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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

April 15, 2026

3:19 p.m.

REGULAR SESSION

SENATOR ROXANNE J. PERSAUD, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

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

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

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

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

13 ACTING PRESIDENT PERSAUD: Reading  
14 of the Journal.

15 THE SECRETARY: In Senate, Tuesday,  
16 April 14, 2026, the Senate met pursuant to  
17 adjournment. The Journal of Monday, April 13,  
18 2026, was read and approved. On motion, the  
19 Senate adjourned.

20 ACTING PRESIDENT PERSAUD: Without  
21 objection, the Journal stands approved as read.

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: Senator Comrie

1 moves to discharge, from the Committee on Energy  
2 and Telecommunications, Assembly Bill Number 8410  
3 and substitute it for the identical Senate Bill  
4 8019, Third Reading Calendar 633.

5 ACTING PRESIDENT PERSAUD: So  
6 ordered.

7 Messages from the Governor.

8 Reports of standing committees.

9 Reports of select committees.

10 Communications and reports from  
11 state officers.

12 Motions and resolutions.

13 Senator Gianaris.

14 SENATOR GIANARIS: Good afternoon,  
15 Madam President.

16 ACTING PRESIDENT PERSAUD: Good  
17 afternoon.

18 SENATOR GIANARIS: Amendments are  
19 offered to the following Third Reading Calendar  
20 bills:

21 By Senator Salazar, page 27,  
22 Calendar 648, Senate Print 7809;

23 By Senator Parker, page 26,  
24 Calendar 636, Senate Print 9065;

25 And by Senator May, page 30,

1 Calendar 684, Senate Print 8641.

2 ACTING PRESIDENT PERSAUD: The  
3 amendments are received, and the bills will  
4 retain their its place on the Third Reading  
5 Calendar.

6 Senator Gianaris.

7 SENATOR GIANARIS: At this time  
8 we're going to take up previously adopted  
9 Resolution 1712, by Senator Scarcella-Spanton,  
10 have its title read, and please recognize  
11 Senator Scarcella-Spanton.

12 ACTING PRESIDENT PERSAUD: The  
13 Secretary will read.

14 THE SECRETARY: Resolution 1712,  
15 by Senator Scarcella-Spanton, memorializing  
16 Governor Kathy Hochul to proclaim April 9, 2026,  
17 as Yellow Ribbon Day in the State of New York.

18 ACTING PRESIDENT PERSAUD: Senator  
19 Scarcella-Spanton on the resolution.

20 SENATOR SCARCELLA-SPANTON: Thank  
21 you, Madam President.

22 As chair of the Committee on  
23 Veterans, Homeland Security and Military Affairs,  
24 I rise once again in recognition of  
25 National Yellow Ribbon Day, celebrated on

1 April 9th here in New York State.

2 As the spouse of a combat veteran  
3 and the mother of two military children, I know  
4 ail too well that service impacts entire families  
5 who share the sacrifice. But I also know the  
6 pride that comes with serving the country -- the  
7 sense of purpose, honor and duty that make it all  
8 worth it.

9 Honoring our veterans and  
10 active-duty means recognizing the sacrifice, not  
11 just service. The yellow ribbon represents the  
12 hope, remembrance and gratitude of our troops  
13 around the world, and the families waiting for  
14 their safe return.

15 Nationally, we have approximately  
16 1.1 million active duty servicemembers, with  
17 18,000 residing here in New York State.

18 We also need to recognize the  
19 approximate 30,000 Reservists and Guard that  
20 reside here in New York, all standing ready to  
21 protect our nation. We owe them and their  
22 families a profound debt of gratitude.

23 Thank you, and I proudly vote aye.

24 ACTING PRESIDENT PERSAUD: Senator  
25 Scarcella-Spanton to be recorded in the

1 affirmative.

2 The resolution was adopted on  
3 March 10th.

4 Senator Gianaris.

5 SENATOR GIANARIS: At the request  
6 of Senator Scarcella-Spanton, we'll be opening  
7 that resolution for cosponsorship.

8 ACTING PRESIDENT PERSAUD: The  
9 resolution is open for cosponsorship. Should you  
10 choose not to be a cosponsor, please notify the  
11 desk.

12 Senator Gianaris.

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

15 ACTING PRESIDENT PERSAUD: The  
16 Secretary will read.

17 THE SECRETARY: Calendar Number  
18 397, Senate Print 1701, by Senator Mayer, an act  
19 to amend the Public Service Law.

20 ACTING PRESIDENT PERSAUD: Read the  
21 last section.

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

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce  
4 the results.

5 THE SECRETARY: In relation to  
6 Calendar 397, voting in the negative are  
7 Senators Ashby, Borrello, Chan, Griffo, Helming,  
8 Murray, Oberacker, O'Mara, Ortt, Rhoads, Stec,  
9 Tedisco, Walczyk and Weik.

10 Ayes, 40. Nays, 14.

11 ACTING PRESIDENT PERSAUD: The bill  
12 is passed.

13 THE SECRETARY: Calendar Number  
14 398, Senate Print 3734B, by Senator Mayer, an act  
15 to amend the Public Service Law.

16 SENATOR LANZA: Lay it aside.

17 ACTING PRESIDENT PERSAUD: Lay it  
18 aside.

19 THE SECRETARY: Calendar Number  
20 399, Senate Print 8062A, by Senator Webb, an act  
21 to amend the Public Service Law.

22 SENATOR LANZA: Lay it aside.

23 ACTING PRESIDENT PERSAUD: Lay it  
24 aside.

25 THE SECRETARY: Calendar Number

1 627, Senate Print 120A, by Senator Cleare, an act  
2 to amend the Public Service Law.

3 ACTING PRESIDENT PERSAUD: Read the  
4 last section.

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

7 ACTING PRESIDENT PERSAUD: Call the  
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Announce  
11 the results.

12 THE SECRETARY: In relation to  
13 Calendar 627, voting in the negative:  
14 Senator Walczyk.

15 Ayes, 53. Nays, 1.

16 ACTING PRESIDENT PERSAUD: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 628, Senate Print 904B, by Senator Gonzalez, an  
20 act to amend the Public Service Law.

21 SENATOR LANZA: Lay it aside.

22 ACTING PRESIDENT PERSAUD: Lay it  
23 aside.

24 THE SECRETARY: Calendar Number  
25 629, Senate Print 1553, by Senator Parker, an act

1 to amend the Public Service Law.

2 SENATOR LANZA: Lay it aside.

3 ACTING PRESIDENT PERSAUD: Lay it  
4 aside.

5 THE SECRETARY: Calendar Number  
6 633, Assembly Bill Number 8410, by  
7 Assemblymember Barrett, an act to amend the  
8 Public Authorities Law.

9 SENATOR LANZA: Lay it aside.

10 ACTING PRESIDENT PERSAUD: Lay it  
11 aside.

12 THE SECRETARY: Calendar Number  
13 634, Senate Print 8710, by Senator Hinchey, an  
14 act to amend the Public Service Law.

15 ACTING PRESIDENT PERSAUD: Read the  
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the  
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce  
23 the results.

24 THE SECRETARY: Ayes, 55.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number  
3 635, Senate Print 8908, by Senator Comrie, an act  
4 to amend the Public Service Law.

5 ACTING PRESIDENT PERSAUD: Read the  
6 last section.

7 THE SECRETARY: Section 3. This  
8 act shall take effect on the 120th day after it  
9 shall have become a law.

10 ACTING PRESIDENT PERSAUD: Call the  
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT PERSAUD: Announce  
14 the results.

15 THE SECRETARY: Ayes, 55.

16 ACTING PRESIDENT PERSAUD: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 686, Senate Print 1966, by Senator Ryan, an act  
20 to amend the Social Services Law.

21 SENATOR LANZA: Lay it aside.

22 ACTING PRESIDENT PERSAUD: Lay it  
23 aside.

24 THE SECRETARY: Calendar Number  
25 687, Senate Print 2011, by Senator Parker, an act

1 to direct the Department of State and the  
2 Public Service Commission to jointly study and  
3 report upon the provision to consumer credit  
4 reporting agencies.

5 ACTING PRESIDENT PERSAUD: Read the  
6 last section.

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

9 ACTING PRESIDENT PERSAUD: Call the  
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Announce  
13 the results.

14 THE SECRETARY: In relation to  
15 Calendar 687, voting in the negative:  
16 Senator Ortt.

17 Ayes, 54. Nays, 1.

18 ACTING PRESIDENT PERSAUD: The bill  
19 is passed.

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

22 SENATOR GIANARIS: Madam President,  
23 even when the budget is late, Walczyk Wednesdays  
24 endure.

25 (Laughter.)

1                   SENATOR GIANARIS:    It's not a  
2                   scheduled session day today, but he's ready.

3                   Let's take up the controversial  
4                   calendar.

5                   ACTING PRESIDENT PERSAUD:    Let the  
6                   fun begin.

7                   The Secretary will ring the bell.

8                   The Secretary will read.

9                   THE SECRETARY:    Calendar Number  
10                  398, Senate Print 3734B, by Senator Mayer, an act  
11                  to amend the Public Service Law.

12                  ACTING PRESIDENT PERSAUD:    Senator  
13                  Walczyk, why do you rise?

14                  SENATOR WALCZYK:    Madam President,  
15                  would the sponsor yield for some questions on the  
16                  education portion of the budget, please.

17                  Oh, I'm sorry, on Senate Bill 3734B.

18                  ACTING PRESIDENT PERSAUD:    Will the  
19                  sponsor yield?

20                  SENATOR MAYER:    Through you,  
21                  Madam President, I wasn't sure if that was  
22                  intentional or a mistake.

23                  I yield.

24                  ACTING PRESIDENT PERSAUD:    The  
25                  sponsor yields.

1                   SENATOR WALCZYK:    Through you,  
2   Madam President.  This only helps during rate  
3   cases, is that correct, what you're proposing  
4   here?

