the bill will retain
12 its place on the Third Reading Calendar.

13 Senator Gianaris.

14 SENATOR GIANARIS: At this time
15 we're going to simultaneously call a meeting of
16 the Rules Committee in Room 332 and take up the
17 calendar.

18 ACTING PRESIDENT BAILEY: There
19 will be an immediate meeting of the
20 Rules Committee in Room 332, and the Secretary
21 will read.

22 THE SECRETARY: Calendar Number
23 317, Senate Print 3072, by Senator Sanders, an
24 act to amend the General Business Law.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

2 THE SECRETARY: Section 5. This
3 act shall take effect on the 120th day after it
4 shall have become a law.

5 ACTING PRESIDENT BAILEY: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BAILEY: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar 317, those Senators voting in the
12 negative are Senators Ashby, Borrello,
13 Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo,
14 Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt,
15 Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk,
16 Weber and Weik.

17 Ayes, 39. Nays, 20.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 318, Senate Print 3695, by Senator Sanders, an
22 act to amend the General Business Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 90th day after it
2 shall have become a law.

3 ACTING PRESIDENT BAILEY: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BAILEY: Senator
7 Sanders to explain his vote.

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

10 With the passing of these two bills
11 we are really working well to work on the
12 protection of the consumers of New York, New York
13 State, especially the confession of judgment. It
14 has been egregious. The New York Times, among
15 other newspapers, has said how bad this has been
16 as a policy, and I'm very grateful to all of my
17 colleagues who are voting for it and at least we
18 can start bringing a little bit more logic to the
19 banking system.

20 Thank you very much. I vote yes.

21 ACTING PRESIDENT BAILEY: Senator
22 Sanders to be recorded in the affirmative.

23 Announce the results.

24 THE SECRETARY: In relation to
25 Calendar 318, those Senators voting in the

1 negative are Senators Ashby, Borrello,
2 Canzoneri-Fitzpatrick, Chan, Griffo, Helming,
3 Lanza, Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
4 Rolison, Stec, Walczyk, Weber and Weik. Also
5 Senator Tedisco.

6 Ayes, 41. Nays, 18.

7 ACTING PRESIDENT BAILEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 449, Senate Print 3574, by Senator Cleare, an act
11 to amend the Real Property Tax Law.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

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

16 ACTING PRESIDENT BAILEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Senator
20 Cleare to explain her vote.

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

23 As chair of the Aging Committee, one
24 of my continuous priorities is ensuring that our
25 older New Yorkers receive every single benefit

1 they deserve. Despite the fact that the great
2 majority of our older New Yorkers are on fixed
3 incomes, we currently make them reapply annually
4 for such programs as STAR and Senior or Enhanced
5 STAR.

6 Clearly these are benefits that
7 seniors not only deserve but many times need to
8 be able to have a good quality of life and age in
9 the place that they love. However, life happens,
10 and if you miss one piece of mail telling you to
11 recertify, your taxes could spike by the
12 thousands.

13 This bill ensures that older
14 New Yorkers who did not respond to the first
15 notification will receive a second and subsequent
16 one. That is the least that we can do. And in
17 the long run, I look forward to when these
18 benefits are going to be instantaneous. For now,
19 though, let's take these extra steps.

20 And I proudly vote aye and encourage
21 my colleagues to do the same.

22 ACTING PRESIDENT BAILEY: Senator
23 Cleare to be recorded in the affirmative.

24 Announce the results.

25 THE SECRETARY: Ayes, 59.

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 506, Senate Print 5041, by Senator Sepúlveda, an
5 act to amend the Executive Law.

6 ACTING PRESIDENT BAILEY: Read the
7 last section.

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

10 ACTING PRESIDENT BAILEY: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BAILEY: Announce
14 the results.

15 THE SECRETARY: Ayes, 59.

16 ACTING PRESIDENT BAILEY: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 516, Senate Print 4995, by Senator Harckham, an
20 act to amend the Environmental Conservation Law.

