NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 28, 2025

3:54 p.m.

REGULAR SESSION

SENATOR JEREMY COONEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT COONEY: The Senate will come to order.

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

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

ACTING PRESIDENT COONEY: Pastor Jeremy Scott, of the Bruderhof Community in Rifton, New York, will deliver today's invocation.

Pastor.

PASTOR SCOTT: Good afternoon.

It's an honor to offer a prayer at the start of this session.

I'd first like to recognize and thank you for hosting the garden brunch event today, my district Senator, Michelle Hinchey, Senator James Skoufis, Senator James Tedisco, and Senator Mark Walczyk. It was a beautiful event today outdoors, and God was gracious with providing us with good weather.

So before I pray, I have a short reading from scripture, from the Book of Isaiah, Chapter 1, Verse 17. And here the Prophet Isaiah

gives us a clear call to moral leadership and to social justice and to standing up for the vulnerable: "Learn to do right; seek justice. Defend the oppressed. Take up the cause of the fatherless. Plead the case of the widow."

I now invite you all to join me in prayer.

Lord our God, today we lift up our hearts in gratitude and in the spirit of community building. We give thanks that Your mighty name and the name of Your Son Jesus are proclaimed and uplifted here today.

We're grateful to be in the New York State Senate to pray for our Senators, public servants of conviction and courage who stand up for our freedoms and work for justice for all.

Stemming from the Anabaptist Christian tradition, my community, the Bruderhof, came to New York as a place of welcome. We're grateful to call New York our home, a place where free speech, free exercise of faith, and a healthy separation of church and state are respected.

This week, with the passing of Congressman Charlie Rangel, we gratefully

remember his life and service.

Dear Lord, You have placed great responsibility of leadership in the hands of those gathered here. We ask that You bless each one of them with wisdom, understanding and integrity as decisions are made that shape the lives of millions across this great State of New York. May their labor today and every day be done with Your guidance and inspiration.

As we begin the session, we also remember in prayer all who sacrifice daily for our communities, our state, and our nation. We pray for the emergency workers who respond in times of crisis, especially those who have served tirelessly in response to the recent flooding across the Hudson Valley and Southern Tier.

We remember our law enforcement officers, firefighters, and healthcare professionals. Shield them with Your protection and sustain them with Your grace.

Lord, we are mindful of the challenges before this body. Let every bill considered and every vote cast be rooted in a desire for charity and truth, remembering that the best measure of who we are is how we treat

those most vulnerable.

Dear Lord, You have taught us not just to love You, but to love our neighbor. We ask for Your guidance to do that in word and in deed.

May the Senate be a place of thoughtful discourse, honest leadership, and faithful service to the people. Help us all, inside and outside these walls, to be citizens of peace and unity.

Grant Your blessing on this Senate session today. May Your favor rest upon all who seek Your will and understanding.

We ask all this in the name of Jesus Christ our Lord, amen.

(Response of "Amen.")

ACTING PRESIDENT COONEY: Thank you, Pastor.

Reading of the Journal.

THE SECRETARY: In Senate, Tuesday, May 27, 2025, the Senate met pursuant to adjournment. The Journal of Saturday, May 24, 2025, was read and approved. On motion, the Senate adjourned.

ACTING PRESIDENT COONEY: Without

objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Stewart-Cousins moves to discharge, from the Committee on Cities 2, Assembly Bill Number 5298 and substitute it for the identical Senate Bill Number 433, Third Reading Calendar 997.

ACTING PRESIDENT COONEY: So ordered.

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 afternoon, Mr. President.

Amendments are offered to the following Third Reading Calendar bills:

By Senator Bynoe, page 25, Calendar Number 651, Senate Print 5989;

Senator Harckham, page 62,

Calendar Number 1238, Senate Print 7362;

Senator Comrie, page 16,

Calendar Number 401, Senate Print 98;

Senator Cooney, page 63,

Calendar Number 1244, president 7955;

And Senator Chris Ryan, page 62,

Calendar Number 1233, Senate Print 6265.

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

Senator Gianaris.

SENATOR GIANARIS: I also wish to call up the following bills, which were recalled from the Assembly and are now at the desk:

Senate Print Numbers 5275 and 7525.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Calendar Number 459, Senate Print 5275, by Senator Bailey, an act to amend the Education Law.

Calendar Number 879, Senate Print 7525, by Senator Fahy, an act to amend Chapter 405 of the Laws of 2005.

Calendar Number 1241, Senate Print 7760, by Senator Griffo, an act to amend the

Highway Law.

SENATOR GIANARIS: I move to reconsider the vote by which these bills were passed.

ACTING PRESIDENT COONEY: The Secretary will call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT COONEY: The bills are restored to their place on the Third Reading Calendar.

SENATOR GIANARIS: I offer the following amendments.

ACTING PRESIDENT COONEY: The amendments are received.

SENATOR GIANARIS: Please recognize Senator Lanza.

ACTING PRESIDENT COONEY: Senator Lanza.

SENATOR LANZA: Thank you, Senator Gianaris.

Mr. President, I wish to call up Senator Griffo's bill, Print Number 7760, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT COONEY: The Secretary will read.

SENATOR GIANARIS: Mr. President, I think we already did that one when I read out the list, so --

(Laughter.)

SENATOR LANZA: Mr. President, I trust him. I trust Senator Gianaris and that it was done properly.

Additionally, Mr. President, on page 45 I offer the following amendments to Calendar Number 1067, Senate Print Number 2110C, and ask that said bill retain its place on Third Reading Calendar.

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

Senator Gianaris.

SENATOR GIANARIS: Please recognize Senator Skoufis for an introduction.

ACTING PRESIDENT COONEY: Senator Skoufis for an introduction.

SENATOR SKOUFIS: Thank you very much, Mr. President.

I rise with excitement today, as I

have for the past many years, to welcome the valedictorians and salutatorians from throughout the 42nd Senate District in Orange County.

And this is my annual day where I get to boast to my colleagues about how we are the smartest Senate district in all of New York.

(Laughter.)

SENATOR SKOUFIS: You know, these are some of the hardest-working, most dedicated students in the Hudson Valley who, yes, academically have worked tirelessly and persevered, but, almost to a person, additionally go out and participate in so much community service, are leaders in their classrooms and outside their classrooms alike.

And likewise, I'm also really delighted to welcome and acknowledge the parents and the faculty members who are here joining them, because certainly their success is a reflection of the incredible support that they've had around each of them.

Certainly I wish them and their families incredible futures. This is the beginning of their success as they graduate high school. And I look forward to following all

of their careers after their graduation in just a couple of months from now.

I'll recognize the folks who were here, all of the valedictorians and salutatorians. A couple of them unfortunately had to depart, given our late start today, but the large majority of them are still here.

From Warwick Valley High School we have Gisela Gujar, salutatorian.

From Cornwall, Andrew Wu, valedictorian.

From Minisink, Christopher Rickard, valedictorian, and Mia Abruzzese, salutatorian.

From Washingtonville High School, Olivia Tran, valedictorian, and Sophie DeCarvalho, salutatorian.

From Goshen Central High School, Kiran Foster, valedictorian, and Henry Dong, salutatorian.

From Pine Bush High School, Jeffrey Palma, valedictorian.

From George F. Baker High School, Casey Juance, valedictorian.

From Port Jervis High School, Julia Elston, valedictorian, and

Francesca Moliterno, salutatorian.

From S.S. Seward, Elizabeth Scheuermann, salutatorian.

And from James I. O'Neill High School, we have Victoria Evangelista, valedictorian, and Benjamin Yankovich, salutatorian.

Congratulations to each and every one of you on your incredible success. Wishing you nothing but the best.

And I ask you, Mr. President, if you'll please afford them all the cordialities and privileges of the floor.

Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator Skoufis.

To our guests, I welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT COONEY: Senator Gianaris.

SENATOR GIANARIS: Mr. President, let's move on to Resolution 1099, by

Senator Cleare, read that resolution's title and recognize Senator Cleare.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Resolution 1099, by Senator Cleare, mourning the death of former U.S. Representative Charles B. Rangel, distinguished public servant, statesman, and beloved member of the Harlem community.

ACTING PRESIDENT COONEY: Senator Cleare on the resolution.

SENATOR CLEARE: Thank you, Mr. President.

And a special thanks to my co-prime sponsors of this resolution, Leader Stewart-Cousins and Senators Jackson and Serrano.

One of the top synonyms for Harlem is Charlie Rangel. The two were absolutely and irrevocably inseparable.

His representation spanned several generations. It started in the Korean War and lasted through the formation of One Harlem and the fight for affordable housing in Central and West Harlem in 2025.

Charlie Rangel was the first person

I ever voted for.

So tireless was his advocacy and so omnipresent his personage in Harlem that you thought he just might live forever. His 46 years in Congress are an absolute master class of how to take care of your district at home, fight for equity and justice everywhere, and become a statesman abroad.

He served in the United States Army from 1948 to 1952 and was a highly decorated Korean War veteran. And just yesterday, over 70 years later, he was added to the New York State Senate Veterans Hall of Fame, which was planned long before his passing. We didn't know that he wouldn't be here.

While there are many lessons we can learn from the representative style of Charlie Rangel, two stand out in my mind. One, your job is to always be present for the people and to give them the faith and confidence that you will work to solve their problems, whether it be a Social Security or veterans' benefits issue, whatever the case.

Two is that the underdog and the underrepresented are the most important people to

raise your voice on behalf of. Chair Rangel did this continuously in his career on behalf of the Black poor of Harlem, veterans, seniors, immigrants, young people of color sent to war, and so many more.

In addition, Charlie Rangel supported and voted for higher education opportunity programs such as HEOP as a member of the New York State Assembly.

He was the author of many of the original affordable housing legislation passed at the federal level.

He was one of the great leaders of the anti-apartheid movement for over a decade, with the Rangel Amendment, and in 1987 introduced the Budget Reconciliation Act which subjected U.S. corporations operating in South Africa to double taxation if they did not divest from South Africa.

In 2009 and in 2010, he was instrumental in the negotiations which ultimately led to the enactment of Obamacare, one of the first times in our nation's history that healthcare was recognized as a human right.

I'm comforted to know that so many

of us here in the State Legislature come from the Charlie Rangel school and were able to be mentored by him, including myself, Senator Jackson, and Members Wright, Gibbs, Taylor and so many more.

In these uncertain times, I leave you with a timeless quote by Charles Rangel -- which, coincidentally, falls in line with the scripture read earlier with our invocation today.

He said: "We all have a large stake in preserving our democracy, but I maintain that those without power in our society, the Black, the brown, the poor of all colors, have the largest stake -- not because we have the most to lose, but because we have worked the hardest and given the most for what we have achieved."

It is hard to know a world without Charlie Rangel. He has been in my household since I could remember. I have seen his newsletters. I've seen his name on the ballot.

He lived, he loved, he served, he died in his beloved Harlem. Let us remember the Lion of Lenox Avenue in all that we do.

And may God be pleased.

ACTING PRESIDENT COONEY: Thank

you, Senator.

Leader Stewart-Cousins on the resolution.

SENATOR STEWART-COUSINS: Thank you, Mr. President.

And I really want to thank you, Senator Cleare, for really invoking the presence of the Lion of Lenox Avenue here in this chamber.

Yes, he was a mentor not only to New York City; as you said, he was way beyond that. And I like to consider myself someone who too was mentored by Congressman Charles Rangel.

And when he came up to Westchester, he would -- he had his own little gang. There was a Gang of Four down there, but then when he came to Westchester there was David Ford and there was Paul Redd and there was a whole 'nother group of aspiring young Black activists who looked, as we all did, to Charlie to help us chart our course.

And he was very influential in helping so many of us get to the places we got to, and allowed us to understand how powerful we could be when we took to heart that we were the voice of people who hadn't always been heard.

And of course he broke so many barriers. He was one of the founding members of the Congressional Black Caucus. And of course he was the first African-American chair of the House Ways and Means Committee.

Charles Rangel, they said, is someone who, although he's transitioned, his legacy will live far beyond I'm sure he ever imagined -- his influence, his stature, and his always being able to talk to everyone, no matter who. He always found a way to touch your heart.

I'm so happy, again, Senator Cleare, that you were able to induct him into our Veterans Hall of Fame, one of the moments that my honoree had, Randy Jurgensen. He was so pleased to be inducted yesterday with Congressman Rangel because he actually served in Korea with him.

Randy was born in Harlem, lived in Harlem, raised in Harlem, and served in Korea with Congressman Rangel. And he told me that it used to be Randy and Charlie. And so he was so happy that yesterday -- even posthumously to be honored by the Senate -- it was once again Randy and Charlie.

And forever it will be

Congressman Rangel, the Lion of Lenox Avenue.

Thank you.

ACTING PRESIDENT COONEY: Thank you, Majority Leader.

Senator Jackson on the resolution.

SENATOR JACKSON: Thank you.

I rise today with a heavy heart and proud spirit to honor a man whose name will echo not only through the chambers of Congress, but through the stoops and storefronts and street corners of Harlem: Congressman Charles B. Rangel.

Charles Rangel was not just a Congressman, he was a combat veteran, a constitutional craftsman, and a champion of people who walked with Harlem in their heart and justice in his jaw.

For over four decades, he turned the corridors of Congress into a battleground for equity. And long before that, he faced enemy fire on a frozen Korean hillside, earning medals of valor but never asking for praise.

He became more than a legislator. He became the conscience of a nation: A founding member of the Congressional Black Caucus, a

fighter for the voiceless who understood that real power isn't about titles, it's about service, about showing up for your people -- not for clout, and all for change.

He was a master technician with a moral spine, the first African-American to chair the powerful Ways and Means Committee. But Charlie's leadership wasn't defined by position, it was defined by purpose. He carried Harlem on his shoulders and the soul of America in his stride.

And he never forgot where he came from -- not the corner of 125th Street and Lenox Avenue, not the families who raised him, not the movement that made him.

And let's be absolutely clear. Charlie Rangel was never polite about injustice. He was surgical. He could roast you with humor, school you with facts, and still have you laughing at the end. That's Harlem. That was Rangel.

And for me, he wasn't just a giant in headlines, he was present in his grin. He encouraged me when I needed it most. He made time for conversation, offered wisdom without

ego, and reminded me that leadership is about love: For the people, for the struggle, the next generation.

We were bound by a shared belief in justice, service, and the power of community. I personally stand here because leaders like him paved the way, because he dared to make government reflect the communities too often ignored. He didn't just break barriers; he dismantled excuses.

So today, we not only honor his memory, let us carry his courage into the laws we pass and the fights that we choose. Let us legislate with the same fire that fueled his decades of service. Because Congressman Rangel never settled for symbolism. He demanded substance. And so must we.

May his legacy not rest in stone, but move through us in policy, purpose, and in power.

Rest well, Charles, Harlem Lion, American fighter. You're one of one.

ACTING PRESIDENT COONEY: Thank you, Senator.

Senator Serrano on the resolution.

SENATOR SERRANO: Thank you very much, Mr. President.

It's with tremendous sadness and with a heavy heart that I rise here today to pay tribute to an amazing human being in former Congressman Charlie Rangel.

And I am so grateful to Senator Cordell Cleare and our leader, Andrea Stewart-Cousins, and all of our colleagues for putting forth this resolution in honor of his tremendous accomplishments.

When I was first elected to the Senate 21 years ago to represent East Harlem, which was in the footprint of his congressional district, he was extremely gracious and became instantaneously a mentor and a friend to me.

East Harlem was very important to him, and he understood the cultural significance of every neighborhood. And he was so present. And it was amazing to see how seemingly effortlessly he would navigate the politics, that he would navigate the situations with grace, with charm, with intellect.

He would put us all at ease and understanding that there was a true leader there

who was going to give us the sage advice and also find joy along the way.

I would love when Congressman Rangel would invite me to his office. It was like being in a mini-museum. There was not one inch of the desk that did not have some figure, some artistic -- something of artistic significance. It was filled with history.

And I saw and I learned that doing this job was so historical in nature and so cultural in nature. And he embraced that. And just being in his office, you felt all of that. And you felt the excitement that he had for his job.

And I remember, in these years, he would speak about -- and I'm just paraphrasing here -- the joy of growing older, in that you do what is right and you no longer worry about what people think of you because you're doing what is good in your heart. And it seemed so liberating. Such a simple thing for him to say, but it was such a liberating idea that he was bringing forth.

So to my friend and mentor who not only mentored me, but my father, in his years in

Congress, and was a tremendous leader, someone who was -- you never had to look for Charlie Rangel. He was everywhere. He was building coalitions at a time when we needed that, and we need that now more than ever. He understood that coalition building was the way to lead.

So -- so grateful to his family for giving us Charlie Rangel more than they probably had him, because he was with us all the time.

So with that, I conclude, and again thank you for the resolution.

I vote aye.

ACTING PRESIDENT COONEY: Thank you, Senator.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Mr. President.

Thank you to everybody in this chamber. Thank you, Senator Cleare, for your courage, your bravery. I know how hard it was to get through those remarks. Madam Leader, thank you for always leading eloquently. And everybody else.

And so growing up Black, there are

certain names that inspire like certain cultural feeling, right? Even if you didn't get a chance to meet them, even if you didn't know them, they weren't from your neighborhood. The Gang of Four meant something even in the Bronx.

When you heard David Dinkins and you heard Basil Paterson and you heard Percy Sutton and when you heard Charlie Rangel, it stirred something in you. And so Charlie Rangel was a name that transcended politics.

You didn't -- like you might not have been registered to vote, you might not have known who your local electeds were, but you knew who Charlie Rangel was. Because as the Lion of Lenox, you knew that he fought for you. Even if you didn't live in his district, he fought for you.

I saw a line somewhere, you know, reading his bio, coming back from the Korean War, being a high school dropout and then getting a degree and a law degree within six years? That's the power of a lion. The heart of a lion. The heart of a champion and somebody who would not be silenced.

I had the chance to meet him as an

adult, and it was one of like maybe five or 10 people in my life I've been starstruck by. I found another quote online that talked about something that I experienced that one time, the first time that I met Charlie Rangel at Tracey Towers in the Bronx, because he had just been drawn into the Bronx and the Bronx was welcoming, you know, the legend of Harlem.

And there was something that -- somebody said something online and they said Charlie Rangel had the ability to make you feel like you were the only person in the room when he was talking to you.

I felt that that day when I spoke to him. The room was packed full of people, all in line waiting to have a conversation with him, but I felt like I was the only person in the room.

And he said something to me which maybe was a throwaway line, but I never forgot it: "Do good in this world, young brother." And it stuck with me.

Wearing my other hat, we did a tribute, we had an event, and he was the headline event and it was on Zoom during the height of COVID. There were more people on that Zoom to

tune in for Charlie Rangel being there than any other Zoom that I've seen. They didn't just want to be in the room with the Lion of Lenox, they wanted to be on the Zoom boxes with him too, because he meant that much.

I mean, folks like him were in uncharted territory. There was no -- I got into the game when there was a caucus. I got here when I had people to look up to, to have mentors, people that had done this. Nobody had done what he had done before. And it was not easy.

So I just want to make sure that we cement his legacy here. And at some point in the very near future there's going to be a street sign put up for him. There's going to be a street renamed -- maybe there's going to be a whole block renamed after him.

And when that happens, it's important to make sure that the young people who are going to walk by that street sign every single day knew who he was, what he stood for, and what he did for them, even if they never got a chance to meet him.

I thank him for everything he did for me and everybody else in this room,

Mr. President. I vote aye.

ACTING PRESIDENT COONEY: Thank you, Senator.

Senator Sanders on the resolution.

SENATOR SANDERS: Thank you, Madam Leader. Thank you, Senator Cleare.

I just want to draw your attention to just one small aspect of a giant's life, and that is of course his military service, where he earned a Purple Heart and a Bronze Star. Both are very significant.

The Purple Heart, of course, is given to those who are wounded in combat, wounded in combat. But the Bronze Star is given to you based on valor, based on leadership. You have to do something above and beyond the course of duty. Just being there is good, but helping to win is better, much better. And he certainly won.

So that's one of the first places that you will see his leadership, where you start to see the emergence of this lion, where he distinguished himself in battle.

Of course he came back, and unlike so many others, he decided to continue the battle -- the battle against injustice, the

battle against things wrong. He fortified himself by going to school, by making sure he had all of the documents necessary.

He joined with other titans. You've heard David Dinkins' name mentioned, who was a Marine, mind you. Percy Sutton and Basil Paterson. They became the Gang of Four, shaped by war, shaped by things around them, just as we would have leaders in the days to come further shaped by the wars that we find ourselves in.

And war he understood, this Congressman Rangel, that you cannot win it by yourself. You can do many things in war, but you can't win a battle by yourself. You can be instrumental, but you can't win it by yourself. And that aided him in understanding how to navigate Congress, how to use those strategies and tactics to take the hill down in D.C., which is quite the hill to take.

So I want to finish -- because he never left Korea alone to some degree, he was so created, if you wish -- "shaped" is a better word -- by Korea. Whenever he had a problem, whenever there was a difficulty that people presented him and said, "Oh, you're having a bad

day, these things are bad," he would laugh and he would remind you that he was in Korea and he would say "I've never had a bad day since."

