NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 20, 2026

3:21 p.m.

REGULAR SESSION

SENATOR SHELLEY B. MAYER, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

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

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

ACTING PRESIDENT MAYER: Reading of the Journal.

THE SECRETARY: In Senate, Sunday, January 18, 2026, the Senate met pursuant to adjournment. The Journal of Friday, January 16, 2026, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Ryan moves

to discharge, from the Committee on Rules, Assembly Bill Number 9435 and substitute it for the identical Senate Bill 8820, Third Reading Calendar 39.

ACTING PRESIDENT MAYER: 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, Madam President.

There will be an immediate meeting of the Rules Committee in Room 332.

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

SENATOR GIANARIS: The Senate will stand at ease.

ACTING PRESIDENT MAYER: The Senate will stand at ease.

(Whereupon, the Senate stood at ease

at 3:23 p.m.)

(Whereupon, the Senate reconvened at 3:36 p.m.)

ACTING PRESIDENT MAYER: The Senate will return to order.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Madam President.

I believe there's a report of the Rules Committee at the desk. Can we take that up at this time.

ACTING PRESIDENT MAYER: The Secretary will read.

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

Senate Print 1703, by Senator Webb, an act to amend the Education Law;

Senate Print 2058, by Senator Webb, an act to amend the Education Law;

Senate Print 3155, by Senator Cooney, an act to amend the Insurance Law;

Senate Print 4497, by Senator Hinchey, an act to amend the

Insurance Law;

Senate Print 8544, by Senator Hinchey, an act to amend the Penal Law;

Senate Print 8656A, by Senator Mayer, an act to amend the Education Law;

Senate Print 8758, by Senator Fernandez, an act to amend the Public Health Law;

Senate Print 8763, by Senator Brouk, an act to amend the Criminal Procedure Law;

Senate Print 8765, by Senator Gounardes, an act to amend the Public Health Law;

Senate Print 8766, by Senator Bailey, an act to amend the General Business Law;

Senate Print 8769, by Senator Skoufis, an act to amend the Executive Law;

Senate Print 8770, by Senator Fernandez, an act to amend the Labor Law;

Senate Print 8771, by Senator Bailey, an act to amend the Social Services Law;

Senate Print 8773, by

Senator Harckham, an act to amend the Environmental Conservation Law;

Senate Print 8775, by Senator Rivera, an act to amend the Social Services Law;

Senate Print 8776, by Senator Cleare, an act to amend the Social Services Law;

Senate Print 8777, by Senator May, an act to amend the Economic Development Law;

Senate Print 8779, by Senator May, an act to amend the Agriculture and Markets Law;

Senate Print 8784, by Senator May, an act to amend the Education Law;

Senate Print 8785, by Senator Martinez, an act to amend the Veterans' Services Law;

Senate Print 8786, by Senator Skoufis, an act to amend the Insurance Law;

Senate Print 8788, by Senator Ortt, an act to amend the County Law;

Senate Print 8789, by Senator Sanders, an act to amend the General Business Law;

Senate Print 8791, by Senator Brisport, an act to amend the Social Services Law;

Senate Print 8792, by Senator Webb, an act to amend a chapter of the Laws of 2025;

Senate Print 8794, by Senator May, an act to amend the General Business Law;

Senate Print 8796, by Senator Jackson, an act to amend a chapter of the Laws of 2025;

Senate Print 8797, by Senator May, an act to amend a chapter of the Laws of 2025;

Senate Print 8799, by Senator Fahy, an act to amend the Mental Hygiene Law;

Senate Print 8801, by Senator Baskin, an act to amend the County Law;

Senate Print 8805, by Senator Bailey, an act to amend the Education Law;

Senate Print 8808, by Senator Cooney, an act to amend the Financial Services Law;

Senate Print 8809, by Senator Addabbo, an act to amend the Civil Practice Law and Rules;

Senate Print 8811, by Senator Comrie, an act to amend the General Business Law;

Senate Print 8813, by Senator Myrie, an act to amend the Criminal Procedure Law;

Senate Print 8815, by Senator Webb, an act to amend the Executive Law;

Senate Print 8816, by Senator Fernandez, an act to amend the General Business Law;

Senate Print 8819, by Senator Persaud, an act to amend the Social Services Law;

Senate Print 8826, by Senator Hinchey, an act to amend the Executive Law;

Senate Print 8828, by Senator Gounardes, an act to amend the General Business Law;

Senate Print 8829, by Senator Liu, an act to amend the Tax Law;

Senate Print 8860, by Senator May, an act to amend the Domestic Relations Law;

Senate Print 8866, by Senator Salazar, an act to amend the

Insurance Law;

Senate Print 8869, by Senator Skoufis, an act to amend the Insurance Law;

Senate Print 8887, by Senator Sepúlveda, an act to amend the Estates, Powers and Trusts Law.

All bills reported direct to third reading.

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

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

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(No response.)

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

Senator Gianaris.

SENATOR GIANARIS: At this time, Madam President, I believe there's a privileged resolution at the desk. Let's take that up, read it in its entirety, and recognize Majority Leader

Stewart-Cousins on that resolution.

ACTING PRESIDENT MAYER: There is a privileged resolution at the desk.

The Secretary will read.

THE SECRETARY: Resolution 1471, by Senator Stewart-Cousins, commemorating the observance of the 41st Annual Martin Luther King, Jr. Day in the State of New York, on January 19, 2026.

"WHEREAS, From time to time, we take note of certain individuals whom we wish to recognize for their valued contributions and to publicly acknowledge their endeavors which have enhanced the basic humanity among us all; and

"WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, it is the custom of this Legislative Body to join the people of this great Empire State in proudly observing the 41st Annual Martin Luther King, Jr. Day in the State of New York, on January 19, 2026, taking note of his many accomplishments and contributions to mankind; and

"WHEREAS, Dr. King was a visionary leader, minister, and champion of justice whose

unwavering commitment to equality, dignity, and nonviolence transformed the course of American history; and

"WHEREAS, Dr. King was born the grandson of a slave into a segregated society in Atlanta, Georgia, on January 15, 1929; and

"WHEREAS, Dr. King was deeply shaped by his academic and theological training, having graduated from Morehouse College, attended Crozer Theological Seminary, and earned a doctorate in Systematic Theology from Boston University, grounding his leadership in rigorous scholarship, moral philosophy, and faith; and

"WHEREAS, After returning from Crozer, the Reverend Dr. Martin Luther King, Jr., delivered his first sermon at Ebenezer Baptist Church in Atlanta and became the church's co-pastor with his father; and

"WHEREAS, Dr. King emerged as one of the most influential leaders of the Civil Rights Movement, dedicating his life to the pursuit of racial justice and the dismantling of systemic discrimination against Black Americans through peaceful protest and moral courage; and

"WHEREAS, Dr. King came to national

prominence as a leader during the Montgomery Bus Boycott of 1955-1956, where his leadership helped bring an end to segregation against Black Americans on public transportation and demonstrated the power of organized, nonviolent protest; and

"WHEREAS, As a founding member and president of the Southern Christian Leadership Conference, Dr. King coordinated grassroots campaigns and frequently partnered with organizations such as the Student Nonviolent Coordinating Committee and the Congress of Racial Equality throughout the South to challenge segregationist laws against Black Americans and discriminatory practices affecting education, employment, housing, and voting rights; and