21 ACTING PRESIDENT BAILEY: Read the
22 last section.

23 THE SECRETARY: Section 2. This
24 act shall take effect on the 30th day after it
25 shall have become a law.

1 ACTING PRESIDENT BAILEY: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BAILEY: Announce
5 the results.

6 THE SECRETARY: Ayes, 59.

7 ACTING PRESIDENT BAILEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 530, Senate Print 4132, by Senator Parker, an act
11 to amend the Executive Law.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

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

16 ACTING PRESIDENT BAILEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 530, voting in the negative are
23 Senators Borrello, Canzoneri-Fitzpatrick, Chan,
24 Gallivan, Griffo, Helming, Lanza, Oberacker,
25 O'Mara, Ortt, Rhoads, Stec, Tedisco, Walczyk and

1 Weik.

2 Ayes, 44. Nays, 15.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 579, Senate Print 3260, by Senator Cooney, an act
7 to amend Chapter 3 of the Laws of 2020.

8 ACTING PRESIDENT BAILEY: Read the
9 last section.

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

12 ACTING PRESIDENT BAILEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BAILEY: Announce
16 the results.

17 THE SECRETARY: Ayes, 59.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 581, Senate Print 6024, by Senator Baskin, an act
22 to amend the Public Authorities Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BAILEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Announce
6 the results.

7 THE SECRETARY: Ayes, 59.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 599, Senate Print 4071, by Senator May, an act to
12 amend the Public Authorities Law.

13 ACTING PRESIDENT BAILEY: Read the
14 last section.

15 THE SECRETARY: Section 27. This
16 act shall take effect immediately.

17 ACTING PRESIDENT BAILEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BAILEY: Senator
21 May to explain her vote.

22 SENATOR MAY: Thank you,
23 Mr. President.

24 I rise in gratitude for having this
25 bill on the agenda and for my colleagues for

1 supporting it.

2 This bill allows state-constituted
3 water and sewer authorities to manage stormwater,
4 which is really important as we see more and more
5 severe storm events causing flooding and really
6 putting a lot of pressure on our stormwater
7 management or wastewater management systems.

8 So this is going to allow the City
9 of New York, Cayuga County in my district, and a
10 number of other municipalities to take a much
11 more proactive approach to making sure that
12 they're using things like green infrastructure
13 and other ways to divert water before it becomes
14 a terrible problem for those municipalities.

15 And while I'm standing, I also want
16 to say a few words on Calendar 516,
17 Senator Harckham's bill. I want to thank him for
18 this bill.

19 As the chair of the Commission on
20 Rural Resources, I'm very well aware that a lot
21 of our rural communities don't have any full-time
22 staff in their municipalities. And even though
23 we have allocated billions of dollars for clean
24 water infrastructure, many of those small
25 municipalities haven't been able to access that

1 funding because they have to apply for the
2 funding and it takes a lot of time.

3 So this is going to make it easier
4 for a lot of our rural communities to actually
5 gain access to the funding that we're providing.
6 So I'm very proud that we've had both of these
7 bills on the agenda, and I vote aye.

8 Thank you.

9 ACTING PRESIDENT BAILEY: Senator
10 May to be recorded in the affirmative.

11 Announce the results.

12 THE SECRETARY: In relation to
13 Calendar 599, voting in the negative are
14 Senators Rhoads, Walczyk and Weik.

15 Ayes, 56. Nays, 3.

16 ACTING PRESIDENT BAILEY: The bill
17 is passed.

18 Senator Serrano, that completes the
19 reading of today's calendar.

20 SENATOR SERRANO: The Senate will
21 stand at ease momentarily.

22 ACTING PRESIDENT BAILEY: The
23 Senate will stand at ease momentarily.

24 (Whereupon, the Senate stood at ease
25 at 11:38 a.m.)

1 (Whereupon, the Senate reconvened at
2 11:38 a.m.)