(Laughter.)

SENATOR SANDERS: And that's something that we all need to keep in mind, that he could go through the absolute worst.

And those who have seen battle, I salute you. And we all should remember and take the worst experience and remember that we'll never have a bad day since. If he was able to do it, then maybe the rest of us can.

I salute you, Congressman Rangel. You will always be "Congressman" to me.

And I vote yes.

ACTING PRESIDENT COONEY: Thank you, Senator.

Senator Parker on the resolution.

SENATOR PARKER: Thank you, Mr. President.

Let me rise first to thank my colleague Senator Cleare for bringing forth this important resolution. And really just wanted to add my voice to those who are memorializing Congressman Charles B. Rangel.

How do you -- how do you remember a legend? I mean, we've gone through here all of the deeds that he's accomplished, whether it's in the military, his academic success. And no one mentioned he actually worked in the Manhattan DA's office as a young lawyer.

Obviously 46 years in the Congress, heading the most powerful committee in Congress. Not just the dean of the Harlem delegation, but really the dean of black politics in the country at that time.

Somebody who defined the way that Black politics happened. And I remind you that politics is about power. And he taught our community about what power really was and about how to access that power and use it for the people who really needed it.

That was the critical piece, is that he always reminded us that power for power's sake was not the goal, but it was really about addressing the needs of the least of those in our communities.

What wasn't mentioned is that when he came on the political scene, he beat a legend, that in 1970 he beat Adam Clayton Powell, Jr.,

who was a legend in his own right, and built upon that legend.

He is somebody who not only do I stand on his shoulders metaphorically, but -- and not just every African-American legislator, but all of us. Anybody who's come into public service and said, I want to help my community, and I'm going to go to the halls of power and make sure that the voices of my community are heard: You are standing on the shoulders of Charlie Rangel. Because he has been one of those voices for, you know, decades that has really been at the forefront at every level, making sure that our community is properly represented.

And so I say that we should not remember a legend, but we should honor his memory by continuing to live his legacy. That we hopefully will use this moment to rededicate ourselves to the kind of exemplar that Charlie B. Rangel provided for us as public servants.

And not to mention, on this second annual Prince Hall Day, that he was a proud Prince Hall Mason, belonging to Joppa Lodge No. 55. And so even, you know, in his civic life he found ways to contribute to his community.

And so thank you again, Senator Cleare, for bringing this important resolution to the floor. Thank my colleagues for their thoughtful words.

I think, along with Senator Serrano, I also have a lot of personal fond memories of his mentorship of me as I worked, you know, for H. Carl McCall, a former member of this body and, as the State Comptroller, the first African-American elected statewide. I often saw him in my duties as a staffer.

And I will never forget, Jamaal, that when I first ran for the Senate I went to an event to ask for somebody's endorsement and he was there, he was running in the same area, and for some reason, you know, my appointment was just first. Right? So I'm speaking at the event. And then afterwards he's like, "Kevin, come here." He's like, "Oh, my God, I never heard you speak before." (Laughing.)

And when I tell you that that made -- like made my entire life, that Charlie Rangel had recognized me and had gave me just a little head nod, that I was somebody who could make it in public service.

But in the same way, Senator Bailey, every time you would see him, he would encourage you to make sure that you were in fact making a difference in whatever way you were engaged in public service.

And I won't forget that. And I hope none of us forget it. And I hope that we all find ways to add to the legacy that he has grown so richly here in the State of New York.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator.

Senator Hoylman-Sigal on the resolution.

SENATOR HOYLMAN-SIGAL: Thank you, Mr. President.

I rise -- I want to thank Senator Cleare for her stirring words.

I wanted to point out, well, growing up, Congressman Rangel to me was a figure on television. I would see him on ABC World News Tonight and think to myself, who is that amazingly charismatic figure? And it was, you know, such a pleasure, a joy to meet him years later.

But I want to point out something which concerns Congressman Rangel's attitude toward civil rights beyond his own community. Back in 2015 he was the prime sponsor of the legislation to correct the record of service members discharged due to sexual orientation. And as many of us know, over decades LGBTQ service members were routinely discharged dishonorably because of their sexual orientation. Not only were they dishonorably discharged, they were denied every benefit afforded to service members.

So Congressman Rangel introduced a bill to change that. It was called the Restore Honor to Service Members Act. And he said he was proud to introduce it as a Korean War veteran. And I think of the fact that he nearly died in a major war in Korea, where his fellow infantrymen were shot. And he prayed in the cold and survived.

So I wonder what motivated him. But I have to think that he knew some LGBTQ service members himself and served with them.

He said, "Our veterans risk their lives for our country, and it is crucial that

those discharged from the armed services due to their sexual orientation receive the recognition and benefits they deserve.

"The Restore Honor to Service Members Act streamlines this process, ensuring their service is respected. It's about time we paid proper tribute to the veterans who deserve to be honored for their valiant service to our country. Seeking redress is not only the right thing to do but will also correct historical injustice."

Well, in 2019, Mr. President, we looked at Congressman Rangel's bill. And what did we do? In true Albany fashion, we copied it. And we thought we should recreate Congressman Rangel's Restoration of Honor Act here in the State of New York. And we did that very thing in 2019.

So it's a tribute to Congressman Rangel that LGBTQ service members who were discharged honorably are now entitled to every benefit afforded to them by New York State thanks to Charlie Rangel.

I vote aye.

ACTING PRESIDENT COONEY: Thank

you, Senator.

Senator Comrie on the resolution.

SENATOR COMRIE: Thank you, Mr. President. I rise today to speak on today's resolution.

I want to thank Senator Cleare and Leader Stewart-Cousins for letting this resolution come to the floor so that people could speak about a true giant, a true trailblazer, a true champion for our entire nation.

I had the opportunity to meet Charlie Rangel through my predecessor in the City Council, Archie Spigner, who was the first Black elected official in Queens. And to me, Charlie Rangel and David Dinkins and Percy Sutton would regularly come to the Guy R. Brewer United Democratic Club that Archie was part of. Charlie knew his responsibility as being a person that shaped everyone. And the three of them had opportunities, and they would sit down with Archie Spigner. And they understood that they had to plan for the entire city. They had to bring in people that wanted to make things happen and change people's lives.

And Archie Spigner at the time

served in the City Council in a leadership capacity, and made sure that Percy Sutton was able to get the first minority cable program in the city, giving him a chance to operate a cable station way back in the '80s.

Charlie Rangel and the Gang of Four didn't just limit themselves to working in Harlem. They worked all over this country trying to instill in people, like Senator Bailey said, giving people a battery on their back, a pat on their head, an opportunity to understand that they could be better people just by following a simple mantra: Being good to everybody.

Charlie Rangel understood the power of cooperation. He understood the power of working across the different aisles.

I was not surprised to hear from many Republicans, like Peter King, who talked about how they worked with Congressman Rangel on getting things done, making sure that even during that time that there was a bipartisan effort to focus on things that were most important.

And I think that's what I would want to talk most about today, the ability to make sure that we can find a way to get the important

things done like Charlie Rangel did -- in a bipartisan way, ensuring that people were taken care of, that the true needs of people were taken care of. That even a giant like him could be humble in any environment, in any location. He was never afraid to speak truth to power while he fought tirelessly for working families, for civil rights, for education, for healthcare.

While he had leadership and was part of -- he was in the highest levels of the government, had major opportunities to talk to people from all over the world, you always knew that he was someone that could speak to you individually.

As Senator Bailey said, you could always feel like you had an individual opportunity to talk to Charlie Rangel and he understood you.

I had the opportunity to sit down with David Dinkins and Charlie Rangel when I was thinking about running for City Council Speaker. They told me not to do it.

(Laughter.)

SENATOR COMRIE: You didn't know that story. I was sitting in a restaurant and I

was all hyped up about myself. And after sitting down with them, I realized that I understood that was not my path.

But it brought me here, you know. So I had that relationship. They knew me because I was -- as I said, I worked for my predecessor Archie Spigner, and so they saw me and they saw my evolution, but they knew I wasn't ready for that. And they pointed me in a different direction.

And they didn't throw me out and say, You can't do anything, they gave me a different path. They gave me a better understanding on what my skill set was and what I needed to do to contribute to my opportunities in the City Council. But it wasn't being Speaker of the City Council. And they let me know it because they needed me in other places.

And they were able to figure out your strengths. They were able to figure out what you could do.

And he consistently, even after then, stayed in my life, made sure that we all did better. Made sure that whatever he did, he showed his joy, he showed his spirit, he showed

what it was to be someone that could impress people, someone that could make sure that people had a purpose and make sure that people are proud of public service.

God rest Charlie Rangel.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator.

Senator Liu on the resolution.

SENATOR LIU: Much has been said by many already, and much more will be said by many more.

Mr. President, for the record, I just want to make clear that the Lion of Lenox, the giant of Harlem, was renowned and revered in the Asian-American community as well, never missing an invitation to take part in a commemoration of the Korean War or any other events. And without his efforts, even being gravely wounded, the Korean-American community in New York and particularly in my area of Flushing, Queens, could never have begun, much less thrive in the way it does today.

On a personal note, I want to thank Congressman Rangel for helping me get on the map

politically in New York. And also, I guess especially for him, in our first sitdown at Sylvia's, introducing me to smothered chicken. It's unbelievable.

Congressman Charles B. Rangel. He will be missed, but never forgotten.

Thank you, Senator Cleare, for the resolution.

And Mr. President, I vote yes.

ACTING PRESIDENT COONEY: Thank you, Senator.

Senator Webb on the resolution.

SENATOR WEBB: Thank you, Mr. President.

I want to extend my appreciation to Senator Cleare, and of course to our Majority Leader, with regards to this resolution.

Although I never had the chance to directly connect with the Congressman, but most certainly through the national political work that I did prior to the Senate, and even well before that, his reputation far preceded him and most certainly will always be remembered.

You know, we're continuing to see this trend of our trailblazing leaders that are

transitioning, which feels like too soon. Because we want more time with them, we want more opportunity to soak in their knowledge.

And so as one of my colleagues already mentioned, it's imperative that we continue their legacy, most certainly through resolution, but also continue their legacy of service.

And so as has already been stated, Harlem most certainly has lost a lion, but I would also add our state has lost a giant and our nation has lost a moral force whose voice thundered resoundingly for justice, equality, and opportunity for over half a century.

Congressman Rangel was a trailblazer and a decorated war hero and a founding member of the Congressional Black Caucus. But he also brought that same tenacity and courage to Congress, representing the 13th District with compassion, vision, grace and dignity for 46 years.

He never stopped fighting for the people, as has been said, and especially those who are often rendered voiceless and those who are often marginalized. He always stayed

grounded even though rising in the ranks in Congress. He never forgot the community that he came from. And he understood, like we all do in this chamber, that leadership is not just about writing laws, it's about lifting voices, especially those that are too often ignored.

He was also someone that was very connected to many organizations. As Senator Parker mentioned, he was a Mason but he was also a member of the Divine Nine, as a brother of Alpha Phi Alpha Fraternity, Inc.

Even in his retirement he continued to mentor those coming after him. And his legacy is not one of just legislation, but his legacy is most certainly continued through the love of his family, his constituents, and for the possibilities that justice can create.

I want to extend my deepest condolences to his children, his grandchildren and extended family, and to the Harlem community that he so fiercely championed.

Mr. President, Congressman Rangel leaves behind more than a record of service; he leaves behind a road map for how to lead with integrity, courage, and an unshakable belief in

the promise of this nation.

As we all continue to mourn his passing, may we all continue to honor his legacy. I thank him for his service, and I vote aye on this resolution.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator Webb.

The question is on the resolution. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT COONEY: Opposed, nay.

(No response.)

ACTING PRESIDENT COONEY: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Next up, Mr. President, is previously adopted Resolution 823, by Senator Sepúlveda.

Read that resolution's title and recognize Senator Sepúlveda, please.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Resolution 823, by

Senator Sepúlveda, memorializing Governor Kathy Hochul to proclaim May 28, 2025, as Taiwan Heritage Day in the State of New York.

ACTING PRESIDENT COONEY: Senator Sepúlveda on the resolution.

SENATOR SEPÚLVEDA: Thank you, Mr. President, for allowing me to present this resolution.

It is a great honor for me to commemorate Taiwan Heritage Day, a celebration that invites us not only to look to the past with respect and gratitude, but also to project into the future the values, traditions and cultural expressions that have shaped the identity of the honorable members of the Taiwanese community.

Taiwan, with its rich cultural diversity, millennia-old history, and tireless innovative spirit, offers an inspiring example of how the past can be honored without losing sight of the future. From traditional craftsmanship to contemporary art, from ancestral celebrations to cutting-edge technology, Taiwan reminds us that heritage is a living force that unites us, gives us identity, and strengthens our shared humanity.

The active presence of the Taiwanese

diaspora in the United States is a testament to a constant desire for dialogue, exchange and mutual enrichment. It is without a doubt an opportunity to build stronger bridges between our cultures and to strengthen the shared values of democracy, freedom, diversity and respect.

Taiwan is much more than an island. It is a cultural beacon with a vibrant identity and a history forged through diversity, resilience, and determination to build an inclusive and modern society. Today we celebrate the heritage not only as a legacy of the past, but as a living testament to what a community can achieve when it unites around common principles.

From my position as a New York State Senator, I reaffirm my commitment to recognizing and promoting the cultural heritage of all the communities that make our state and our country a mosaic of stories, voices and hopes.

As we commemorate Taiwan Heritage Day, I am proud to recognize Ambassador Lee, who is the director general of the Taipei Economic and Cultural Office, and Mr. Chuy, Tony Chuy, president of the Chinese Consolidated Benevolent Association of New York.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator.

Senator Liu on the resolution.

SENATOR LIU: Thank you, Mr. President.

I want to thank Senator Sepúlveda for every year introducing this resolution on behalf of the Taiwanese American community.

As some of you may know, Taiwan is my native land. I was born there a number of years ago before I immigrated here at the age of five, and Taiwan has always been part of my life.

But I think Senator Sepúlveda already gave it the best descriptors possible. I can only add that I think we all know about the rich history and culture of the people from Taiwan and the people in Taiwan. It's got art, it's got media, it's got music. But today we know Taiwan for the great technology it has, of course great food, and it is a modern beacon of democracy and I daresay the most or certainly at least one of the most progressive societies in this world.

So I join Senator Sepúlveda and my

colleagues here in welcoming Ambassador Tom Lee from the Taiwan Economic and Cultural Office, and Mr. Tom Su, the president of the Taiwan Center of New York, and of course Mr. Tony Chuy, who is the president of the Chinese Consolidated Benevolent Association, which is the -- one of the oldest and certainly the largest Chinese American organization in the Greater New York area.

Mr. President, I proudly vote yes on this resolution. Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator.

Senator Stavisky on the resolution.

SENATOR STAVISKY: Thank you, Mr. President.

Thank you, Senator Sepúlveda and Senator Liu.

And thank you for coming to Albany. This is sort of a tradition that goes back quite a number of years to our friends from TECO, the Taiwan Economic and Cultural Association, our friends from CCBA, from the Taiwan Center. If there's anybody here from FCBA, great to see you all.

The Taiwanese community is such an

important part of life in Queens County. And we are truly blessed by your presence. When you came here during I guess it was the late 1970s or so, early 1980s, you added such vibrancy, I think -- I can't think of another word -- to the Queens community which continues to this day.

So the ambassador and the presidents of the associations, and to the members, we welcome you and we thank you for what you're doing to make Queens County a better place in which to live, to raise a family, to do business, and to enjoy everything that there is to celebrate.

So again, thank you very much for coming.

ACTING PRESIDENT COONEY: Thank you, Senator.

Senator Chan on the resolution.

SENATOR CHAN: Thank you, Mr. President.

Thank you, Senator Sepúlveda, for bringing forth this resolution. Thank you, Senator Liu, for all your kind words about Taiwan, Senator Stavisky.

Welcome, my guests, Mr. Ambassador

Lee and Mr. Tony Chuy of CBCA, Mr. Tom Su. Welcome to Albany. I want to thank you for taking the time in your busy schedule to come visit on this Taiwan Heritage Day.

I don't think I have to stand here all day to talk about Taiwan and their contributions to civilization. Taiwan is home to the largest semiconductor foundry on the planet, and that is Taiwan Semiconductors. I own stocks.

(Laughter.)

SENATOR CHAN: But anyway, so the achievements of our Taiwanese community is especially visible, tangible. You can feel it. You can see it right there in Flushing, New York. We're talking about commerce. We're talking about food, culture. It's enriching to our community, it's enriching to New York and our state as well as America itself.

So I don't have to stand and talk about that all day. So I just want to once again thank you for coming up here, and welcome.

Mr. President, I proudly vote aye.

ACTING PRESIDENT COONEY: Thank you, Senator Chan.

To our guests, I welcome you on

behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT COONEY: The resolution was adopted on May 6th.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, let's move on to previously adopted Resolution 945, read that resolution's title, and recognize Senator Murray.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Resolution 954, by Senator Murray, memorializing Governor Kathy Hochul to proclaim July 2025 as MECP2 Duplication Syndrome Awareness Month in the State of New York.

ACTING PRESIDENT COONEY: Before we recognize Senator Murray, I ask the house to please maintain decorum here as Senator Murray has the floor.

Senator Murray on the resolution.

SENATOR MURRAY: Thank you, Mr. President.

So on May 13th we approved a resolution proclaiming July as MECP2 Duplication Syndrome Awareness Month in New York State.

MECP2 Duplication Syndrome is a rare progressive genetic disorder estimated to be found in less than one out of every 100,000 births. It was first recognized in 2005. The symptoms include severe developmental problems, impaired motor function, gastrointestinal issues, respiratory infections, and treatment-resistant seizures.

Tragically, the cumulative impact of these multisystemic health problems often lead to a shortened life span with only half of affected individuals surviving past the young age of 25.

Although research studies have indicated some hope that symptoms of this disorder may be reversed, we are still many years away from effective treatments.

I was made aware of this rare genetic conditional by a constituent of mine, Loretta Beine, whose son Dakota passed away in 2022. Dakota was a young man full of life and joy whose smile would light up a room. He loved childhood pleasures like birthday parties,

sharing meals with family and neighbors. He enjoyed hanging out in the pool on summer days. He loved to talk to people about music, motorcycle cops, and Batman.

Dakota was a student at Eastern Suffolk BOCES, where he was often called "the Mayor," and that was because he would love to say hello and greet everyone he ran into.

Dakota graduated high school at 20 years of age, then went on to a culinary-focus day habilitation program, where Dakota had warm relationships with his peers and teachers. Dakota also developed a special friendship with Tom, the nurse for the building.

And here is why passing this resolution and raising awareness is so vitally important. You see, Dakota experienced serious developmental delays. And although he was eventually able to speak in full sentences and was able to move independently, but as he grew older, however, he regressed. Despite years of medical evaluations and hospitalizations, no diagnosis emerged.

For much of his life Dakota lived without a diagnosis, leaving his family without

the understanding or support that could have made a critical difference.

Dakota was finally diagnosed with MECP2 Duplication Syndrome. And although the diagnosis brought the long-sought clarity, it also confirmed the difficult reality that there was no cure.

Over time, Dakota's condition continued to worsen. He began experiencing daily seizures and ultimately spent his later years in a transport chair and faced the many challenges that came with this devastating syndrome.

In 2022, at just 31 years old, Dakota passed away at Stony Brook University Hospital due to pneumonia. His life, though marked by struggle, was also marked by immense love, strength and resilience. Dakota's story is a powerful example of the urgent need for research and to raise awareness and support for those living with MECP2 Duplication Syndrome and their families, as well as the professionals who are responsible for their healthcare.

Mr. President, I'd like to thank all of my colleagues here for their support in passing this resolution. And as I mentioned

earlier, current research has indicated the possibility of successful treatment options. And it's my sincere hope that our efforts will help raise awareness and incentivize further research.

I'd also like to mention Dakota's mother, Loretta Beine, is here with us in the gallery today. And I ask that you recognize her and extend to her the courtesies of the house.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator Murray.

To our guests, I welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT COONEY: The resolution was adopted on May 13th.

Senator Gianaris.

SENATOR GIANARIS: We're going to go to Senator Parker next and take up previously adopted Resolution 308, read that resolution's title and recognize Senator Parker.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Resolution 308, by Senator Parker, honoring the Most Worshipful Prince Hall Grand Lodge of New York on the occasion of celebrating Prince Hall Day 2025.

ACTING PRESIDENT COONEY: Senator Parker on the resolution.

SENATOR PARKER: Thank you, Mr. President.

I rise to talk about one of the oldest African-American institutions in this nation, which is Prince Hall Masonry, and wanted to thank this body for giving us an opportunity, for the second year in a row, to have a Prince Hall Day at the Capitol and the resolution.

This is important in part because this organization is a subset of the oldest fraternity in the world, which is Free and Accepted Masonry. If you kind of trace back the unification of Grand Lodges, we're talking about going back to 1717. And I could be corrected if I have my dates a little off.