5                   SENATOR MAYER:    Through you,  
6   Madam President.  This bill basically is one more  
7   step in protecting our constituents against  
8   unjust and excessive rates by allowing utilities  
9   to include all kinds of charges and fees in their  
10  utility rate schedule to be approved by the  
11  Public Service Commission.

12                  SENATOR WALCZYK:    And through you,  
13  Madam President, would the sponsor continue to  
14  yield?

15                  ACTING PRESIDENT PERSAUD:    Does the  
16  sponsor yield?

17                  SENATOR MAYER:    Yes.

18                  ACTING PRESIDENT PERSAUD:    The  
19  sponsor yields.

20                  SENATOR WALCZYK:    Through you,  
21  Madam President.  There were just a bunch of rate  
22  cases -- obviously, you've heard from  
23  constituents, so have I and every member in this  
24  room, about the utility rate increases that were  
25  just approved by the Public Service Commission.

1                   This goes into effect in 2027. So  
2 how would that help with the rate cases that have  
3 already been in place?

4                   SENATOR MAYER: Through you,  
5 Madam President. Like a lot of the bills that  
6 are part of today's package, this is part of a  
7 comprehensive effort to reform the practice and  
8 the policy of the Public Service Commission.

9                   And by saying to the utilities in  
10 law that they cannot recover excessive attorneys'  
11 fees, transportation fees, expert witness fees --  
12 all of which are to charge our constituents  
13 more -- we are actually changing the way  
14 rates are set going forward.

15                  SENATOR WALCZYK: Madam President,  
16 would the sponsor yield?

17                  ACTING PRESIDENT PERSAUD: Does the  
18 sponsor yield?

19                  SENATOR MAYER: Yes.

20                  ACTING PRESIDENT PERSAUD: The  
21 sponsor yields.

22                  SENATOR WALCZYK: Through you,  
23 Madam President.

24                  I'm glad you brought up some of  
25 those fees. Because when this bill came through

1 committee, there's been some changes since then.  
2 It's now a B print.

3 The executives -- you had in your  
4 earlier print, when we discussed this in the  
5 Energy Commission Committee, that executives at  
6 utility companies wouldn't be making any more  
7 than the Governor of the State of New York, and  
8 that no more than \$100,000 of ratepayer funds  
9 could be used towards attorneys in rate cases.

10 Why were those things eliminated in  
11 the B print that we now see on the floor today?

12 SENATOR MAYER: Through you,  
13 Madam President. This -- yes, it is a B print.  
14 It is modified from an earlier version because, I  
15 think like many people in this chamber, I  
16 actually want to get something done for my  
17 constituents and the constituents of  
18 Senator Walczyk and every other member.

19 And by modifying the earlier bill to  
20 give some latitude to utility companies to charge  
21 what the Public Service Commission deems  
22 reasonable, or limiting their salaries, this is  
23 an effort to get a bill that is going to pass  
24 both houses, get signed, and actually change what  
25 our constituents pay.

1                   SENATOR WALCZYK:    Madam President,  
2    would the sponsor continue to yield?

3                   ACTING PRESIDENT PERSAUD:    Does the  
4    sponsor yield?

5                   SENATOR MAYER:    Yes.

6                   ACTING PRESIDENT PERSAUD:    The  
7    sponsor yields.

8                   SENATOR WALCZYK:    So has the cap on  
9    salaries for utility companies been completely  
10   eliminated in this final print that you bring  
11   here today?

12                  SENATOR MAYER:    Through you,  
13   Madam President, I think Senator Walczyk is  
14   familiar with the language of the bill, which  
15   creates a series of standards with respect to  
16   utility expenses and baselines and discovery  
17   parameters that are going to be considered under  
18   this bill with respect to how the new rates are  
19   set.

20                  SENATOR WALCZYK:    Would the sponsor  
21   continue to yield?

22                  ACTING PRESIDENT PERSAUD:    Will the  
23   sponsor yield?

24                  SENATOR MAYER:    Yes.

25                  ACTING PRESIDENT PERSAUD:    The

1 sponsor yields.

2 SENATOR WALCZYK: And through you,  
3 Madam President, what about the attorneys' fees?  
4 Is there any cap now in this new print for how  
5 much a utility can spend with ratepayer money on  
6 attorneys bringing a rate case to the  
7 Public Service Commission?

8 (Pause.)

9 SENATOR MAYER: There -- to --  
10 sorry. Through you, Madam President. The  
11 current standard, according to the Public Service  
12 Commission, is that they can recover prudently  
13 incurred costs, which in effect means a  
14 hundred percent of what they seek, or something  
15 close to it.

16 This bill sets no specific numbers  
17 with respect to attorneys' fees. But the  
18 commission is establishing rules based on  
19 reasonability of participation. And the costs  
20 that can be limited are not limited to attorneys'  
21 fees, fees to engage expert witnesses, employee  
22 salaries, et cetera.

23 SENATOR WALCZYK: Madam President,  
24 would the sponsor continue to yield.

25 ACTING PRESIDENT PERSAUD: Does the

1 sponsor yield?

2 SENATOR MAYER: Yes.

3 ACTING PRESIDENT PERSAUD: The  
4 sponsor yields.

5 SENATOR WALCZYK: Thank you.

6 Through you, Madam President.

7 Anything in the -- and we talked a little bit  
8 about the timeline of implementation and how this  
9 will affect future rate cases.

10 Is there anything in this bill that  
11 will help lower energy costs for New Yorkers who  
12 are hurting today, tomorrow, if it gets signed  
13 into law next week -- anything that they can  
14 anticipate this would help with their high energy  
15 bills?

16 SENATOR MAYER: Through you,  
17 Madam President. If the question is the bills  
18 that are currently before our constituents, are  
19 they impacted by this proposal, no.

20 But they will be impacted by the  
21 confluence of bills that this Senate Democratic  
22 Majority is passing to change the way rates are  
23 set. And if we don't pass these bills and if our  
24 colleagues vote no on these bills, then we are  
25 not going to be able to address the problems our

1 constituents face.

2 SENATOR WALCZYK: Thank you,  
3 Madam President.

4 ACTING PRESIDENT PERSAUD: Thank  
5 you, Senator.

6 Are there any other Senators wishing  
7 to be heard?

8 Seeing and hearing none, debate is  
9 closed.

10 Senator Gianaris.

11 SENATOR GIANARIS: Madam President,  
12 we've agreed to restore this bill to the  
13 noncontroversial calendar.

14 ACTING PRESIDENT PERSAUD: On  
15 consent, the bill is restored to the  
16 noncontroversial calendar.

17 Read the last section.

18 THE SECRETARY: Section 2. This  
19 act shall take effect on the 180th day after it  
20 shall have become a law.

21 ACTING PRESIDENT PERSAUD: Call the  
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT PERSAUD: Announce  
25 the results.

1                   THE SECRETARY:    In relation to  
2   Calendar 398, voting in the negative are  
3   Senators Ashby, Borrello, Chan, Helming, O'Mara,  
4   Ortt, Stec, Tedisco, Walczyk, Weber and Weik.

5                   Ayes, 44.   Nays, 11.

6                   ACTING PRESIDENT PERSAUD:    The bill  
7   is passed.

8                   THE SECRETARY:    Calendar Number  
9   399, Senate Print 8062A, by Senator Webb, an act  
10  to amend the Public Service Law.

11                   ACTING PRESIDENT PERSAUD:    Senator  
12  Walczyk, why do you rise?

13                   SENATOR WALCZYK:    Madam President,  
14  I wonder if the sponsor would yield for some  
15  questions.

16                   ACTING PRESIDENT PERSAUD:    Will the  
17  sponsor yield?

18                   SENATOR WEBB:    Yes, I will,  
19  Madam President.

20                   ACTING PRESIDENT PERSAUD:    The  
21  sponsor yields.

22                   SENATOR WALCZYK:    Through you,  
23  Madam President.   Smart meters were supposed to  
24  help people see their bills in a little bit more  
25  realtime.   That's how they were billed, at least

1 to the people of the State of New York.

2 This bill establishes a usage  
3 monitoring program. What were we missing when  
4 smart meters were rolled out across the state?

5 SENATOR WEBB: Through you,  
6 Madam President. As someone who had smart meters  
7 initially rolled out directly in their district  
8 initially, the purpose that was presented to us  
9 by the utility companies was in fact to make sure  
10 that with these meters, that as ratepayers we  
11 would be able to see a difference with our bills.

12 I get calls, just like many of us in  
13 this chamber, on a weekly basis with constituents  
14 that are receiving bills that are high, at best.  
15 In fact, it's a lot larger than that.

16 And so what this bill actually does  
17 is that it actually puts decision-making power in  
18 the hands of the respective ratepayer to say they  
19 have the ability to get timely notification on if  
20 their utility usage is high or it's going off of  
21 a threshold that they set, in a timely manner so  
22 that they can actually have more autonomy and  
23 most certainly be able to make decisions  
24 accordingly with respect to their utility bills.

25 SENATOR WALCZYK: Would the sponsor

1 continue to yield?

2 ACTING PRESIDENT PERSAUD: Does the  
3 sponsor yield?

4 SENATOR WEBB: Yes.

5 ACTING PRESIDENT PERSAUD: The  
6 sponsor yields.

7 SENATOR WALCZYK: Through you,  
8 Madam President. Would someone require a  
9 smart meter in order to be a part of the program  
10 that you're proposing here?

11 SENATOR WEBB: So it is my  
12 understanding that this particular legislation  
13 applies to smart monitors.

14 However, some residents do not have  
15 smart monitors, and this issue still persists  
16 with the challenge of being able to have more  
17 notification with respect to their utility bill.  
18 And so this would most certainly apply to those  
19 customers as well.