3 ACTING PRESIDENT BAILEY: The
4 Senate will return to order.

5 Senator Gianaris.

6 SENATOR GIANARIS: Mr. President,
7 there's a report of the Rules Committee at the
8 desk. Please take that up.

9 ACTING PRESIDENT BAILEY: The
10 Secretary will read.

11 THE SECRETARY: Senator
12 Stewart-Cousins, from the Committee on Rules,
13 reports the following bill: Senate Print 7156,
14 by Senator Krueger, an act making appropriations
15 for the support of government.

16 The bill reports direct to third
17 reading.

18 SENATOR GIANARIS: Move to accept
19 the report of the Rules Committee.

20 ACTING PRESIDENT BAILEY: All those
21 in favor of accepting the report of the
22 Rules Committee please signify by saying aye.

23 (Response of "Aye.")

24 ACTING PRESIDENT BAILEY: Opposed,
25 nay.

1 (No response.)

2 ACTING PRESIDENT BAILEY: The
3 report of the Rules Committee is accepted.

4 Senator Gianaris.

5 SENATOR GIANARIS: Please take up
6 the supplemental calendar.

7 ACTING PRESIDENT BAILEY: The
8 Secretary will read.

9 There's a substitution at the desk.

10 The Secretary will read.

11 THE SECRETARY: Senator Krueger
12 moves to discharge, from the Committee on Rules,
13 Assembly Bill Number 7635 and substitute it for
14 the identical Senate Bill 7156, Third Reading
15 Calendar 624.

16 ACTING PRESIDENT BAILEY: The
17 substitution is so ordered.

18 The Secretary will read.

19 THE SECRETARY: Calendar Number
20 624, Assembly Bill Number 7635, by
21 Assemblymember Pretlow, an act making
22 appropriations for the support of government.

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

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

4 SENATOR GIANARIS: Move to accept
5 the message.

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

9 (Response of "Aye.")

10 ACTING PRESIDENT BAILEY: Opposed,
11 nay.

12 (No response.)

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

16 SENATOR LANZA: Lay it aside.

17 ACTING PRESIDENT BAILEY: Lay it
18 aside.

19 Senator Gianaris.

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

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

24 The Secretary will read.

25 THE SECRETARY: Calendar Number

1 624, Assembly Bill Number 7635, by Assemblymember
2 Pretlow, an act making appropriations for the
3 support of government.

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

6 SENATOR O'MARA: Yes, thank you,
7 Mr. President. Would Senator Krueger yield for
8 some questions.

9 ACTING PRESIDENT BAILEY: Senator
10 Krueger, do you yield?

11 SENATOR KRUEGER: I do.

12 ACTING PRESIDENT BAILEY: Senator
13 Krueger yields.

14 SENATOR O'MARA: Good morning,
15 Senator.

16 Here we are on our second extender
17 of the budget this year. How long is this bill
18 before us extending the operations of state
19 government?

20 SENATOR KRUEGER: Through you,
21 Mr. President, this one lasts through Monday at
22 noon.

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

1 ACTING PRESIDENT BAILEY: Will the
2 sponsor yield?

3 SENATOR KRUEGER: Yes.

4 ACTING PRESIDENT BAILEY: The
5 Senator yields.

6 SENATOR O'MARA: So we're going to
7 be breaking here before noon on a Thursday
8 afternoon, another budget extender, presumably
9 going home for the weekend, coming back here by
10 noon Monday to extend this again.

11 What is the current status of budget
12 negotiations, Senator?

13 SENATOR KRUEGER: I feel like we've
14 been making some progress over the last few days.
15 And I certainly am not in a position to say there
16 will be budget bills when we return on Monday,
17 but I'm more optimistic today that we actually
18 could get budget bills done next week than I was
19 earlier in the week when I was quite confident we
20 would not get to them this week, and I was
21 correct.

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

25 ACTING PRESIDENT BAILEY: Will the

1 sponsor yield?