But we talk about the beginning of Prince Hall Masonry being around March 6, 1775, with the initiation of the Immortal 15, which were the first 15 African-Americans initiated

into Masonry under an Irish Militia Lodge, that then grew into what we understand now to be Prince Hall Masonry.

And why Prince Hall Masonry? Because Prince Hall was the first Grand Master, a freed African-American who there's not a lot of information about his early days.

But I wanted to raise the history of Prince Hall because Masonry to a large degree was kind of a side hustle. Right? I mean, he was an abolitionist. Fundamentally what he was, was an abolitionist. He actually came to Masonry because he had freed himself and was looking for the opportunity to free other African-Americans in Boston in the late 1700s.

He built schools. He created opportunities for mutual assistance. Right? Much of what's been lost in Masonry is the fact that early on they were mutual aid societies. Right?

As Masons we oftentimes talk about, you know, burying our dead, which now kind of sounds weird because we don't think about that as being a thing that you have to worry about. But in the 1700s it was. Right? Taking care of

widows and orphans, providing charity in the community. These are all part of the things that Prince Hall did that then, once he became a Mason, then married beautifully together.

(Sneeze from the audience.) Bless you. We say Masonry -- what we call that in the African-American tradition is sneezing on the truth --

(Laughter.)

SENATOR PARKER: -- just so you know.

But we say that Masonry is a beautiful system of morality veiled in allegory and illustrated by symbols. But at its base it is both a fraternity and a charity. It is a group of men who have bonded together to provide mutual aid, to support one another, and to help our families, our widows and our orphans.

Our motto in Prince Hall Masonry is "Making Good Men Better." It is a motto that has brought together a number of men of different religious backgrounds, ethnic backgrounds, racial backgrounds. It's a fraternity that you can find literally throughout the world. I've actually visited the Grand Lodge in India, which was quite

an experience.

And so today during Prince Hall Day, members of the Most Worshipful Prince Hall Grand Lodge of the State of New York and members of the order of the Eastern Star, Eureka Grand Chapter, here in the State of New York came to visit with legislators, interact with them about numbers of issues that are going on both legislatively and things in the community, have an opportunity to talk to them about their concerns, and share with them the work that they have been doing.

One of the interesting things that happens in the context of these meetings is that that legislators quickly find out that the people that they're meeting now as Masons and as members of the Order of the Eastern Star, they already knew, but in other capacities.

And when we look throughout our history and we look even at our contemporary society, you will see a number of people that you already know that are Prince Hall Masons. People like Charles B. Rangel that we memorialized today. People like David Dinkins. Men like Bill Thompson, who's a former City Comptroller and

chair of the City University of New York. Men like Al Sharpton.

And when we look through history, we'll find men like Ralph Abernathy, right, who ran the NAACP and was very active in the whole movement that put Rosa Parks on the bus.

People like A. Philip Randolph, who headed the Brotherhood of Sleeping Car Porters. In fact, legend tells us that in fact part of the March on Washington, which A. Philip Randolph organized, was actually organized at our Grand Lodge here in New York at 454 West 155th Street.

People like Arturo Schomburg, who was a very active Prince Hall Mason. Right?

And so today I wanted to make sure that we recognize these leaders in our communities and the work that they have done not just in their everyday lives but particularly the work that they do within their lodges and chapters. Me myself am a member and actually sit as the Master of Sons of Kings Lodge No. 123. I'm a Past Patron of Sunshine Chapter No. 34, a member of Mount Moriah Chapter No. 3 of the Holy Royal Arch, a member of Long Island

Consistory No. 61, in the Scottish Rite, as well as a member of the Mystic Tie Chapter No. 8 of the Royal and Select Masters.

And my Masonic journey has been one in which I have not just had an opportunity to expand my service and charity in the community but, more importantly, build a lifelong brotherhood and sisterhood with the members of the society.

And so quickly I'd like to ask the folks to rise on the floor so I can quickly introduce them.

The first, we have our Most Worshipful Grand Master, Reverend Dr. Darren M. Morton, Ed.D. We have the Deputy Grand Master Jean E. Apollon. We have a member of the Trustees, Troy Jackson. We have Grand Worthy Patron Grant Valentine, as well as the rose of our great chapter, Marsha Mack, our Grand Worthy Matron. But certainly not to be forgotten is our Grand Junior Warden Sandino Sanchez.

And I wanted to thank them for being here, thank them for their leadership, and thank them for every day answering the call that our community puts out and never wavering and never

getting tired in doing good.

Before I take my seat, Mr. President, I certainly wanted to thank my staff, particularly Justin Chaires, who is the Worshipful Master of Tuscan Lodge No. 85 right here in Albany, and Tamara Tucker, my director of operations, who is a sister at Mount Moriah Chapter here in Albany, as well as Veronica Norman, who's a sister at Adah Chapter in Schenectady.

So it is -- teamwork makes the dream work. And being part of these organizations has certainly built a team around a set of people with like values, but most importantly a heart of service.

Thank you, Mr. President. And thank you, Prince Hall Masons and members of the Order of the Eastern Star.

ACTING PRESIDENT COONEY: Thank you, Senator Parker.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Mr. President.

Thank you, Senator Parker, for introducing this resolution.

I just wanted to make sure that I get the opportunity to recognize the Prince Hall Masons for all the great work that they do in the community.

It's the time that I get to pay homage to my grandfather, James Bailey. He was a Prince Hall Mason from Johnson County, North Carolina, specifically Selma. And I used to always ask him, like, What is the G club, what is this G thing that you go to? And he said it's the Prince Hall Masons. It's an order of brotherhood.

And he told me what he could tell me, not -- no divulging the state secrets or anything like that. But he told me that it was something that he took pride in because it was an organization that meant something to him and the community.

My grandmother Lena was also -- Lena Bailey, Lena Bell Bailey, was a member of the Order of the Eastern Star as well.

And I'm often asked, if your grandparents were members, why haven't you joined? And the question and the thought process is that my grandparents are legends. Sometimes

you've just got to let it live where the legends are.

And I appreciate all that they've done and all that you do. Special recognition goes to the Most Worshipful Grand Master Reverend Dr. Darren M. Morton, a man who has more degrees than the deodorant aisle in Target. He also -- he's the pastor of Macedonia Baptist Church in the City of Mount Vernon. He's also the city comptroller of the City of Mount Vernon. And he's actually spearheading a financial renaissance in the city because there were some tough times before he got there.

But under his leadership we're on the way back. And I imagine that under his leadership here with the Prince Hall Masons, you guys are in great hands.

So, Mr. President, I proudly vote aye on the resolution and again, thank you for coming up to our State Capitol, and thank you for all the work that you do.

ACTING PRESIDENT COONEY: Thank you, Senator.

Senator Cleare on the resolution.

SENATOR CLEARE: Thank you,

Mr. President.

It is with great pleasure and pride that I stand in support of this resolution.

I want to thank Senator Kevin Parker for every year doing this. It's so important. I'm so happy that he does the resolution, but I do get a little jealous because Prince Hall is in my district. But we can share. Because they belong to all of us.

I'm the proud daughter of a Prince Hall Mason, I'll shout him out today, Levi Cleare. He's no longer with us. But -- and I, like Senator Bailey, they've asked me how come you've never. But I think that he just -- I'm going to leave that where it is, because he was just that guy to me and to so many.

But I want to thank Prince Hall and I want to thank the Eastern Stars for the work that they do every day in all of our communities and for being one of the first organizations that I ever knew of that did charity in our own community. People that looked like us, people that lived with us who every day, without recognition, without pay, without fanfare, just did what they knew was right.

And I just appreciate that example, and I know that it has influenced my life and what I've done in this world. So I thank you so much.

I want to recognize -- well, there's a few of my constituents here today. But I ran into one today at the hotel, Larry Blackman. I don't know if he's still here.

But I know so many of you came up today. And I'm very, very proud to see this organization recognized here in our State Capitol.

Thank you so much. Thank you again, Senator, for bringing them here.

Thank you.

ACTING PRESIDENT COONEY: Senator Scarcella-Spanton on the resolution.

SENATOR SCARCELLA-SPANTON: Thank you, Mr. President.

And thank you, Senator Parker, for bringing this resolution to the floor. It's been a tremendous honor to get to know everyone today. But I have to give a special shout out to the Silver Lake Lodge. I have Troy Jackson here, from Staten Island, who's here with us.

And I want to talk a little bit about Silver Lake Lodge. Silver Lake Lodge holds a distinguished place in Staten Island Masonic history. It's celebrated as the first and only lodge on Staten Island and has an over 100-year history.

Throughout its century-long existence, Silver Lake Lodge has been deeply involved in community service, often in collaboration with the Silver Queens. I've had the honor to come visit the lodge and speak at it. I think it's actually one of the very first things I did when I got elected to the Senate.

So it's amazing to see you all here today. I actually got a text from Dr. Al Curtis that his son, Dr. Al Curtis, Jr., was recently elevated to Illustrious Grand Inspector General. So congratulations to him.

And I know within your midst you have politicians, doctors, business owners, lawyers, you name it. And it's such a tremendous testament to your history. And I thank you for being here.

And I thank you, Senator Parker, for bringing this resolution to the floor.

I proudly vote aye.

ACTING PRESIDENT COONEY: Senator Oberacker on the resolution.

SENATOR OBERACKER: Thank you, Mr. President.

And, Most Worshipful, welcome to the Senate chamber, and the distinguished Most Worthy Matron and Patron, welcome to Albany.

You know, I'm celebrating 40 years of being a Mason. I'm a Past Master and a past state office Grand Steward for the State of New York. So Masonry has been a big part of my life growing up.

And who would have thought that when I came to the Senate that I would have something so in common with one of my colleagues, Senator Parker. We both are good orators. One speaks maybe a little longer than the other; we'll let you determine who that might be.

(Laughter.)

SENATOR OBERACKER: We -- and we're brothers, we're Masonic brothers. And that is something that when it comes to all the debates and all the issues that we bring forward, that will always, always ring true and give us a

foundation to move on respectfully.

So, Most Worshipful, may we always meet on the level. Welcome.

And Senator Parker, thank you for bringing this resolution to the floor.

I proudly vote aye. Thank you.

ACTING PRESIDENT COONEY: Senator Comrie on the resolution.

SENATOR COMRIE: Thank you, Mr. President.

I want to thank the leader and Senator Parker for starting this wonderful tradition of having the Masons come here and have an opportunity to network and talk to members in both houses today, have an opportunity to go to the Assembly and to move around and to just show people their majesty and their dignity.

I want to shout out Lebanon Lodge in Queens, where I have the honor of being made a Mason through Lebanon Lodge and have the opportunity to work with them.

I just want to talk about the fact that the Masonic focus, as has been said, is focused on charity or focused on giving back. I've worked with Lebanon Lodge on many projects

from giving back to the community, where they take almost every weekend where they're doing something to help the community one way or another, through charity drives to give-backs to working to help new mothers or to new parents, to having opportunities to give children an opportunity to see people in a different light, to see adults acting in a way that would make a child proud.

The Masonic community has never failed to be part of our community's life.

So I just wanted to rise and thank all of you for being here today. I continue to look forward to seeing you in different aspects of our community, as you are true leaders of our community.

So thank you, Mr. President, for allowing me to salute the Masonic community.

Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator.

Senator Fernandez on the resolution.

SENATOR FERNANDEZ: Thank you, Mr. President.

I too want to thank Senator Parker

for bringing this resolution, and take this moment to recognize my chapter because I am a sister of the Order of the Eastern Star, Lorelei Chapter 581.

And it has been an honor to be a part of this organization, this movement, this legacy for the work that has been done, the people, the women that I've met, it truly has been a blessing to be in their graces, and building on a legacy of community and protecting our neighborhoods and our community.

And on to today, where we can -- I feel like sharing our secret because for the longest time it's like you don't say that you are, but you do the work like you are. And it's always a lovely surprise when I am meeting people and when they see maybe my pin or some colors that I'm wearing or something to know that I am a sister, when I get the secret handshake, it's just -- it's always fun.

But I truly thank everyone for coming up here, and each of your chapters around the state, thank you for the work that you're doing in uplifting our communities and providing the need that sometimes is not there, and for

leaving the legacy strong as it has always been.

So thank you. I proudly vote aye.

ACTING PRESIDENT COONEY: Thank you, Senator Fernandez.

To our guests, I welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT COONEY: The resolution was adopted on February 4th.

Senator Gianaris.

SENATOR GIANARIS: Let's take up previously adopted Resolution 450. Please read its title and recognize Senator Mayer.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Resolution 450, by Senator Mayer, memorializing Governor Kathy Hochul to proclaim June 21, 2025, as Yoga Day in the State of New York.

ACTING PRESIDENT COONEY: Before Senator Mayer begins, I just want to remind the house to please maintain decorum as Senator Mayer has the floor.

Senator Mayer on the resolution.

SENATOR MAYER: Thank you, Mr. President.

And I rise to speak on behalf of this resolution declaring June 21st as Yoga Day in the State of New York.

And I know my guests who are supporting this have exercised the greatest skills of yoga by their patience and tempered response watching the Senate today.

And it truly is a tribute to yoga and the ability to have a peaceful method of dealing with conflict in the world that has made yoga such a powerful voice for peace and personal harmony.

The world yoga community is much larger than we ever anticipated. When yoga was introduced into the United States, it was sort of a new phenomenon. Now it has become established in every community in the United States and certainly here in New York. And if you were present in the Well earlier today, you could have engaged in some of the yoga postures, let by Guruji, our remarkable leader, who is a world-renowned yogi and interfaith minister. And

I've had the pleasure of taking his class and learning from him. I do need to practice, but we all could use the practice.

The community that is here on behalf of World Yoga Day and New York's Yoga Day represents really a tremendous credit to their perseverance in ensuring that New York is an inclusive community of different traditions that can be shared by all faiths.

And that is one of the secrets of yoga. It is not a religion. It is a practice. We all could learn from it. We certainly could learn from it in this chamber. The qualities of striving for world peace that drive yoga are something that we all need to find a path to do better.

And I'm so pleased to have my guests here today, including Guruji, as I mentioned, who has been a leader in the U.N. in the efforts to declare World Yoga Day.

And to all of our guests, I hope that you will give them the cordialities of the house and express our appreciation. As you know, Mr. President, many of them are from the State of Kerala in India, which is a very important part

of the Indian-American community in New York. But it goes way beyond those that come from Kerala to become an absolute part of the fabric of all of our communities.

I proudly vote aye, and I hope you will give our guests the privileges and cordialities of the house.

Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator Mayer.

Senator Scarcella-Spanton on the resolution.

SENATOR SCARCELLA-SPANTON: Thank you, Mr. President.

And thank you, Senator Mayer, for bringing this resolution to the floor.

I just have to recognize that we do have some constituents in the house here today. And just looking at you, I feel calmer. So thank you for being here.

I do think that this is an important practice that every person in this room could probably benefit from. So thank you for being here. Happy Yoga Day. And thank you again, Senator Mayer.

ACTING PRESIDENT COONEY: Thank you, Senator.

To our guests, I welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT COONEY: The resolution was adopted on March 11th.

Senator Gianaris.

SENATOR GIANARIS: Please read the title of previously adopted Resolution 432 and recognize Senator Mayer.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Resolution 432, by Senator Mayer, memorializing Governor Kathy Hochul to proclaim May 15-June 15, 2025, as Tourette Syndrome Awareness Month in the State of New York.

ACTING PRESIDENT COONEY: Senator Mayer.

SENATOR MAYER: Thank you, Mr. President.

And I'm proud to again reintroduce

this resolution declaring May 15th to June 15th as Tourette Syndrome Awareness Month in New York State.

I think we all were aware of Tourette Syndrome over the years, but it wasn't till a constituent of mine, Maura Carlin, in 2019, shortly after I was elected, wrote me about her son Jack who was diagnosed at about age seven with Tourette's and the challenges that he faced as a young man in school subject to the stereotypes and the bullying that go with those that suffer from Tourette Syndrome.

And through the amazing work of the Tourette Association of America, he became a Youth Ambassador for their program, giving himself the confidence and pride to be able to talk about Tourette's, and also encouraging awareness and dispelling the stereotyping and some of the very negative images, frankly, that have really harmed the Tourette's community.

I want to read a paragraph in an article she wrote which said: "A big shift occurred when my son began advocating. It gave him power and agency. The TAA and our local chapter have a Youth Ambassador program where

youth with Tourette Syndrome go into schools and communicate to increase awareness of TS.

"One of his earliest presentations as a young man was to our town board, who were compassionate and shared stories of their loved ones with TS. Other times he joined other Youth Ambassadors at elementary and middle schools to teach about TS and hopefully inspire tolerance."

Each year we've been able to have the Mario Cuomo Bridge lit up for Tourette Syndrome Month in the State of New York. I am confident we'll have it done again this year.

But I just want to thank my constituents and all of those throughout the State of New York whose either children or loved ones have Tourette Syndrome. They have the courage to deal with it. We need to find a cure. But in the interim, let us recognize them, give voice to their challenges, and work ourselves on getting rid of our prejudices and stereotypes that have hurt the treatment of Tourette Syndrome.

And I'm proud to vote aye.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank

you, Senator Mayer.

Senator Canzoneri-Fitzpatrick on the resolution.

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

And I want to thank my colleague Senator Mayer for her advocacy on this issue and bringing this resolution to the floor.

I proudly support the resolution that says that May 15th to June 15th of 2025 is Tourette Syndrome Awareness Month in New York State.

I also have a constituent who raised this issue for me and has made an incredible impact on me: Joe Petraro, of East Rockaway, who is currently age 12, has already graduated high school, authored a book, enrolled in college, advocated in Congress, and launched a kindness campaign that's making a difference in our community.

Joe said that he was initially put into a special ed class until a teacher realized he was a genius. His IQ is 168. So he's a remarkable young man who has turned his disability -- what we might think of as a

disability -- into advocacy on behalf of this very important issue.

He has started a "Be Kind" campaign to raise awareness about Tourette's, fight the stigma, and promote kindness and mental health support, especially for kids and teens who often feel like no one understands what they're going through.

He's even raised money to allow kids in Sloan Kettering in the city to have special video games.

So he's really an incredible individual, and I'm so proud to know him. He inspires us to lead with kindness. And I want to thank him and his family -- his mom Anne has been an incredible advocate for him.

So I proudly vote aye and, again, thank you, Senator Mayer, for bringing this resolution to the floor.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator.

The resolution was adopted on March 4th.

Senator Gianaris.

SENATOR GIANARIS: Next up is Resolution 1098, by Senator Stavisky. Please read its title and recognize Senator Bailey first on that resolution.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Resolution 1098, by Senator Stavisky, welcoming the students, teachers and administrators of the Bronx High School of Science to the legislative chambers in Albany, New York, on May 28, 2025, and recognizing the school's historic contributions to education, science, and civic leadership.

ACTING PRESIDENT COONEY: Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Mr. President.

Thank you, Senator Stavisky, for introducing this resolution and allowing me the opportunity to speak first on it.

Bronx Science gave me a lot. Not just a great high school education, what I believe to be the best high school in the world, but that's just me -- but it gave me a sense of belief in myself, that I could achieve at high

levels.

It's considered to be a specialized high school, a very rigorous academic environment, and I was able to survive that environment and continue to go through.

And I'm grateful to that school for teaching me many things. Not to judge a book by its cover would be the largest one.

You've heard me speak often -- probably too much -- about basketball, but I was on the basketball team at Bronx Science. And there was an article in the New York Times called "Basketball Nerds Get the Last Laugh." I have this article framed in my office, and if anybody wants to see it, because it tells the story of our team, that when we went to schools throughout the Bronx and throughout the city, people saw the name on the front of our jerseys and immediately underestimated us. And two halfs later they'd be down by 40 points wondering what happened. The teachers taught me not to underestimate or judge a book by its cover.

They also gave me a hell of an education, with really incredible alumni like Michael Kay, the voice of a non-Mets baseball

team; the famous Neil deGrasse Tyson; the civil rights legend Kwame Turé, Stokely Carmichael. If you liked eighties hip-hop, Christopher "Kid" Reid, from Kid 'n Play, of the legendary House Party, was a Bronx Science alum. If you watched The Fresh Prince, the second mom -- not the first -- Daphne Maxwell Reid, is a Bronx Science alum. If you watched the Houston Astros -- again, sorry, Yankee fans -- the voice of the Houston Astros, Robert Ford III, is also a Bronx Science alum.

We have incredible alums, but we also have two other really incredible alums in this chamber: The first woman elected to the New York State Senate in Queens County, in Toby Ann Stavisky; and the first Asian-American elected citywide in the City of New York, John Liu.

It is an honor to be able to serve with such legends and that we come from the same high school lineage. I stand on their shoulders.

And the kids were here today, they had to leave a little while ago -- it was a very busy day, Mr. President. But I'm always proud to be a Wolverine, and I vote aye.

ACTING PRESIDENT COONEY: Thank you, Senator Bailey.

Senator Liu on the resolution.

SENATOR LIU: Mr. President, Senator Bailey already said everything I wanted to say, so I agree with everything he said.

Bronx Science was some of the best years of my life. And this year I get to relive it by attending my 20th reunion -- 30th reunion. Okay, 40th reunion!

(Laughter.)

SENATOR LIU: Jeez.

