NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 1, 2025

11:34 a.m.

REGULAR SESSION

SENATOR JAMAAL T. BAILEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT BAILEY: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT BAILEY: Reading of the Journal.

THE SECRETARY: In Senate, Wednesday, April 30, 2025, the Senate met pursuant to adjournment. The Journal of Tuesday, April 29, 2025, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good morning, Mr. President.

On behalf of Senator Webb, on page 32 I offer the following amendments to Calendar Number 381, Senate Print 2280, and ask that said bill retain its place on Third Reading Calendar.

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

Senator Gianaris.

SENATOR GIANARIS: There will be an immediate meeting of the Committee on Rules in Room 332.

ACTING PRESIDENT BAILEY: There will be an immediate meeting of the Rules Committee in Room 332.

SENATOR GIANARIS: The Senate will stand at ease.

ACTING PRESIDENT BAILEY: The

Senate stands at ease.

(Whereupon, the Senate stood at ease at 11:36 a.m.)

(Whereupon, the Senate reconvened at 11:42 a.m.)

ACTING PRESIDENT BAILEY: The Senate will return to order.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, there's a report of the Rules Committee at the desk. Can we take that up, please.

ACTING PRESIDENT BAILEY: The Secretary will read.

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

Senate Print 7620, by Senator Martinez, an act to authorize certain healthcare professionals licensed or certified by a foreign government or by another state to provide professional services in connection with the 2025 Ryder Cup;

Senate Print 7623, by Senator Serrano, an act in relation to authorizing certain medical professional certified by a foreign government or another state to provide medical services during the FIFA Club World Cup 2025;

Senate Print 7636, by Senator C. Ryan, an act in relation to authorizing certain healthcare professionals licensed to practice in other jurisdictions to practice in this state in connection with the Milan Cortina Winter Olympic Games;

Senate Print 7707, by Senator Krueger, an act making appropriations for the support of government.

All bills reported direct to third reading.

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

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

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(No response.)

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

Senator Gianaris.

SENATOR GIANARIS: Let's take up the supplemental calendar, please.

ACTING PRESIDENT BAILEY: The Secretary will read.

There's a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Krueger moves to discharge, from the Committee on Rules, Assembly Bill Number 8115 and substitute it for the identical Senate Bill 7707, Third Reading Calendar 912.

ACTING PRESIDENT BAILEY: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number

912, Assembly Bill Number 8115, by Assemblymember Pretlow, an act making appropriations for the support of government.

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

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

SENATOR GIANARIS: Move to accept the message.

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

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(No response.)

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

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

SENATOR GIANARIS: Let's move on to

the supplemental calendar, please -- the controversial calendar, please.

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 912, Assembly Bill Number 8115, by Assemblymember Pretlow, an act making appropriations for the support of government.

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

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

I'm wondering if Senator Krueger would yield for a question or two.

ACTING PRESIDENT BAILEY: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes, I do.

ACTING PRESIDENT BAILEY: The Senator yields.

SENATOR O'MARA: Good morning, Senator.

Here we are on Thursday, apparently ready to break for the weekend. The Governor is running around the state talking about this

budget deal that's all done, yet I haven't seen any budget bills come forward.

What is the status of the eight remaining bills of this budget?

SENATOR KRUEGER: I would like to offer as an explanation something that I hope is humorous. And if you don't think it's humorous, you're showing your history.

There's a Monty Python movie called The Holy Grail, and in The Holy Grail there's a scene involving the Black Plague in Europe, and they're pushing around barrels and yelling "Bring out your dead. Bring out your dead." And suddenly a body is thrown in, and you hear the voice: "Not quite dead yet."

(Laughter.)

SENATOR KRUEGER: I'm so glad everyone appreciated that, because I really thought hard about saying it.

So "not quite done yet" is the answer for the day, despite some people's linguistic interpretation that it is done. But it's not quite done.

But I feel, despite the Monty Python reference, that we could be voting on bills

starting very early next week.

SENATOR O'MARA: Through you, Mr. President, if the Senator will yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR O'MARA: What's your favorite color?

(Laughter.)

ACTING PRESIDENT BAILEY: Senator O'Mara is not germane.

(Laughter.)

SENATOR KRUEGER: Thank God we have all not lost our senses of humor yet. Thank you.

But the answer is purple. I love purple.

SENATOR O'MARA: Purple, huh?

SENATOR KRUEGER: Purple, yes, sir.

SENATOR O'MARA: Don't change your mind, or they'll throw you off the edge.

(Laughter.)