20 But this is only for residential  
21 customers. That's what this bill entails.

22 SENATOR WALCZYK: And would the  
23 sponsor continue to yield.

24 ACTING PRESIDENT PERSAUD: Will the  
25 sponsor yield?

1                   SENATOR WEBB:    Maybe.  (Laughing.)

2                   I will.

3                   ACTING PRESIDENT PERSAUD:    The  
4 sponsor will yield.

5                   SENATOR WALCZYK:    Through you,  
6 Madam President.

7                   Anything in this bill that will help  
8 people with their energy bills next month or in  
9 the coming months to lower the actual cost of  
10 energy?  Or is this just a monitoring program  
11 that is also paid for by ratepayers?

12                   SENATOR WEBB:    Through you,  
13 Madam President.

14                   As I said a moment ago, when smart  
15 meters were presented to us as a way to help  
16 better regulate costs, one of the many challenges  
17 that we still are seeing and experiencing as  
18 ratepayers is that these particular monitor  
19 system tools are not being realized in terms of  
20 actual, accurate readings.

21                   And so this will have an impact with  
22 respect to making sure that as constituents or as  
23 ratepayers we have a better sense of what our  
24 actual utility usage is.

25                   But as my colleague said earlier,

1 this bill, as part of the larger package of  
2 bills, is really designed to make sure that  
3 ratepayers have more information with respect to  
4 being able to have more decision-making authority  
5 with respect to their individual utility bills.

6 SENATOR WALCZYK: Through you,  
7 Madam President, would the sponsor continue to  
8 yield?

9 ACTING PRESIDENT PERSAUD: Will the  
10 sponsor yield?

11 SENATOR WEBB: Yes.

12 ACTING PRESIDENT PERSAUD: The  
13 sponsor yields.

14 SENATOR WALCZYK: Through you,  
15 Madam President. Your sponsor's memo on this  
16 legislation says the fiscal impact is to be  
17 determined.

18 Who would be paying for the new  
19 program for the mailing of people's utility bills  
20 at various times throughout the month to let them  
21 know what their usage is, what their projected  
22 cost is throughout the month?

23 SENATOR WEBB: Through you,  
24 Madam President, that cost will be borne with --  
25 through the utility companies themselves.

1                   SENATOR WALCZYK:    Madam President,  
2    would the sponsor continue to yield?

3                   ACTING PRESIDENT PERSAUD:    Does the  
4    sponsor yield?

5                   SENATOR WEBB:    Yes.

6                   ACTING PRESIDENT PERSAUD:    The  
7    sponsor yields.

8                   SENATOR WALCZYK:    So with an  
9    additional cost borne by the utility companies --  
10   which would pass it on to the ratepayers -- is  
11   there anything in this bill that would actually  
12   lower energy costs for New Yorkers?

13                   SENATOR WEBB:    As I said earlier,  
14   Madam President, what this bill is doing is  
15   giving more decision-making ability to ratepayers  
16   because their bills are out of whack.

17                   Because I have gotten calls, like  
18   all of us, from ratepayers who have said they've  
19   received bills around this time of year, on  
20   average maybe it's around, for a one-bedroom  
21   apartment, maybe it's like \$500 and they're  
22   getting bills for \$2,000. And it doesn't make  
23   sense, even though they have a smart meter on  
24   their respective residence.

25                   What this bill will do -- through

1 you, Madam President -- is that it will give  
2 ratepayers a better read on -- no pun intended --  
3 what their respective utility usage is.

4 But to be clear, we have to, as a  
5 legislative body, continue to push for more  
6 regulation over our utility companies. And we  
7 can't deny the fact that our continual dependence  
8 upon fossil fuels is what's contributing to the  
9 alarmingly high bills, amongst other factors as  
10 well, Madam President.

11 SENATOR WALCZYK: And would the  
12 sponsor continue to yield.

13 ACTING PRESIDENT PERSAUD: Does the  
14 sponsor yield?

15 SENATOR WEBB: Yes.

16 ACTING PRESIDENT PERSAUD: The  
17 sponsor yields.

18 SENATOR WALCZYK: Through you,  
19 Madam President. Your enacting clause at the end  
20 of this bill says this bill will go into effect  
21 one year after it becomes a law.

22 The Governor often calls bills over  
23 in late November, December. So do you anticipate  
24 a year and a half from now that this program  
25 would actually be in effect or start to go in

1 effect so that people can see those costs on  
2 their utility bills?

3 SENATOR WEBB: Through you,  
4 Madam President. We have passed in this house a  
5 series of utility reform bills that are  
6 essentially awaiting passage in the Assembly.

7 It is my hope that this bill, along  
8 with the others, wouldn't necessarily have to  
9 wait until the end of year, that the Governor  
10 will be able to call it up sooner and we can most  
11 certainly start to see some additional supports  
12 rendered to our ratepayers.

13 SENATOR WALCZYK: Thank you,  
14 Madam President.

15 SENATOR WEBB: Thank you.

16 ACTING PRESIDENT PERSAUD: Thank  
17 you, Senator.

18 Are there any other Senators wishing  
19 to be heard?

20 Senator Tedisco.

21 SENATOR TEDISCO: Yes.

22 ACTING PRESIDENT PERSAUD: Senator  
23 Tedisco.

24 SENATOR TEDISCO: Thank you,  
25 Madam President. Would the gentlelady yield for

1 a few questions?

2 ACTING PRESIDENT PERSAUD: Will the  
3 sponsor yield?

4 SENATOR WEBB: Well, the young lady  
5 will yield.

6 (Laughter.)

7 ACTING PRESIDENT PERSAUD: The  
8 sponsor yields.

9 SENATOR TEDISCO: Thank you.

10 Senator, is there something wrong  
11 with these new machines? Is it the rate hikes  
12 that are being given to the utility companies?  
13 Is it the Public Service commissioners' fault for  
14 ratifying these rate increases?

15 What do you think is the cause of  
16 this distortion of this increase which is  
17 permeating through all our Senate and Assembly  
18 districts across the state?

19 SENATOR WEBB: Through you,  
20 Madam President. I think there are a number of  
21 factors that are contributing to the alarmingly  
22 high utility costs.

23 Most certainly with the smart  
24 meters, which is what this particular bill is  
25 looking to provide some clarity on for

1 ratepayers.

2 In addition to that, our continual  
3 dependence on fossil fuels. In addition to that,  
4 the PSC, which is the decision-making authority  
5 when it comes to our utility bills and having  
6 more transparency, when it comes to not only how  
7 they are reviewing rate cases and how they are  
8 approving them.

9 And again, we have a number of bills  
10 in this house that we've passed that are aiming  
11 towards addressing some of the issues that you  
12 framed in your comments or your question to me.

13 SENATOR TEDISCO: Will the sponsor  
14 yield for another question?

15 ACTING PRESIDENT PERSAUD: Will the  
16 Senator yield?

17 SENATOR WEBB: I will,  
18 Madam President.

19 ACTING PRESIDENT PERSAUD: The  
20 sponsor yields.

21 SENATOR TEDISCO: Could you explain  
22 to the viewers and to all of us so it's clear to  
23 them, our constituents, how do the Public Service  
24 commissioners get their appointments to the  
25 position they're in to make decisions

1 unilaterally, who are not elected officials, in  
2 terms of rate hikes?

3 SENATOR WEBB: Through you,  
4 Madam President. The decision-making process for  
5 the PSC is not associated with this particular  
6 bill, so I don't believe that it's germane to  
7 this.

8 But the Governor is part of  
9 approving the respective members to the PSC.

10 SENATOR TEDISCO: Would the Senator  
11 yield --

12 ACTING PRESIDENT PERSAUD: Will the  
13 sponsor yield?

14 SENATOR TEDISCO: -- for another  
15 question?

16 SENATOR WEBB: Yes.

17 SENATOR TEDISCO: You said the --

18 ACTING PRESIDENT PERSAUD: The  
19 sponsor yields.

20 SENATOR TEDISCO: Excuse me.

21 You said the Governor unilaterally  
22 appoints them? Or do they come to us here at the  
23 Senate?

24 SENATOR WEBB: Through you,  
25 Madam President. The Governor makes the

1 appointments, and they most certainly come  
2 through us in the Senate with respect to the  
3 approval process.

4 SENATOR TEDISCO: Okay. Would the  
5 Senator yield for another question?

6 ACTING PRESIDENT PERSAUD: Will the  
7 sponsor yield?

8 SENATOR WEBB: Yes.

9 ACTING PRESIDENT PERSAUD: The  
10 sponsor yields.

11 SENATOR TEDISCO: So the members in  
12 this room vote for those Public Service  
13 commissioners, which in many instances I see some  
14 of you get up and really go after them for  
15 ratifying these.

16 How does that vote work in the  
17 New York State Senate on a person that they send  
18 to us to make decisions about rate hikes for our  
19 constituents in New York State? Is there a  
20 record of how you and I voted for those  
21 individuals to have those positions?

22 SENATOR WEBB: Through you,  
23 Madam President. Senator, I imagine you're well  
24 aware of how the process works. And that's not  
25 germane to this particular bill.

1                   But all of our meetings are on  
2 public record.

3                   SENATOR TEDISCO:    Would the Senator  
4 yield --

5                   ACTING PRESIDENT PERSAUD:    Will the  
6 sponsor yield?

7                   SENATOR TEDISCO:    -- for another  
8 question?

9                   SENATOR WEBB:    Yes.

10                  ACTING PRESIDENT PERSAUD:    The  
11 sponsor yields.

12                  SENATOR TEDISCO:    I'm aware of it,  
13 but I'm trying to make our constituents and your  
14 constituents aware of it.

15                  There's no record of how you voted  
16 for these constituents {sic}, or how I voted,  
17 because I vote no on all of them.  Because I  
18 don't want to unilaterally give faceless  
19 bureaucrats the opportunity -- who never go  
20 before the voters like you and I -- to make  
21 rate-hike decisions which are having people  
22 continue to vote with our feet and walk out of  
23 the State of New York, be number one in  
24 outmigration.

25                  This is a part of the tip of the

1 reasons why people are leaving the state. They  
2 can't afford to live here anymore. They can't  
3 afford to own their houses anymore, they can't  
4 afford to purchase a house anymore, they can't  
5 afford to pay their energy bills.

