

From: [Capitol Confidential | Dan Clark](#)
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What's missing from Hochul's child care plan

And a new Democrat-sponsored bill would delay the electric school bus mandate.

DAN CLARK
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Good afternoon — It's Thursday and International Fact-Checking Day.

- Gov. Kathy Hochul's plan to expand access to child care is missing a key plank that could jeopardize its success, stakeholders say.
- Rules and Regs: New York is significantly expanding three state programs that help municipalities fund infrastructure changes to reduce carbon emissions.
- The state Department of Corrections and Community Supervision is seeking to change regulations around contraband drugs and disciplinary measures.

- Bills on the Move: The state Senate and Assembly have passed a bill that would require the Hochul administration to set new lead hazard standards.
- New Bills of Note: New York’s mandate for school districts to purchase electric buses exclusively starting in 2027 would be delayed by a new Democrat-sponsored bill.

Names in today’s CapCon: Kathy Hochul, Dede Hill, Pete Nabozny, Marina Marcou-O’Malley, Carl E. Heastie, Daniel F. Martuscello III, Julia Salazar, Cordell Cleare, Crystal Peoples-Stokes, Chris Ryan, James Skoufis, Angelo Santabarbara



(New York Governor’s Office)

What else Hochul’s child care plan needs to be successful, according to stakeholders

Gov. Kathy Hochul and Democrats in the state Legislature have not yet begun to hammer out the details of what’s expected to be an agreement to expand access to child care in New York.

That’s good news for some advocates, who say the plan proposed by Hochul in January and largely favored by Democrats in the state Legislature is missing a key plank that could jeopardize its success.

Those advocates don’t oppose Hochul’s plan. They support it but they view it as a foundation for investments that could be made in this year’s state budget to ensure the state’s efforts to reach universal access to child care succeed.

“The details matter. How you roll it out matters,” said **Dede Hill**, vice president of policy at the **Schuyler Center**, a policy group focused on children and families.

“There are so many ways that things can sort of go awry.”

One of those ways, Hill and other advocates said, would be for New York to expand funding and infrastructure for child care without supporting the people who provide it.

Hochul is proposing a robust **\$1.7 billion** investment in a handful of child care initiatives as part of this year's state budget. That funding would be on top of what the state already spends to support access to child care.

Of that, \$1.2 billion would be earmarked for subsidies to help low-income families afford child care. The remainder would be split between expanding universal pre-K to districts without it statewide and funding pre-K for 2- and 3-year-olds in New York City.

Part of Hochul's proposal would also set a floor in funding of \$10,000 for each 4-year-old enrolled in pre-K through their school district.

The plan is the state's strongest effort to expand access to child care for 4-year-olds to date. With Hochul's additional proposed allocation, the state's spending on child care would reach \$4.5 billion in this year's budget.

Democrats in both the state Senate and Assembly support Hochul's plan, though the latter is seeking more per-pupil funding than what Hochul proposed.



Heastie on Wednesday (Dan Clark/Times Union)

Assembly Speaker **Carl E. Heastie** said this week that discussions around the state's funding for child care haven't yet begun as part of state budget talks, which are expected to continue through at least next week.

"I think we were OK accepting what the governor did as a good start," Heastie said. "There's been no money discussions pretty much at all."

Stakeholders and advocates are seeking to convince Hochul and lawmakers to allocate at least an additional **\$500 million** in a final agreement to fund what they view as the missing piece of her proposed policy.

That's the child care workforce, which earned an hourly average wage of \$18.26 per hour in 2023, according to the U.S. Bureau of Labor Statistics. That's not enough to keep workers in those jobs, said **Pete Nabozny**, director of policy at **The Children's Agenda**, another policy and advocacy group.

"A lot of people will do this work for some time and then realize, even if they get promoted, they're not going to make much more money than they're making now," Nabozny said. "There's a lot of real like salary compression there."

And that's looking at it like a regular, eight-hour day. That's not the case for many providers, who work longer hours without extra pay. That translates to a "subminimum wage," Nabozny said.

That leads to frequent turnover, which can be disruptive for two reasons. For one, the state has mandated ratios of staff to children. If they lose a worker, they can be forced to downsize the number of children they're able to serve until they staff up.

"Many programs are operating at less than full license capacity because they're not fully staffed," Hill said. "The workforce is really the biggest barrier."

But that turnover can also impact the educational and emotional development of the children they care for, said **Marina Marcou-O'Malley**, co-executive director of the **Alliance for Quality Education**, an advocacy group.

"There's a lot of research that shows the return on investment from early education, which is ginormous," she said.

Their ideal would be to have wage supplements go directly to child care workers rather than having the state increase funding overall in hopes of it making it into their paychecks. The funding proposed by Hochul isn't earmarked for a specific purpose.

The \$500 million they're seeking was included in the state Senate's one-house budget proposal last month. That means the idea is on the table but its fate is unclear.

Lawmakers are scheduled to return to the Capitol next Tuesday, when they're expected to receive an update on progress made on the state budget in their absence, if any is made.



This section features updates on rules and regulations from state agencies.