"WHEREAS, Dr. King played a pivotal role in the Birmingham Campaign of 1963, confronting segregation through mass demonstrations that exposed the brutality of racial oppression and galvanized national support for civil rights; and

"WHEREAS, Dr. King helped organize and lead the March on Washington for Jobs and Freedom in 1963, where he delivered his historic

'I Have A Dream' speech, articulating a vision of racial equality, economic justice, and unity that continues to inspire generations; and

"WHEREAS, Dr. King led the Selma to Montgomery voting-rights marches, courageously confronting voter suppression and state violence, and

"WHEREAS, Dr. King's leadership helped galvanize a national movement that challenged segregation, voter suppression, and racial violence, leading to landmark achievements such as the Civil Rights Act of 1964 and the Voting Rights Act of 1965; and

"WHEREAS, In recognition of his extraordinary leadership and unwavering commitment to nonviolence in the pursuit of justice and peace, Dr. King was awarded the Nobel Peace Prize in 1964, becoming the youngest recipient at the time; and

"WHEREAS, Through his powerful oratory, writings, and advocacy, Dr. King articulated a vision of America rooted in fairness, opportunity, and mutual respect, reminding the nation that 'injustice anywhere is a threat to justice everywhere'; and

"WHEREAS, Dr. King expanded the movement's focus to include economic justice, labor rights, and the eradication of poverty through initiatives such as the Poor People's Campaign, recognizing that civil rights and economic dignity are inseparable; and

"WHEREAS, Dr. King's finest legacy of greater social justice for all Americans was truly reflected in his devotion to serve and respect others, and in his steadfast love for all humanity, and taught us that through nonviolence, courage displaces fear, love transforms hate, acceptance dissipates prejudice, and mutual regard cancels enmity; and

"WHEREAS, Even in the face of threats, violence, and ultimately his assassination on April 4, 1968, Dr. King remained steadfast in his belief that love, truth, and nonviolence could overcome hatred, injustice, and fear; and

"WHEREAS, Despite this immense loss, the legacy of Dr. King continues to endure decades later, inspiring ongoing movements for fairness and equality; his legacy and his dream continue to be a guiding light for generations;

and

"WHEREAS, It is the sense of this Legislative Body that the common and shared responsibility of governance demands an irrevocable commitment to the preservation and enhancement of human dignity as exemplified by Dr. King; and

"WHEREAS, By honoring the life and sacrifice of Dr. King, we reaffirm a commitment to upholding democratic values and civic engagement, recognizing that we must continue his work to preserve a society that reflects the fundamental principles of equality and justice for all as expressed in this nation's founding documents; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to memorialize and pay tribute to the legendary life and achievements of the Reverend Dr. Martin Luther King, Jr., upon the occasion of the 97th anniversary of his birth and the celebration of Martin Luther King, Jr. Day in the State of New York and throughout the nation; and be it further

"RESOLVED, That a copy of this

resolution, suitably engrossed, be transmitted to the Black, Puerto Rican, Hispanic and Asian Legislative Caucus."

ACTING PRESIDENT MAYER: Majority Leader Stewart-Cousins on the resolution.

SENATOR STEWART-COUSINS: Thank you so much, Madam President.

I love the beginning of the year because it's always a big reset. It's a reset in terms of getting back to work here, the new year, all of our resolutions. And today was Budget Day, so it's a reset in taking a look at our fiscal stability in the state. And on Dr. King Day, for me, I like to look at it as a reset of our moral compass.

Every year I stand in this chamber to discuss the life and legacy of the Reverend Dr. Martin Luther King, Jr. As a child of the '60s, I had the privilege of celebrating Dr. King's birthday my entire adult life. But even as a young adult I didn't realize how his fight improved my living up North.

In the North, blacks weren't being terrorized overtly by Klans and Klansmen in white hoods and robes. We weren't being lynched. We

weren't being prevented from boating -- from voting, rather, with dogs and water hoses. However, in the North, Blacks were denied access to integrated housing, quality schools, most jobs, loans, equal justice and protection under the law.

In the teenage debates that I had with my friends when we were like, is it Malcolm X or is it Martin, which had the right direction, I never really understood how much really was at stake in this fight for Black America's inclusion in the American dream.

Nor did I realize that my access to a better job in corporate America in the late 1970s, along with other women, was a result of a lawsuit defending the rights of not only Blacks but everyone of color, and women, to have access to jobs and economic justice. I didn't realize that it was due to the 1964 Civil Rights Act that was born of the efforts of Dr. King and countless others who collectively fought for justice and equality for all.

In moving up in corporate America I met others who benefited from his sacrifice and organized fight. In addition to white women, I

added Asian friends and new friends who spoke Spanish.

When Ronald Reagan declared Dr. King's birthday a national holiday -- and yes, it was Ronald Reagan -- many of us thought that the battle was over. But year after year, there are more and more people who never lived through the pre-civil rights era, didn't realize how they and people that they know actually benefited. People who never felt or thought about the cruelty of segregation, of marginalization, the sting of being deemed inferior due to your religion, gender, color or national origin in the areas protected in 1964.

In fact, over the past 41 years of celebrate MLK, too many of us went from genuine reflection to just a day off. And frankly, in the highest levels of government, apparently the recognition of Dr. King seems to have become a problem to degrade and discard.

Sadly, I understand why. In today's America, people are being profiled because of the color of their skin, their language, where they came from. Today our neighbors are being abducted by masked government agents, taken off

the streets and detained without due process.

Today our government seems to be waging a war on every type of diversity, equity and inclusion, while calling anything acknowledging the history of government-sanctioned discrimination or exclusion, quote, unquote, woke.

This all could be discouraging and dismal had we not had the privilege of knowing an activist preacher and visionary, a so-called dreamer, who faced all this and dared to galvanize a multiracial, interreligious multitude of like-minded dreamers whose collective action changed the trajectory of American history.

And that is what I saw in my district over the weekend while attending six -- it could have been 10 -- Martin Luther King events. I was heartened meeting 100-year-old Mildred Hart, who had marched and protested for much of her adult life. And I was also heartened by meeting two 14-year-olds in Edgemont who have taken up the fight for the past six years, since they were 8, organizing a day of service in the community. After these events I was reassured that Dr. King's lessons are still filling people

with hope.

These are not easy times, but Dr. King reminds us that it is always the right time to do the right thing. And he also reminds us -- very critical at this moment -- that the ultimate tragedy is not the oppression and cruelty by the bad people, but the silence over that by the good people.

Thank you, Mr. President.

ACTING PRESIDENT MAYER: Thank you, Leader Stewart-Cousins.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Madam President.

This is an occasion I look forward to every year. I never look forward to speaking after Leader Stewart-Cousins, but I look forward to her resolution every single year because it is the anniversary of when I first spoke on the floor. And some of you lament that day because I haven't stopped talking since.

But it's important. I have said a few times -- I repeat a couple of things -- my grandfather James, the original J.T. Bailey, was born in 1929 like Dr. King. So I've always seen

a parallel of their two important lives. Two Black men from the South. Two Black men that were denied opportunity but rose above it.

So I was thinking about how much agony Dr. King went through, how much agony his family went through. But yet he still had faith. Dr. King reminded us that faith is taking that first step when you don't see the whole staircase.

Many of us who have been to church have heard the phrase "with the faith of a mustard seed." I don't know how many of you all cook, but if you've ever seen a mustard seed, you know how small it is. You know how easily it can get lost in your hands. It can very easily fall.