6                   There is no record of how you voted,  
7 but they happen to come to us from the Governor  
8 and they happen to end up in the Public Service  
9 commissioners.

10                   So I'll ask you this question.  
11 Wouldn't it be a great idea for elected officials  
12 like ourselves, when a Governor sends us a person  
13 to make decisions on rate hikes, that we would  
14 ratify any decision they make. They would come  
15 back to us and say, Senators and Assemblypeople  
16 and Governor, we've decided, here is our  
17 research, this is why those rate hikes could come  
18 up.

19                   Because when my constituents call me  
20 and say, Why did you vote for that Public Service  
21 commissioner, I say I didn't. I don't see any  
22 record that you didn't vote for it, because there  
23 is no record. They come here, faceless  
24 bureaucrats, and --

25                   ACTING PRESIDENT PERSAUD:     Senator

1 Gianaris.

2 SENATOR GIANARIS: Madam President,  
3 this -- respectfully, these questions have  
4 nothing to do with the bill at hand.

5 So if Senator Tedisco would like to  
6 speak on the bill, I suppose he could say what he  
7 wants. But Senator Webb is defending her bill,  
8 which has absolutely nothing to do with the line  
9 of questioning that she's facing.

10 ACTING PRESIDENT PERSAUD: Senator  
11 Tedisco, are you on the bill? Are you speaking  
12 on the bill?

13 SENATOR TEDISCO: Yeah, I think  
14 I'll be on the bill. Yeah.

15 ACTING PRESIDENT PERSAUD: Senator  
16 Tedisco on the bill.

17 SENATOR TEDISCO: So I don't blame  
18 the Senator for not wanting to take credit for  
19 appointing all these individuals who are making  
20 all these rate increases. That's just something  
21 that continues to happen here, with the same  
22 transparency of what's happening with this  
23 budget.

24 We're about to have the total  
25 eclipse of the budget process in New York State

1 because after 40 days last year, after going into  
2 three weeks this year, now what you're doing,  
3 using messages of necessity, we'll be heading  
4 towards a budget, down the road maybe, nine bills  
5 will be coming out, \$260 billion of spending and  
6 taxing. The poison that has forced people to  
7 walk out of the State of New York and vote with  
8 their feet -- number one in outmigration.

9                   And these energy policies are the  
10 same thing. You can't keep appointing  
11 Public Service commissioners, faceless  
12 bureaucrats. You're elected to protect your  
13 constituents. If you want to protect your  
14 constituents, vote on whether you want them there  
15 or not.

16                   When they do rate increases, pass my  
17 bill, which says it comes back to us, we look at  
18 their research, we say it's fair or not fair, and  
19 we either vote up or down.

20                   Because they vote for you. They  
21 don't vote for Public Service commissioners  
22 with -- faceless bureaucrats, they don't know  
23 their names, they don't know who they are. But  
24 then when they come to you, you say, Well, it's  
25 not my fault, it's those Public Service

1 commissioners, or it's the meters, or it's the  
2 utility companies. It's probably a combination  
3 of all that.

4 But I know you should be  
5 representatives. Because I think you're getting  
6 a little bit mixed up. You're not the most  
7 important thing in this representative democracy.  
8 Are you surprised? Senators and Assemblypeople,  
9 elected officials, are not the most important  
10 persons in our representative democracy.

11 You know who is? The voters, the  
12 taxpayers, your constituents. And you should be  
13 representing them.

14 When this total eclipse comes and  
15 there's darkness here and you're voting on the  
16 budgets, just like you've -- you don't really  
17 vote on the PSC people who make these crazy  
18 decisions of increasing rates -- you're going to  
19 have more people walk out of the State of  
20 New York. And it's decisions like that which are  
21 going to make that happen.

22 You should be a part of solving the  
23 problem, not creating more poison to continue the  
24 problem of being number one in outmigration.

25 And if the taxpayers are looking,

1 again, last research, every two minutes and  
2 24 seconds somebody walks out of the State of  
3 New York -- not to visit Disneyland, but to live  
4 in another state.

5 And it's not only Florida, Texas, or  
6 those states. It's New Jersey. It's  
7 Pennsylvania. It's Connecticut. Those aren't  
8 the bastions of conservatism. But they aren't as  
9 tax-happy or spending-happy or energy-cost-happy  
10 as you are.

11 Thank you, Madam President.

12 ACTING PRESIDENT PERSAUD: You're  
13 welcome, Senator.

14 Are there any other Senators wishing  
15 to be heard?

16 Senator Rhoads, why do you rise?

17 SENATOR RHOADS: Thank you,  
18 Madam President. I was hoping the sponsor would  
19 be willing to yield to a few questions.

20 ACTING PRESIDENT PERSAUD: Will the  
21 sponsor yield?

22 SENATOR WEBB: I will,  
23 Madam President.

24 ACTING PRESIDENT PERSAUD: The  
25 sponsor yields.

1                   SENATOR RHOADS:    Thank you.

2                   Senator Webb, I think I understand  
3 the purpose of the bill is to give ratepayers  
4 more tools to be able to gauge their own energy  
5 usage.  Is that correct?

6                   SENATOR WEBB:    Through you,  
7 Madam President, yes.

8                   SENATOR RHOADS:    And while this  
9 bill may not actually reduce in any meaningful  
10 way the ratepayers' utility bills, again, it's to  
11 give them the tools to govern their own usage and  
12 make decisions on their own behalf, correct?

13                   SENATOR WEBB:    Through you,  
14 Madam President.  My colleague uses the term  
15 that -- "in a meaningful way."

16                   But I would daresay that if I'm  
17 someone that has a smart meter and I've been told  
18 by the utility company that this is going to help  
19 me with better monitoring my costs of my  
20 utilities, and in fact that's not happening, I  
21 would daresay, in counter to what you just  
22 offered, Senator, that this would be useful to  
23 give them some additional insight.

24                   And, at the same time, the other  
25 bills that we are voting on today, along with the

1 ones we've done previously, are all intended to  
2 try to not only control costs but also to improve  
3 access to utilities that we all depend on,  
4 Madam President.

5 SENATOR RHOADS: Will the sponsor  
6 continue to yield, Madam President.

7 ACTING PRESIDENT PERSAUD: Will the  
8 sponsor yield?

9 SENATOR WEBB: Yes.

10 ACTING PRESIDENT PERSAUD: The  
11 sponsor yields.

12 SENATOR RHOADS: Thank you,  
13 Senator Webb.

14 No, I certainly understand at the  
15 end of the day it may help consumers reduce their  
16 own costs by being more conscious of their energy  
17 usage.

18 But in terms of overall utility  
19 rates, there is nothing in this bill that would  
20 actually impact the rates that the PSC approves  
21 and that utility companies charge to consumers as  
22 a whole, is that correct?

23 SENATOR WEBB: Through you,  
24 Madam President, yes.

25 SENATOR RHOADS: And will the

1 sponsor continue to yield?

2 ACTING PRESIDENT PERSAUD: Will the  
3 sponsor yield?

4 SENATOR WEBB: Yes.

5 ACTING PRESIDENT PERSAUD: The  
6 sponsor yields.

7 SENATOR RHOADS: Through you,  
8 Madam President.

9 I know, Senator Webb, you indicated  
10 that the -- your belief that the overall reason  
11 why utility rates are so high in the State of  
12 New York is because of our dependence upon fossil  
13 fuels. Am I mischaracterizing that?

14 SENATOR WEBB: Through you,  
15 Madam President. Yes, that is a major  
16 contributing factor to why our utility bills are  
17 high.

18 In addition to that, the delivery  
19 fee that is set by the respective entities, and  
20 the PSC is involved in that decision as well,  
21 along with other factors, are reasons why our  
22 utility bills continue to go through the roof,  
23 Madam President.

24 SENATOR RHOADS: Will the sponsor  
25 continue to yield?

1                   ACTING PRESIDENT PERSAUD:    Does the  
2 sponsor yield?

3                   SENATOR WEBB:     Yes.

4                   ACTING PRESIDENT PERSAUD:    The  
5 sponsor yields.

6                   SENATOR RHOADS:    Through you,  
7 Madam President.

8                   Senator Webb, I note that Low-Carbon  
9 Power indicates that 45 percent of electricity  
10 generation in the State of New York is through  
11 low-carbon sources as opposed to fossil fuels,  
12 which is either among the best or the best in the  
13 United States.

14                   Yet, according to the U.S. Energy  
15 Information Administration, utility rates in the  
16 State of New York are 50.7 percent higher for  
17 residential ratepayers and 61.6 percent higher  
18 than the national average among commercial  
19 ratepayers, which seems to contradict your  
20 premise that it's fossil fuel consumption.

21                   Can you explain why that would be  
22 the case?

23                   SENATOR WEBB:    Through you,  
24 Madam President. I'm not familiar with this  
25 particular data point that my colleague

1 referenced.

2                   But what we do know to also be true  
3 is that New York State has some of the oldest gas  
4 and oil facilities in the country. And so when  
5 you have infrastructure like this, as I said in  
6 my point that our continual dependence on fossil  
7 fuels, amongst other factors -- like the war in  
8 Iran, like many other factors, Madam President,  
9 that I've already mentioned -- those are the  
10 things that also contribute to our bills  
11 continuing to go through the roof.

12                   SENATOR RHOADS:    And will the  
13 sponsor continue to yield.

14                   ACTING PRESIDENT PERSAUD:   Will the  
15 sponsor yield?

16                   SENATOR WEBB:    I thought it was  
17 just going to be a few questions. (Laughing.)

18                   But yes, I will yield.

19                   SENATOR RHOADS:    We're reaching the  
20 end.

21                   So, Senator Webb, if I understand  
22 your answer correctly, it is not the use of  
23 fossil fuels, it is the lack of investment in  
24 modernization of our fossil fuel plants that  
25 apparently is your concern.