2 SENATOR KRUEGER: Yes.

3 ACTING PRESIDENT BAILEY: The
4 sponsor yields.

5 SENATOR O'MARA: Can you tell us
6 what progress has been made on the major policy
7 issues that seemingly have been holding this up?

8 SENATOR KRUEGER: Mr. President, I
9 am not authorized to have those discussions.

10 I think they are not closed, so to
11 speak, as three-way discussions. So I don't
12 really have any new information to offer to my
13 colleague.

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

17 ACTING PRESIDENT BAILEY: Will the
18 sponsor yield?

19 SENATOR KRUEGER: Yes.

20 ACTING PRESIDENT BAILEY: The
21 sponsor yields.

22 SENATOR O'MARA: Earlier in the
23 week when we did the extender I think it was
24 intimated or actually stated that you were
25 actually waiting for any language on these policy

1 proposals. Those written policy issues, have
2 they been provided to the leaders of the Senate
3 and the Assembly?

4 SENATOR KRUEGER: Through you,
5 Mr. President. I am not at those tables, and I
6 don't know the answer to that question.

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

10 ACTING PRESIDENT BAILEY: Will the
11 sponsor yield?

12 SENATOR KRUEGER: Yes.

13 ACTING PRESIDENT BAILEY: The
14 sponsor yields.

15 SENATOR O'MARA: You mentioned
16 tables. Do we have table targets yet at this
17 point for the tables to be working on as far as
18 dollar amounts confining what the discussions
19 will be?

20 SENATOR KRUEGER: So I've been in
21 meetings the last few hours. When I asked
22 earlier in the day, we did not yet.

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

1 ACTING PRESIDENT BAILEY: Will the
2 sponsor yield?

3 SENATOR KRUEGER: Yes.

4 ACTING PRESIDENT BAILEY: The
5 sponsor yields.

6 SENATOR O'MARA: Are you optimistic
7 that we'll finish the budget next week?

8 SENATOR KRUEGER: I am more
9 optimistic, as I said a few minutes ago. I am
10 more optimistic about next week than when I was
11 asked previously in the week whether we were
12 going to get it done this week and I said no, I
13 was not optimistic.

14 It is possible, it is actually
15 possible -- work continues through the weekend,
16 and of course people will be working through the
17 weekend, thank you very much, hardworking
18 staff -- that we could actually have budget bills
19 before we close out next week. No guarantee, but
20 I am a bit more optimistic.

21 SENATOR O'MARA: Thank you,
22 Mr. President. If the Senator will continue to
23 yield.

24 ACTING PRESIDENT BAILEY: Will the
25 sponsor yield?

1 SENATOR KRUEGER: Yes.

2 ACTING PRESIDENT BAILEY: The
3 sponsor yields.

4 SENATOR O'MARA: In this extender
5 we have here to get us to Monday, what's the
6 total amount being allocated or approved here?

7 SENATOR KRUEGER: One minute. I
8 should have brought my reading glasses.

9 Two billion, 25 million, 849,000.

10 SENATOR O'MARA: Thank you,
11 Senator.

12 Mr. President, if the Senator will
13 continue to yield.

14 ACTING PRESIDENT BAILEY: Will the
15 sponsor yield?

16 SENATOR KRUEGER: Yes.

17 ACTING PRESIDENT BAILEY: The
18 sponsor yields.

19 SENATOR O'MARA: There's a sentence
20 here for paying of salaries of state workers
21 of -- the figures I have is \$45 million in total.

22 My understanding is that the bulk of
23 that, or a very large portion of that, is for the
24 payment of National Guards deployed in our
25 Department of Corrections.

1 SENATOR KRUEGER: It's for all
2 military officers and National Guard. We don't
3 have a breakout specifically for National Guard.
4 We can try to get that to you later.