(Laughter.)

SENATOR LIU: We're going to be recounting some great times. And my class has always been very tight, and I'm looking forward to it. And I thank Senator Stavisky for putting this resolution together.

Senator Bailey and I, and sometimes Senator Stavisky, we often attend events at our alma mater and proudly do so, in recognition of the fact that the school and we as alums still have so much to offer to many more generations of future leaders, scientists, mathematicians, and basketball players.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator Liu. Congratulations on your reunion.

Senator Chan on the resolution.

SENATOR CHAN: Thank you, Mr. President. As the former PTA president of the number-one feeder school to New York City's eight specialized high schools, I can't not speak about Bronx Science and welcome them to the Senate floor.

I think Senator Bailey and Senator Liu forgot to mention that Bronx Science is solely responsible for producing seven Nobel Prize winners. And that is a record unsurpassed by any high school in America.

In fact, the specialized eight high schools in New York City produced an unprecedented total of 15 Nobel Prize winners, and that's the reason why my daughter, through her life, strived to be in one of those specialized high schools -- not Bronx Science, I'm sorry to say.

But welcome to our folks from Bronx Science. And we must do what we can to preserve

these fantastic schools that absolutely produce the best scientists and leaders of our society, as well as business people and such.

Thank you. I proudly vote aye.

ACTING PRESIDENT COONEY: Thank you, Senator Chan.

Senator Jackson on the resolution.

SENATOR JACKSON: Thank you.

I rise today in order to say Bronx High School of Science is in my family. My daughter who's now 49, she graduated from medical school and she was an emergency room pediatrician in Washington, D.C. for 12 years, and now she's working in an urgent care.

But when she got her test scores, she said that she wanted to go to Bronx High School of Science, not to Stuyvesant, even though she scored high enough to get into Stuyvesant. So I'm proud of her.

She ran track at Bronx High School of Science. Even though it's in the Bronx, we lived in Manhattan at that time. But the most important thing, that's where she wanted to go.

And I'm happy to hear my colleagues talk about Bronx High School of Science. And

hopefully her name, Saadiyah Jackson, will be in the record here in the New York State Senate.

ACTING PRESIDENT COONEY: Thank you, Senator Jackson.

Senator Stavisky to close on the resolution.

SENATOR STAVISKY: Thank you, Mr. President.

And to Senator Jackson, I couldn't go to Stuyvesant when I graduated from elementary school because the -- Science was accepting girls. Very few schools did. Which is interesting, I think.

I thank my colleagues, particularly Senator Bailey and Senator Liu. It's amazing to me that we have three graduates in the State Senate. And more in the Assembly, additional graduates.

But as I said, Science was founded a little over 85, 86 years ago, and almost immediately they started accepting girls. Stuyvesant did not. Brooklyn Tech did not. And in fact, I have taught at Brooklyn Tech, which is another good specialized high school, but they didn't accept girls at the time.

There are -- I thought the number was nine, but can you imagine seven or nine, whatever the correct number is, Nobel Prize winners? That's not something to, as Senator Parker said, sneeze at.

(Laughter.)

SENATOR STAVISKY: Seriously.

We have an amazing record over these years. Not only am I a graduate, my son graduated a year after Senator Liu from Science. And it provides an opportunity for children, for young people to succeed if they so choose.

I am a firm believer in the specialized high schools. We've got to improve the diversity, without question. But if you take a look at us, we are diverse. We originally came from three separate boroughs. We represent, here today, different kinds of constituencies. And yet we have this common theme of opportunity.

I'm proud to say that my class, we get together one or twice a year for dinner and we talk about our teachers, as everybody else does.

So again, I thank my colleagues for supporting this resolution. And hopefully they

will continue to serve the people of our city for many years to come.

Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator Stavisky.

The question is on the resolution. All those in favor please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT COONEY: Opposed, nay.

(No response.)

ACTING PRESIDENT COONEY: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

I must say I'm feeling a little insecure about Long Island City High School after that --

(Laughter.)

SENATOR GIANARIS: -- after that exposition. No Nobel Prize winners from my school.

Okay, Mr. President, I move to adopt the remainder of the Resolution Calendar.

ACTING PRESIDENT COONEY: All those in favor of adopting the remainder of the Resolution Calendar, with the exception of Resolutions 1098 and 1099, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT COONEY: Opposed, nay.

(No response.)

ACTING PRESIDENT COONEY: The Resolution Calendar has been adopted.

Senator Gianaris.

SENATOR GIANARIS: The sponsors of the various resolutions we took up today would like to open them for cosponsorship.

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

Senator Gianaris.

SENATOR GIANARIS: There's a report of the Finance Committee at the desk. Please take that up.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Senator Krueger, from the Committee on Finance, reports the following nomination.

As commissioner of the Department of Environmental Conservation: Amanda B. Lefton.

SENATOR GIANARIS: I move to accept the report of the Finance Committee, and then recognize Senator Krueger, please.

ACTING PRESIDENT COONEY: All those in favor of accepting the report of the Finance Committee, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT COONEY: Opposed, nay.

(Response of "Nay.")

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

Senator Krueger on the nomination.

SENATOR KRUEGER: Thank you very much.

So I am rising to nominate for full confirmation on the floor of the Senate, as the new commissioner of the Department of Environmental Conservation, Amanda B. Lefton.

She had the chance to listen to many

resolutions today on many different issues. So I thought after yesterday's joint meeting of Finance and Environmental Conservation that we had covered a very broad set of topics, but I think she and her colleagues and family here today now see how really interesting the Senate is any given day on what we take up.

And then you can stick around to hear a fascinating debate on an important environment bill soon after, if you like.

I'm very proud to say that Amanda has the votes to come to the floor. She was an extraordinarily impressive nominee by the Governor who has worked in and out of government on so many of the issues that are challenging us on the environmental front, on the climate change front, on the making sure we are protecting our parks and our wilderness and our air and our water in New York State.

There might not be anyone with as large a portfolio as the DEC commissioner. And I feel after an hour and a half, or close to that, of questioning yesterday, most of my colleagues who were there actually agree she's ready for the job. And perhaps now more than ever, we need as

a state to be strong and focused on a critical environmental agenda because we're just not sure how many partners we have at the federal level on all of these issues.

I know that my colleague Pete Harckham, who is the chair of the En Con Committee, would like to speak on Amanda's behalf as well.

So thank you so much for your willingness to do this work. And you have a big job ahead of you, and we're counting on you.

Thank you. I'm pleased to pass over to Pete Harckham.

ACTING PRESIDENT COONEY: Thank you, Senator Krueger.

Senator Harckham on the nomination.

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

And thank you, Senator Krueger, for an excellent joint hearing yesterday.

Senator Krueger mentioned Acting Commissioner -- for another couple of minutes, at least -- Lefton really impressed, fielding 90 minutes worth of questions, many pointed, on a variety of topics.

She comes with the support of the environmental community. Many in the environmental community are very excited by Amanda Lefton being nominated to head DEC. She has, in her few months as acting commissioner, been very proactive at reaching out not just to me as chair of the committee, but many members.

She's very accessible. And she is going to be leading a really fabulous team at DEC, but at a very challenging time. As Senator Krueger mentioned -- more politely than I would -- we have no partners in Washington right now. And so it's essential that we in New York maintain our leadership position.

We're also in a challenging time with emerging contaminants of PFOS and PFOA. We still can't forget about air-quality issues, the issues of our environmental justice communities, something the federal government wants us to just wash under the rug, and we take seriously in New York.

So she's got her hands full. But I firmly believe that she is up to the job. I am confident she is up to the job. But as any commissioner, she will only be as successful as

we empower her to be, as her boss, the Governor, allows her to be, and the NGOs and the advocates educate and inform her to be.

So I am very enthusiastic about this appointment. Amanda Lefton is the right person at the right time for DEC, and I will proudly be voting aye.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator Harckham.

Senator Murray on the nomination.

SENATOR MURRAY: Thank you, Mr. President.

Let me start by saying finally, finally we're doing it right. One candidate, one vote. We're actually voting on the candidate and her merits, and I so appreciate that we're doing it right this time.

I had the privilege of actually meeting with the acting commissioner in my office one-on-one about a month or so ago. Coming from Long Island, we have a lot of environmental issues on Long Island that we have to address and deal with -- very, very important. And I was very impressed with what I saw in speaking with

her. I think she's ready, willing and able to work together to address those issues.

So I will be proud to be voting yes today for two reasons. One, because I think she's highly qualified and I support her, but also because we're finally doing it right.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Senator Serrano on the nomination.

SENATOR SERRANO: Thank you, Mr. President.

I rise to commend the nomination of Amanda Lefton for commissioner of DEC. I congratulate the Governor for putting forth such a good candidate. And in my nearly 21 years here, a good part of that I've known Amanda to be a tremendous and staunch advocate for the environment and for green spaces, as chair of the Senate Committee on Parks, and over the years through her work either in government or out of government, advocating for green spaces, for connecting more communities to our green spaces and ensuring that they are viable and safe for generations to come.

So I look forward to your tenure.

And again, congratulations.

And I vote aye.

ACTING PRESIDENT COONEY: The question is on the nomination.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to the nomination, voting in the negative are Senators Canzoneri-Fitzpatrick, Skoufis, Walczyk and Weik.

Ayes, 57. Nays, 4.

ACTING PRESIDENT COONEY: The nominee is confirmed.

Please rise be and recognized.

(Standing ovation.)

ACTING PRESIDENT COONEY: Senator Gianaris.

SENATOR GIANARIS: All right. Let's take up the calendar.

(Reaction among members.)

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Calendar Number

112, Senate Print 1525, by Senator May, an act to amend the Executive Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 121, Senate Print 1723, by Senator Harckham, an act to amend the Executive Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce

the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 132, Senate Print 120A, by Senator Cleare, an act to amend the Public Service Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Cleare to explain her vote.

SENATOR CLEARE: Yes, thank you, Mr. President.

Extreme weather events seem to be here with us to stay. And in the Northeast, New York City, we have had 8-degree days in January and 95-degree days in July. That range of temperatures underscores why the bill before us is so important.

With the average utility bill for

New Yorkers being over $200 a month, many times individuals and their families must carry a balance in order to pay for other necessities of life.

When this happens, a balance due on one's electric or gas bill should not mean New Yorkers risk their lives during the warmest and coldest days of the year. This bill is about health, safety, and quality of life.

I proudly vote aye. Thank you.

ACTING PRESIDENT COONEY: Senator Cleare to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 132, voting in the negative:

Senator Walczyk.

Ayes, 60. Nays, 1.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 165, Senate Print 119, by Senator Cleare, an act to amend the Emergency Tenant Protection Act.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Cleare to explain her vote.

SENATOR CLEARE: Thank you, Mr. President.

Over the past several decades entire rent-stabilized buildings have been acquired by investors for the sole purpose of deregulation and extreme profiteering, as opposed to stewardship.

The most incredible example of this was when Tishman Speyer acquired Stuy Town-Peter Cooper Village and promptly lost $2 billion and defaulted upon their mortgage, declaring bankruptcy. If only life for the residents of such buildings was so easy.

The legislation before us is necessary because the structure of LLCs can be made so complex that literally years go by without the government, under HCR or HPD, tenants' rights organizations, or private citizens being able to uncover who the beneficial

owner of their building may be, though the water may be out, the heat failing, the ceiling crumbling and so forth.

The good actors in the housing space have no problem telling us who they are. But as for some of the others, we need to know. And being tied up in mystery serves no useful public purpose.

This bill is about accountability and transparency, and it deserves everyone's support. I vote aye.

ACTING PRESIDENT COONEY: Senator Cleare to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 165, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Cooney, Gallivan, Griffo, Helming, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 21.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 291, Senate Print 699, by Senator Krueger, an act

to amend the Election Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 10. this act shall take effect immediately.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 291, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Scarcella-Spanton, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 39. Nays, 22.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 369, Senate Print 4423, by Senator Hoylman-Sigal, an act to amend the Estates, Powers and Trusts Law.

ACTING PRESIDENT COONEY: Read the

last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 369, voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Cooney, Fahy, Griffo, Oberacker, O'Mara, C. Ryan, Stec and Weik.

Ayes, 51. Nays, 10.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 484, Senate Print 707, by Senator May, an act to amend the Public Health Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 484, voting in the negative are Senators Ashby, Borrello, Chan, Gallivan, Griffo, Oberacker, Palumbo, Rhoads, Stec, Walczyk and Weik.

Ayes, 50. Nays, 11.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 551, Senate Print 3261, by Senator Cooney, an act to amend the Tax Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 551, voting in the negative are

Senators Borrello, Canzoneri-Fitzpatrick, Chan, Lanza, Martinez, Mattera, O'Mara, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 49. Nays, 12.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 653, Senate Print 2470, by Senator Parker, an act to amend the Real Property Tax Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Mattera to explain his vote.

SENATOR MATTERA: Thank you, Mr. President.

This bill is a tax abatement bill for all residents and businesses that install solar panels. And then they install electric energy storage equipment, and you can get some type of a tax abatement.

Senator Parker, you're the author of the bill, and I appreciate, you know, you being our chairman on the Energy Committee. And we have very lengthy discussions with our committee.

The problem is that this bill does not discuss battery storage equipment that is made of lithium-ion batteries that could go on fire. We talk about this a lot. Yes, on fire. Over 5 percent of any battery storage units have a chance to go on fire.

About two years ago this body, this Senate body here, we passed a bill eliminating lithium-ion batteries in scooters in New York City that operated any kind of -- certain equipment with lithium-ion batteries, and we all voted yes in this chamber, a New York City bill.

We are putting our residents and our families and FDNY and all volunteer fire people, first responders, all in harm's way. There is no kind of fluid, water, foam, powder that will extinguish any lithium-ion battery fires. Lithium-ion battery fires burn up to 5,000 degrees, everybody -- 5,000 degrees. Put water on it, it turns to steam.

You know, I sit there and say, you

know what, we cannot take any kind of chances. I always tell my constituents, make sure you do not leave your electric car in the garage. The percentage is too high to go on fire.

Fire departments let electric cars burn to the ground because they cannot extinguish them and put them out.

I have many conversations with our fire marshals, fire departments, in my district and New York State, that have actually been to my office. They are happy with the moratoriums that we have right now installing battery storage in my communities, in our neighborhood, in the two towns that I represent.

Battery storage are known to go on fire in fires that have happened, yes, have gone on fire in East Hampton --

ACTING PRESIDENT COONEY: Senator Mattera.

(Overtalk.)

SENATOR MATTERA: -- the town of (inaudible) upstate --

ACTING PRESIDENT COONEY: Senator Mattera, how do you vote?

(Overtalk.)

SENATOR MATTERA: --
(unintelligible) and battery also --
ACTING PRESIDENT COONEY: Senator Mattera, how do you vote?
SENATOR MATTERA: -- that are still burning.
ACTING PRESIDENT COONEY: Senator Mattera, how do you vote? Senator Mattera, how do you vote?
SENATOR MATTERA: I definitely vote no. And please, please, everybody, I ask everybody to vote no.
Thank you.
ACTING PRESIDENT COONEY: Senator Mattera to be recorded in the negative.
Announce the results.
THE SECRETARY: In relation to Calendar 653, voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Chan, Griffo, Helming, Lanza, Mattera, Murray, O'Mara, Ortt, Rhoads, Skoufis, Walczyk and Weik.
Ayes, 47. Nays, 14.
ACTING PRESIDENT COONEY: The bill is passed.
THE SECRETARY: Calendar Number

677, Senate Print 2444, by Senator Fernandez, an act to amend the Civil Rights Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 677, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 21.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 744, Senate Print 360, by Senator Rivera, an act to amend the Public Health Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 744, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 41. Nays, 20.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 947, Senate Print 946, by Senator Jackson, an act to amend the Civil Service Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 997, Assembly Bill Number 5298, by Assemblymember Pretlow, an act to amend the Local Finance Law.

ACTING PRESIDENT COONEY: There is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 998, Senate Print 5403, by Senator S. Ryan, an

act to amend the Local Finance Law.

ACTING PRESIDENT COONEY: There is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 998, voting in the negative:

Senators Ashby and Walczyk.

Ayes, 59. Nays, 2.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1002, Senate Print 1305A, by Senator Salazar, an act to amend the Public Health Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1022, Senate Print 2224A, by Senator Krueger, an act to amend the Legislative Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1022, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads,

Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 41. Nays, 20.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1080, Senate Print 354, by Senator Rivera, an act to amend the Public Health Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1102, Senate Print 17, by Senator Skoufis, an act to amend the General Municipal Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1104, Senate Print 2084, by Senator Kavanagh, an act to amend the General Municipal Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1104, voting in the negative are Senators Canzoneri-Fitzpatrick, Griffo, Rhoads,

Walczyk, Weber and Weik.

Ayes, 55. Nays, 6.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1112, Senate Print 2499, by Senator Gounardes, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1112, voting in the negative are Senators Borrello, Chan, Gallivan, Griffo, Helming, Lanza, Murray, O'Mara, Ortt, Walczyk and Weik.

Ayes, 50. Nays, 11.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number

1143, Senate Print 664, by Senator Skoufis, an act to amend the Real Property Tax Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the first of January.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1143, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Helming, Lanza, Mattera, Murray, O'Mara, Ortt, Palumbo, Rolison, Stec, Tedisco, Walczyk, Weber and Weik. Also Senator Griffo.

Ayes, 42. Nays, 19.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1166, Senate Print 201, by Senator Martinez, an act to amend the Social Services Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1166, voting in the negative: Senator Brisport.

Ayes, 60. Nays, 1.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1182, Senate Print 1462, by Senator Kavanagh, an act to amend the Public Authorities Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1182, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 21.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1184, Senate Print 3211, by Senator Kavanagh, an act to amend Public Authorities Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number

1190, Senate Print 825, by Senator Liu, an act to amend the Labor Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 8. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1190, voting in the negative:

Senator Walczyk.

Ayes, 60. Nays, 1.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1210, Senate Print 598B, by Senator Hinchey, an act to amend the Public Health Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 90th day after it

shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1212, Senate Print 1111, by Senator May, an act to amend the Education Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

Jawonio is a wonderful preschool and

childcare provider in Syracuse. Founded in 1969, it was way before its time in providing inclusive learning and care for young children with a very wide range of developmental and physical abilities.

The fact that Jawonio functions as both a daycare and a preschool is great for the kids and for their parents, but it's a nightmare for their administrators, who have to comply with duplicate personnel requirements from OCFS, which regulates daycares, and SED, which regulates schools.

They deal with different systems of background checks, different overtime regimes, and other confusing and outright conflicting rules.

This bill creates a single streamlined process for certification, licensure, and operation of schools like Jawonio. And we hope it will facilitate the development of other such wonderful institutions.

The word "Jawonio" derives from an Onondaga word that means "to set free." And it is in that spirit that I vote aye.

ACTING PRESIDENT COONEY: Senator

May to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1214, Senate Print 1418A, by Senator Liu, an act to amend the Public Officers Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1214, voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Rhoads and Walczyk. Also Senator Martinez.

Ayes, 56. Nays, 5.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number

1216, Senate Print 1464, by Senator Harckham, an act to amend the Environmental Conservation Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT COONEY: The bill will be laid aside.

THE SECRETARY: Calendar Number 1217, Senate Print 1578B, by Senator Sanders, an act to amend the Public Health Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect immediately.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1218, Senate Print 1961, by Senator Gonzalez, an act to amend the State Technology Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1245, Senate Print 329A, by Senator Bailey, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1245, voting in the negative are

Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 41. Nays, 20.

ACTING PRESIDENT COONEY: The bill is passed.

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

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

ACTING PRESIDENT COONEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 1216, Senate Print 1464, by Senator Harckham, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT COONEY: Senator Stec, why do you rise?

SENATOR STEC: Good evening, Mr. President. If the sponsor would yield for a series of questions.

SENATOR HARCKHAM: Just to clarify, Mr. President, this is on the yoga resolution?

(Laughter.)

SENATOR HARCKHAM: Yes, I do.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: Yeah, no kidding.

All right. Good afternoon, Chairman. This is my fifth year in the Senate. I think we've debated this bill every year. Through you, if the sponsor would yield.

Affordability is the top concern for our constituents. Do you know how much this legislation is currently expected to cost New York State consumers?

SENATOR HARCKHAM: Thank you, Mr. President.

According to Consumer Reports -- which is kind of the gold standard, not just in New York but in the United States when it comes to consumer issues -- it has analyzed this bill and has reported this will cost New York consumers zero.

SENATOR STEC: Will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: Are you familiar with the study that was done in 2021 and recently updated in York University by Dr. Calvin Lakhan, and his analysis of the cost of the bill?

SENATOR HARCKHAM: Through you, Mr. President, I am aware of the York University study. This gentleman does these studies every time a state or a province in Canada has an EPR bill. And many people question the assumptions.

So Columbia University did a study and found that, at most -- remember, we have Consumer Reports saying "nothing" and Columbia University saying, at most, $4 per family for a year. So zero dollars, $48, and then you have the York study, which is way out here and has been actually wildly off on some of the studies they have done in Canada, where all of the provinces but one have advanced EPR regulations on the books.

SENATOR STEC: Thank you.