1                   But I would just ask that -- this  
2                   legislation would allow consumers to set a  
3                   monthly usage threshold measured in kilowatt  
4                   hours for electricity and therms or CCF for gas  
5                   service, is that correct?

6                   SENATOR WEBB:     Through you,  
7                   Madam President, yes.

8                   This bill, which is the Utility  
9                   Usage Monitoring Program, would again allow  
10                  ratepayers to be able to set the threshold with  
11                  respect to their energy bills and being notified  
12                  when that threshold has been -- is in the process  
13                  of being exceeded or has been exceeded.

14                  SENATOR RHOADS:    Will the sponsor  
15                  continue to yield.

16                  ACTING PRESIDENT PERSAUD:   Does the  
17                  sponsor yield?

18                  SENATOR WEBB:     Yes.

19                  ACTING PRESIDENT PERSAUD:   The  
20                  sponsor yields.

21                  SENATOR RHOADS:    Through you,  
22                  Madam President.

23                  Senator Webb, thank you for that  
24                  answer.

25                  Is there any provision within this

1 legislation that would require that New York  
2 State government be notified with respect to any  
3 consumer exceeding their usage?

4 SENATOR WEBB: Through you,  
5 Madam President. This bill pertains to  
6 residential customers having that ability. So I  
7 do not believe that -- I'm trying to understand  
8 the nature of your question.

9 Are you asking if, for instance, you  
10 have a smart meter and you've set a threshold and  
11 it's exceeded, is a notice going to get sent to  
12 New York State? I'm just trying to understand  
13 your question.

14 SENATOR RHOADS: I'll yield.

15 My concern is -- yes, you've termed  
16 it correctly. My concern is I understand that  
17 usage levels will be able to be set by the  
18 consumer.

19 SENATOR WEBB: Mm-hmm.

20 SENATOR RHOADS: My concern is I  
21 want to make sure that information is not  
22 provided to New York State government.

23 Because my concern about the next  
24 step in this legislation is that somehow, even  
25 though it's not included here, in a future bill,

1 if the government has knowledge of how much  
2 energy is being used by an individual residential  
3 customer, will the government at some point in  
4 time attempt to set limits on how much energy a  
5 residential customer will be able to use.

6 The monitoring system, I want to  
7 make sure, is not going to be used for that  
8 purpose. I want to make sure, one, that that's  
9 not a part of this bill -- which I don't believe  
10 that it is, but I wanted to confirm it. And --

11 SENATOR WEBB: Through you,  
12 Madam President. That is not a part of this  
13 bill.

14 And currently our bills, when they  
15 are through the roof, the government doesn't get  
16 notified. This bill would not do that. And  
17 again, it's specifically for residential and --  
18 for residential ratepayers.

19 So no, that would not -- that's not  
20 a part of this bill.

21 SENATOR RHOADS: Thank you,  
22 Senator Webb.

23 Thank you, Madam President.

24 SENATOR WEBB: Thank you.

25 ACTING PRESIDENT PERSAUD: You're

1 welcome.

2 Are there any other Senators wishing  
3 to be heard?

4 Seeing and hearing none, debate is  
5 closed.

6 Senator Gianaris.

7 SENATOR GIANARIS: We'll be  
8 restoring this also to the noncontroversial  
9 calendar, please.

10 ACTING PRESIDENT PERSAUD: This  
11 bill will be restored to the noncontroversial  
12 calendar.

13 Read the last section.

14 THE SECRETARY: Section 2. This  
15 act shall take effect one year after it shall  
16 have become a law.

17 ACTING PRESIDENT PERSAUD: Call the  
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Senator  
21 Bailey to explain his vote.

22 SENATOR BAILEY: Thank you,  
23 Madam President.

24 Thank you, Senator Webb, for this  
25 important piece of legislation.

1                   And while I respect my colleagues  
2                   and their desire to speak about the immediacy  
3                   with which ratepayers should seek relief -- and  
4                   we all agree with that on this side of the  
5                   aisle -- the arguments are akin to saying we  
6                   shouldn't plant seeds now because the plant won't  
7                   grow by tomorrow, so we can't eat the food  
8                   tomorrow so we shouldn't plant anything.

9                   I think that we should pass bills  
10                  that will affect consumers. And even if it  
11                  affects consumers down the line -- not as quickly  
12                  as we may want it to be -- we still should enact  
13                  these bills because they are important to what we  
14                  need to do is making sure that affordability is  
15                  taken care of ongoing.

16                  Affordability doesn't just last a  
17                  week, a month, a year. It should be something  
18                  that we seek to have going forward.

19                  So thank you, Senator Webb, for  
20                  planting the seeds so that the garden of  
21                  affordability can continue to grow.

22                  I vote aye, Madam President.

23                  ACTING PRESIDENT PERSAUD:    Senator  
24                  Bailey to be recorded in the affirmative.

25                  Senator Webb to explain her vote.

1                   SENATOR WEBB:    Thank you,  
2    Madam President.

3                   And I want to say that with respect  
4    to this bill and kind of the debate that we just  
5    had on this bill, along with the other bills that  
6    we are passing on the floor today, to a comment  
7    that my colleague mentioned with respect to the  
8    PSC and us not protecting constituents, we are  
9    doing exactly that.

10                  Having the ability to know how  
11    you're being charged, why you're being charged  
12    this way, is part of this larger system.  And all  
13    of these aspects are most certainly very  
14    important.

15                  This legislation is not being done  
16    in isolation.  In fact, there are other states  
17    that currently have this type of a system in  
18    place.  And even within New York, utility  
19    companies like Con Edison, they currently have  
20    this option for ratepayers to utilize with  
21    respect to monitoring their usage.

22                  This legislation would require all  
23    utility companies in the state to offer this  
24    option to residential ratepayers with respect to  
25    their utility bills.

1                   And as I mentioned, that the  
2                   alarming amount of increases in our utility bills  
3                   that we are seeing all over the state, many  
4                   people are very fearful and unfortunately are  
5                   making decisions about do you continue to put  
6                   food on the table or pay utility bills.

7                   This package of legislation is  
8                   aiming towards addressing some of these issues  
9                   that are part of the larger system with respect  
10                  to our access to utilities.

11                  And so having the ability to know  
12                  how your usage is affecting your residents, but  
13                  also having a real opportunity to address the  
14                  financial strain associated with and preventing  
15                  it, along with what we're doing in the budget in  
16                  terms of increasing funding for programs like  
17                  HEAP and other supports, are very important.

18                  And so I vote aye on this  
19                  legislation, and I most certainly encourage my  
20                  colleagues to do the same.

21                  Just for a point of information,  
22                  when I introduced this bill before, we most  
23                  certainly had overwhelming support in the  
24                  chamber. And I hope that my colleague --  
25                  Senator Tedisco, you voted for it before, you

1 voted yes, and I hope you will vote yes again.

2 Thank you.

3 ACTING PRESIDENT PERSAUD: Senator  
4 Webb to be recorded in the affirmative.

5 Senator Hinchey to explain her vote.

6 SENATOR HINCHEY: Thank you,  
7 Madam President.

8 And I want to thank Senator Webb for  
9 caring about her constituents and all of our  
10 constituents across the state.

11 We want the PSC to care about  
12 affordability, but there's actually nothing in  
13 statute that requires them to do so. There is  
14 safety and continuation of service, among other  
15 things that they must take into account in rate  
16 cases, but not affordability.

17 And my colleague spoke a lot about  
18 PSC commissioners and how they do rate cases and  
19 how they take into account this affordability.

20 I'd like to remind my colleagues  
21 that we actually passed a bill in this chamber on  
22 February 4th that would require the PSC to take  
23 into account affordability in all rate cases, and  
24 it would add another consumer advocate to the PSC  
25 commissioner board.

1 All of my colleagues on the other  
2 side of the aisle but two voted against that  
3 bill, including all three that spoke about it at  
4 length today in this debate. So I just want to  
5 remind our colleagues that we have voted to put  
6 affordability in statute at the PSC. Our  
7 conference led on that issue. And I'm proud to  
8 vote aye on this bill in support of Senator Webb  
9 and what she is doing in fighting for our  
10 constituents across the state.

11 Thank you.

12 ACTING PRESIDENT PERSAUD: Senator  
13 Hinchey to be recorded in the affirmative.

14 Senator Tedisco to explain his vote.

15 SENATOR TEDISCO: Yeah, having my  
16 name being called here, I just want to say that  
17 I'm not against this bill. It's innocuous. It  
18 will do nothing to stop the rate increases.

19 What I oppose is the lack of  
20 transparency that takes place with this body  
21 here.

22 I asked someone to explain -- who  
23 seems to mention the Public Service Commission  
24 several times -- how they get there, actually,  
25 from this body. And then we're willing to tell

1 the people viewing and our constituents that it's  
2 a voice vote. Nobody goes out to register or be  
3 responsible or taking responsibility for putting  
4 the Governor appointments over there, but then  
5 they stand up on many occasions and say, Those  
6 darn Public Service commissioners ratifying rate  
7 increases.

8                   They're not elected officials.  
9 They're faceless bureaucrats. Ask any of your  
10 constituents if they know the names of the people  
11 that increase their rates, because they don't  
12 call them, they call you when their rates are  
13 being increased. None of them know the names of  
14 the Public Service commissioners, which you allow  
15 to float from the Governor, from here, out to the  
16 Public Service Commission.

17                   And if anybody looks up the vote,  
18 they won't know the yeses or the nos. Then  
19 they'll think they flew out of the Senate and you  
20 put them there.

21                   So the real concern is, you're  
22 representatives. Look, you're elected officials.  
23 You're public servants. That's meaningless. You  
24 are representatives. If you want to stop rate  
25 increases, you think they're unfair, you think

1 the research isn't done properly, vote for a bill  
2 or put your own bill in that makes them send it  
3 back to you for ratification.

4 So when they call, you can tell your  
5 constituents, This is the evidence why probably a  
6 part of the rates may be because of the energy  
7 policies you put forth, the mandates which are  
8 being paused now.