And he kept the faith because he believed in a greater tomorrow. Man, he believed in a greater today. You know about his prescient speech "I've Been to the Mountaintop," where he unfortunately seemed to predict his own unfortunate demise. Well, I want to bring you something that we've heard an excerpt from.

"And I say if the inexpressible cruelties of slavery couldn't stop us, the opposition that we now face, including the

so-called white backlash, will surely fail. We're going to win our freedom because both the sacred heritage of our nation and the eternal will of the Almighty God are embodied in our echoing demands.

"So I can still sing 'We Shall Overcome.' We shall overcome because the arc of the moral universe is long, but it bends towards justice. We shall overcome because Carlyle is right: 'No lie can live forever.' We shall overcome because William Cullen Bryant is right: 'Truth crushed to earth will rise again.' We shall overcome because James Russell Lowell is right: 'Truth forever on the scaffold, wrong forever on the throne, yet that scaffold sways the future.'

"With this faith we will be able to hew, out of the mountain of despair, a stone of hope."

You've heard about the moral arc of the universe, but you need to know where it came from -- a speech that he gave to Stanford University.

I try to think about the positive side of MLK and how the life lessons that he

taught are passed on today.

Yesterday, Madam President, there was a documentary that came out called Hoops, Hopes and Dreams. And Ambassador Andrew Young was interviewed. And he told the story, the true story of Martin Luther King, Jr., walking into the Butler Street YMCA in Atlanta, the only YMCA that permitted Black people to play basketball at that time. And MLK walked in with a full suit on, walked to the basketball court. He took off his jacket, but he kept his tie on and proceeded to play and demanded the ball.

Now, he went up -- and they tell the story he went up for -- right -- it's describing a move called the Euro Step in now modern-day parlance. He went up with his right hand, a six-four defendant went up, and then he went -- he did a reverse.

And Andrew Young said, "I didn't know you can do that." He said, "There's a lot you don't know that I can do."

And from then on, he called Ambassador Andrew Young his point guard for the Civil Rights Movement. You've heard me wax poetic about the power of sports and the majesty

of sports, but the reality is true. How you are on a basketball court does dictate how you live your life. Are you a willing passer? Are you willing to do what it takes for the team to win, or are you just going to shoot the ball without impunity whether your team wins or not? That's what -- that's why Dr. King chose Ambassador Young to be his point forward.

For those of you who are unfamiliar with basketball, a point guard is the one who sets the stage. You make sure you orchestrate the flow of the offense and that you put your team in the best position.

While I respect all of the work that the great Ambassador Andrew Young has done, I would say MLK is our point guard. He's our point guard for justice. He's our point guard for righteousness, our point guard for fearlessness, that North Star.

And I never knew that he played basketball, Madam President. But they spoke about how basketball back then was used as a tool to organize and grab younger folks and bring them into the movement. They were meeting people where they were at. Now you're on the basketball

court: I'm going to talk to you about why we need to make this court better, about your role in making sure that we can all have courts like this. About how we can make sure that the Butler Street YMCA isn't the only place where Black folks can play ball, Madam President.

Putting people into a movement by the use and freedom of their bodies, which were shackled. We celebrate 250 years of this country. We've only been celebrating this holiday for 41 years. We've only had our civil rights for a little bit longer than that, Madam President.

And as we celebrate 250, I want people to be reminded of what Dr. King was trying to get people to see. Some saw. Some needed to try to silence that voice. And they did in the physical form, but -- they killed the dreamer, but you can't kill the dream.

I heard this phrase at a judicial induction the other day. Reverend Patrice Wallace-Moore from Mount Vernon, I've got to give her credit. She said something that stuck with me: That we're not here to just win championships, we're here to build champions.

And that's what Dr. King was doing. He was building champions. And the further that we go away from what his mission was, the further we'll stray. Those of you who have Verizon, you lost service last week. Sometimes when you lose service it is because you get too far away from the tower. When we drift too far away from the tower, we lose the signal.

Don't forget what the North Star was saying. Don't forget why he had a dream. Don't forget about the injustices that he spoke of. Don't forget about it.

So when you go next year to your MLK celebrations, I want you to think about are you fulfilling what Dr. King said. What he said life's most persistent and urgent question was: What are you doing for others?

Thank you, Madam President. May God bless the life and legacy of the Reverend Dr. Martin Luther King, Jr.

ACTING PRESIDENT MAYER: Thank you, Senator Bailey.

Senator Comrie on the resolution.

SENATOR COMRIE: Thank you, Madam President.

I want to thank the leader for continuing to bring this resolution forward.

I'm sorry to have to speak after Senator Bailey and change the tone, because I am nowhere near going to be as articulate as Senator Bailey, but I'm going to try to get my point across.

As we rise today to honor the life and legacy of Dr. Martin Luther King, a man whose courage, moral clarity and dream for justice transformed the conscience of our nation, Dr. King taught us that the arc of the moral universe is long but it bends towards justice.

Yet he reminded us that it does not bend on its own. It takes all of us, in our streets, our schools, our churches and our seats of power, to move it forward, recognizing where we've been and how far we've come is important not just for meeting today's challenges, but for all future generations.

Our political history cannot grow and evolve without that understanding of our past. Yet there is still much work that we have to do to move forward, making sure the full history of our nation is told and preserved,

especially the stories that have been too often overlooked or left out of our archives.

I often say -- it's often said that a system that fails one group today can fail any of us tomorrow. This is why Dr. King said "Injustice anywhere is a threat to justice everywhere," and why justice must apply to everyone every time. That message is not just a history lesson, it's something that communities have to live and carry forward.

Across New York State and especially in neighborhoods like mine in the 14th Senate District, the best Senate district in the state -- really --

(Laughter; overtalk.)

SENATOR COMRIE: Argument? Okay. Well, we'll do that argument another time.

But across my neighborhoods I had many Black leaders who stood up, spoke out and did the hard work of pushing our democracy to be more fair, more inclusive and more representative. They were in the Civil Rights Movement. They pushed to expand access. They pushed to ensure that our voices were heard.

There were a few civil rights

leaders and activists that lived in District 14, and a couple that I was honored to know.

Jefferson Diggs, who worked for my predecessor, Archie Spigner, and worked me, was a renowned civil rights activist. He participated in early sit-ins against segregated lunch counters. He was one of the first African-American reporters at the New York Daily News. He was involved in community civil rights work with the NAACP and many other local organizations. He marched at Selma. He marched with King. He was very early in the process, but he resided in Queens in his last years and spread that information to many young people over time.

Also Linda McDonald {ph}, a civil rights pioneer from the East Elmhurst area. She marched also with Dr. King in the '60s. She took part in sit-ins and later led civic organizations and NAACP-linked groups advocating for racial equality and community empowerment.

Florence V. Lucas, a great civil rights leader. She was the first Black woman from Queens admitted to the New York Bar. She served as the president of the Jamaica, Queens, NAACP branch in the '50s and '60s and was later

deputy commissioner of the New York State Division of Human Rights. Her leadership was influential in expanding civil rights and antidiscrimination efforts locally and statewide.

Also Roy Wilkins, a name that many of you know, a longtime civil rights leader and longtime head of the NAACP. He was a major African-American leader and civil rights legacy. We're honored to have a park named for him in the area.