Will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: Thank you, Mr. President.

So you disagree with the analysis that in 2021 this would cost New Yorkers $803 million -- and that's been updated more recently to $1.3 billion, representing an average household grocery increase anywhere from 4.25 to 6.75 percent, or $450 to $732 more per year?

SENATOR HARCKHAM: Through you, Mr. President, I do reject the assertion in that report.

I believe Consumer Reports. There is no more of a, shall we say, blue-blood independent arbiter when it comes to consumer issues in the United States than Consumer Reports. And when they say this will cost nothing, I would believe them.

SENATOR STEC: If the sponsor would continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: There's a long list of organizations that have issued memos of opposition against this legislation. Again, the legislation that we've been talking about for several years now seems to change from year to year.

One of the concerns that's been expressed has been from the Coca-Cola Company, where it talks about there's a disparity in the bill as to whether or not drinking containers that are covered in the recycling laws are or are not subject to this.

Can you expound a little bit on that? The concern being that Coca-Cola is saying that ultimately materials used in their -- in the beverage industry's packaging would be considered toxins and would not be allowed to be used and therefore you wouldn't be able to use aluminum cans again in the State of New York's package law -- or EPR law.

SENATOR HARCKHAM: Through you, Mr. President, there are two things.

What our colleague is talking about

is BPA, which is a known toxin. It is possible to make cans without BPA. However, we have put waivers into the bill so that if a company cannot meet a certain provision, they individually can appeal to DEC with a waiver.

But if I check the list of chemicals -- (conferring} -- it would say that most of the bottles and cans also have exemptions because they're covered by the Bottle Bill. So we have language in here that says any beverage container covered by the Bottle Bill currently -- which aluminum cans are, so they are exempt from this bill.

SENATOR STEC: Would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: Well, I understand that.

But again, going back to what Coca-Cola has said, as well as the New York State Teamsters, they expressed very similar concerns

where they did acknowledge that you could point to the bill and say bottles that are -- or cans that are not subject -- or that are covered by a deposit are exempt.

But then elsewhere in the bill language it talks about toxins and it bans everything. Both the Teamsters and Coca-Cola have expressed the same concern about the language of the bill. I know that that may not be your intent, but their read, their lawyers' reads is that this is going to be an issue for them. Which is why they've both issued memos of opposition.

SENATOR HARCKHAM: First of all, Mr. President, when we say Teamsters, let's be very careful. This is not the state Teamsters. In fact, we have worked with the state Teamsters; we put language in here for labor peace agreements. We have labor members who will be on the advisory board. We have worked very closely with labor on this.

What we're talking about is locals who have been pressured by their parent company in opposition.

So we are very clear and we have

been very clear since the outset that any bottle or can that is covered by the Bottle Bill -- not even some future Bottle Bill, but the current Bottle Bill -- are exempt from this law. That's a very clear reading. That is the clear intent of this litigation. And that's what our counsel believes as well.

SENATOR STEC: Will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: All right. Again, just to be clear, because I want to make sure we're all -- the New York State Conference of Teamsters have requested an amendment based on what I was just talking about, about what it would do to the beverage industry and the banning of aluminum cans, essentially. And the three groups here are the Teamster Joint Council 16 in New York, Joint Council 18 in Albany, and Joint Council 46 in Buffalo. Thomas Gesualdi, Thomas Quackenbush, and Jeffrey Brylski, the presidents

of those three. Were you aware of their opposition?

SENATOR HARCKHAM: Through you, Mr. President. We also have 315 distinct organizations supporting this bill -- public interest groups like Consumer Reports, public health groups like Physicians for Social Responsibility, mainstream environmental groups. Because this is a public health bill, this is an environmental bill, and this is a bill that will pump millions of dollars into our municipalities to help them with their municipal waste streams, and will save municipalities a billion dollars over 10 years.

So if we talk about who is opposed, and they're opposed on reasons that are not applicable because they are exempt, let's talk about the 315 distinct groups and the thousands of advocates who have worked with us on this bill who support this bill.

SENATOR STEC: Will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: So do the Teamsters support your -- this legislation?

SENATOR HARCKHAM: Through you, Mr. President, no, they do not.

SENATOR STEC: Okay, that's what I thought.

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

SENATOR HARCKHAM: However, I would say that the state organization of Teamsters are neutral on this bill. These are locals, as opposed to the state umbrella group.

SENATOR STEC: Will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: So you mentioned -- in the previous answer you talked about the municipalities in Canada saving an awful lot of money on EPR. Did I hear you correctly?

SENATOR HARCKHAM: No, what -- there was a study done just this year that shows that in the next 10 years New York's municipalities, under this law, will save a billion dollars a year in their waste efforts.

And further, because of producer responsibility, they'll have to invest in municipal waste and recycling. That will be up to $250 million.

So we're talking a billion in savings that could be for tax relief, it could be for teachers, it could be for our fire departments, and then another quarter of a billion dollars. And that's why this is supported by NYCOM, by NYSAC, and by New York City, because they realize that this will help them financially.

We are drowning, Mr. President, in trash and garbage. And who is paying for it? Our taxpayers, our municipalities, our constituents -- instead of putting the onus on the people who are creating the waste and causing the pollution.

SENATOR STEC: Will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: So I can understand NYSAC, NYCOM and New York City government, you know, government organizations seeing the opportunity for somebody else to pay for what historically they've been paying and looking at their own bottom lines and saying this is a good idea.

My question is in Canada, with the EPR bills that are in place already, have those municipalities in Canada actually seen those kinds of savings that you're anticipating New York municipalities to see?

SENATOR HARCKHAM: (Conferring.)

Through you, Mr. President. To the Senator's question, we don't have right now precise information on whether the Canadian governments have saved money. We will see if we can get that in the next two hours, since we'll be here.

But we do know this was a very

detailed study about New York and this bill that is estimating a billion dollars in savings to New York municipalities. But we will see if we can find out about Canada.

SENATOR STEC: Thank you.

If the sponsor would continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

SENATOR STEC: All right. So my understanding is that the Canadian experience has been that they haven't saved any money to date. But we'll wait and about 7:30, 8 o'clock, maybe we can have that answer to that question.

SENATOR HARCKHAM: Sure.

SENATOR STEC: But in the meantime, assuming that we see a billion-dollar savings -- and oh, by the way, again, I'll remind everybody that York University seems to think that this is going to be a net cost to New Yorkers of $1.3 billion, or $732 a year per household for a family-of-four grocery bill.

But let's say, for argument's sake, that municipalities do save upwards of a

billion dollars due to this. Is there anything in this bill that requires those savings to be passed along to the taxpayers, the consumers? Or will this money be used -- I mean, can anyone expect to see their property tax bill go down as a result of this bill? Is it required in your legislation?

SENATOR HARCKHAM: Through you, Mr. President. They could see their tax bill go down. I would hope that would be one of the options. But we did not want to dictate that to our local municipalities. We're a home-rule state. Local municipalities should be able to dictate what they want to do with their money. And they are held accountable by local voters.

And so that if they save this money and they have a surplus in their budget, it should be up to the local voters to decide what they do with that money.

And I would -- I would agree, property tax relief is badly needed. I think that would be -- if I were a local supervisor or mayor, that would be number one on my priority list. But we also know our fire departments are hurting, we need more teachers, we need more

social workers. These are the types of things we can do with that money that aren't at the expense of taxpayers.

SENATOR STEC: If the sponsor would continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: Just to be clear, in the legislation is there anything that requires the savings to be passed on to the taxpayers?

SENATOR HARCKHAM: Through you, Mr. President, no, we do not. Because we believe municipalities should be free to chart their own course.

SENATOR STEC: If the sponsor will continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: But it stands to

reason that somebody is going to be paying for all of this. And if the municipalities are going to save money, aren't we just shifting the cost from the taxpayer to the consumer, which is basically the same wallet?

SENATOR HARCKHAM: Through you, Mr. President. We're saving taxpayers money. We're saving taxpayers a billion dollars over 10 years. And through companies using less raw material and less packaging, it will cost them less as well.

There will be an initial in some cases cost to retool. And we have a provision in here that companies are eligible for tax credits. But no, we do not expect to see a cost shift here.

SENATOR STEC: If the sponsor will continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield? Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: Thank you.

So do you have any data that would

show that companies will save money through recycling and using this recycled material you just mentioned?

SENATOR HARCKHAM: Through you, Mr. President, I don't believe we have data.

But I would point to a couple of recent studies -- not studies. There's an article, I believe it was in Newsday, and then there are a few others that companies on their own, to address the increased cost of tariffs, were going with less packaging to save money.

So companies can do this. Apple has already done this; they are a hundred percent compliant with this. They realize that it's good for their bottom line as well.

So we believe companies in the long run will actually be saving money by using more circular materials and less material.

SENATOR STEC: If the sponsor would continue to yield, please.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: Thank you. Thank you, Chairman.

All right, so I'm going to shift gears a little bit now. I understand there's seven states -- Minnesota, Colorado, Maryland have passed their own versions of EPR bills. Recently EPR legislation was signed by Governor Walz in Minnesota in May of '24, and Maryland Governor Moore signed the legislation just a couple of weeks ago.

What makes New York's legislation different from Colorado, Minnesota and Maryland?

SENATOR HARCKHAM: I think the number-one factor that makes this bill different is that we ban toxins. And there are a couple of reasons we ban toxins. One is the public health reason to ban toxins, that certain toxins in food packaging leach into the food.

And I bring up the example from last year when they tried to scare everybody that we were going to ban Lunchables and so poor kids wouldn't have Lunchables. Well, guess what happened in the last year? Lunchables were pulled from the Federal School Meals Program because of excess levels of lead and cadmium, two

of the chemicals that we are pulling.

The other thing is you can't effectively recycle plastic that is contaminated with chemicals. That's why mechanical recycling works with certain things but not most plastic. Through you, Mr. President, we only recycle 6 percent of plastic in the United States. That is a dismal percentage. The rest goes to landfills where some of those chemicals leach into our water supply, or it goes to incinerators where they're burned and it goes into the atmosphere.

So if we want to have a truly effective EPR regime and be able to actually recycle more plastic, we have to take the chemicals out, and that's a major difference.

SENATOR STEC: Thank you.

Will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: Earlier this year, on March 10th, California Governor Newsom ordered

CalRecycle back to the drawing board on the state's proposed EPR regulations based on concerns that they would impose costs to consumers in that blue state.

California's cost to consumers on the bill was estimated at the state to be $300 per household, far different from what you thought was zero, much closer to the York study that I cited earlier.

Does this legislation go beyond California's law?

SENATOR HARCKHAM: Through you, Mr. President. The issues in California were not due to the legislation. It was due to political complications within their advisory board.

And then they recently came out with a new report, and they said two things. One, the -- (conferring).

Thank you, Mr. President, to clarify. Thank you for the question.

What California found was that the entire program, if all the costs were just passed along, would be that figure. But there would be far greater savings on the environmental and the health benefits to families as well, resulting in

a net savings to families, not costs.

But again, the problems that they had in California were due to the makeup of the advisory board, political issues. The executive director and some of the board members were replaced. As we all know, the governor of California is running for president, and there were some of those issues.

Now, you know, let's go in with our eyes wide open. We're all adults here, and there's nothing to say that New York will be immune from those types of pressures as well.

But I say that to level-set that these costs were not -- and the problems they had in California were not a direct result of the legislation. And that report also says that the savings to consumers will be greater than the cost to consumers.

SENATOR STEC: If the sponsor will continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: That argument sounds an awful lot like the justification for the CLCPA, that, you know, it's going to cost $300 billion to entirely change the way that we do energy in this state, but the cost savings will be greater than that.

Again, you know, you said Consumer Reports said the number was zero to $4; York said it was 400 to $732, and California's own experience -- California's not a red state, California is very comparable to New York State, including the way it does its own politics. It seems like the governors of both of those states like to view themselves as future presidents.

This is still, any way you slice it, this lands as a $300, in California's case, to the backs of working families that are trying to put food on the table. I mean, $300 is about what these rebate checks that we're going to be cutting later this year are, coincidentally.

You're really comfortable in saying that taxpayers and consumers will not see an increase in their grocery bills, like California was afraid that they were and scuttled their plans?

SENATOR HARCKHAM: Through you, Mr. President. The studies that were done on the New York bill -- California is California. The studies that were done on the New York bill, Consumer Reports, the gold standard of consumer protection in this country, says the New York bill will cost consumers zero dollars.

Columbia University looked at our law specifically in the context of other laws and other programs that had been established, and looked at our laws specifically, said at the high end, $4 per family per month. So it could be as high as $48 or, if you believe Consumer Reports, zero dollars.

SENATOR STEC: If the sponsor will continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: So again, I continue to see a parallel track between this and the CLCPA. And the question that I had then is similar to the question that I'll pose to you

now. When do the consumers or the ratepayers or the taxpayers, which is basically the same person, the resident of the State of New York, start to see that savings show up in their bank accounts?

Because I don't think anyone's seeing any savings -- I'm getting calls that things are -- prices of energy are going up and we're about to start getting calls if this becomes law that grocery bills are going up. I know that everyone's going to try to point the finger at the tariffs or something else other than stuff that we do here to drive costs.

When will consumers start to see this money show up in their bank account as a savings?

SENATOR HARCKHAM: Through you, Mr. President, it's really, as we've said, up to the municipalities what they do with the billion dollars in savings. It's up to municipalities how they spend the $250 million investment that they will get from the Producer Responsibility Organization to upgrade infrastructure for recycling and waste hauling.

And so, you know, this bill is not

designed to put direct cash into consumers' pockets, but there are also going to be health savings costs here. Like one of the things that we haven't discussed, Mr. President, is the scourge of nanoplastics. You know, since we last debated this bill last year, and to this year, there have been a host of peer-reviewed studies that now discuss the health impacts of nanoplastics and microplastics on the human body.

You know, we first thought of plastic pollution as just pollution. And then we thought about, oh, it's something that impacts marine life. And now there is a growing body of evidence -- so as I stand here today I have nanoplastics in my brain, in my sinuses, in my respiratory system, in all my major arteries, in my circulatory system, in my heart, in my reproductive organs -- and so do all of you.

And that now has a real health impact. They are biopsying brains and they have found in cadavers six capfuls of microplastics in people's brains. These are real health impacts that are costing our society money.

And these are the things that we also need to think about, is the need to reduce

plastics in our environment. This is the new environmental scourge of our time. We think PFAS is bad. Our kids -- we have nanoplastics in breast milk, in placentas. We need to address this.

SENATOR STEC: On the bill.

ACTING PRESIDENT COONEY: Senator Stec on the bill.

SENATOR STEC: All right, thank you, Mr. President.

Thank you, Chairman Harckham. I appreciate your time on this and your answering my questions.

Again, I go back to -- and I see a lot of parallels between this and CLCPA. Frankly, I see a lot of parallels between this and a lot that we do around here. You know, in the name of, hey, other states are doing this and we need to do it too, but then we fail to point out the differences between our legislation and what these other states have done. A classic example of where we did that was bail reform. Well, there's so many other states that have done cashless bail. And then when we looked at it, we said, You know what, we went far beyond what

other states are doing for cashless bail when we took away judges' discretion and stuff like that.

So when I look at this legislation compared to the seven states that are out there, and California's pulling back on theirs because they're concerned with cost. And I'm not surprised at all that you can get a lot of environmental groups that aren't responsible to the taxpayers, they're not responsible to anyone's wallet or livelihood or their affordability in this state like we are supposed to be. It's very easy to say, are you for mom and apple pie and no plastics? Yes. That's very easy to say.

What I am struck by is in all the years that I've been in the Legislature, I have never seen so many memos of opposition from so many organizations on this that, frankly, don't have a lot to do with each other than they know what they're doing in their industry and they're trying to comply and they're working with the federal level and they're working with 49 other states, and they're all saying the same thing.

They're saying, you know, we could live with it the way these other states have done

it, but they're pointing to specific things, and a lot of them are very similar things that they're pointing to, whether it's some of the toxins -- they're saying the technology doesn't exist for a lot of the mandates that are in this legislation. The timeline -- I mean the parallels between this and CLCPA are astounding to me. This is the CLCPA of the recycling world.

The memos of opposition, my colleagues: Air Conditioning, Heating and Refrigeration Institute, American Beverage Association, American Chemistry Council, American Cleaning Institute, American Forest and Paper Association, Association of Home Appliance Manufacturers, Can Manufacturers Institute, Circular Services, Consumer Technology Association, the Farm Bureau of New York, Food Industry Alliance of New York, Food Service Packaging Industry, Kraft Heinz, Local Union 812, National Right to Work Committee, National Supermarket Association, National Waste and Recycling Association, New York State Chemistry Council, Plastics Industry Association, The Business Council, Consumer Technology, the National Supermarket Association -- those are

just the ones that came in this year. There's an equal number of them that I won't bore you with that I'm sure they haven't rescinded theirs from last year.

This is going to cost our residents, our hardworking -- and it's going to hurt the middle and lower income the hardest, because you're going to add, depending on whose numbers you want to go to -- $48 a year I think is an overly optimistic number, but it's an increase. No one is saying, hey, you know what, this has saved, you know, -- and I can tell you this. The rest of the country is not going to -- the people that are making the food and shipping it here are not going to change the way that they're doing it because New York State's market is so big that they're going to start -- they're going to not sell here, and we're going to lose businesses in this state to this law, and this is going to cost the consumer at the grocery store hundreds of dollars more a year, hundreds of dollars that a lot of my constituents don't have. The phone's ringing off the hook already about the electric bill, and the next round of phone calls is going to be the grocery bill.

For that reason and many others that I think we're about to hear from in the next hour and a half from my colleagues, I will be voting against this legislation. I encourage all my colleagues to be here in the chamber to do so.

ACTING PRESIDENT COONEY: Thank you, Senator Stec.

We'll all practice our yoga poses.

Senator Helming, why do you rise?

SENATOR HELMING: Thank you, Mr. President. If the sponsor will yield for a few questions.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR HELMING: Thank you, Senator Harckham. Through you, Mr. President.

Senator Harckham, as the chair of the Senate Environmental Conservation Committee, did you have a chance to review the New York State Center for Sustainable Materials Management, the recycling needs assessment report, before you wrote the D print of this

bill?

SENATOR HARCKHAM: Through you, Mr. President. You're talking about the DEC report, right? One of the things that DEC mentions in their waste management plan is the need for extended producer responsibility for packaging, and they talk -- DEC talks about this all the time.

SENATOR HELMING: Thank you. So through you, Mr. President, I'll go on the bill for a second here.

ACTING PRESIDENT COONEY: Senator Helming on the bill.

SENATOR HELMING: So the New York State Center for Sustainable Materials Management I believe was contracted to assess recycling needs throughout the State of New York. And what they did is they looked at a number of DEC regions across the state, evaluated the municipal solid waste. And what they found was that more than 80 percent of municipal solid waste can be recycled, can be reused or composted.

Senator Harckham mentioned how plastics -- I think he used the national average of how -- percentage of how few plastics are

actually recycled.

But if I can -- if the sponsor will yield for a question.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR HELMING: Senator Harckham, in New York State do you know what it is, the number-one material that is going into our landfills that shouldn't be?

SENATOR HARCKHAM: Through you, Mr. President, it's paper.

SENATOR HELMING: Through you, Mr. President. If I could go on the bill for a minute.

ACTING PRESIDENT COONEY: Senator Helming on a bill.

SENATOR HELMING: The number-one material identified in the report that should have been incorporated into this bill where we're trying to address issues is organic material. It's food waste, it's yard clippings, it's yard waste, that sort of material.

So if the Senator will continue to yield for questions.

ACTING PRESIDENT COONEY: Will the Senator yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: the sponsor yields.

SENATOR HELMING: Senator Harckham, does the bill before us address organic materials?

SENATOR HARCKHAM: Through you, Mr. President, this bill does not address organic materials. It was not intended to address organic materials. It was intended to address packaging materials. And if the Senator is concerned about organic materials and composting, as chair of the committee I would welcome her bill and would love to work with her on a composting bill. But this is on a packaging bill, not a composting bill.

SENATOR HELMING: Through you, Mr. President, on the bill for a moment.

ACTING PRESIDENT COONEY: Senator Helming on the bill.

SENATOR HELMING: So if I were

chair of the committee, I would have looked at the science before me, the data before me. I would have looked at the report that the state paid for and made sure to incorporate those recommendations into a recycling bill.

But through you, Mr. President, if the sponsor will continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR HELMING: Senator Harckham, as the chair of the Environmental Conservation Committee, when you were preparing this D draft did you take into consideration at all maybe amending your bill so it's more consistent to Senate Bill 5062, which is titled the Affordable Waste Reduction Act?

SENATOR HARCKHAM: Through you, Mr. President, several things.

Number one, we wrote this bill before that bill was introduced. We made five rounds of revisions to this bill, speaking with industry to address their concerns. In the fifth

print of the bill, we made 26 major concessions to address the concerns industry has. So we have constantly been listening. We have constantly been addressing issues that have arisen.

Now, as for the other bill, there are some very major differences. Our bill establishes environmental standards for packaging; the other bill does not. Our bill reduces toxins; the other bill does not. Our bill includes both commercial and residential waste; the other bill did not. Our bill does not put the packaging industry in charge. It puts this Legislature in charge.