9 Is this an election year for the  
10 Governor and for many of you who have put forth  
11 buses for \$450,000 for electricity when a  
12 combustible bus is \$150,000 --

13 ACTING PRESIDENT PERSAUD: Senator  
14 Tedisco, how do you vote? Senator Tedisco, how  
15 do you vote?

16 SENATOR TEDISCO: Why don't you do  
17 the right thing and represent your constituents.

18 ACTING PRESIDENT PERSAUD: Senator  
19 Tedisco, how do you vote?

20 SENATOR TEDISCO: Madam Speaker,  
21 yes.

22 ACTING PRESIDENT PERSAUD: How do  
23 you vote?

24 SENATOR TEDISCO: Yes.

25 ACTING PRESIDENT PERSAUD: Senator

1 Tedisco to be recorded in the affirmative.

2 Announce the results.

3 THE SECRETARY: Ayes, 55.

4 ACTING PRESIDENT PERSAUD: The bill  
5 is passed.

6 THE SECRETARY: Calendar Number  
7 628, Senate Print 904B, by Senator Gonzalez, an  
8 act to amend the Public Service Law.

9 ACTING PRESIDENT PERSAUD: Senator  
10 Walczyk, why do you rise?

11 SENATOR WALCZYK: Madam President,  
12 I hope the sponsor would yield for some  
13 questions.

14 ACTING PRESIDENT PERSAUD: Will the  
15 sponsor yield?

16 SENATOR GONZALEZ: Yes, I do.

17 ACTING PRESIDENT PERSAUD: The  
18 sponsor yields.

19 SENATOR WALCZYK: Through you,  
20 Madam President.

21 So the Public Service Commission can  
22 already pause fees and penalties when a utility  
23 company is under investigation. Why is this bill  
24 necessary?

25 SENATOR GONZALEZ: Through you,

1 Madam President, that is a good question. It  
2 highlights the fact that we're not introducing  
3 anything really new other than the fact that we  
4 should always have the strongest possible  
5 consumer protection.

6 So the reason we have introduced  
7 this bill and I have championed this is because I  
8 believe that customers should have the maximum  
9 amount of consumer protections, according to the  
10 ability of the PSC, while their utility company  
11 is under investigation.

12 SENATOR WALCZYK: Through you,  
13 Madam President, would the sponsor continue to  
14 yield?

15 ACTING PRESIDENT PERSAUD: Will the  
16 sponsor yield?

17 SENATOR GONZALEZ: I do.

18 ACTING PRESIDENT PERSAUD: The  
19 sponsor yields.

20 SENATOR WALCZYK: Through you,  
21 Madam President. On page 2 of this bill, though,  
22 there's some pretty significant new statutory  
23 changes. One of which, there's a requirement  
24 that a utility company can't shut anyone's power,  
25 gas, anything else off 120 days after a rate case

1 is approved.

2 Why does that requirement exist?

3 SENATOR GONZALEZ: Through you,  
4 Madam President. Based on the finding of the PSC  
5 on the case, we want to ensure that our consumers  
6 and customers have time, if they are going to be  
7 required to pay any remaining fees as determined  
8 by the PSC.

9 So essentially in cases, for  
10 example, where a utility company is found guilty  
11 of overbilling, then, you know, those customers  
12 would likely not be forced to pay.

13 If the utility company is found  
14 innocent and they have had proper billing  
15 practices, then the PSC will then determine what  
16 is owed to the company, and we are giving four  
17 months for consumers to collect what they need to  
18 pay in order to continue their service.

19 SENATOR WALCZYK: Madam President,  
20 will the sponsor continue to yield?

21 ACTING PRESIDENT PERSAUD: Does the  
22 sponsor yield?

23 SENATOR GONZALEZ: I do.

24 ACTING PRESIDENT PERSAUD: The  
25 sponsor yields.

1                   SENATOR WALCZYK:    So for the people  
2                   that are not paying their bills that don't have  
3                   to pay their bills for 120 days after and then  
4                   possibly get their utilities shut off at that  
5                   point, who picks up the tab for that?

6                                     Is that the taxpayers?  Is there  
7                   some kind of special pot of money out there?  
8                   Will that be the ratepayers in the next rate case  
9                   that that utility company brings forward?

10                   SENATOR GONZALEZ:    Through you,  
11                   Madam President, I want to be clear on the  
12                   language.

13                                     Utility customers will have to pay  
14                   if the PSC finds, based on the result of the  
15                   case, that they have to pay.  So I just want to  
16                   be clear that there is no scenario, unless it's  
17                   from the PSC, that they don't have to pay while  
18                   under investigation.

19                                     They can also choose to continue to  
20                   pay their bills, as they continue to receive  
21                   bills from the utility company.

22                                     What we are simply saying here is  
23                   that the utility company will be made whole if  
24                   they of course are entitled to that, according to  
25                   the PSC, after 120 days of the end of the case.

1                   SENATOR WALCZYK:    Would the sponsor  
2 continue to yield?

3                   ACTING PRESIDENT PERSAUD:    Will the  
4 sponsor yield?

5                   SENATOR GONZALEZ:    I do.

6                   ACTING PRESIDENT PERSAUD:    The  
7 sponsor yields.

8                   SENATOR WALCZYK:    Yeah, there's a  
9 few different sections of your bill. The first  
10 portion that I was asking about wasn't about the  
11 investigations, it was actually about the rate  
12 cases.

13                                So utility companies come forward to  
14 the PSC, they bring a rate case, they're asking  
15 for an increase, generally. There's a  
16 negotiation and the case is seen through.

17                                The 120 days after that rate case is  
18 all the way through, they wouldn't be able to do  
19 any shutoffs. So someone would find out, as they  
20 do -- and people are very tuned in at this point  
21 to rate increases -- they'll see headlines, Hey,  
22 another rate increase has been approved, so  
23 they'll know that it's coming.

24                                What is the purpose of having  
25 120 days of no shutoffs? And then the real

1 question that I asked was who pays that tab for  
2 people that are not paying their bills within  
3 those 120 days?

4 SENATOR GONZALEZ: Through you,  
5 Madam President. To be clear, that case would  
6 not happen, because this bill explicitly excludes  
7 rate cases or routine procedures and only  
8 pertains to formal investigations that, again, do  
9 not include rate cases.

10 SENATOR WALCZYK: Madam President,  
11 will the sponsor continue to yield?

12 ACTING PRESIDENT PERSAUD: Will the  
13 sponsor yield?

14 SENATOR GONZALEZ: I do.

15 ACTING PRESIDENT PERSAUD: The  
16 sponsor yields.

17 SENATOR WALCZYK: So in Section 54,  
18 "Investigations relating to residential gas,  
19 electric, steam utility service: For the purpose  
20 of this section, the term 'investigation' shall  
21 mean a formal proceeding conducted by the  
22 commission examining the billing, rates" -- isn't  
23 that a rate case?

24 SENATOR GONZALEZ: Through you,  
25 Madam President. One of the changes we made in

1 the B print was to be explicit in excluding rate  
2 case. No, that is not.

3 But what I can provide are some  
4 examples of formal investigations, including an  
5 investigation on the quality of gas or  
6 electricity supplied, the purity, pressure or  
7 cost of gas service, the efficiency of electric  
8 light bulbs, the voltage of electricity provided  
9 for lighting, heating or power, the rates,  
10 charges or classifications of electricity  
11 service. These are some of the formal  
12 investigations that could be conducted by the PSC  
13 that would then apply under this bill.

14 But again, rate cases are explicitly  
15 excluded, according to our definitions in this  
16 bill.

17 SENATOR WALCZYK: Will the sponsor  
18 continue to yield?

19 ACTING PRESIDENT PERSAUD: Will the  
20 sponsor yield?

21 SENATOR GONZALEZ: Yes.

22 ACTING PRESIDENT PERSAUD: The  
23 sponsor yields.

24 SENATOR WALCZYK: Through you,  
25 Madam President. The -- I've got a handful of

1 opposition memos that have come to my office from  
2 the New York State Laborers PAC, from the IBEW,  
3 Utility Labor Council, from the Utility Workers  
4 Union of America Local 1-2, the International  
5 Union of Operating Engineers, and from the Energy  
6 Coalition, which seeks to protect costs for  
7 ratepayers.

8                   Why are all of the labor unions and  
9 the advocates for ratepayers opposed to this  
10 bill?

11                   SENATOR GONZALEZ: Through you,  
12 Madam President, just a slight correction. IBEW  
13 is actually neutral on this bill.

14                   But of course we've received, in  
15 addition to many memos of support, some memos of  
16 opposition. I think some would argue that this  
17 hurts the utility companies.

18                   And they've been very vocal about  
19 the fact that they want to see -- want to  
20 continue any practice, even if they are under  
21 formal investigation, to collect the maximum  
22 amount of money from consumers.

23                   However, as someone who represents  
24 thousands of constituents who are already  
25 struggling with high utility bills, I believe

1 that in this case we need to prioritize our  
2 constituents' interests, especially in the  
3 context of affordability, over the interests of  
4 our utility companies.

5 SENATOR WALCZYK: Madam President,  
6 briefly on the bill.

7 ACTING PRESIDENT PERSAUD: Senator  
8 Walczyk on the bill.

9 SENATOR WALCZYK: I just want to  
10 correct something for the record.

11 Reading off of a memo of opposition,  
12 "The IBEW Utility Labor Council of New York State  
13 and the Local 1-2 UWUA, representing 22,000  
14 utility workers across the state, strongly  
15 opposes Senate Bill 904." Which is what is  
16 before us here today.

17 And with that, would the sponsor  
18 continue to yield?

19 ACTING PRESIDENT PERSAUD: Senator  
20 Gonzalez on the bill.

21 SENATOR GONZALEZ: Well, I  
22 continue --

23 ACTING PRESIDENT PERSAUD: You want  
24 to explain something.

25 SENATOR GONZALEZ: I continue.

1                   But again, while they had -- I just  
2                   want to clarify one thing. While IBEW had  
3                   previously submitted a memo of opposition, they  
4                   have since indicated to us in writing that they  
5                   are neutral on this bill.