And there were many other historical figures that had Queens roots or ties. W.E.B. Du Bois, who lived in Addisleigh Park, where they're trying to put a BESS facility in a historic neighborhood -- that's a discussion for another day. To put a location which has fires all the time right next to -- less than 50 feet away from a historic home is terrible.

But we had many other national figures that lived in my district: Shirley Chisholm, Jackie Robinson, other major notable people. Queens was home for many musicians and other people. And today we also still have many people that are in my community -- I could name names for a while that

my office gave me, but I won't.

We have a proud legacy of people that have expanded Dr. King's vision of equality and empowerment. We have many people that have continued to make connections to make sure that we can continue carrying the torch, striving for voting access, fair housing, and equitable education.

The ideas Dr. King lived and died for remain living principles in our country, from our churches that marched for justice to our young organizers ensuring that every vote counts. As we reflect on his legacy, we know that Dr. King's dream was not one of complacency but of commitment to justice, to service and to community action.

So today as we honor Dr. Martin Luther King and his legacy, let us rededicate ourselves to the unfinished work of equality. Let us remember the trailblazers from New York who stood beside him in spirit and purpose. Let us remind our young people that your actions, your vision, and your decisions will echo through this chamber and our communities all over this country.

And let us remember that we need to do that with justice, opportunity and love, to ensure that our history will never be erased by anyone. Thank you.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Comrie.

Senator Sanders on the resolution.

SENATOR SANDERS: Thank you, Madam President.

I want to first thank our leader for bringing this history lesson that we need so much this day and age.

Of course I will take another moment to explain to my beloved colleague from his part of Queens that I represent the Talented 10th Senatorial District, so I won't take him that way.

But I must admit, Madam President, I was scared when I heard Senator Bailey speak. I thought he was condemning my basketball skills. It is true that if you -- if you don't play, you kind of lose it, so I thought he was condemning. But he brought me back on, and there's a role for us all, even for some of us who have to be the

water boy. So there's a role for us all.

But I want to tell you about the unfinished business of the Reverend Dr. Martin Luther King, Jr., the unfinished business. Yes, he went to the mountaintop. Yes, he did all of these incredible things. But I would suggest to you that those are not the things that got him killed. Those were things that created a certain amount of tension, a certain amount of friends of enemies.

But what got him killed was, I would suggest to you, two different things. The first is the Poor Peoples's Campaign, the Poor People's Campaign, when he started speaking on this. And the second, of course, was his position on the Vietnam War, on the Vietnam War.

Now, the Poor People's Campaign, for those who don't remember it, had to do with many different things. But you could look at four different things on it. You would look at his position on health, how he felt that there should be a universal system of healthcare so people would not have to face impoverishment or just dying. Those would not be the stock choices.

He spoke of how we should have full

employment, a full-employment society, a place where everyone who wanted a job and was willing to get out there, had a worthy job for themselves.

He also spoke of human dignity, of how we had to figure out how to love one another, that we didn't have to, in one sense, like one another, but you had to figure out how to love one another. And especially for those who may be the immigrants, the outsiders, those who we don't really know, those are who are currently being rounded up even as we speak, and ICE-ed away somewhere in other places.

He also spoke of labor rights, the rights and the dignity of humans to form unions of labor. We should study those things. Those things are under attack even as we speak.

But he also spoke of endless wars, endless wars. Now, this may sound familiar to many people, but he wasn't speaking of Venezuela, possibly Mexico, could be Canada, might be Greenland -- only God knows what we're going to do next week.

He was speaking of his day, Vietnam. Vietnam. He was speaking of the Vietnamese War,

that seemed to be an endless and a draining of the American economy.

He spoke of how you can't -- you can't fight two things. You can't have a War on Poverty and in one sense a war on the poor. You'd have to figure out which one you wanted to win. And one, I would argue, is unwinnable. If you're having an endless war on the poor, it will never be ended. But you can win a war on poverty.

And as I conclude -- and there are better speakers who will come after me -- I will remind you that the Reverend Doctor certainly could be our point guard, and should be, and all of us should pay attention to that. But he thought of himself as a drum major, just as a drum major. Not as a general, not as a big guy with a banner in his hand, just as a drum major.

And to remind you, a drum major has four functions. The first function of a drum major, of course, is to call people to battle. There is a war, let us fight it. All those who want to win, come on this side; all those who don't want us to win, go on the other side. A drum major.

The second function of a drum major is that they motivate. Going to war is often a scary process, whether you are fighting in some unknown land or you are fighting right at the end of your block, or your neighbors. Going to war -- and hopefully the war will be of the mind, something that we can win in a peaceful fashion. Going to war can be a scary thing, and a drum major calls people and motivates people.

A drum major also rallies the troops. Sometimes when you're out there -- and I would suggest that this is such a time -- you may become battle-weary. You've gone through too much. The battles never seem to stop. There's always something. Next week is it Greenland or is it this one or -- there's always something coming at you. But a drum major rallies the troops. That steady beat, that confident beat that says this is the way forward and here's where we're going.

The last thing that a drum major does is, if need be, a drum major calls retreat. He tells you, Okay, this is not the battle that we're going to win today. We're going to have to go back over this way. We're not going to just

throw the weapons and flee, we're going to go in an organized fashion and retreat.

Now, I would suggest to you, as I conclude, that the Drum Major beat many different calls but he never sounded our retreat. He never called for us to retreat on this field of battle.

And I would suggest to you that now is a time, more than any other in this winter in America, where we would see who are the true American winter soldiers, who are the people who believe in America for all of us and not just some of us, not just a talented handful over here and the rest of us. Who are those who are strong enough, brave enough to say no when everybody seems to be saying yes?

In season or out of season, the Reverend Dr. Martin Luther King, Jr., stood for morality, for health, for dignity of people that would never know him.

And I will suggest to you that we are not going to hear the call for retreat. Because every time I hear him, I hear the call to move forward, the challenge to take the next hill, to get to that golden city on the hill that he spoke of where all of us can be judged by the

content of our character and not the color of our skin.

Thank you very much, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Sanders.

Senator May on the resolution.

SENATOR MAY: Thank you, Madam President.

And I want to thank the Majority Leader for her wonderful exposition here.

I had the honor yesterday to mark the 50th anniversary citywide Martin Luther King Day celebration at the Harriet Tubman Memorial AME Zion Church in Auburn, the city where Harriet Tubman chose to spend the last decades of her life.

It was uplifting to be in the church with so many people who have been doing the work of justice for so long. But I also found myself thinking about people who are new to the struggle. Dr. King once said: "The nonviolent approach does not immediately change the heart of the oppressor, it first does something to the

hearts and souls of those committed to it. It gives them new self-respect. It calls up resources and courage they did not know they had."

I think we are seeing his words come true every day in this country -- in Minneapolis, in Los Angeles, in Portland, in Chicago, and here across this state. People just living their lives who see shocking acts of violence from masked federal agents right outside their doors, and suddenly they discover courage they never knew they had.

On this Martin Luther King Day I am so grateful for his -- his model of nonviolence and his willingness to lift up the radical notion of nonviolent resistance as a true solution to the kinds of desperate problems we're facing right now.

Thank you.

ACTING PRESIDENT MAYER: Thank you, Senator May.

Senator Ramos on the resolution.

SENATOR RAMOS: Thank you, Madam President.

You know, I imagine Dr. Martin

Luther King, Jr., must be one of the most quoted people to have ever walked this planet. But for me, more than the words he spoke, I really find a lot of meaning in the standards that he set. And standards for how a nation should treat its people and how those entrusted with power should carry it.