5 SENATOR O'MARA: Thank you.

6 Mr. President, if the Senator will
7 continue to yield.

8 ACTING PRESIDENT BAILEY: Will the
9 sponsor yield?

10 SENATOR KRUEGER: Yes.

11 ACTING PRESIDENT BAILEY: The
12 sponsor yields.

13 SENATOR O'MARA: We did a similar
14 budget extender in prior years for the same
15 amount of time, and that amount wasn't
16 45 million, it was about 7 million. Is it fair
17 to say, then, the difference here of that
18 38 million would be going to pay National Guards
19 in our correction facilities?

20 SENATOR KRUEGER: Through you,
21 Mr. President, it's an excellent question. And
22 it's a reasonable hypothesis.

23 Again, as I said, we don't know what
24 of that 45 million is specifically National
25 Guard. We will try to get you that answer,

1 including is that partly because of a different
2 use of National Guard in this current year than
3 in the previous year.

4 SENATOR O'MARA: Thank you,
5 Senator.

6 Mr. President, on the bill.

7 ACTING PRESIDENT BAILEY: Senator
8 O'Mara on the bill.

9 SENATOR O'MARA: Thank you.

10 And thank you, Senator Krueger, for
11 the answers to that. Certainly at this juncture
12 I will be supporting this extension to get us
13 through the weekend, so to speak. I am hopeful
14 there's going to be more progress. I like your
15 optimism that we hear today.

16 But, you know, we really need more
17 details. And the fact that even in this extender
18 we're approving that the one issue that I hit on
19 \$45 million for salaries largely going to a
20 correction officers -- National Guard serving as
21 correction officers in our facilities, yet no
22 real breakdown of what that is. So we're voting
23 on \$45 million we don't even know what it's being
24 allocated for.

25 That's concerning to me that we're

1 throwing around these numbers, even though it's a
2 \$260 billion budget that we're working on. The
3 detail of these is important. And while this is
4 just for a few days and it's important that state
5 workers get paid for the work that they're doing
6 while we're not doing our job here in the
7 Legislature.

8 But we really should have a greater
9 understanding and detail of just exactly what we
10 are approving here in these extenders as they're
11 being handed down from the Governor with a
12 message of necessity. Not enough time to really
13 go through them. But the alternative of shutting
14 down state government at least at this juncture
15 is not palatable to me. But we'll see how we
16 progress next week.

17 So I will be supporting and voting
18 aye on this. Thank you, Mr. President.

19 ACTING PRESIDENT BAILEY: Thank
20 you, Senator O'Mara.

21 Senator Stec, why do you rise?

22 SENATOR STEC: Thank you,
23 Mr. President. If the sponsor would yield for a
24 couple of questions.

25 ACTING PRESIDENT BAILEY: Will the

1 sponsor yield?

2 SENATOR KRUEGER: Yes, I will.

3 ACTING PRESIDENT BAILEY: The
4 sponsor yields.

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

7 My colleague just brought up paying
8 the National Guard to be in our correctional
9 facilities. Do you happen to know the current
10 number of National Guard that are serving in
11 them? I know in a recent news article the
12 Governor bemoaned that this was at the expense of
13 a hundred million dollars a month. And I'm
14 curious how many National Guard members that
15 might be and where that unplanned-for money is
16 coming from.

17 SENATOR KRUEGER: We're changing
18 staff. We might have staff with new answers for
19 us.

20 SENATOR STEC: Fine, thank you.

21 SENATOR KRUEGER: I'm told that
22 there are 6,000 National Guard, approximately,
23 still covering the correctional facilities.

24 SENATOR STEC: Thank you, Madam --
25 or Mr. President, sorry. Apologies.

1 If the sponsor would continue to
2 yield.

3 ACTING PRESIDENT BAILEY: Will the
4 sponsor yield?

5 SENATOR KRUEGER: Yes.

6 ACTING PRESIDENT BAILEY: The
7 sponsor yields.

8 SENATOR STEC: In both this
9 extender there's money in there to cover the
10 National Guard. But the bigger picture is we're
11 working towards a budget solution. There's going
12 to be great debate in this chamber about the size
13 of the increase to the state's budget and whether
14 or not it's sustainable or wise and whatnot.