SENATOR O'MARA: Well, thank you, Senator.

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

ACTING PRESIDENT BAILEY: Will the Senator continue to yield?

SENATOR KRUEGER: I will.

ACTING PRESIDENT BAILEY: The Senator yields.

SENATOR O'MARA: Do you think we'll have budget bills come next Monday that we can starting acting on?

SENATOR KRUEGER: I so want to be able to say yes. So I'm going to say I really, really hope yes. That's the best I can offer.

SENATOR O'MARA: Well, I hope so too. For our sakes and for the sakes of all New Yorkers, frankly. This needs to get wrapped up.

And that's all I have for today, Mr. President.

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

Senator Helming, why do you rise?

SENATOR HELMING: Thank you, Mr. President.

If the -- if Senator Krueger would

yield for a couple of questions.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Absolutely.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR HELMING: Thank you, Senator Krueger.

So just so I'm clear, you're reporting to us that there is no agreement at this point, that next week we may have budget bills or we may not.

SENATOR KRUEGER: The negotiations on the budget continue. Hence, there are no bills in print. We are continuing to negotiate despite the perception that it's done. I know our staffs would be thrilled if it was done, actually, but it's not.

So it is quite conceivable we will have budget bills as early as Monday or soon after that next week.

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

ACTING PRESIDENT BAILEY: Will the

sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR HELMING: Senator Krueger, in your conference discussions have you come to a consensus or an agreement with the Governor on granting the Governor the powers necessary to make future adjustments to the budget? Unilateral decision-making?

SENATOR KRUEGER: Through you, I believe the Senator is referencing a proposal by the Governor to allow in certain scenarios where the deficit -- we end up with a deficit because revenues coming in are less than we expected and if we come to an agreement about the handling of that situation. Is that the question?

Or are we asking something else? I'm sorry.

SENATOR HELMING: Through you, Mr. President.

ACTING PRESIDENT BAILEY: Senator Helming, you may respond.

SENATOR HELMING: My response is on the Governor's website the Governor says that

there has been an agreement made -- the title is "Governor Hochul Announces Agreement on Fiscal Year 2026 State Budget." Not a conceptual agreement, not a tentative budget, but announces an agreement.

And then it goes through the things that have been supposedly, I guess, agreed upon, which we're hearing the exact opposite in here, that there really aren't agreement on some of these things.

And one of those items is that "grants the Governor the powers necessary to make future adjustments."

And I -- through you, Mr. President, I would like to go on the bill, if that's okay.

ACTING PRESIDENT BAILEY: Senator Helming on the bill.

SENATOR HELMING: So --

SENATOR KRUEGER: You don't want me to answer?

SENATOR HELMING: No.

ACTING PRESIDENT BAILEY: Thank you, Senator Krueger.

Senator Helming on the bill.

SENATOR HELMING: We've been

through this rodeo before with our former governor. I think everyone -- mostly everyone in this room probably remembers giving unilateral authority to Governor Cuomo during COVID. And we saw how that worked out. Right?

We saw what happened with people's lives in nursing homes based on decisions that were made. We saw in a recent report that came out in April from the Comptroller about the disgusting, disgusting supplies that were never given out to people in need during that period, and now they're just sitting in warehouses across the state expiring.

So I, for one, will not be supporting anything -- any language, whether it's in the budget bill, an extender, wherever it is -- that gives a governor a unilateral authority to make decisions.

We have three distinct branches of government -- the executive, the legislative and the judiciary -- because we all have jobs to do. We all need to weigh in. And something as important as giving a governor -- a consideration to give a governor unilateral authority needs to be discussed in the open, in front of the public.

I have voted yes on every extender before us because I'm very concerned about funding getting out to organizations like the veterans' agencies that pay for shelter for our veterans. I'm going to continue voting yes on the extenders.

But I am hopeful that Monday we will have more clear guidance and somebody will -- I guess the best way to say this -- come clean. Like the Governor's saying that there's an agreement, and then the Majority saying there's not an agreement. Like who's telling the truth here?

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Helming.

Are there any other Senators wishing to be heard?

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

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Rhoads to explain his vote.

SENATOR RHOADS: Thank you, Mr. President.

Here we are, our state budget was due 30 days ago, a month ago, and we are no closer, I don't believe, to having any answers. The people of this state deserve those answers. Nineteen and a half million New Yorkers are reading in the paper bits and pieces.

Legislators in this chamber are finding out what's in the budget through rumors, innuendo, not being able to get confirmation on the floor as to what actually is in this budget while we have a Governor running around the state indicating that there is a budget deal.