Dr. King reminded us that justice isn't just a feeling, it's a practice. It's something we return to day after day in the choices that we make, in the laws that we pass here, and the way we treat those who place their trust in this institution.

And his story is often told on a national stage, but in my district it's very often a local one. Before he became a voice heard around the world, Dr. King was a student pastor at First Baptist Church in East Elmhurst, Queens. He walked our streets, he learned from our congregations, he sharpened his moral vision in the company of everyday people who believed that faith, community and public life would be woven together in the service of something greater than ourselves.

That history matters because it

reminds us that the work of democracy doesn't begin in grand speeches, it begins in neighborhoods, in houses of worship, in classrooms, and in conversations among people who may not always agree but who still choose to stay engaged with one another.

Dr. King believed deeply, deeply in democracy -- not as comfort, but as commitment. In fact, the 1965 Voting Rights Act granted people who look like me the right to vote in this country for the very first time.

He knew that there wasn't any democracy without full participation, and that there's no freedom without the right to disagree. And there's no unity without the courage to keep showing up for one another even when the path forward is contested.

He called us to build what he named "the beloved community," a society where justice and peace are not rivals, but partners. Where dignity is not reserved for the powerful but extended to everyone. And in this chamber that calling takes a very real form. It looks like the laws that protect working families. It looks like systems that treat people fairly even when

it's difficult. It looks like debates that are guided by conviction but grounded in respect.

Because democracy does not only live in the moments we commemorate, it lives in the daily, often unseen work of public service -- in the way we listen to our constituents and the care we bring to our legislation, and in the standards we set for ourselves and for each other.

Dr. King measured a society by how it treats those at the margins. That remains one of the clearest tests of our work today. I mean, much like the Bible, where it says that we love thy neighbor, he didn't believe that had any asterisk. He didn't say love thy neighbor except for members of the LGBTQ community. He didn't love thy neighbor except for immigrants. He didn't say any exception to the love that we're supposed to feel for one another and to uplift each other.

So as we honor his legacy, I hope that we don't only do so with praise, but with purpose. And I want us here in the Senate to continue to lead with the values that we have and that welcome the debate without demeaning

difference. That understands that hope becomes real when it's written into law and it's felt in people's lives.

So here's hoping that we continue to bend that arc here in New York and for the generations that will inherit the world that we're building.

Thank you.

ACTING PRESIDENT MAYER: Thank you, Senator Ramos.

Senator Webb on the resolution.

SENATOR WEBB: Thank you, Madam President.

I too want to thank our Majority Leader for continuing to bring forward this resolution every year.

You know, as already has been stated, yesterday we all collectively paused as a state and as a nation to honor the life and enduring legacy of Dr. Martin Luther King, Jr., one of the most consequential leaders in American history and a giant of the Civil Rights Movement.

Dr. King challenged our nation to confront its deepest injustices and to live up to its founding promise of freedom, equality, and

justice for all.

Now, we remember Dr. King as an incredible civil rights leader, minister, orator, father, husband, a remarkable human being. Dr. King's legacy continues to echo across generations because his service spoke truth to power. It carries with it the hope and the heavy burden of systemic oppression, persecution, bigotry, and other barriers that create challenges for countless individuals and communities across our very nation and state.

Dr. King reminded us that civil rights are not confined to history books -- although there are constant efforts to erase those books -- or to commemorative dates. His work extended beyond voting rights and desegregation to include economic justice, labor rights, education, and the moral responsibility of the government to take care of its people.

Dr. King once said: "We are now faced with the fact that tomorrow is today. We are confronted with the fierce urgency of now. In this unfolding conundrum of life and history, there is such a thing as being too late. This is no time for apathy or complacency. This is a

time for vigorous and positive action."

I believe that this quote is very relevant in this moment in time that we all find ourselves in our collective history, where there are very powerful efforts to erase his legacy through federal actions, ongoing cognitive dissonance, disservice and moral degradation from leaders who will quote him and then actively pursue policies and practices that actively erode everything he worked and sacrificed for.

We are in that fierce urgency of now because we are continuing to experience the catastrophic erosion of human rights across our state, country and beyond. And so his words and leadership remain as a powerful call to action urging all of us in this chamber and our communities, in this great state and beyond, to reject apathy and complacency and to commit ourselves to vigorous and positive action in the face of injustice.

And as we reflect on Dr. King's legacy, let us all recommit ourselves not only to honoring his words but to advancing his vision through our service in this chamber and in our communities. Let this resolution serve as a

reminder that the work of justice is our assignment and that each of us has a responsibility to carry it forward, now and for generations to come.

I proudly vote aye on this resolution. Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Webb.

Senator Lanza on the resolution.

SENATOR LANZA: Thank you, Madam President.

First I want to thank the Senate leader, Andrea Stewart-Cousins, for bringing this resolution to the floor, as she always does. I especially enjoy listening to her words on this day. She brings a context and a thoughtfulness that I think few can.

As you all know, this is the only resolution I speak on.

I also enjoyed listening to the many fine words of my colleagues. And in listening to my colleagues, it is clear that all these years later Dr. Martin Luther King, Jr., still has the power to bring out the best of us. It's clear that all these years later the path he

set out for all of us is still valid and one we must continually try to follow.

Dr. Martin Luther King was, to me, one of the greatest of all Americans. Like Abraham Lincoln, he set out to repair the nation's house that was and is divided against itself. In the process, he changed history -- not just American history, but world history -- for the better.

Dr. Martin Luther King revealed truth and advanced justice. Not by tearing down America, but rather by embracing its principles and pushing -- yes, fighting -- to bring us closer to living up to its promise.

Lots of people try to imitate Dr. Martin Luther King. Most fall short. Everyone wants to tell you what Dr. Martin Luther King would say about something happening today or yesterday and tomorrow. None of us know. I certainly don't. The funny thing is when people tell you what Dr. Martin Luther King would say, it always ends up being something that they would say, whether or not Dr. Martin Luther King ever lived.

But even that, even that, Leader, is

a compliment. Because at the end of the day, with all our weakness and faults, we can all agree that he was one of the greatest people to ever live. And we all want greatness on our side.

So I don't always know what he would say, but I know this. He was a man of faith. He brought light to darkness. He brought truth to the lies. And he brought love to hate.

And on this earth, it takes great bravery and courage to do all that. And he had it, and he did it. And all those things he did and said should still remain an inspiration to each of us.

Now, he was taken away from us too soon in a violent act -- the very thing he fought and dedicated his life against. None of us know why. I don't have the answer. I often turn to the Bible for inspiration in my life, and it seems to me for some reason sometimes greatness and goodness requires death as an exclamation point.

And certainly, certainly Dr. Martin Luther King's voice was not silenced, as Senator Bailey said, that day. But in fact, and

remarkably, it has grown louder every day since. And that is a truly remarkable thing, and a beautiful thing.

And it says to me that in a world where everything is far from perfect and maybe everyone is not acting the way they ought to, somehow there's still enough decency in us collectively to make sure that his voice is never silenced. And so we ought to be grateful to that.

The other thing I know -- and I'll end with this, Madam President -- is that there's no doubt the world is better because Dr. Martin Luther King lived. And as long as we never get too far from what he taught and from his example, we'll still have the chance to get where he wanted us to go.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Lanza.