15 Wouldn't you agree that it would be
16 financially more responsible to avoid paying
17 \$100 million a month for 6,000 untrained
18 Guardsmen to work in our prisons, and better to
19 rehire 2,000 fired, qualified corrections
20 officers that would cost \$20 million a month?

21 Qualified people at \$20 million a
22 month versus three times as many unqualified
23 people at five times that rate, at \$100 million a
24 month. I mean, financially, isn't that a smarter
25 move?

1 SENATOR KRUEGER: Through you,
2 Mr. President. I don't have a breakdown. I'm
3 not sure where that hundred million dollar --
4 came from.

5 I would point out that I believe the
6 2,000 people being referenced before were fired
7 with cause, so we don't have an option to have
8 them remain in their positions.

9 But I sort of doubt we're paying
10 five times the amount of money for National Guard
11 as we paid for correctional officers, because as
12 I recall, there was a great deal of complaints
13 that National Guard got paid so little to do
14 these same jobs in the prisons. So it would
15 surprise me, but I don't have the data -- it
16 would surprise me that there was in fact a
17 five-times cost for using National Guard versus
18 correction officers.

19 But an excellent question that I'm
20 sure my colleague can ask the Governor's staff or
21 we can try to follow up with them to try to find
22 out that answer. But something doesn't sound
23 right about the math there, Mr. President.

24 SENATOR STEC: Thank you.

25 Mr. President, on the bill.

1 ACTING PRESIDENT BAILEY: Senator
2 Stec on the bill.

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

5 Thank you, Senator Krueger, for that
6 dialogue.

7 I did ask the Governor yesterday
8 about this. The Governor is quoted in the media
9 as bemoaning that the cost of the National Guard
10 is more than \$100 million a month. That's her
11 number.

12 Our number, asking the median salary
13 for corrections officers, times 2,000, works out
14 to approximately \$20 million a month.

15 So again, I go back to the 2,000
16 that we could bring back. These are not people
17 that walked off because they wanted vacation time
18 or they wanted better medical benefits or they
19 wanted a pay increase. These are people that
20 walked out -- in spite of the hammers that are in
21 the Taylor Law -- because they feared for their
22 safety. And the data that DOCCS collects backs
23 up their concerns.

24 And in the whole month that we
25 talked about this, in the 22-day strike, at no

1 point did the administration ever acknowledge the
2 validity of their safety concerns.

3 And now, rather, the answer was,
4 We'll put unqualified people that don't want to
5 be there and work them in the prison facilities,
6 6,000 of them. We'd rather have that than
7 2,000 qualified people that know the job come
8 back to work and save us \$80 million a month.

9 I think that's financially
10 ludicrous. I also think it's crazy from a safety
11 standpoint.

12 And I mention that because we are
13 paying National Guard money in this extender, and
14 I'm concerned that going forward we're going to
15 have months and months and months of
16 National Guard at a \$100 million a month in
17 there, and these facilities will remain unsafe.

18 And at the same time, we are really
19 disrespecting and putting at risk the safety of
20 the people that currently work in there, the
21 people that are currently being supervised in
22 there, and the people that had served up until
23 the Governor fired them and blackballed them.

24 So going forward I hope that you use
25 your collective leverage with the Governor in the

1 negotiations to address the unaddressed concerns
2 that we all have for the safety of the staff and
3 the inmates in our correctional facilities, and
4 the ludicrous plan that the Governor has to
5 prefer untrained people working in there at
6 five times the cost, in lieu of all that the
7 corrections officers that can bring to bear to
8 keep us safe and keep everyone inside safe.
9 That's a much better avenue to go.