Rules and Regs: Emissions programs for localities and contraband in correctional facilities



(Lori Van Buren/Times Union)

Expanding assistance for localities to reduce carbon emissions

Agency: Department of Environmental Conservation

Status: Adopted April 1

Why it's happening: These regulations streamline three state programs to align with the state's mandate to reduce carbon emissions under the 2019 Climate Leadership and Community Protection Act and the 2022 Environmental Bond Act.

What it says: The three programs are the Zero-Emission Vehicle Rebate Program, Zero-Emission Vehicle Infrastructure Grant Program and the Climate Smart Communities Grant Program.

The Zero-Emission Vehicle Rebate Program provides rebates to municipalities and Indian Nations for the purchase or lease of zero-emission vehicles from dealers located in New York. The adopted regulations make the following changes:

- Rebates were previously capped at vehicles that weigh less than 8,000 lbs. That cap is removed to incentivize purchasing of medium-duty vehicles, like shuttle buses.
- The maximum rebate per vehicle has been increased from \$5,000 to \$7,500.

The Zero-Emission Vehicle Infrastructure Grant Program provides grants for the installation of charging and hydrogen fueling stations at public facilities.

- The adopted regulations remove the previous \$250,000 cap on grants per facility. That'll instead be determined on a case-by-case basis dependent on funding availability and project types.

The Climate Smart Communities Grant Program allows municipalities to apply for funding for projects intended to help reduce carbon emissions. The adopted regulations include these changes:

- Public authorities and benefit corporations, like parking and solid waste authorities, can now apply directly for the funding instead of needing to go through their municipality.
- The grants can now be used by municipalities to purchase land specifically for climate adaptation, like preserving floodplains.
- They're also now available to support solar arrays, heat pumps and wind turbines in municipally owned or operated public housing.
- At least 40% of the program's benefits are now required to reach disadvantaged communities.

Here's the full adopted rule.



DOCCS Commissioner Daniel F. Martuscello III (Will Waldron/Times Union)

Contraband in state prisons

Agency: Department of Corrections and Community Supervision

Status: Proposed April 1 (Public comment ends May 31)

Why it's happening: New York's prisons continue to face problems with contraband, including [the recent arrest of a correction officer](#) accused of smuggling cocaine and heroin into Cayuga Correctional Facility.

Lawmakers, including state Senate Corrections Chair Julia Salazar, [recently introduced a bill](#) that would require all prison employees to go through body scanners to combat the introduction of contraband.

This proposed regulation is the codification and clarification of a directive issued by DOCCS in 2021 that set a framework for how contraband drugs are identified and when someone incarcerated is disciplined for possessing them.

What it says: It's largely a clarifying measure but includes important distinctions to guide investigations into drugs found in state prisons.

There are two significant parts of the proposed regulation. The first clarifies that the Office of Special Investigation within DOCCS is the lead investigative entity in those cases and is tasked with discovering the origin of the contraband.

The second clarifies that a certified laboratory report from an accredited forensic lab is the only basis for initiating a formal disciplinary proceeding against an incarcerated individual. A field test is considered "presumptive," but isn't confirmation.

More from the Times Union (Free for CapCon Subscribers):

[ICYMI: With 400,000 losing health coverage, NY lawmakers pitch fix](#)



An eye on bills moving through the state Legislature.

- **Setting stricter standards for lead levels:** This would modernize the state's standards for maximum allowable levels of lead in soil, indoor surfaces and ambient air. That may not sound important, but the state's regulations haven't kept pace with federal standards, according to the bill's sponsors. This would require the state Department of Environmental Conservation and Department of Health to promulgate new standards for what's considered a "lead hazard" that are at least as strict as current federal

regulations but it encourages the agencies to develop stricter safeguards. It was previously vetoed by Hochul in 2022, when she wrote that the state's standards have kept up with the federal government. But the federal government has since strengthened its standards. As of this week, it's now **passed both chambers** of the state Legislature for the first time since then, setting it up to be sent to Hochul for consideration at some point this year. (*S122A Cleare, A3682A Peoples-Stokes*)



This section features new and interesting bills in the state Legislature.

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- **Delaying the electric school bus mandate and allowing nuclear power plant proximity exemptions:** Starting next year, school districts in New York will be required to purchase electric school buses to replace any that fail. The whole bus fleet of districts is required to be electric by 2035. Two bills have now been introduced to delay and provide exemptions to that mandate. The first (*S9667 Ryan*) would move the initial deadline to begin purchasing electric school buses to 2032 and the later deadline to transition the whole fleet to 2040. The second (*S9609 Ryan*) would allow an exemption to that requirement for school districts located within a 10-mile plume exposure pathway emergency planning zone of a nuclear power facility. Fully charged electric buses, according to the sponsor's memo of the bill, are estimated to only be able to evacuate about half of the student body of Oswego County, where New York has nuclear power facilities. Districts would still be allowed to purchase electric school buses, just not mandated.

What else I read today:

Long Island's Zeldin reportedly leads Trump's list to replace Bondi as attorney general (Newsday)

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International Fact-Checking Day: This day was conceived by journalists about a decade ago. Fact-checking is not as easy as it sounds. A thorough fact-check includes information from multiple trusted sources. That can sometimes be difficult because the only sources of information might have a political lean, like the federal government or a nonprofit advocacy group. But we do our best.

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