Senator Brisport to close.

SENATOR BRISPORT: Thank you, Madam President.

And thank you to our Majority Leader for introducing this resolution.

Dr. King said "We are not makers of history, we are made by history." And today in 2026 I want to acknowledge the torch of many of the fights we have fought to get to this point.

We are six years since the mass mobilizations of George Floyd, some of the largest mass mobilizations in our nation's history.

We are 13 years since three Black women coined the phrase "Black Lives Matter."

We are 18 years since the election of the first Black president.

We are 31 years since the Million Man March; 63 years since the "I Have A Dream" speech; 105 years since the Tulsa Race massacre; 161 years since the 13th Amendment abolished slavery, mostly; 406 years since the first slaves were brought to America.

The history is long, and the work continues. And Dr. King said: "True peace is not merely the absence of tension, it is the presence of justice." He would want us to embrace radical solitary with every fight we have today: Solitary with the nurses on strike, solidarity with the immigrants being terrorized

by ICE, solidarity with every New Yorker being pushed out of their community by an affordability crisis, solidarity with every parent who is worried about how to afford childcare.

Dr. King, a democratic socialist, would advocate that this year we fight for everybody and we fight against the systems that harm us, fight against the imperialism that brought Europeans to Africa 500 years ago and today brings the American military to Venezuela and maybe Greenland. Fight against the capitalism that brought Black bodies to America as capital and still keeps money and power concentrated in the hands of a few wealthy white men.

Fight for the ultimate economic justice: Reparations. And not just to fight, but to win.

Ashay, and thank you.

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

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(No response.)

ACTING PRESIDENT MAYER: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Madam President, the leader would like to open this resolution for cosponsorship.

ACTING PRESIDENT MAYER: The resolution is open for cosponsorship. Should you choose not to be a cosponsor, please notify the desk.

Senator Gianaris.

SENATOR GIANARIS: At this time let's take up the reading of the calendar.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 8, Senate Print 8752, by Senator Scarcella-Spanton, an act to amend the Labor Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT MAYER: The bill is passed.

There's a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Ramos moves to discharge, from the Committee on Rules, Assembly Bill Number 9479 and substitute it for the identical Senate Bill 8753, Third Reading Calendar 9.

ACTING PRESIDENT MAYER: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 9, Assembly Number 9479, by Assemblymember Bronson, an act to amend the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2025.

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 9, voting in the negative are Senators Oberacker and Walczyk.

Ayes, 55. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 12, Senate Print 8756, by Senator Rivera, an act to amend a chapter of the Laws of 2025.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2025.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 12, voting in the negative are

Senators Borrello, Chan, Lanza, Martinez, Oberacker, Tedisco and Walczyk.

Ayes, 50. Nays, 7.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 14, Senate Print 8761, by Senator Comrie, an act to amend the Real Property Actions and Proceedings Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2025.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 14, voting in the negative are Senators Chan and Walczyk.

Ayes, 55. Nays, 2.

ACTING PRESIDENT PERSAUD: There's a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Hinchey moves to discharge, from the Committee on Rules, Assembly Bill Number 9441 and substitute it for the identical Senate Bill 8764, Third Reading Calendar 16.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: The bill will be laid aside.

THE SECRETARY: Calendar Number 17, Senate Print 8767, by Senator Serrano, an act to amend the Parks, Recreation and Historic Preservation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2025.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 17, voting in the negative:

Senator Walczyk.

Ayes, 56. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 18, Senate Print 8768, by Senator Bailey, an act to amend the Real Property Law and the Real Property Actions and Proceedings Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 25, Senate Print 8787, by Senator Addabbo, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law.

ACTING PRESIDENT PERSAUD: Read the

last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2025.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 26, Senate Print 8790, by Senator Scarcella-Spanton, an act to amend the Real Property Tax Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2025.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 30, Senate Print 8802, by Senator Cleare, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 30, voting in the negative:
Senator Walczyk.

Ayes, 56. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 33, Senate Print 8806, by Senator Mayer, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the

last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Mayer to explain her vote.

SENATOR MAYER: Thank you, Madam Speaker.

Today I rise to proudly vote in favor of the chapter amendment to my bill which would direct counties, together with cities, towns, villages and other EMS providers, to develop comprehensive plans to provide coordinated EMS services within their counties.

This issue has been a long time coming. I first introduced a comprehensive bill to improve New York's EMS system in 2022. And since then, my colleagues, particularly Assemblyman Otis and I, together with the emergency service community, have worked tirelessly to get to a path forward.

Finally the Legislature and the Governor have reached an agreement on a path

forward to support EMS providers. This agreement begins to address the serious statewide challenges facing the current EMS system, which now has gaps in coverage and unacceptable wait times in communities both upstate and down.

EMS is essential to help all of our communities. We need a bigger solution. This is the start of a solution that will work in letting counties work together with providers to figure out how to move forward to ensure maximum coverage.

I proudly vote aye and thank my colleagues for working so hard on this issue for the last four years.

I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 39, Assembly Bill 9435, by Assemblymember Magnarelli, an act to amend the Public Service Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 45, Senate Print 8827, by Senator Gounardes, an act to amend a chapter of the Laws of 2025.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 6. This act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 45, voting in the negative:

Senator Walczyk.

Ayes, 56. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 48, Senate Print 8834, by Senator Baskin, an act to amend the Indian Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2025.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 48, voting in the negative: Senator Walczyk.

Ayes, 56. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

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

SENATOR SERRANO: Let's please go to the reading of the controversial calendar.

ACTING PRESIDENT MAYER: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 16, Assembly Number 9441, by Assemblymember Jacobson, an act to amend the Public Service Law.

ACTING PRESIDENT MAYER: Senator

Lanza, why do you rise?

SENATOR LANZA: Madam President, I believe there's an amendment at the desk. I waive the reading of that amendment and ask that you recognize Senator Helming.

ACTING PRESIDENT MAYER: Thank you, Senator Lanza.

Upon review of the amendment, in accordance with Rule 6, Section 4B, I rule it nongermane and out of order.

SENATOR LANZA: Accordingly, Madam President, I appeal the ruling of the chair and ask that Senator Helming be heard on the appeal.

ACTING PRESIDENT MAYER: The appeal has been made and recognized, and Senator Helming may be heard.

SENATOR HELMING: Thank you, Madam President.

I rise to appeal the ruling of the chair. This amendment is clearly germane, as both the bill before this body and the amendment that I put forward will provide transparency about the costs impacting utility bills.

The bill-in-chief requires utilities

to provide a detailed list of proposed capital expenditures included in a rate case. The amendment I have brought forward, Senate Bill 5251, by sponsor Senator Patricia Canzoneri-Fitzpatrick, goes even further with transparency by directing the Public Service Commission to determine and disclose the cost, on a per-ratepayer basis, of compliance with the provisions of the Climate Leadership and Community Protection Act.

Madam President, I am very confident that people across this state would agree: We need full disclosure and transparency so that people can understand why their costs are skyrocketing.

When the CLCPA was passed in 2019, it was done without any public assessment of its cost. That point was raised here today time and time again on this floor.

And then later on, we heard from the New York State Comptroller. In his July 2024 report, he notes that the costs of transitioning to renewable energy are not known, nor have they been reasonably estimated. He went on to say that the funding sources to cover those costs

have not been identified and, as we've been saying all along, have left the ratepayers as the primary source of funding.