6                   ACTING PRESIDENT PERSAUD: Will the  
7                   sponsor yield?

8                   SENATOR GONZALEZ: Yes.

9                   ACTING PRESIDENT PERSAUD: The  
10                  sponsor yields.

11                  SENATOR WALCZYK: Through you,  
12                  Madam President. Is there anything in this bill  
13                  that will lower energy bills for New Yorkers on  
14                  their next energy bill next month, in the next  
15                  two months, in the next three months?

16                  SENATOR GONZALEZ: Through you,  
17                  Madam President. That is not the nature of  
18                  formal investigations. They take some time.

19                  And again, what is specific to this  
20                  bill is when utility companies are under formal  
21                  investigation.

22                  What I will say is this has the  
23                  potential to reduce customers' bills, again, if  
24                  at the end of an investigation the PSC finds that  
25                  they were unfairly billing and actually reduces

1 those customers' bills at the end of that  
2 investigation.

3 This actually has happened. I think  
4 we've cited a number of times the case of  
5 Central Hudson, which had significant issues with  
6 their billing.

7 SENATOR WALCZYK: Thank you,  
8 Madam President.

9 ACTING PRESIDENT PERSAUD: Thank  
10 you.

11 Are there any other -- Senator  
12 Mattera.

13 SENATOR MATTERA: Thank you,  
14 Madam President.

15 Would the sponsor yield for a couple  
16 of questions, please?

17 ACTING PRESIDENT PERSAUD: Will the  
18 sponsor yield?

19 SENATOR GONZALEZ: Yes.

20 ACTING PRESIDENT PERSAUD: The  
21 sponsor yields.

22 SENATOR MATTERA: And thank you,  
23 Senator.

24 Do you feel, again, that the rates  
25 are going to be higher because of your bill? You

1 know, ratepayers right now in New York State are  
2 paying the highest utility bills. Do you feel  
3 that this is not going to be on the backs of all  
4 of our ratepayers, a bill like this, 120 days?

5 And I'd like to know how you came up  
6 with 120 days, to be honest with you.

7 SENATOR GONZALEZ: Through you,  
8 Madam President. No, I would not agree with the  
9 statement that this somehow unduly burdens other  
10 customers.

11 We know that every few years there  
12 are rate cases where the PSC determines if bills  
13 are allowed to increase according to the  
14 arguments that utility companies are making.

15 Now, that -- this bill is out of the  
16 context of rate cases. So if a utility company  
17 is under investigation, we're assuming that that  
18 rate and what their electric charge is has not  
19 changed.

20 And I would add that if -- and  
21 again, bringing it back to this bill  
22 specifically, and not to rate cases, during the  
23 investigation utility companies will continue to  
24 issue bills. If they are found innocent, even  
25 after 120 days, they will be made whole.

1 Therefore, if the PSC determines they will  
2 receive the money from customers that they have  
3 been, I'm sure, arguing they deserve.

4 If -- if they are found innocent,  
5 they have been overbilling and theoretically it  
6 should be a cost to no one for those customers to  
7 receive that decrease in their bill and  
8 certainly, again, is outside of the context of a  
9 rate case, which they can continue to go ahead  
10 and submit a request for increase in the future.

11 SENATOR MATTERA: Madam President,  
12 would the sponsor still continue to yield,  
13 please.

14 ACTING PRESIDENT PERSAUD: Will the  
15 sponsor yield?

16 SENATOR GONZALEZ: Yes.

17 ACTING PRESIDENT PERSAUD: The  
18 sponsor yields.

19 SENATOR MATTERA: So for somebody  
20 that has been opposing the CLCPA, we know that --  
21 I'm going to feel that our rates have gone up  
22 over a hundred percent in certain areas since the  
23 CLCPA has been put forward.

24 You know, we have a chairman that I  
25 respect, and a lot of people in this room

1 respect. He's been very fair, respectful, and  
2 somebody that you can talk to. Do you feel that  
3 Chairman Christian is failing at his job in any  
4 way?

5 Do you feel that -- in other words,  
6 that right now we've put in place that we need  
7 to -- we have to now put something forward when  
8 we know that we have somebody that's the chairman  
9 of the PSC that's doing a fine job?

10 SENATOR GONZALEZ: Through you,  
11 Madam President. I will say that is not germane  
12 to this bill.

13 I think we understand that systems  
14 and commissions and authorities are bigger than  
15 any one person and bigger than even their chair.  
16 And they are systems that sometimes need to be  
17 reformed.

18 That's why the State Senate and many  
19 of my colleagues have introduced bills to reform  
20 parts of the PSC, because we understand that  
21 utility bills have been increasing. We want to  
22 make sure that our constituents are well  
23 represented.

24 Again, this is -- this is just one  
25 bill as part of a broader package that seeks to

1 reform the system by adding additional consumer  
2 protections to customers when their utility  
3 company is, again, found -- there's plausible and  
4 credible evidence that they may have improper  
5 practices.

6 SENATOR MATTERA: Through you,  
7 Madam President, would the sponsor still continue  
8 to yield?

9 ACTING PRESIDENT PERSAUD: Will the  
10 sponsor yield?

11 SENATOR GONZALEZ: Yes.

12 ACTING PRESIDENT PERSAUD: The  
13 sponsor yields.

14 SENATOR MATTERA: Senator, do you  
15 feel that this is, like, going to encourage  
16 ratepayers?

17 You know, it's -- you know, I know  
18 there's hard times. But I would love to know how  
19 many phone calls you receive, because I haven't  
20 received any in my district. I'd like to know,  
21 do you feel that this isn't going to encourage  
22 ratepayers, that 120 days?

23 And I'd like to know also, too, if  
24 they're found that, in other words, there was  
25 wrongfully -- there was a wrongful doing here, do

1 you feel that -- how -- how could we put the  
2 burden again on them?

3 I just -- how can -- my point is you  
4 don't feel that this is going to encourage our  
5 ratepayers in any way?

6 SENATOR GONZALEZ: Through you,  
7 Madam President. No, I do not think any part of  
8 this bill encourages nonpayment.

9 The truth is that these utility  
10 companies tend to be billion-dollar corporations  
11 that can continue to operate even if they are not  
12 receiving late fees or interest while they're  
13 under investigation.

14 But what I do know, and to the  
15 question of how many calls, I've received a  
16 number of calls and outreach from my constituents  
17 who are struggling with their utility bills, and  
18 dozens of constituents who show up to events that  
19 we hold around energy efficiency because they are  
20 desperately trying to figure out how to save  
21 every penny possible.

22 So whereas a lot of these utility  
23 companies are doing well, a lot of our  
24 constituents are struggling with affordability  
25 and are living paycheck to paycheck. So while

1 this bill does not encourage nonpayment, what it  
2 does is allow the lights to stay on if those  
3 constituents who are customers cannot keep up  
4 with the cost of service.

5           And that can be life or death,  
6 because as we know, there are peak days. It is  
7 becoming incredibly cold in the winter,  
8 incredibly hot in the summer, and every time we  
9 have a peak event, there are -- those without  
10 energy or the ability to afford to keep the  
11 lights on sometimes pass away because of  
12 heat strokes or freezing to death. These are  
13 real things that happen.

14           And so I really want to re-focus  
15 this conversation away from the utility companies  
16 and more on what we're trying to do for everyday  
17 New Yorkers.

18           SENATOR MATTERA: Madam President,  
19 please, would the sponsor still continue to  
20 yield?

21           ACTING PRESIDENT PERSAUD: Will the  
22 sponsor yield?

23           SENATOR GONZALEZ: Yes.

24           SENATOR MATTERA: But the PSC --

25           ACTING PRESIDENT PERSAUD: The

1 sponsor yields.

2 SENATOR MATTERA: I'm sorry.

3 The PSC does a fine job -- again,  
4 you keep on saying, in other words, it's not  
5 germane to the bill. But you're pretty much  
6 saying that they're not doing their job to help  
7 the ratepayer in New York State.

8 One hundred twenty days. That's a  
9 good amount of days that -- that -- seriously,  
10 it's going to be on the backs -- who's going to  
11 be paying for this? We all say this all the  
12 time, the ratepayer is going to be paying for  
13 this.

14 You keep on saying no, but somebody  
15 has to pay for this, Senator. Again, the PSC  
16 needs to do their job. You're pretty much saying  
17 that they're not.

18 SENATOR GONZALEZ: Through you,  
19 Madam President. I'm not saying that they're  
20 not, I'm saying that they have a power that we  
21 want to make sure is consistent and we want to  
22 make sure that the standard is set that consumers  
23 deserve this protection.

24 Now, I want to be a little clear  
25 because I think there's a lot of focus on this

1 120 days after the results of an investigation.

2 The only way, theoretically -- and  
3 again, hypothetically -- that utility companies  
4 would even be able to pass down costs would be  
5 through a formal rate case. And that would  
6 assume that a formal rate case is happening in  
7 this four-month cycle.

8 And when a rate case is happening,  
9 the PSC is looking at it holistically. It's not  
10 just in the context of a result of an  
11 investigation, but a lot of data around, for  
12 example, the money that utility company is paying  
13 for normal things like upkeep and upgrades.

14 So there isn't actually a mechanism  
15 simply if the -- in the case that a utility  
16 company is found innocent and money needs to be  
17 returned for them, that that is immediately  
18 socialized amongst the rest of the consumer base.

19 SENATOR MATTERA: Madam President,  
20 just one more question, please, if the sponsor  
21 would continue to yield.

22 ACTING PRESIDENT PERSAUD: Does the  
23 sponsor yield?

24 SENATOR GONZALEZ: Yes.

25 ACTING PRESIDENT PERSAUD: The

1 sponsor yields.