10 Thank you, Mr. President.

11 ACTING PRESIDENT BAILEY: Thank
12 you, Senator Stec.

13 Senator Borrello, why do you rise?

14 SENATOR BORRELLO: On the bill.

15 ACTING PRESIDENT BAILEY: Senator
16 Borrello on the bill.

17 SENATOR BORRELLO: Thank you.

18 I want to expand a little bit on the
19 salaries here. As was mentioned, last year for a
20 similar time period we allocated \$7 million.
21 Now, this year, 45 million, and admittedly
22 largely for the National Guard troops.

23 So I've heard a lot of hand-wringing
24 and a lot of consternation about losing federal
25 funding. This week it was \$300 million to

1 Department of Health. That's a lot of money.
2 However, we're spending a hundred million dollars
3 a month for National Guard. That's the
4 Governor's numbers.

5 Now, there's a simple solution to
6 this. We could federalize, the Governor could
7 federalize those National Guard troops. That
8 \$100 million cost would then go to the federal
9 government. So if you want to know what the cost
10 of that is for the Governor's I guess arrogance,
11 it's \$100 million a month to the people of
12 New York State. A very simple solution, she
13 won't take it.

14 So the politics of this is there's
15 only a concern for the money flowing one way, not
16 the money that's flowing the other way. And I
17 think that that's pretty egregious. The
18 taxpayers of New York State are covering the cost
19 of the Governor's inability to lead in this
20 particular moment for this particular crisis of
21 her own creation.

22 I'm going to be voting yes on this
23 bill. But just remember, there is a cost to this
24 for the Governor's mismanagement of this prison
25 crisis, and it's \$100 million a month.

1 Thank you, Mr. President.

2 ACTING PRESIDENT BAILEY: Thank
3 you, Senator Borrello.

4 Senator Tedisco.

5 SENATOR TEDISCO: Will the Senator
6 yield for a couple of questions?

7 ACTING PRESIDENT BAILEY: Will the
8 sponsor yield?

9 SENATOR KRUEGER: Certainly.

10 ACTING PRESIDENT BAILEY: The
11 sponsor yields.

12 SENATOR TEDISCO: Thank you,
13 Senator.

14 SENATOR KRUEGER: (To counsel.)
15 Come on back, guys.

16 SENATOR TEDISCO: First of all, let
17 me preface my question by thanking your staff and
18 our staff. Because this is an arduous process,
19 especially for the staff, as well as us, when
20 these delays happen and we have to have these
21 extenders.

22 I mean, the last bill, 1.6 billion,
23 was about 50 pages. This is 350 or 60 million.
24 And it takes time, especially when we get into
25 those budget bills which are a hundred pages,

1 200 pages, for the staff to be able to brief us,
2 for us to read it. So I thank them.

3 And Senator, you mentioned they're
4 going to be working through the weekend, which --
5 Friday, Saturday, Sunday. If we have another
6 extender next Monday, will they continue to work
7 through the days ensuing after that to the next
8 extender we have, your staff and probably our
9 staff?

10 SENATOR KRUEGER: Through you,
11 Mr. President. While I don't think the
12 Taylor Law applies to our staffs, I suspect our
13 staffs will stay on duty and do the work they're
14 being asked to do, yes, sir.

15 SENATOR TEDISCO: Will the sponsor
16 yield again?

17 ACTING PRESIDENT BAILEY: Will the
18 sponsor yield?

19 SENATOR KRUEGER: Yes.

20 ACTING PRESIDENT BAILEY: The
21 sponsor yields.

22 SENATOR TEDISCO: So what you're
23 saying is they're not leaving their job, they're
24 coming in every single day after every extender
25 to continue to work with the leadership in your

1 majorities to get this budget done.

2 Wouldn't that apply to us who are
3 the elected officials who are responsible for
4 actually putting the budget in place and passing
5 it by an April 1st deadline? Because I have to
6 tell you, none of my colleagues on this side of
7 the aisle and their constituents, or on your side
8 of the aisle, your constituents, expect to go to
9 work, sit there, have a deadline for arguably the
10 most important thing they do, and not get the job
11 done and really have the keys to get in the
12 building the next day? They'd get fired.