What we do know since the passage of the CLCPA mandate is that New York's electricity prices are up nearly 50 percent and New Yorkers -- including families, seniors, workers, businesses and our family farmers -- are paying 50 percent more for electricity than the national average.

In addition, these all-electric mandates and the implementation dates, they're unachievable. In so many areas of our state we're seeing this over and over again. It just keeps playing out. The electricity capacity does not exist.

We've had residential projects that have been completely either stalled or pulled off the books, at a time when we have a housing crisis and need more housing. We've heard from businesses who have delayed expansion plans because of the uncertainty surrounding these unachievable mandates.

Madam Chair, I'll offer this: That ratepayers deserve to know exactly how much these

policies and unfunded mandates are costing them. This amendment is an opportunity to provide this critical honesty and transparency. And for these reasons, Madam President, I urge you to reconsider your ruling and urge my colleagues to vote in favor of the cost transparency amendment that is before you.

ACTING PRESIDENT MAYER: Thank you, Senator Helming.

I want to remind the house that the vote is on the procedures of the house and the ruling of the chair.

Those in favor of overruling the chair, signify by saying aye.

(Response of "Aye.")

SENATOR LANZA: Show of hands.

ACTING PRESIDENT MAYER: A show of hands has been requested and so ordered.

Announce the results.

THE SECRETARY: Ayes, 21.

ACTING PRESIDENT MAYER: The ruling of the chair stands, and the bill-in-chief is before the house.

Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Harckham to explain his vote.

SENATOR HARCKHAM: Thank you very much, Madam President. I just want to share a few observations.

Number one, the costs of the scoping plan are clearly identified in Chapter 10. As we have pointed out on the floor before, the net benefit of the CLCPA to the taxpayers and ratepayers of New York State is well over $100 billion.

Number two, NYISO, the utilities and just about anybody working on this issue will tell you that one of the reasons our rates in New York are higher is not because of the CLCPA, not because of clean energy. A kilowatt of wind and solar is by far the cheapest form of energy, cheaper than natural gas, oil, or especially nuclear. What's driving our costs are data farms, AI, cryptocurrency, and these large last-mile warehouses.

So I once again just rise to put on the record that the CLCPA is not what's driving costs. And the solutions to the CLCPA are the same things that Texas is using. Texas is the biggest oil state in the nation and one of the largest in the entire world, and all of their new generation is renewable -- wind, solar, and battery storage. And in the process they have saved their ratepayers $30 billion because they know it is the fastest to scale and it is cheapest per kilowatt.

So having saying that, Madam Chair, or Madam President, I vote aye.

Thank you.

ACTING PRESIDENT MAYER: Senator Harckham to be recorded in the affirmative.

Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Madam President.

Not to disagree with my colleague on the other side of the aisle, but the idea that the kilowatt hours are cheaper for wind and solar than traditional forms of energy is just not true. If it were true, then why would we need

these extensive power purchase agreements where companies are forced to buy green energy at a much higher rate, and it's often subsidized by the ratepayers and the taxpayers?

If it was actually cheaper, we wouldn't need those power purchase agreements that force even public utilities and not-for-profits to have to pay more and give back less to the folks that they're supposed to be benefiting. So this is just not true, it is simply not true.

And if the CLCPA was making things cheaper, then why did this body ban utility companies from being able to outline an itemized list of what the costs are from the CLCPA to the ratepayers?

So let's not pretend here that we are actually saving people money when in fact we are costing people more money and driving more people out of the state.

On this particular bill, I'll be voting yes. But on the concept of green energy being cheaper, I'm a flat-out no.

Thank you.

ACTING PRESIDENT MAYER: Senator

Borrello to be recorded in the affirmative.

Senator Helming to explain her vote.

SENATOR HELMING: Thank you, Madam President.

I will be voting yes on this bill. Whenever we can take steps to be more transparent about the costs to ratepayers, I fully support that, and that's what this bill does.

However, I'd like to point out that in my area the mandates, including the CLCPA, New York State fees and taxes to comply with energy mandates, have been estimated to drive up gas and electric costs anywhere between 20 percent and 27 percent.

Pending rate cases that are out there right now are estimated on the delivery costs alone of energy, of electricity, to my constituents and many others in this room, are estimated to increase the cost by 37 percent.

So the notion that the CLCPA is not driving up costs for ratepayers, is somehow making it true, is just not accurate.

I vote yes, Madam President.

ACTING PRESIDENT MAYER: Senator Helming to be recorded in the affirmative.

Senator Hinchey to explain her vote.

SENATOR HINCHEY: Thank you, Madam President.

I want to thank my colleagues for voting yes on this bill.

And I'm really happy and I thank the leader for bringing it to the floor today.

This bill is incredibly important because it provides transparency to the capital projects that utility companies are doing across our districts.

One of the reasons why ratepayer bills are increasing and why this transparency is so important is because a number of utility companies actually continue to build fossil fuel infrastructure, including in places where it's no longer needed and has been transitioned to renewables.

And so being able to have that transparency to not waste ratepayer dollars on infrastructure that we are moving away from and instead invest into renewable energy that we do know for a fact is cheaper is incredibly important.

So this bill will provide that

transparency and save people money. And I'm really glad it's coming to the floor today, and I thank my colleagues for voting for it.

Thank you.

ACTING PRESIDENT MAYER: Senator Hinchey to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 39, Assembly Bill 9435, by Assemblymember Magnarelli, an act to amend the Public Service Law.

ACTING PRESIDENT MAYER: Senator Rhoads, why do you rise?

SENATOR RHOADS: Thank you, Mr. President. I'm hoping that my colleague Senator Ryan might yield to a few questions.

ACTING PRESIDENT MAYER: Senator Ryan, do you yield?

SENATOR RYAN: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RHOADS: Thank you, Senator, I appreciate that.

Through you, Madam President, I was -- I was -- first off, I want to thank the sponsor for sponsoring the underlying bill, Madam President, and I was honored to go on the bill as a cosponsor. Because in addition to this bill relating to pole attachment safety and quality, I viewed this as being a bill that also promoted transparency and accountability for the utility companies and telecommunication companies that were utilizing utility poles.

But I noticed that in the chapter amendment that is before us, a number of important provisions that caused me to be a cosponsor on the bill are now being removed. And I just wanted to ask a few questions with respect to some of the things that have been removed.

In the initial legislation it appeared to require that there be preregistration before installations were actually accomplished, so that individuals who were interested, be it municipalities, be it individual residents who were concerned about what was being installed on a pole would be able, in advance of the installation, to have that information.

It appears as though that

preregistration has now been turned into almost an after-action report, where the report would be compiled up to a year after the installation, as opposed to providing individuals with pre-knowledge of what's being installed on those poles.

Can you explain why that change has been made?

SENATOR RYAN: Through you, Madam President. When I say -- are you referring to the portion with the right-of-way permits, I'm assuming?

SENATOR RHOADS: I'm referring to Section 119-E of the bill.

SENATOR RYAN: So obviously with the intent being to note who is requesting to get on those poles, to kind of get out in front of it, I guess if you will for the reporting aspect of it, I don't know as to why the intent with taking it out.

But with the reporting database afterwards, I believe that there is sufficient -- the mechanism being, of the reporting, who's going on the poles, what they requested to go on the poles, what work is being done, the

time frame, and also knowing who's going to go on them post, I think that that would be sufficient to be okay with it.