There are joint bipartisan budget subcommittees, nine of them -- 10 of them, actually -- that have not met in over 45 days. March 18th was the last meeting of these joint subcommittees, Mr. President.

Those are members of both houses, members of both parties that are supposed to be meeting and sitting down and discussing and

debating the issues that are involved. But that's not what we have.

We don't have an open process. We don't have public accessibility. We don't have transparency. We literally have representatives of the majorities in each house and the Governor's office sitting behind closed doors negotiating major issues involving this state.

A budget that will be over a quarter of a trillion dollars, that will contain a massive $68 billion MTA capital plan, that will contain, from what we're hearing, horrific MTA payroll taxes on job creation in this state. Discussions regarding discovery laws, mask mandates, involuntary commitment.

And meanwhile, we're sitting here today passing the 10th budget extender. Six percent of the entire state's budget is being passed not by an actual budget, but by extender.

Over 15 --

ACTING PRESIDENT BAILEY: Senator Rhoads, we've reached the two-minute vote explanation. How do you vote?

SENATOR RHOADS: Over a $15 billion budget --

ACTING PRESIDENT BAILEY: Senator Rhoads, how do you vote?

SENATOR RHOADS: I will vote in the affirmative --

ACTING PRESIDENT BAILEY: Senator Rhoads to be voted in the affirmative.

SENATOR RHOADS: -- not because of the confirmations process --

ACTING PRESIDENT BAILEY: Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

I want to thank Senator Helming for her comments and say I agree. And I think everybody here agrees that the last thing we as a Legislature want to do is give a -- the Executive unilateral power.

But I do have to say the only reason it's even under discussion at this moment is because there may be an emergency brought on by a president who has been given unilateral power by a completely cowardly Congress and is using that power to wreck the economy as we speak, just like in front of our eyes, for no good reason.

And if we have an emergency -- we

started in January with great optimism about this year's budget. If we face an emergency, it will be because of unilateral power given by one party to one man in Washington. And we should all be angry about that.

I vote aye.

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

Senator Lanza to explain his vote.

SENATOR LANZA: Mr. President, I'm going to vote down on this extender because I think as we vote to extend, we actually vote to enable the Governor not to -- if she hasn't agreed, if she hasn't nailed this down, we continue to enable that.

And if we're going to talk about Washington and President Trump, let's talk about President Biden. I didn't hear anything, any complaints, as the cost of everything in this state for four years -- because of ridiculous, radical, leftist, inhumane, inconsiderate policies drove up the cost of food, of clothing, of energy, of gasoline. Inflation went up 35 percent under President Biden and his colleagues on the left in Congress under his

administration. And not a word. Not a word.

And now, a couple of months in, all of a sudden we're going to hear about how President Trump might do something, he may do something. Well, you know, if he does, it's the prerogative of this Majority in the Senate to come back and address it. As opposed to, in advance of the asteroid that may or may not hit, in advance giving unilateral power to a governor and abdicate the responsibility of the legislative branch.

I vote no.

ACTING PRESIDENT BAILEY: Senator Lanza to be recorded in the negative.

Senator Gianaris to explain his vote.

SENATOR GIANARIS: I want to remind my colleagues that what we're voting on today is a bill to keep government open for a few days. There is nothing in here about the Governor having unilateral or checked or other powers.

I understand you want to get ahead of yourselves. Next week hopefully we'll be able to have lengthy debate on whatever ends up being in the printed budget bills.

And as for Senator Lanza's comments, 2018 was a great year in this state. We took the Majority, thanks to the fact that Donald Trump was sitting in the Oval Office. I expect 2026 is going to be another great year.

So the people will decide, ultimately, on what direction they want to go. I have confidence in the people of New York State to do the right thing once again.

I vote yes, Mr. President.

ACTING PRESIDENT BAILEY: Senator Gianaris to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 912, voting in the negative are Senators Borrello, Lanza, Ortt and Weik.

Ayes, 50. Nays, 4.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris, that completes the reading of the controversial supplemental calendar.

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

ACTING PRESIDENT BAILEY: There is

no further business at the desk.

SENATOR GIANARIS: Move to adjourn until Monday, May 5th, at 3:00 p.m., with intervening days being legislative days.

ACTING PRESIDENT BAILEY: On motion, the Senate stands adjourned until Monday, May 5, at 3:00 p.m., with the intervening days being legislative days.

Knicks in 6!

(Whereupon, at 11:57 a.m., the Senate adjourned.)