How often do we hear on this floor from the other side, Why are we just ceding our power to somebody else? So we have set the standards in the legislation.

Our bill ensures strong oversight and accountability; the other does not. We create an inspector general to ensure that the program is upheld.

So there are a number of differences with our bill. Our bill was written first. Our bill I believe is much more encompassing. And that's why we have advanced this bill to the

floor once again.

SENATOR HELMING: Mr. President, on the bill.

ACTING PRESIDENT COONEY: Senator Helming on the bill.

SENATOR HELMING: So I'd just like to point out, despite these conversations with businesses and other organizations, the fact is that groups that don't typically align -- labor groups, business groups, Chamber of Commerce, the Farm Bureau -- they have all banded together and said that they have grave concerns about the bill before us. That it's going to drive up consumer costs, especially in the grocery store, and that it's going to jeopardize the availability of products that people, especially low-income people, rely on.

But through you, Mr. President, if the sponsor will continue to yield for a question.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR HELMING: Senator Harckham, I did have a question on vinyl chloride. Is that a banned substance under this legislation?

SENATOR HARCKHAM: (Conferring.) Through you, Mr. President, yes, it does.

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

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR HELMING: So, Senator Harckham, New York State has invested so much money, millions and millions of dollars -- which I totally support -- to remove and replace asbestos-containing water pipes throughout our communities across the state. And in many areas those asbestos-lined pipes are replaced with PVC piping. And PVC piping is made of vinyl chloride.

So what I'm wondering is, does this mean our communities -- I think somewhere in this bill it says that anything that is not exempt,

doesn't have a plan, is banned. Does that include the PVC pipe that is used by so many highway departments and water departments to transport safe drinking water?

SENATOR HARCKHAM: Through you, Mr. President, no, of course not, because it's not packaging.

SENATOR HELMING: Okay. So it's -- through you, Mr. President, I'll leave that one and go on. If the sponsor will continue to yield to questions.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Sure.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR HELMING: Well, actually, I am going to go back to that one.

So if vinyl chloride is used to seal that PVC piping to deliver it, it's banned. But if that same PVC pipe is used to transport our drinking water, that's okay? Is that what I'm hearing?

SENATOR HARCKHAM: Yeah, if it's used in the packaging, it is. But if it's not

part of the packaging, it's not.

And let's be clear. Polyvinyl chloride is a carcinogen. It's an endocrine-disruptor. It's been known for its neurotoxicity. It causes respiratory issues from prolonged exposure and developmental and reproductive harm.

So this not the kind of thing we want to be packaging our consumer goods. If we're burying it under roads for culverts and things like that, that's one thing. And it's still legal. But to use it in packaging would be illegal under this law.

SENATOR HELMING: Through you, Mr. President, on the bill quickly.

ACTING PRESIDENT COONEY: Senator Helming on the bill.

SENATOR HELMING: So I got it. If that product is wrapping PVC piping, that packaging part is banned. But if that same material is delivering drinking water into the homes of millions and millions of New Yorkers, under this legislation it's allowed. Got it.

So if the Senator will continue to yield for a question.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR HELMING: Senator, my understanding of the Packaging Reduction and Recycling Organization is that within nine months all producers will be required to register with one Packaging Reduction Organization, which will be selected by the DEC. Is that correct?

SENATOR HARCKHAM: Through you, Mr. President. We revised this legislation at the request of industry to give them this structure of the PRO. This is what they wanted. There is a draft of the bill where it was much more DEC-centric. Industry said no, we preferred the original version, which was this version.

And so this is a version that industry wanted. But someone from the state has to be in charge. So they get together, they have nine months to figure it out. And honestly, other states have done this. There are now a couple of companies that have been hired by other states to run these PROs. These companies who

seem to be screaming the loudest are doing this in many other states. They have experience setting up PROs. So nine months is more than enough time for them to organize and make an application to the state.

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

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR HELMING: Senator Harckham, do you have any idea how many New York State producers will be required to register with the PRO?

SENATOR HARCKHAM: Through you, Mr. President, we do not have an exact number. It's any company over $5 million in revenue or produces over 2 million tons annually in packaging.

So we do not have that exact number. But to Senator Stec's line of questioning, it will be far less than California. We're a

smaller economy. And they have done this in seven other states. And the companies themselves have experience doing this.

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

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR HELMING: Senator Harckham, will producers outside of the State of New York but who do business, bring products into the State of New York, also be required to register? And if so, do you have any idea how many numbers of producers we're talking about?

SENATOR HARCKHAM: If they sell in New York, they will be required to. If they don't sell in New York, they are not impacted by this.

SENATOR HELMING: Through you, Mr. President, I'd like to go on the bill for a moment.

ACTING PRESIDENT COONEY:

Senator Helming on the bill.

SENATOR HELMING: So I remember last year when we were going through the budget time, and we were all surprised by the CDPAP information that was contained in the budget. And we talked about what the mandate was, is that we were going to have this single entity and we're going to do away with -- or we were going to require all of the consumers and all of their staff to register with the single entity, and we were going to do it within a certain time frame and it was going to work.

And I have to say that when I read this EPR proposal, I have visions of the same thing happening with this program that we're seeing happening with the CDPAP, the failure. Because it's -- we just don't have a good understanding of what is required.

Through you, Mr. President, if the sponsor will continue to yield for a question.

SENATOR HARCKHAM: Mr. President, might I just respond to the Senator's comments? And then I'd be happy to yield for a question.

I would just say once again that this is the structure that the producers

requested. This is the structure that has been in the other states where this has been implemented.

The companies -- this is not about consumers. The PRO is about the companies who produce packaging and market in New York State have done this in other states and have experience doing it.

Happy to yield for a question.

ACTING PRESIDENT COONEY: The sponsor yields to questions.

SENATOR HELMING: Thank you.

So the PRO has very -- a large responsibility. They have to develop the plan, do data collection, determine reimbursement rates, collect fees, reimburse departments and other state agencies. They have to -- they're responsible for the distribution of funds to local governments, educational, providing technical assistance and so much more.

But I want to focus just for a moment on the duties that include determining fees, collecting payments, and disbursing funds.

What does the bill include in terms of language to make sure that, you know, one

organization -- an appointed organization who is both determining rates, collecting payments, and disbursing payments -- to make sure that everything is audited correctly, it's legitimate, we don't run into problems?

SENATOR HARCKHAM: Thank you. That's a very good question, Mr. President. That's why we have an inspector general for this program that we have identified in the bill.

Because to your point, we want to make sure that everything is aboveboard, everything is being audited, everything is being done appropriately. And so the PRO comes up with their plan, and then that plan must be approved by DEC.

And so if DEC sees something amiss, they go back to the drawing board, they fix it. Once that plan is approved, then they begin making investments. Some of those payments are going to our municipalities to modernize waste-sorting and recycling technology. For instance, that our -- many of us have MRFs in our communities, material recycling facilities. Those will get significant investments to help process waste and sort recycling more

effectively.

But to the Senator's point, there will be a lot of money moving through this organization, and we want to make sure that it's all aboveboard. And that's why we have created the position of an inspector general to do those audits.

SENATOR HELMING: Through you, Mr. President. When I read the bill -- I'm going to go on the bill for a moment.

ACTING PRESIDENT COONEY: Senator Helming on the bill.

SENATOR HELMING: Under the PRO it doesn't say anything about an inspector general auditing anything, it just simply says audited financial statements.

I have a question for the sponsor.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: I will.

SENATOR HELMING: Senator Harckham, have you consulted or have you asked the state comptroller to review the process for making sure that everything is done aboveboard?

SENATOR HARCKHAM: Through you,

Mr. President, we have not. What we have done is we have looked at language that has worked in other states for the language for this section.

And then we have gone above and beyond and we have added the office of inspector general to make sure that the plan works accordingly and all of the payments are aboveboard.

SENATOR HELMING: Through you, Mr. President --

SENATOR HARCKHAM: If I may say -- all right. All right. So the exact language, to your point, Senator, the recycling inspector general shall evaluate the programs and organizations created pursuant to this properly -- that they are -- no, I'm sorry. To this -- I'm sorry.

The inspector general shall evaluate programs and organizations created pursuant to this title on an annual basis and shall ensure such organizations are functioning properly and that all organizations and producers are in compliance with the requirements of this section.

SENATOR HELMING: Thank you.

Mr. President, on the bill. I

didn't hear anything in there about audited.

And again, I go to Section N where it simply says "audited financial statements." It doesn't require the audit to be done by an external third party. It's very unclear. My recommendation is ask the State Comptroller to take a look at that.

But I would like to ask the sponsor to yield for another question.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR HELMING: So one -- during the last debate there was a question about containers that are subject to the Bottle Bill. And I think the response I heard is that those containers are exempt from this language.

But my read is that it's questionable at best on whether or not those types of containers, which is basically a lot of beverage containers, are actually exempt because the bill doesn't define packaging.

And when you read the toxics

provision section, it says (reading) applying to all packaging, including some or all of those categories of packaging otherwise exempt from the bill's EPR mandates, such as those containers subject to the Bottle Bill.

So based on what the -- Senator Harckham, what you said, my understanding is your intent is to exempt containers that are subject to the Bottle Bill. But would you agree that this bill language needs some cleanup work?

SENATOR HARCKHAM: Thank you, Mr. President. And thank you, Senator, for the question.

I just want to find the exact section of language, and we are -- where it says Section 14, packaging material or materials, and then it is laid out below. And subparagraph (f) clearly says "Beverage containers subject to a returnable container deposit under Title 10 of this article."

So any beverage that is subject to a returnable container deposit -- soda cans, Coke and Pepsi, beer cans, Budweiser, Bud Light, Coors -- all of those are not subject to this law. It is very clear.

SENATOR HELMING: Thank you for that clarification, Senator Harckham.

On the bill.

ACTING PRESIDENT COONEY: Senator Helming on the bill.

SENATOR HELMING: Clear as mud, in my opinion.

But I am going to go on the bill. I appreciate Senator Harckham's responses.

Earlier Senator Harckham made the comment that we're all adults. And I couldn't agree more. Like I said, despite the fact that we have organizations who have come together who typically don't -- labor, right, unions, we have had Chambers of Commerce, we have had Farm Bureau. And we've had hundreds of businesses who have said this bill is going to drive up consumer cost, this bill is going to make products that consumers rely on on an everyday basis -- popular food items, household cleaning items, and so much more -- unavailable.

And by the way, these hundreds and hundreds of businesses who have written in -- and as Senator Stec said, I have never received so many letters in opposition in my nine years on

this floor. But these businesses, they're recognized worldwide. They're sustainability experts and leaders in their field.

These are companies like Barilla, Baldwin Richardson Foods, Mott's, Seneca Foods, Kraft Heinz, Dr. Pepper. We now have Fairlife and Chobani. In our area, Mr. President, in the greater Rochester-Finger Lakes region, we have more than 250 food and beverage manufacturers and suppliers employing more than 10,000 people, and hopefully that number's going to continue to grow with Fairlife, and with Chobani's expansions. But who knows, because their packaging materials could be banned under this legislation.

And when I think of acting as an adult, what I'm thinking about as a Senator and as an adult here on this floor is about every single working parent, every family who's on a tight budget, every single poll that shows, over and over again, New Yorkers want us to address affordability, cost of living. And they rely on the convenience and affordability of so many of these products that these businesses produce and that are going to be banned under this bill.

We need to work on a more balanced

approach to protecting our environment and protecting local employers, local jobs, and consumers who are already struggling with higher costs. And there are alternatives. There are solutions to do just that. So many of them are outlined in this taxpayer-funded study, Current Recycling Systems in New York. The recommendations were not considered or incorporated in this bill.

We also have the Affordable Waste Reduction Act, another Majority member's bill, Senate Bill 5062, that is a more workable and reasonable solution to keep plastics and other materials that shouldn't be in our landfills out of our landfills.

Until we take those reasonable and responsible steps, Mr. President, I will be voting no, and I encourage my colleagues to do the same.

ACTING PRESIDENT COONEY: Senator Harckham on the bill.

SENATOR HARCKHAM: Yes, thank you. I will yield time for more questions in one sec. I just want to address a couple of things. And thank you, Senator Helming.

Number one, I want to talk briefly -- she mentioned the toxins. The products are not banned. It's the toxins that are banned. There are plenty of alternatives. And when we talk about our families and our kids, our families and our kids deserve to have food that's not exposed to toxic chemicals where it leaches into the food. That's number one.

The issue of the Farm Bureau. And thank you for raising that, Senator Helming. We had extensive discussions with Farm Bureau. They came to us and they said, We want an exemption for New York agriculture. You can't do that, because it violates federal interstate commerce laws.

So what did we do? We raised the threshold from a million dollars in sales to $5 million in sales. Guess what? Ninety-nine percent of New York State farms have less than $5 million in revenue. So we have exempted 99 percent of New York State farms from this bill.

And then thanks to Senator Hinchey, we went a step further. She came to me and she said, Well, many of our milk co-ops are small

farmers who have come together, they may have more than 5 million in sales, but collectively they're all individual family farms. I went with her to Kingston, met with some of them at one of the co-ops, and now we have exempted dairy co-ops less than -- 50 employees or less. Which is all of the smaller players.

So we have exempted 99-plus percent of agriculture in New York State from this bill. And I just wanted to put that on the record, since Farm Bureau came up. You know, most people would take 99.X percent as a win. You know? If they don't, that's on them. But I think that's a pretty good win that we've exempted over 99 percent of New York State farmers.

ACTING PRESIDENT COONEY: Thank you, Senator Harckham.

Senator Borrello, why do you rise?

SENATOR BORRELLO: Mr. President, would the sponsor yield for a question.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR BORRELLO: Through you, Mr. President.

So last month, Beyond Plastics came out with a report claiming that New Yorkers could save $1.3 billion over the next decade if this bill is passed. Can you tell me who the author of that study was and if they have any kind of an economics background?

SENATOR HARCKHAM: They -- I don't have the names of them in front of me. Do we have the report in front of us?

The report was done by Jenny Gitlitz and Connor Chung. And Connor Chung is an independent consultant with a background in municipal waste.

SENATOR BORRELLO: Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR BORRELLO: So neither one of them are economists or packaging engineers.

SENATOR HARCKHAM: Waste engineer.

SENATOR BORRELLO: Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR BORRELLO: You know, I've heard you talk about Consumer Reports, I've heard you talk about other folks, the different studies. But what I fail to understand is how they have a crystal ball to explain how we're going to solve the packaging problems that are created.

How will they possibly know what any industry -- all industries that are going to be impacted by this? Particularly the food industry, which has to worry about food safety. How could they possibly know what the cost of repackaging products, specifically for New York and New York only, is going to impact consumers? How is that even possible?

SENATOR HARCKHAM: Through you, Mr. President. Number one, anything relating to federal food safety is exempt. And it clearly

states in the bill, we link to federal law, that federal law for food safety preempts everything in this bill.

Number two, the -- what is sold in our supermarkets is basically sold by less than 10 companies, all multinational companies. They are doing this all over the world. They are doing this in Europe, they're doing this in Asia, they're doing this in Canada, they're doing in other states. Kraft Heinz has bragged that they're 87 percent of the way there in compliance. Apple is already in compliance.

So this is not a new thing to these multinational corporations. It just so happens -- you know, and to Senator Helming's point why are they opposing this bill, because they've got a pretty sweet deal. They're creating as much waste and pollution as they can, and our constituents are paying to pick up the tab. That's a sweet deal for them. Of course we're trying to put the onus on them.

But they have done this before in other places in the world, other places in the country. And I think the responsibility should be on them and not on our taxpayers.

SENATOR BORRELLO: Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR BORRELLO: Well, you know, you brought up Europe and others. And as usual, New York has decided we're going to go beyond what anyone else is doing and make a requirement that's far more onerous, far more expensive.

So I really don't know how we can determine that when Europe is only looking for a 5 percent reduction by 2030 from 2018 numbers. So their packaging reduction is infinitesimal compared to ours.

So with that being said, I guess I'll go back to the question. How can we say, when we're going beyond California, Canada, Europe -- how can we possibly determine what that additional cost is going to be for even those companies that may have already gone down the road a little bit, to what it's going to cost them to specifically package things exclusively

for New York and how that's going to impact the cost to consumers? How are we going to know that for sure?

SENATOR HARCKHAM: Through you, Mr. President. If you look to Europe, they are much more rigorous than we are. And in single-use plastics, for instance, in the takeout industry. So we go to -- everyday people go down to Dunkin' Donuts downstairs, people go to Starbucks, walk around with clear cups, clear plastic all day.

What we're talking about is reducing the amount of plastics in those cups. In Europe you cannot get a plastic to-go cup. You can get a glass -- and you can bring it back -- to go, but it's a much more rigorous structure over there than we have over here.

SENATOR BORRELLO: Thank you.

Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR BORRELLO: Well, according to the data that I have here -- you start talking about Europe and how they're beyond us, that's actually not what I'm hearing. The European Union is saying that by 2030 -- a reduction target of just 10 percent by 2035, which is estimated to reduce packaging waste by 29 percent, and an additional target of 15 percent compared to 2018 numbers.

So that's a total target by 2040, 15 years from now, of 37 percent. That's nowhere near the numbers that we're looking for in packaging reduction, correct?

SENATOR HARCKHAM: Through you, Mr. President. We are looking for 30 percent in the next 12 years. As I mentioned before, many companies are doing this already.

We increased -- that was one of the changes we made to the bill, we increased the lookback period. So if companies are already doing this, they'll get credit for the last 10 years of their work.

And the other reason why this is so important and why we have gone beyond what Europe has done is because we believe you have to

separate the toxins if we want to effectively recycle and reuse.

SENATOR BORRELLO: Thank you.

Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR BORRELLO: All right. So we can agree that we're going beyond where Europe is, and also California, Canada.

But I want to move on to another topic. You know, it's summertime coming up now and it's going to be that time when you go to a hot dog, hamburger stand, you're going to get that hamburger, that hot dog, you're going to get that little plastic container of ketchup and mustard so you can go down and maybe sit by the water or whatever, on a picnic bench, and put that ketchup and mustard on your hot dog or hamburger. What's going to happen to those packages of ketchup and mustard, under your bill?

SENATOR HARCKHAM: You're talking

about the sort of -- the little foily?

SENATOR BORRELLO: The little plastic --

SENATOR HARCKHAM: Yeah, the plastic packette?

(Conferring.) So through you, Mr. President, the producer of that packet, whether it's Heinz or French's, one of those brands, they would have to meet the goals of this. They would need to -- 30 percent in the next 12 years.

However, one of the accommodations, Senator, was that if a company could not meet the criteria on a particular package, they can do it across their entire corporate line. So if they could not make the goals that are laid forth in the bill on, let's say, the ketchup packet, they could make it up on napkins or glass condiments or things of that nature.

SENATOR BORRELLO: Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The

sponsor yields.

SENATOR BORRELLO: Maybe I misheard you, then. So the plastic packaging is going to be outlawed under this law, but if they could choose, whatever that more expensive packaging that they would have to create, which apparently doesn't exist yet for New York, they could just spread across their entire corporate line, is that what you're saying?

SENATOR HARCKHAM: Through you, Mr. President. We are not outlawing plastic packaging. That is factually inaccurate.

What we're saying is they need to reduce the amount by 30 -- the packaging, in a package, by 30 percent over 12 years. We are not outlawing plastic packaging.

And what we are saying, yes, you are correct, if -- for instance, let's use a ketchup packet, your example. If they cannot make those reductions, they can get credits for other things in their entire corporate line.

So if they're selling napkins that are currently wrapped in plastic, they can replace that plastic with paper or cardboard. They can get credit across the entire line, not

just on each individual brand. Because we realize at this juncture, or because of food safety, they have to use certain materials, and the law lays that out.

SENATOR BORRELLO: Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR BORRELLO: So I think what you're saying is you realize the technology's not there yet. So why are we being so aggressive if the technology isn't there to come up with those alternatives?

SENATOR HARCKHAM: Through you, Mr. President. We have 12 years. We got to the moon in 10 years. If our food engineers can't come up with a new ketchup packet in 12 years, then we have lost our -- we've lost our mojo, Mr. President.

I have a lot of faith in American engineering and American technology. And we have put in some of these off-ramps in the meantime

because we know that there may be technological impediments along the way.

SENATOR BORRELLO: Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR BORRELLO: So let's talk more about ketchup. So ketchup in those big plastic bottles that you turn upside down that go on the restaurant tables, I think last year when we debated this you said that those would -- because they're, you know, thrown in the garbage, that those would be outlawed in this law. Is that still correct?

SENATOR HARCKHAM: No, I did not say those would be outlawed.

What I said was they would need to reduce the amount of plastic in that packaging by 30 percent. So what can they do? They can make them thinner, or they can make them recyclable.

They -- you know, we -- the problem is because companies do things for shape and

color, that's where the chemicals come in. And that's where the harm comes in. But if they use a mechanically recyclable plastic, they're good to go.