13 Don't you think we should change the
14 rules that if our staff is going to be here
15 working every day, we should be here working
16 every day, and not go home today? And I know
17 it's arduous for us. We don't want to go home
18 today. We're pretty sure that it's probably
19 not -- but if they have to be here, shouldn't we
20 be here, the elected officials? They're not
21 constitutionally charged by doing this budget.
22 We are.

23 So I think, in deference to them,
24 shouldn't we be in the building or at least come
25 to session and be with them as they're working?

1 SENATOR KRUEGER: Through you,
2 Mr. President. I certainly don't know what my
3 colleagues on the other side the aisle do or
4 don't do.

5 I know that I'm pretty much on duty
6 24/7. It doesn't matter whether I'm in this room
7 or even in this city. I'm in meetings, on Zooms,
8 on texts, I never -- my husband's accused me of
9 needing a 12-step program to stop doing texting
10 at all times, that it's always work-related.

11 But if you wish to propose a rule
12 like that, I suggest that you talk to your
13 conference first about whether they want to try
14 to move that rule, and we could have a discussion
15 about that.

16 SENATOR TEDISCO: On the extender.

17 ACTING PRESIDENT BAILEY: Senator
18 Tedisco on the bill.

19 SENATOR TEDISCO: You know, we are
20 the bosses of our staff, okay? And when we tell
21 them to be here, every single day, when we don't
22 arguably do the most important thing we're
23 elected to do, if you ask the 330,000 bosses or
24 more we have, you know what they're going to say?

25 What I said earlier: We don't go to

1 work, sit there and not do our job and say --
2 especially when we control it. Because each and
3 every body here, all levers of power, are
4 controlled by one party, one affiliation. You
5 own it all here.

6 And so I don't think we should ask
7 them to do anything that we're not expected to
8 do, because it's our job to get it done.

9 And if you ask the 330,000
10 constituents do they want a good bad budget or a
11 bad on-time budget, they'll say, No, no, no,
12 you're missing the point here. We want a good,
13 balanced, on-time budget that keeps people in
14 New York State, solves the affordability problem,
15 has spending priorities, April 1. When we have
16 that deadline, adios, you're fired.

17 Maybe that's what they'll be looking
18 at in the next election, because this is the
19 fourth year -- three strikes in baseball and
20 you're out. This is kind of the fourth strike
21 that you've been late. And the finger's not
22 pointing in any direction but at you. You
23 control all levers of power.

24 So good luck to you. And to the
25 staff that is asked to come in every single day,

1 I think we should be there too. And I know
2 it's -- may not be a popular thing because -- but
3 in my district, when the boss tells you to be
4 there, they have to be there or they get fired.

5 So I'm going to vote for this
6 because I want to make sure that we move
7 everything along, we pay the people who are not
8 responsible for this, the workers for the state
9 and our not-for-profits. But I think it's kind
10 of a dereliction of our duty to keep the staff
11 here and send ourselves home.

12 Thank you, Mr. President.

13 ACTING PRESIDENT BAILEY: Are there
14 any other Senators wishing to be heard?

15 Seeing and hearing none, debate is
16 closed. The Secretary will ring the bell.

17 Read the last section.

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

20 ACTING PRESIDENT BAILEY: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT BAILEY: Announce
24 the results.

25 THE SECRETARY: Ayes, 60.

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 Senator Gianaris, that completes the
4 reading of the controversial calendar.

5 SENATOR GIANARIS: Is there any
6 further business at the desk?

7 ACTING PRESIDENT BAILEY: There is
8 no further business at the desk.

9 SENATOR GIANARIS: I move to
10 adjourn until Monday, April 7th, at 11:00 a.m.,
11 with the intervening days being legislative days.

12 ACTING PRESIDENT BAILEY: On
13 motion, the Senate stands adjourned until Monday,
14 April 7th, at 11:00 a.m., intervening days being
15 legislative.

16 (Whereupon, at 12:00 p.m., the
17 Senate adjourned.)

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