I'm okay with it. I think it accomplishes sort of the same thing. Would we have liked the reporting mechanism prior to the right-of-way permits? Perhaps. But I think -- I don't think it's lost on the reporting mechanisms after the fact, especially with the ability to capture the inadequate work, if there is inadequate work, with photographs and reports to the Public Service Commission afterwards.

SENATOR RHOADS: Thank you, Senator.

Would the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RYAN: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: Thank you, Senator Ryan.

Part of the initial legislation was the fact that if someone was concerned about something that was going on on the pole, they

would be able to ask questions about it in advance of the installation.

Is that right preserved after the chapter amendment?

SENATOR RYAN: No.

SENATOR RHOADS: And will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RYAN: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RHOADS: The initial legislation -- thank you, Senator. The initial legislation referred to an electronic database where information prior to the installation would have been kept, so that it would be searchable by the public.

I do notice that the -- that language has been changed. Would the electronic database -- would the electronic database that contains the after-action information also able -- is that also able to be searchable by the public?

SENATOR RYAN: Yes. My

understanding is yes.

SENATOR RHOADS: The database will still be searchable.

SENATOR RHOADS: Would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RYAN: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: But the information that's contained in the database would be information after the installations have already been completed, and it may again be up to a year after the installation was completed.

SENATOR RYAN: The answer to your question is yes.

But I think that also the intent behind the initial being -- we're talking about work that's performed. There would -- I'm a little confused because what we're trying to capture is bad, inadequate, inefficient, unsafe work. So the reporting mechanism wouldn't have been before. It would have to be done or captured after the work is done and then

reported.

SENATOR RHOADS: Will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RYAN: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RHOADS: The reason that I was suggesting that this is a preregistration requirement is that in the initial -- in the initial report that had to be submitted, it would have included the anticipated date of work commencement and the anticipated completion date.

Which would have indicated to me that this was a report that was actually submitted prior to the -- prior to the work actually being performed, partially so that individuals who were interested and concerned about what may be going up on a utility pole -- on the utility pole in front of their house or next door, might have been able to find out that information and ask questions about that before the installation was done, to make sure that it was safe.

Was I incorrect?

SENATOR RYAN: Through you, Madam President. I don't think you're incorrect, just not completely -- I guess completely fully understanding the intent. Right?

So I know we're going back to the initial and the possible identification of those that are going to be seeking third-party attachments or right-of-way attachments.

What -- the intent behind the bill is to make sure that third-party attachments -- so also providers, whether it be a joint pole, whether it's the electric company or telephone company, who are part owners, they don't -- if a third-party attacher, a third-party attachee wants to get on the pole, the power company and the telephone company don't have the ability to say no.

So it's sort of a moot point being asked. So I think being ahead of it, I understand the intent of what you're saying, but that's not really what the intent is. What the intent is, is so that when these third parties get on and/or they do less than safe work or inefficient work or inadequate work that is not

in line with safety, that is unsafe work, there's a mechanism to see to it that that work is then reported.

So I think we keep going back to getting ahead of it. But again, even if -- even if you were able to identify those that wanted to get on the pole prior, you wouldn't be able to tell them no to begin with.

Does that answer your question?

SENATOR RHOADS: Thank you, Senator. It does.

Will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RYAN: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RHOADS: In the initial legislation there was a process under Section 2 to allow public input or complaint prior to the installation. And I am assuming that that is no longer the case in the revised legislation, correct?

SENATOR RYAN: Through you, Madam President, yes.

SENATOR RHOADS: And will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RYAN: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RHOADS: There was also, in Section B-3 of the legislation and continuing, a rather extensive process for investigation of complaints and adjudication of violations, which also seems to have been modified.

Was there a rationale behind the modification of that process?

SENATOR RYAN: Through you, Madam President. There is still a reporting mechanism in there. Right?

So there's also the photography if they're -- they will be able to submit photos, so they will be able to go out and if there is, again, inadequate work, there is a mechanism to correct that and see to it that corrective actions are taken.

SENATOR RHOADS: Will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RYAN: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RHOADS: Specifically with respect to -- to the fines that were in the initial legislation for violations by a company that could be imposed or would be imposed by law, there was a first violation fine of $20,000, a second violation fine of $50,000, a third violation fine as well.

Those fines have been removed in the -- in the current chapter amendment. Was there a rationale behind the removal of the actual penalties?

SENATOR RYAN: Through you, Madam President. The rationale was that there is currently written into law fines if one were to provide or perform such bad work.

SENATOR RHOADS: Will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RYAN: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RHOADS: What are those fines in comparison to what was proposed in the initial legislation? We do have the power to change the law with respect to those fines.

SENATOR RYAN: Yeah, which was our -- we tried to change those because in the first instance the -- well, through you, Madam President.

There was -- the intent behind that was to kind of stop that from happening from the get-go, the 20 -- the first, second and the third, including a stop work order.

The fines are higher to that. I think it is to -- which would range from $150,000 to $500,000, a percent of the --

SENATOR RHOADS: Thank you, Senator. Thank you very much.

Just on the bill.

ACTING PRESIDENT MAYER: Senator Rhoads on the bill.

SENATOR RHOADS: I certainly appreciate -- obviously I appreciate the underlying purpose of the legislation. I also

appreciate Senator Ryan for engaging in this discussion and helping to explain some of the rationale behind the chapter amendment that we see now.

I am concerned that telecommunication companies may be undermining or may be influencing the chapter amendment that we see before us.

The bill certainly continues to provide the laudable goal of pole attachment safety and accountability after the fact. But an important piece of the prior legislation was the fact that this information would have been provided and available to the public in advance of the pole installation. So that if they had questions or concerns, there was a mechanism for them to voice those concerns and a mechanism for them, as the installation was occurring, to be able to identify who it was that was doing the work, what the purpose of it was, and who was accountable for it as it was being installed.

That unfortunately has been eviscerated in the chapter amendment, unfortunately. And I will be voting in the opposition to the amendment.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Rhoads.

Are there any other Senators wishing to be heard?

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

Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2025.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Ryan to explain his vote.

SENATOR RYAN: Well, while I appreciate my colleague's concerns, I would respectfully disagree.

I think at the end of the day what this law accomplishes is what we set out to do. What this law accomplishes is to -- if there are telecommunications companies that are performing unsafe, insufficient work, there is a way for the general public to bring that awareness to the

Public Service Commission.

There is a mechanism for reporting, a database, a very extensive database that actually says who's going on the pole, when they're going on the pole, what work was performed, how many poles they went on and what type of work was done, where, how, when and why.

There are existing fines in place to take those corrective measures. The bill is a little different than when it started, but at the end of the day we accomplished the same thing, which is making sure that all of our public utility workers are going home safe to their families, which is the most important thing that they did when they started the day.

I vote aye.

ACTING PRESIDENT MAYER: Senator Ryan to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 39, voting in the negative are Senators Ashby, Borrello, Rhoads, Stec and Walczyk. Also Senator Griffo.

Ayes, 51. Nays, 6.

ACTING PRESIDENT MAYER: 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 MAYER: There is no further business at the desk.

SENATOR GIANARIS: I move to adjourn until tomorrow, Wednesday, January 21st, at 11:00 a.m.

ACTING PRESIDENT MAYER: On motion, the Senate stands adjourned until Wednesday, January 21st, at 11:00 a.m.

(Whereupon, at 5:03 p.m., the Senate adjourned.)