And Kraft Heinz last year announced that they had spent I think it was $1.7 million -- don't quote me on that, but somewhere around there -- in an R&D effort and they came up with a fully recyclable cap for those exact bottles that you're talking about, that can be recycled through mechanical recycling. And they did that in the process of a year because of what's happening in other states.

So those bottles would not be outlawed. In fact, what we're saying is no packaging is outlawed, we're just looking for more recycled content in the bottle and a 30 percent reduction in all of the packaging.

SENATOR BORRELLO: Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR BORRELLO: Well, I know it sounds like, you know, we're going to demand that here in New York State that you're going to have a 30 percent reduction in that particular package.

But I'm sure you're well aware, when somebody -- when they're on a production line packaging bottles for the entire United States and all of North America and beyond, what's Kraft Heinz -- what is their incentive to do it just for New York State? And why wouldn't they pass along the additional costs to New York consumers?

SENATOR HARCKHAM: Through you, Mr. President. Kraft Heinz has said publicly that they are 87 percent of the way here to complying, even though we don't have a law, because they're doing in this other states.

The reason -- their incentive is we are the fourth-largest market in the country. They're not going to abandon this market because of recycled content obligations that we may have.

SENATOR BORRELLO: Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the

sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR BORRELLO: Well, you keep talking about Kraft Heinz being 87 percent of the way there, but yet I have a, you know, two-page memo of opposition in front of me from Kraft Heinz. They're clearly opposed to this.

So why would they -- if this was -- if they're so close, why do you think that they'd still be opposed to this bill?

SENATOR HARCKHAM: Through you, Mr. President. What companies wanted from us were exemptions. You name an industry, a company, they wanted blanket exemptions.

If we gave exemptions to everybody who we regulated with laws in this chamber, we should just pack up and go home.

So what we did was we gave off-ramps. We gave a number of off-ramps. We discussed the one where we said a company can do it across their corporate line, they can apply for a waiver on the rates and dates. So if they cannot feasibly or technologically meet the

30 percent goal over 12 years, they can apply for a waiver. And the PRO can apply for a waiver on the rates and dates.

So there are three major off-ramps for companies. But they just wanted blanket exemptions. And quite honestly, we told everybody we're not doing blanket exemptions, but we will give you off-ramps if you can't comply.

SENATOR BORRELLO: Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR BORRELLO: You know, we've been told by a lot of the food manufacturers that are here in New York, some of which we've spent a lot of time and money to keep here in New York or attract them -- we've got, as Senator Helming mentioned, Chobani and Fairlife.

You know, if this is going to save them money, why wouldn't they already be doing it? It's clearly going to cost them more money, right?

SENATOR HARCKHAM: Through you, Mr. President. Many, many companies are doing this already. They have sustainability commitments that they have made voluntarily. Coke and Pepsi are working aggressively to get to the 100-percent recyclable level in their bottles.

Now, many consumers and -- consumer advocates, I should say, and environmentalists may accuse them of greenwashing in their accounting as to how they're getting there. But one of the reasons that we see much more packaging in film -- so, for instance, sour cream you now see in a squirt film as opposed to a plastic container. They're doing that because they're producing less plastic in their packaging.

So many, many companies are doing this, number one, because it's a good corporate thing to do. But number two, it's going to save them money. A millimeter of plastic over a million units can save them a heck of a lot of money.

SENATOR BORRELLO: Mr. President, on the bill.

ACTING PRESIDENT COONEY: Senator Borrello on the bill.

SENATOR BORRELLO: You know, I think we've all experienced those plastic water bottles where they've made them thinner and they're celebrating how they've reduced the amount of plastic. And then, you know, the thing crumples in your hand and the water -- but it's water, right, that's okay.

But when you're in the food business it's a little different. Getting a case of sour cream where the package has been compromised delivered to your restaurant and then serving that compromised sour cream to your customers is a problem.

And I know that Senator Harckham said, Well, we're going to make exemptions for food safety. But really we're not being specific about those things. We're saying you're going to reduce that packaging and essentially we're going to have situations where we are going to compromise food safety in order to reach those goals.

But, you know, let's just be realistic here. We can talk about how wonderful

this is and it's going to save money, but we have countless memos of opposition from the companies that allegedly are already going to be saving money by following this rule. But they're not. That's not how they look at this. And it's certainly not how they're going to approach it with New York consumers.

Right now you can no longer use Styrofoam containers or to-go containers. And we made exemptions. You can't have a plastic bag to take your groceries out of the grocery store, but you have a plastic bag, you know, for your restaurant.

But either way, the bottom line is visited upon the consumers of New York State to pay for that. Many restaurants now are charging for a to-go container because they're 10 times the cost of a Styrofoam container. It is going to cost New York consumers a lot of money to do this.

You know, go to a state that has reformulated gas in the summertime. It's like a dollar a gallon more to make gas for big states like California and yet you'll pay more there for their reformulated gas than you will in

neighboring states because it is a boutique item. It is something that's only made for that state.

This is what we're telling the consumer product industry: You're going to make special packaging just for New York. And if they continue to even want to deliver those products to New York State, they're going to charge us more money for that. That's the bottom line. That is the history that we've seen, is you're either going to get an inferior product or a more expensive product. Those are really the only two options. We've seen it time and time again.

We're talking about technology that doesn't exist yet that we're going to rely on to try to create this advanced technology and it's just not there.

So for all of those reasons, and for the fact that affordability is something that we talk about but don't actually practice here in New York State, I'll be voting no.

Thank you.

SENATOR HARCKHAM: Quickly on the bill, Mr. President. I just want to add a fact.

All right, never mind. I'll work it in next time. Thank you, George.

ACTING PRESIDENT COONEY: Senator Walczyk, why do you rise?

SENATOR WALCZYK: Mr. President, I was hoping the sponsor would yield for some questions.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes. But --

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR HARCKHAM: -- if I can answer one of George's questions too. One of Senator Borrello's questions.

SENATOR WALCZYK: This is my time. Through you, Mr. President.

Recognizing -- and you talked about how it took us 10 years to land on the moon. It actually took humanity 300,000 years. But we have launched satellites into space which are connected to supercomputers in our pockets, yet we haven't created another safe way to package meat products other than using some plastic products.

Other states, because of that fact, have given exemptions to meat products. Why

doesn't your bill exempt meat products?

SENATOR HARCKHAM: Through you, Mr. President. We clearly state in the law that -- excuse me, guys. I'm sorry.

(To Senator Gianaris) Mike? Mike? Mike?

ACTING PRESIDENT COONEY: If we could have decorum in the house.

SENATOR HARCKHAM: Thank you.

Our bill clearly states that nothing in this bill overrides federal food safety legislation.

So if producers cannot find alternative packaging for meat packaging, to your point, then they don't have to. They can use whatever other packaging they have been using to keep those meat products safe.

So we did not give a blanket exemption. As we said in my earlier comments, the goal of this was not to exempt every industry on the planet, but the goal was to give reasonable off-ramps, and that was one.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: Earlier you -- in debate you said the Legislature is in charge. So who will provide the exemption, who will provide -- be able to determine whether those products are feasible or not?

SENATOR HARCKHAM: That would be -- through you, Mr. President, that will be DEC.

So whether it's the PRO looking for exemptions broadly in terms of rates and dates, or whether it's a company looking for an exemption on rates and dates, that will go to DEC, those applications.

SENATOR WALCZYK: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: How many state legislators -- since the State Legislature is in charge of this process, how many state legislators serve in the DEC?

SENATOR HARCKHAM: Through you, Mr. President. When we were talking about the State Legislature being involved, we were comparing it to another bill. And what we are doing is we are setting the reduction and recycling targets. And the recyclability determinations, those percentages, those are all laid out in the law.

I was saying that our law is more prescriptive. I was not saying we are involved in the implementation. We create laws, and the executive branch and the agencies implement and administer laws.

So I was not intimating that we were involved. What I was saying -- and if I need to clarify, I apologize -- was this law is much more prescriptive than another law that a question was raised about.

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

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: How would plastic safety rings, tamper proofing for pickle jars or plastic -- the thin plastic that goes over a plastic tub before the top of it goes on there -- how would those safety measures be impacted by this legislation?

SENATOR HARCKHAM: Through you, Mr. President. It's cumulative. So as long as they are making that up in other areas of that individual package or across the product line, it would have no impact at all.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield?

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: What if someone

in the industry -- and I know you've talked quite a bit about Kraft Heinz, for example -- if, you know, they've got cream cheese in a plastic tub that has that thin lid. Obviously the tub is recyclable. But you're telling me that plastic safety measure, they would have to make up somewhere else in their portfolio? Am I reading that right?

SENATOR HARCKHAM: That is correct.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: So if an industry has already gotten to that 87 percent but they're saying, It is critical for USDA compliance and for us to have this safety measure, we've done all that we can, we don't have an additional 13 percent -- where in their portfolio could they possibly come up with this? How can we force them to -- after they've done their best as a

corporation, how can we force them to remove that safety seal or take that product off the line?

SENATOR HARCKHAM: Well, through you, Mr. President, we're not forcing anyone to remove safety seals. As we said, nothing in this law preempts federal food safety requirements.

Number two, we don't know that -- you know, I've said 87 percent because that's the number that they've used publicly. We don't know they can't get to 90 to 95 percent. But if it is not technologically feasible for them to get there, they can apply for a waiver.

So, for instance, companies that sell organic earth products, soil and mulch and things like that, when I was a kid they used to be sold in paper bags. And they would get wet, they would get muddy, so nurseries used to have to cover them with tarps. Now they're stored -- they come in plastic bags.

And we have heard some concern that in 12 years they may not able to be reach the goal. They're working on new technologies, they don't know if they will be there. They can apply for a waiver to DEC and say, Hey, look, this is the science of the polymers, this is where we

are, we think we're two years away, but we're going to be late. Can we have a waiver to get there? And DEC, after reviewing the science and reviewing what they say, can say, You know, you're right, you've got another two years to comply.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: Yeah, I appreciate that. Because we've essentially eliminated botulism, it's not much of a concern in our society, and I have a lot of concerns about the safety seals that go over food packaging. And so does the industry, especially the industry that's worked to advance.

I know a number of times in this debate you've said they could do a lot better, there's a ton of waste out there. There's many industries that your legislation is impacting

right now that have done their darndest to reduce and get as efficient as they possibly can with every material. Because the market demands it, frankly, not necessarily just out of environmental stewardship. Sure, that, and recycling plastics. But because the market demands that they bring those margins down for their own business model.

SENATOR HARCKHAM: And to that point, if I may, just very quickly. I agree with you. You make an excellent point. And that's why we have the 12-year lookback.

So if companies have already done this, when the law goes into effect companies can say, This is what we've done over the last 12 years. They get credit for that. They get credit towards what the future goals are. And that's how we reward the good actors.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: Yeah, on that point, you're aware that it takes between five and 10 years for the food industry to develop a new packaging product and then get USDA approval for that project -- for that product?

SENATOR HARCKHAM: Through you, Mr. President. My father was in the packaging business, so I've learned a lot about the packaging business growing up. It is a lengthy process.

And, you know, one of the things he said was when plastic first came out in really the '70s -- started to see some in the '60s, but food packaging really in the '70s was -- it was a revolution because of what you talk about: Food safety, shelf stability, easier to transport, much safer.

And then later years in his life he said, But we never anticipated the waste. Because back then landfill space was plentiful. We had been told this false notion by the plastics industry that it was all recyclable. And in fact it was being shipped to Asia.

So what started out as really a miracle wonder packaging product has become a

nightmare as we see how hard it is to get rid of this stuff and what the health impacts are.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: So I know earlier in the debate we talked about PVC a bit. This is on -- PVC is on your list of toxins, is that correct?

SENATOR HARCKHAM: It is. And remember, these are toxins in packaging. We are not removing them entirely. Through you, Mr. President. We're not -- these are not bans on these chemicals in New York State. These are bans on these chemicals in packaging.

SENATOR WALCZYK: And through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: So PVC is used in -- you know, as Senator Helming pointed out, in drinking water delivery systems as well as IV bags in hospitals. Not necessarily toxic in the way that it's applied. I notice that you chose a glass water bottle. Would the water bottle on your desk, which doesn't have a five-cent deposit, would that be impacted by this legislation?

SENATOR HARCKHAM: A good question.

(Conferring.) So through you, Mr. President. As we said, if it's not subject to the Bottle Bill, which pretty much all refillable water bottles like this would be, it would be under the provisions of this law.

However, it can have recycled content, it can be reused, refilled. There are a number of ways that they can comply.

And just if I may, Mr. President, to your point about PVC in medical products, all medical products are exempt in this bill. I know there was a question about that last year. Just

to be clear, all medical products are exempt in this bill.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: So the water bottle on your desk, the PVC ring that's inside the cap, then, this -- the company that produces that bottle would have to redesign that or make up for that little PVC ring out of the water bottle that you're drinking? Is that how I'm understanding this?

SENATOR HARCKHAM: Through you, Mr. President. If there's PVC in the product, because it's food packaging, yes, it would be banned and they would have to come up with another technology.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: You've also listed PVDC, Saran Wrap, as a toxin as well, is that correct?

SENATOR HARCKHAM: Through you, Mr. President, would you repeat the question again?

SENATOR WALCZYK: Yeah, PVDC. So I would point you to page 21, where you list toxins, polyvinyl chloride, PVC, and including polyvinylidene chloride, PVDC. Saran Wrap being the most common application for PVDC. See that listed right there on line 48.

SENATOR HARCKHAM: That is accurate, Senator.

SENATOR WALCZYK: And through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: Is Saran Wrap toxic?

SENATOR HARCKHAM: We are saying that the chemical is known to be toxic, yes.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: And so then carrying that forward, adding to the ban on toxics in this section of the bill, page 22, gives a -- this would be a $10,000 fine if someone were to sell a product that had Saran Wrap on it in the State of New York once your bill goes into effect?

SENATOR HARCKHAM: Through you, Mr. President. To your question, Senator, is -- I am not going to say a particular product is dangerous.

But what the chemical -- the PVDC is a known carcinogen linked to toxic effects in nearly every major organ system. We can go further as to what the health impacts are.

The fine is not directed. So if you're a local deli and that's how they wrap their sandwiches, the fine is not to them, the fine would be to the company that's producing and selling the product to New York.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: So once your bill goes into effect, any company that would sell the Saran Wrap in the State of New York, you wouldn't be able to use Saran Wrap anymore if this goes into effect for a bake sale or at a deli, it wouldn't be accessible, because the company selling it would have a $10,000 fine for selling it in the State of New York.

SENATOR HARCKHAM: Through you, Mr. President. There are other applications and other chemicals that can be used in wraps. They don't have to use this chemical. That's the whole thing. We get back to the earlier question about is a certain bottle or package going to be banned.

This is not about banning packaging that -- alternatives are out there, and we encourage alternatives. We just -- what we're trying to do is get safe, sustainable packaging.

SENATOR WALCZYK: Quickly on the bill.

ACTING PRESIDENT COONEY: Senator Walczyk on the bill.

SENATOR WALCZYK: So just -- clearly, and I just want to button that up, what this effectively is, is a ban on Saran Wrap in the State of New York. If you were to sell Saran Wrap in the State of New York, that will be a $10,000 fine.

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

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Through you, Mr. President, we've just been advised by counsel that they no longer make Saran Wrap with PVDC. They now use a different application. So as long as what they're making it with is not on the list, then they're fine.

SENATOR WALCZYK: Does he yield, Mr. President?

ACTING PRESIDENT COONEY: Will the sponsor yield for questions?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: That's not my understanding.

But the bill's ban on toxic materials applies to packaging materials, but it's unclear if packaging includes the five-cent -- we talked about five-cent bottles a little bit. I think actually in this debate you've made that a little bit more clear. You did say that the Bottle Bill containers are exempt, is that correct?

SENATOR HARCKHAM: That is correct, Mr. President.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: And that includes plastic bottles that are part of the Bottle Bill as well?

SENATOR HARCKHAM: Through you, Mr. President, absolutely.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: Is that true even if those plastic bottles have BPA in them?

SENATOR HARCKHAM: Good question. Through you, Mr. President, they are

exempt.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: Why?

SENATOR HARCKHAM: Through you, Mr. President, is we're talking about the systems. And the Bottle Bill is a separate system. And we're talking about a recycling system here.

Again, so this is -- if they are not covered -- under this bill, if they're part of the Bottle Bill, they're not covered.

And, you know, perhaps if you, Senator, would like to offer a companion bill to -- that would say we need to take out those chemicals in all packaging, not just things covered by this bill -- which is a lot of packaging -- you know, we'd be happy to entertain that.

But you do raise an interesting point.

SENATOR WALCZYK: Mr. President. Quickly on the bill.

ACTING PRESIDENT COONEY: Senator Walczyk on the bill.

SENATOR WALCZYK: I got it. Just to button that up, if you pay five cents for a deposit, we will allow, at least by the chairman's view, toxic plastic bottles to be available to you if you pay that five cents.

However, if it's packaging that you don't pay a five-cent deposit on and -- we will not save you from those harmful things.

But if the sponsor will continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: The definition of packaging in this bill, it's not clearly defined. You do define packaging materials, you list them out. Toxins, all those things --

SENATOR HARCKHAM: Through you, Mr. President. We did -- we did have a lot of time and there is a lot of verbiage in here defining exactly what the package is.

Through you, Mr. President, this is a very lengthy section of the bill with many subsections. If it's all right, I'll just read the first paragraph, Mr. President. Happy to read other sections if the Senator would like.

"'Packaging material' or 'material' means a discrete material or category of material, regardless of recyclability, including but not limited to such material types that are flexible foam or rigid material, including paper, cardboard, plastic, glass, metal, or multi-material that is used for the containment, protection, handling, delivery, transport, distribution or presentation of another product that is sold, offered for sale, imported or distributed in the state, including through an internet transaction and single-use plastic products."

"Packaging material does not include," and then there are a number of things that it does not include, things like, you know,

medical equipment, medical foods, and some of the other things that we've discussed.

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

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: On page 25 you talk about the recyclability criteria. On line 23 of page 25 you require producers of products sold in New York to have a consistent regional market for purchase of new products.

What happens if those markets don't develop? These things are outside of the control of producers. They don't get to decide whether there's a market.

SENATOR HARCKHAM: Through you, Mr. President, that is the whole point of the Producer Responsibility Organization, is to create those regional markets to make the efficient -- the system much more efficient.

SENATOR WALCZYK: Through you,

Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: But my question was what happens if those markets don't develop.

SENATOR HARCKHAM: Through you, Mr. President. As with other areas of the bill, if someone cannot comply because of market conditions or technology, they can apply for a waiver. Or the PRO, on behalf of everybody in the system, can apply for a waiver.

That is one of the waivers that we haven't spoken about, is that when the Producer Responsibility Organization puts this whole marketplace together, after they've done their analysis, two-year analysis, they can go to DEC and say, Look, we have done a thorough analysis and we honestly believe we can't get to these markets for 14 years, not 12 years.

Then DEC has the ability to grant them a waiver and move it from 12 years to

14 years. So there is flexibility to address that.

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

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: This bill includes provisions for packaging reuse programs and requires producers to develop packaging reuse infrastructure.

How do you reuse a Go-Gurt packet or a string-cheese plastic packaging? How do you reuse those things? How would you develop a reuse infrastructure for those products?

SENATOR HARCKHAM: Through you, Mr. President, it's not on every single product item.

So, for instance, you might be old enough to remember this and I don't mean to insult you, but I certainly remember this, is when I was a kid we bought soda bottles, they

came in thick glass. And when we were finished with them, we rinsed them out, we put them in the garage, and then when my mother got sick of looking at them, we took them back to the grocery store and they were refilled.

That's what a circular economy is.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes, Mr. President.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: DEC's Air Guide-1 lists 1,000 chemicals. This bill says that toxic substances, including a chemical or chemical class that may have adverse air quality impacts. Are these thousands of chemicals eligible for a ban?

SENATOR HARCKHAM: Through you, Mr. President. We have -- in consultation with public health experts, we have identified 12 for a ban. Things like PVC, lead, cadmium -- some of

the ones that we talk about quite frequently.

A mechanism is set up where there is an advisory group that would discuss the potential for future chemicals that could be banned that would entail a rigorous scientific process in order to prove that these chemicals were harmful.

The reason we're going down this road is plastic packaging has a range of 13,000 chemicals. Many of them are not regulated by the federal government. Many we don't know the health impacts. They're used for color, they're used for shape, they're used for texture. Many of them may be benign.

But we know through our public health advocates there are dozens of chemicals that have been tested and peer-reviewed to have adverse impacts on public health. And those are the chemicals that we want to get to.

SENATOR WALCZYK: Through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: Yeah, my question was specifically about the DEC's list of over a thousand chemicals that could impact air quality. Would all of those thousands of chemicals, would those be eligible for a ban under this legislation if DEC determines such?

SENATOR HARCKHAM: Through you, Mr. President. It depends. Like we're not -- this bill does not scoop in the thousand bills that DEC may be talking about. Right now we've identified 12 chemicals. This bill has identified 12 chemicals to be removed from packaging.

If one or more of those 12 happen to be on that list, so be it. But that is not the list -- the list of the 12 chemicals were derived from public health experts based on peer-reviewed science as to adverse health impacts to humans.

SENATOR WALCZYK: Thank you.

Mr. President, I'll go on the bill.

ACTING PRESIDENT COONEY: Senator Walczyk on the bill.

SENATOR WALCZYK: So as was stated

earlier, York University says that this bill will increase consumer costs by $3800 in a five-year period per household in New York.

But this bill, which claims to be friendly to the environment, won't just cost New York families, it will result in producers of products leaving New York State, taking jobs with them. It will result in fewer products online. And New York consumers can look forward to the "not for Sale in New York" when they shop online for many products.

That will result in fewer options on shelves, which means that the products that are on the shelves will increase in cost. It will result in more food waste, as was displayed earlier. It will result in market uncertainty. And I'm not even convinced, after this lengthy debate, that it will ultimately be better for the environment in New York.

In fact, it's very likely that in at final tally we will have once again shocked the world that we've passed a very thick and complicated bill giving a bunch of authority to the Executive and a bunch of bureaucrats in DEC, and the only thing that's resulted is we've made

it less affordable to live in the State of New York, more inconvenient to live here, and we will be a shining example for other states of what not to do in their state legislature.

I'll be voting no, and I encourage my colleagues to do the same.

Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator.

Senator Murray -- oh. Senator Murray, why do you rise?

SENATOR MURRAY: Thank you, Mr. President.

I'd like to go on the bill, please.

ACTING PRESIDENT COONEY: Senator Murray on the bill.

SENATOR MURRAY: The sponsor has been answering a lot of questions, so I'm giving you a little break now.

SENATOR HARCKHAM: Thank you.

SENATOR MURRAY: In listening to the debate, I've heard -- and I want to talk about -- Senator Stec made a comment earlier about how many memos we've seen attached to this bill. I've never seen so many memos of either

support or opposition to one bill.

I had to take all of them out of my binder here. It got too heavy. I mean, they're just everywhere.

And in listening to this debate, it was clear why. Because each one is saying something different. And they seem to contradict each other. So I'll hear somebody quote one study, and then another one says, Well, I heard a study that said this, and that's not really that, and this, that and the other.

One of them's going to save companies money and save governments money and save taxpayers money, and the other one's going to drive up costs.

So I figured, you know what, let's just listen and try to clear through all of the muck here.

So I looked at -- earlier this year President Trump, when he got into office, said I'm going to address the unfair trade practices. And his way he was going to do it was through raising tariffs, kind of calling the bluff of some of the other nations. And, yeah, increase the tariffs.

And immediately you heard from the other side: This is going to cost Americans so much money, and food will be -- we can't afford to eat anymore. We're all going to die, all the food prices are going to go so high. Because the theory was you raise the tariffs, it increases the cost on the companies and those importing or exporting, and in doing so they'll pass those increased costs on to, you got it, the consumers.

But somehow that theory disappears when we talk about this bill. Of course if we're changing the packaging practices and forcing companies to change how they're doing it, it's going to drive up costs. There's no doubt. There's no question. When that happens, what do the companies do? They pass it along to the consumers. So yes, it will cost more. It's that simple.

So we've heard all the studies, all the experts that -- so I'll use one of my own here, Dr. Calvin Lakhan from York University. He's an expert in environmental studies and urban change, and also an economist, has a degree in economics. And he says the EPR compliance fees can raise consumer prices on staple goods by 2 to

6 percent, and that this cost burden falls disproportionately on lower-income households who spend a higher percentage of household income on packaged food compared to higher-income households.

Now, all during the budget process we heard the Governor and everyone running around using the word "affordability." Everything was about "affordability." In fact, a lot of us in the chamber, myself included, pushed really hard for the universal free meals in schools for kids. And the Governor, in her release, touted that, saying free school meals are estimated to save families $165 per child in grocery spending each month.

But now we go to this economist, and if this bill goes through and we increase costs, well, that savings seems to be out the window now. And it's especially going to hurt those who struggle to feed their families in the first place.

In fact, I saw another interesting statistic. We talk about the SNAP benefits. The average household of four that is a recipient of SNAP benefits -- again, these are the families

struggling to feed their families -- they receive between 900 and $1,000 a month in SNAP benefits. And what are we going to do? We're going to make the costs even higher on them to reduce what they get from their benefits.

So again, as we talk about affordability, we're taking some steps in the budget but now we're going to take a step backwards here and we're going to hit families in the pocketbook again.

So again, trying to go through all of what I've listened to during this debate, it's become pretty clear we're not there yet. We're just not there yet.

I commend the sponsor. Man, he has worked his tail off on this. And as he said, he introduced this bill a couple of years ago and since then has made dozens of changes and amendments. Why? Because it's not simple. This is complicated. I'm sitting here listening to packaging of little ketchup packets and the foil to cover the yogurt containers and Lunchables and this, that and the other. And every time there were other terms: Off-ramps, waivers. I heard, well, in 12 years -- we sent men to the moon in

10 years, we can definitely fix this in 12 years. But then in the next breath, we've heard that it's not technologically feasible yet.

So which is it? And that's my point. We're not there yet. I mean, even in this debate I heard contradictions left and right. I heard the sponsor invite one member to introduce another bill to cover things that weren't covered. Well, guess what? There has been another bill introduced. The Affordable Waste Reduction Act has been introduced. I actually think I prefer that bill.

My point is, we're going to rush into this, we're going to pass this bill and, as Senator Walczyk said, we're going to have with us this big thick bill -- that does what? Causes more confusion? Causes prices to go up? That's not what we want.

If we're really trying to solve the problem, we need more work. We need to keep rolling up our sleeves. I'll work with you any way I can. We should look at both of the bills, the one that we're discussing here and the Affordable Waste Reduction Act, see what works here and there. But there is more work to be

done. We are not there yet.

And that's why tonight I will be voting no on this bill.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator Murray.

Senator Rhoads, why do you rise?

SENATOR RHOADS: Thank you, Mr. President.

Will Senator Harckham be kind enough to yield to what I promise will be only a few questions?

(Laughter.)

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Thank you, Senator Rhoads.

Through you, Mr. President, I do.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR RHOADS: Through you, Mr. President. Obviously we considered earlier today in our chamber the nomination of the new secretary who will run the Department of Environmental Conservation, Amanda Lefton. I

assume that you voted yes on that nomination?

SENATOR HARCKHAM: I passed her through my committee. Yes, I did, sir.

SENATOR RHOADS: Okay. And will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Through you, Mr. President, yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR RHOADS: And she has a vast amount of experience -- senior policy director for Energy and Climate, with Foley Hoag LLP, deputy policy director, climate mitigation lead for the Nature Conservancy, worked in the Biden administration, in the Bureau of Ocean Energy Management, senior vice president for RWE offshore. Clearly a qualified candidate.

Though in your legislation, in the D print of the legislation, the Department of Environmental Conservation, a department full of experts in the area of climate, in the area of sustainability, it removed the ability of the DEC to actually extend deadlines, is that not

correct?

SENATOR HARCKHAM: Through you, Mr. President, no. Through the waiver process DEC can. An application can come from the Producer Responsibility Organization after they put together the plan based on their feasibility study, then go to DEC, as I mentioned earlier, and say, You know what, we need two more years as a PRO to get this done. Individual companies, as we discussed before, if they have an issue with technological feasibility, they can apply to DEC for a waiver as well.

What we took away from DEC was in the original construct of the bill, this is the PRO structure that we had, that was run primarily by industry and overseen by the DEC. So in a later version of the bill, our colleagues in the Assembly wanted to give DEC more robust control. And so we changed the bill so that DEC would have a much, much, much more active role in the Producer Responsibility Organization.

The issue was DEC came to us and said, If you want us to do this, we're going to have to hire scores of people to manage this. We're just not set up to do this.

So we went back to the original structure. So DEC, Mr. President, does have that ability to extend waivers, but they also have, through the inspector general, the ability of enforcement.

SENATOR RHOADS: Will the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Through you, Mr. President, a quick correction.

You are correct on the reductions, right? Correct on reductions. The waiver can be on recycling.

SENATOR RHOADS: Thank you, Senator Harckham. I appreciate that clarification.

Will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR RHOADS: Thank you, Senator Harckham. Through you, Mr. President.

The Department of Environmental Conservation can grant waivers on a case-by-case basis, correct?

SENATOR HARCKHAM: Through you, Mr. President, correct.

SENATOR RHOADS: But -- if the sponsor will continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR RHOADS: But they don't actually have the ability to extend the deadlines on their own. They can grant waivers on a case-by-case basis, they can grant a waiver to the PRO. Right?

SENATOR HARCKHAM: On rates and dates they can.

SENATOR RHOADS: But the 12-year implementation deadline, if it turns out not to be feasible, the Department of Environmental Conservation in and of itself doesn't have the ability to extend an overall deadline.

SENATOR HARCKHAM: (Conferring.)

So it's on the reductions that DEC can't grant the waiver.

The recycling part, they can grant a waiver. They can grant a waiver on the lookback, 12-year lookback period.

And where federal law -- as we were talking about in the food safety discussion, where food -- federal food safety would preempt this law.

SENATOR RHOADS: Thank you, Senator Harckham. Will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR RHOADS: This chamber provides the Department of Environmental Conservation all the time the discretion to be able to implement a bill. The policymakers -- us in this chamber -- may not necessarily have the expertise, and I would guarantee don't have the expertise that the Department of Environmental Conservation has.

If the goals are not possible, why doesn't the DEC, in your legislation, have the ability to adjust the goals or to adjust the timelines?

SENATOR HARCKHAM: Through you, Mr. President. They do have a fair amount of flexibility. We think -- and we've added an extra two years. We think 12 years, really on top of another two years, right, because of the study -- that's 14 and a half years.

As we said earlier, when we put our mind to it, we put a person on the moon. And granted, this was back in the early '60s. Think about where science and technology was in the early '60s. We have 14 and a half years to technologically come up with the solutions that many companies are close to having anyhow.

SENATOR RHOADS: Thank you, Senator Harckham.

Will the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: As long as I'm standing.

(Laughter.)

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR RHOADS: I want to switch to the issue of availability. In many areas of the state people shop for groceries once a week because of how far away the grocery store is. The packaging that we're potentially banning in this bill -- or requiring it to be substantially changed, if it's possible -- increases the shelf life for food, and is what allows a family the convenience to be able to shop only once a week.

Are you expecting families to have to shop more frequently in order to keep the food in their refrigerators fresh?

SENATOR HARCKHAM: Through you, Mr. President, no. This would not impact that. Again, as we've said, nothing in this bill overrides federal food safety.

But let's go back to the ketchup discussion. Subsequent to our conversation before, somebody reported to me that Kraft Heinz has developed and announced a fully recyclable ketchup bottle for the European market. So if they have a fully recyclable ketchup bottle in the European market, why is it such a hardship to

bring that here? They have it. This company is doing it.

SENATOR RHOADS: Will the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR RHOADS: This bill applies to more than ketchup bottles, doesn't it?

SENATOR HARCKHAM: Through you, Mr. President. Yes, it does.

SENATOR RHOADS: Okay. Oh, incidentally -- briefly on the bill.

ACTING PRESIDENT COONEY: Senator Rhoads on the bill.

SENATOR RHOADS: The Apollo program, which included the moon landing, cost approximately $25.8 billion in 1960 to 1973 dollars, according to the Planetary Society. Adjusted for inflation, that translates today to about $318 billion. So while things are possible, they may certainly come with an extraordinary cost.

Will the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: I will, Mr. President.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR RHOADS: Going back to the questioning from Senator Stec, we spoke about whether there was a figure from either Canada or Minnesota as to the amount of money that was actually saved by municipalities as a result of this bill. I know you didn't have an answer at the time and that we were going to struggle to find that answer. I was just curious if we had it after almost two hours of debate.

SENATOR HARCKHAM: One moment, Mr. President.

Through you, Mr. President. We have found one estimate for Ontario that the communities in Ontario are saving $150 million annually. That's just an estimate.

The other thing I would say, Mr. President, is we found another cost study. Oregon did a study on their program and, what was

it, 56 -- (conferring).

Excuse me. Half a cent per item. Half a cent per item was the cost that Oregon found.

SENATOR RHOADS: Will the sponsor continue to yield to one additional question.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Yes, absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR RHOADS: And how much of that savings was actually passed along to consumers?

SENATOR HARCKHAM: Of the 150 million?

SENATOR RHOADS: Or of another --

SENATOR HARCKHAM: For Ontario?

SENATOR RHOADS: For Ontario or of the --

SENATOR HARCKHAM: Through you, Mr. President. Whatever money -- excuse me.

Mike? Senator Gianaris, I'm sorry. I'm tired.

(Laughter.)

SENATOR HARCKHAM: Whatever -- I apologize, I do. Whatever money a municipality may save, we give them the flexibility to do what they want.

So for instance, your municipality -- I'm just making this up -- one of yours may want to give it back in tax relief. Somebody else's district may say, you know what, our kids are in crisis, we want to hire three social workers. They may do that. Another may say, you know what, we need to build a new police department, this will help offset some of the costs for that.

So the flexibility in what the municipalities do with their savings are up to the municipality. It's not for me to tell them what they should do with their money.

SENATOR RHOADS: I appreciate that, Senator Harckham. Thank you for answering my questions.

Since we're limited on time, I'll just go on the bill.

ACTING PRESIDENT COONEY: Senator Rhoads on the bill.

SENATOR RHOADS: Thank you very

much, Mr. President.

In this chamber we speak about affordability all the time, yet we do very little with respect to affordability. Senator Harckham made the observation early on in this debate that this bill is not designed to put cash back in consumer pockets.

But what we are seeing is that it will be taking money out of the pockets of consumers on a regular basis. We were referring to several studies, and Senator Murray actually referred to the Beyond Plastics study, which claimed there being savings.

But studies that are produced by actual economists, like the economist at York University, show that this is going to result in a 4.25 to 6.75 percent cost increase for the consumer, an average increase of $38 to $61 a month in the grocery bill of a family of four in New York State, translating to $456 to $732 a year.

In an environment where the cost of groceries has already gone up by more than 23 percent since COVID, this is putting an additional burden on families, particularly

low-income families like our SNAP recipients, who a family of four receives only $975 a month to purchase groceries.

You start adding costs of $38 to $61 a month, that's the difference between whether they're going to be able to afford to purchase these products. And these products are ones that they have to buy. It's not like you can find a cheaper alternative.

You know, and you're going to have difficulty now, as a result of this legislation, buying things in the same condition that you see them today that families rely on on a daily basis -- fresh meat, hot dogs, bacon, sausage, cheese, shelf-stable items that are sold in flexible packaging like chips, pretzels, nuts, will all be substantially changed, if not blocked, as a result of this bill.

This is another instance where the Legislature is setting a bold goal without having any idea how we are actually going to get there. And just like the CLCPA and our grid issues, just like the electric bus mandate, which we just had to delay, just like so many things that happen in this chamber, reality is going to slap us in the

face after spending millions upon millions of dollars to find out that we simply can't accomplish the goal in the time that's provided.

That's why I will be voting no, Mr. President. Thank you for your indulgence.

ACTING PRESIDENT COONEY: Thank you, Senator Rhoads.

Debate is now closed.

The Secretary will ring the bell.

Read the last section.

THE SECRETARY: Section 4. This act shall take effect immediately.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Mattera to explain his vote.

SENATOR MATTERA: Thank you, Mr. President.

And to Senator Harckham, you know, I'm listening to you and, you know, we did this last year. And again, last year you talked about the great Local 812, the 3,000 Teamsters. You pretty much said again that you know what, ah, they're a little local, they don't matter.

And you know what? I'm appalled by that again. And you know what? You're probably going to get up and say something, but you know what, all these hardworking men and women of labor and their families care about their jobs.

And so again, I'm appalled. But let's talk about this, Senator. Legislative Memorandum Amendment Request from Teamsters Joint Council 16, Teamsters Joint Council 18, Teamster Joint council 46 -- together, 120,000 men and women.

"We appreciate the progressive approach which the sponsor has taken in resolving the concerns previously raised by us, and urge that the above matters be addressed as well.

"In conclusion, while the Teamsters share the common goal of packaging reduction with the sponsors, we cannot support legislation which could be described as threatening the employment of our members who deliver beverages to millions of New Yorkers. We urge the sponsor to amend this legislation."

So you know what, Senator? You said that the New York State Conference of Teamsters did not -- they were neutral. Well, guess what?

They are not neutral. They oppose this, and they want an amendment.

I vote no and I urge everybody to vote no for this bill that is a disaster to all New Yorkers. It's going to cost everybody out of their pockets, and we have over 100 oppositions on this, memos.

And I was wondering if our Senator went and spoke to every single one of these hundred businesses, all these workers, to make sure that, you know what, they understand what's going on, that they're going to lose their jobs. Over a hundred that's right here.

So you know what? Again, please, vote no.

ACTING PRESIDENT COONEY: Senator Mattera to be recorded in the negative.

Can we have order in the house.

Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

My City of Syracuse has an unwanted river running through it, a river of trash trucks ferrying solid waste from downstate to the largest landfill in New York at Seneca Meadows.

That landfill is at capacity, and it either must be expanded or shuttered.

My constituents in the Finger Lakes don't want their region to be known as the trash capital of the state or a repository for a host of contaminants. My city and surrounding towns don't want that river of trucks. They don't want to keep breathing the exhaust from those trucks or keep paying to repair the roads. We don't want to bear the cost of a throwaway culture.

For centuries, American producers and retailers have relied on a system where they sell their products and forget about them. Consumers use their products and throw them away. "Away" is something taxpayers pay for, in the form of hauling and disposal at landfills and incinerators.

This system of zero producer responsibility has led to them putting out into the world vast amounts of packaging, including all sorts of toxic chemicals and persistent materials like Styrofoam and PVC.

This bill is a sensible and carefully negotiated effort to enlist producers of materials in figuring out ahead of time what

will happen to those materials so they don't just become a burden on local governments, on our air and water and soils, on our bodies and on our posterity.

I want to thank Senator Harckham for his monumental work putting this bill together, for his monumental debate skills, and for -- and all of my colleagues who are supporting this for making a difference for my community, for our local taxpayers, for our bodies, for our future.

Thank you. I vote aye.

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

Senator Harckham to close.

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

And I want to thank colleagues for staying so long, for your persistence. I want to thank colleagues on the other side of the aisle for the tenor of the debate. There are some things we obviously disagree on, but it was a high-level debate. I want to thank you for that.

I want to thank all the people who worked on this -- my staff, central staff, I want to thank the Majority Leader, who committed

several significant resources to our effort on this because she believed in this and gave us the resources we needed to do the research.

I'll just say a couple of things. You know, we had the debate last year. A lot was said then. A lot was said now. I just want to say a couple of things.

Number one, to a point that was just made, I personally spoke to hundreds of businesses, hundreds of businesses. And my staff spoke to hundreds more. And we spoke to them on multiple occasions, which is why we have five drafts of the bill. And in the last draft of the at bill we made 26 -- I used to say 25. I saw the list; actually 26 major modifications, because we want to get a bill that's actionable.

And the reason this bill is so vital is, as Rachel May, Senator May just mentioned, you know, our landfills are filling up, we're not recycling, we're burning plastic, it's leaching. But one of the things we didn't talk about as much in the debate last year as this year is in the last year there is alarming, alarming peer-reviewed health information about the human harm of microplastics and nanoplastics. And we

have seen products that the opposition used last year to say this bill would be horrible to disadvantaged kids taken off the market, literally taken off the market because of excess levels of chemicals that we would ban here.

So yes, this is a waste bill. Yes, this is a recycling bill. This is a human health bill. This is a human health bill. And microplastics and nanoplastics are now the threat of our time.

And so the one thing I want to say to close is I think our founding fathers would be proud of this debate. I think they would be appalled by the amount of money that has come from special interests to oppose this bill. In my seven years here I have never seen anything like it. Over $2 million spent to oppose this bill. This is Washington-style money. And this is our public health. This is our kids. We should be appalled.

You know, the same folks who brought us DDT and paraquat and Agent Orange and PFAS are now saying here in New York we can't protect our kids from the harmful impacts of chemicals. Let's just keep producing more single-use

plastic, more single-use plastic. Let's keep on doing it just because we can.

I say that's appalling. And I'm so proud of members of this chamber that today we're going to stand up and say our kids' public health is not for sale.

I vote aye.

(Applause.)

ACTING PRESIDENT COONEY: Senator Harckham to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Those Senators voting in the negative on Calendar 1216 are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Cooney, Gallivan, Griffo, Helming, Lanza, Martinez, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, C. Ryan, Scarcella-Spanton, Stec, Tedisco, Walczyk, Weber and Weik.

Absent from voting are Senators Parker, Ramos and Sutton.

Ayes, 33. Nays, 25.

ACTING PRESIDENT COONEY: The bill is passed.

Senator Gianaris, that completes the

reading of the controversial calendar.

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

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

SENATOR GIANARIS: I move to adjourn until tomorrow, Thursday, May 29th, at 11:00 a.m.

ACTING PRESIDENT COONEY: On motion, the Senate stands adjourned until Thursday, May 29th, at 11:00 a.m.

(Whereupon, at 8:25 p.m., the Senate adjourned.)