2 SENATOR MATTERA: So what happens  
3 then? The -- there's an investigation goes on  
4 and they're found that -- in other words, that  
5 they're -- they need to pay the bill.

6 Is there any interest? What happens  
7 in a case like this? So what happens that  
8 they're guilty, whatever, and they have to now  
9 pay back -- is there any interest on top of this?

10 SENATOR GONZALEZ: Through you,  
11 Madam President, that is for the PSC to  
12 determine.

13 SENATOR MATTERA: Oh, so the PSC  
14 again.

15 SENATOR GONZALEZ: Yes. Correct.

16 SENATOR MATTERA: All right.

17 On the bill.

18 ACTING PRESIDENT PERSAUD: On the  
19 bill, Senator Mattera.

20 SENATOR MATTERA: Great. Thank  
21 you, Madam President.

22 You know, this is just another way  
23 of gouging all of our ratepayers that pay their  
24 bills. We have the PSC, which does their job to  
25 protect ratepayers in need. And this is

1 something -- 120 days, this is just to encourage  
2 people in a lot of ways not to pay their bills.

3 You know, as somebody that went  
4 yesterday to a very, very important day for the  
5 NESE Williams pipeline that finally -- very, very  
6 important. Yes, we need a plan and not a ban.  
7 That was something that was a necessity -- I was  
8 speaking with the PSC to make sure that we have  
9 natural gas capacity.

10 It was a total disgrace that we had  
11 to go sit there and fight and put a lawsuit  
12 forward, a natural gas ban lawsuit. That keeps  
13 our rates down.

14 Wind, solar, and battery storage,  
15 I'll say it all day long, is costing all of our  
16 ratepayers trillions of dollars, which it's going  
17 to be costing trillions of dollars to all the  
18 ratepayers. Again, rates are going up over  
19 100 percent and more in the State of New York.  
20 Our ratepayers are frustrated. I'm frustrated  
21 listening to what's happening with this.

22 And you know what? To go over there  
23 yesterday and to go make sure that we have the  
24 gas flowing, natural gas flowing for the right  
25 reasons -- very, very important. That will be

1 keeping our rates down.

2 So you know what, Madam President?

3 I am a no on this bill. Thank you.

4 ACTING PRESIDENT PERSAUD: Are  
5 there any other Senators wishing to be heard?

6 Seeing and hearing none, debate is  
7 closed.

8 Senator Gianaris.

9 SENATOR GIANARIS: Once again,  
10 Madam President, we'll be restoring this to the  
11 noncontroversial calendar.

12 ACTING PRESIDENT PERSAUD: The bill  
13 is restored to the noncontroversial calendar.

14 Read the last section.

15 THE SECRETARY: Section 7. This  
16 act shall take effect on the 30th day after it  
17 shall have become a law.

18 ACTING PRESIDENT PERSAUD: Call the  
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT PERSAUD: Senator  
22 Gonzalez to explain her vote.

23 SENATOR GONZALEZ: Thank you,  
24 Madam President. I want to thank our leader,  
25 Majority Leader Stewart-Cousins, and my

1 colleagues in this conference.

2 At a time when affordability is top  
3 of mind and there is very little in a positive  
4 vision being provided for us at the federal  
5 level, here in New York we understand that  
6 utility bills are a key part of the strain for  
7 many of our constituents.

8 And so I am proud to be part of a  
9 chamber that is putting forward that positive  
10 vision, and in realtime being responsive to our  
11 constituent's needs.

12 As we heard, we do have a climate  
13 crisis and an affordability crisis. I believe a  
14 bill like mine, which focuses on consumer  
15 protections, is at the intersection of both to  
16 make sure people get the light and the heat they  
17 need while also certainly ensuring that we have a  
18 standard of protection in every formal  
19 investigation through the PSC.

20 So again, I just wanted to say thank  
21 you to the leader, thank you to my colleagues,  
22 and I certainly vote aye on this bill.

23 ACTING PRESIDENT PERSAUD: Senator  
24 Gonzalez to be recorded in the affirmative.

25 Senator Murray to explain his vote.

1                   SENATOR MURRAY:    Thank you,  
2    Madam President.

3                   So in listening to the debate back  
4    and forth, it reminds me of when I've talked to  
5    some people and somebody bounces a check at a  
6    bank, and then the bank imposes all these fees.  
7    And they say, Well, if I had the money to pay it  
8    in the first place, I could have paid the check.  
9    But I don't have the money for the fees as well,  
10   so you're just tacking them on top.

11                  And that's what kind of -- it  
12    reminds me of this. In this case you've got  
13    someone who's behind on their bills, they're way  
14    behind, to the point where they now go to an  
15    investigation, and now everything pauses. And  
16    we're adding 120 days. They can't be cut off,  
17    can't be penalized, can't anything, for 120 days  
18    after the investigation's complete, which is  
19    going to add even more time on.

20                  And it gets to the point where if  
21    the ruling goes against the customer, they've now  
22    dug that hole so deep there's no way to get out  
23    of it. So then they end up getting disconnected,  
24    and everyone else pays for what wasn't paid for  
25    in the first place. And that hole is much, much

1 deeper. So it just compounds the problem.

2 Let's concentrate on doing exactly  
3 what everyone is saying. Let's concentrate on  
4 lowering the rates in the first place.

5 For this, I'm a no.

6 ACTING PRESIDENT PERSAUD: Senator  
7 Murray to be recorded in the negative.

8 Announce the results.

9 THE SECRETARY: In relation to  
10 Calendar 628, voting in the negative are  
11 Senators Ashby, Borrello, Chan, Helming, Mattera,  
12 Murray, O'Mara, Ortt, Rhoads, Stec, Tedisco,  
13 Walczyk, Weber and Weik.

14 Ayes, 41. Nays, 14.

15 ACTING PRESIDENT PERSAUD: The bill  
16 is passed.

17 THE SECRETARY: Calendar Number  
18 629, Senate Print 1553, by Senator Parker, an act  
19 to amend the Public Service Law.

20 ACTING PRESIDENT PERSAUD: Senator  
21 Lanza, why do you rise?

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

1                   ACTING PRESIDENT PERSAUD:    Thank  
2    you, Senator Lanza.

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

6                   SENATOR LANZA:    Accordingly,  
7    Madam President, I appeal the ruling of the chair  
8    and ask that you recognize Senator Rolison to be  
9    heard on that appeal.

10                  ACTING PRESIDENT PERSAUD:    The  
11    appeal has been made and recognized, and  
12    Senator Rolison may be heard.

13                  Senator Rolison.

14                  SENATOR ROLISON:    Thank you,  
15    Madam President.

16                  This bill amendment is germane to  
17    the bill-in-chief because the bill-in-chief  
18    provides credits for excess electricity generated  
19    by customer generators, and this amendment would  
20    provide a one-year utility tax bill and surcharge  
21    holiday and a two-year green energy tax holiday.

22                  Madam President, you know, it's just  
23    estimated that government taxes, fees and  
24    mandates account for roughly one-third of a  
25    customer's utility bill.

1                   Unfortunately, many of these taxes,  
2 fees and mandates, Madam President, they're  
3 hidden in your utility bill.

4                   And this amendment would suspend the  
5 following taxes for one year: The system benefit  
6 charge, the temporary state assessment, slash,  
7 incremental state assessment charge, and the  
8 renewable portfolio standard charge.

9                   Now also, Madam President, the bill  
10 would suspend several green energy tariffs and  
11 surcharges for two years.

12                   Now, this amendment would deliver  
13 meaningful and immediate relief to ratepayers who  
14 are struggling with skyrocketing energy costs.  
15 And as a legislative body, Madam President, we  
16 must examine every available avenue to reduce  
17 these utility costs. And that effort should  
18 begin with actions we can take immediately,  
19 today, including reducing taxes and fees.

20                   Now, I think most people in this  
21 chamber and outside this chamber know that I'm  
22 for clean energy, but it must be done in a  
23 responsible and reasonable way, Madam President,  
24 that does not continue to crush the pocketbooks  
25 of all New Yorkers.

1                   Now, my colleague Senator Bailey  
2                   said just a while ago on a previous bill, you  
3                   know, he likened it to we have to do like several  
4                   things in this chamber -- and I think sometimes  
5                   we do, maybe right here we're falling a little  
6                   short -- but planting the seed that may not grow  
7                   today but will grow in the future.

8                   I get that. I support that. I'm  
9                   about planting seeds for the future and for today  
10                  as well.

11                  But I would say, Madam President,  
12                  that this particular amendment actually has  
13                  already germinated. And what we do today we  
14                  don't have to wait for the seed to grow tomorrow  
15                  or three, four, five years down the road.

16                  And for that reason,  
17                  Madam President, I urge all of my colleagues to  
18                  support this amendment.

19                  Thank you.

20                  ACTING PRESIDENT PERSAUD: Thank  
21                  you, Senator.

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

25                  Those in favor of overruling the

1 chair, signify by saying aye.

2 (Response of "Aye.")

3 SENATOR LANZA: Show of hands.

4 ACTING PRESIDENT PERSAUD: A show  
5 of hands has been requested and so ordered.

6 Announce the results.

7 THE SECRETARY: Ayes, 18.

8 ACTING PRESIDENT PERSAUD: Senator  
9 Walczyk, why do you rise?

10 SENATOR WALCZYK: Madam President,  
11 I hope the sponsor would yield for some  
12 questions.

13 ACTING PRESIDENT PERSAUD: Will the  
14 sponsor yield?

15 SENATOR PARKER: Yes,  
16 Madam President.

17 ACTING PRESIDENT PERSAUD: The  
18 sponsor yields.

19 SENATOR WALCZYK: Through you,  
20 Madam President.

21 So this bill that you're proposing  
22 today would carry over net-metered energy  
23 indefinitely, is that correct?

24 SENATOR PARKER: Yes. Oh, I'm  
25 sorry, through you, Madam President, yes.

1                   SENATOR WALCZYK:    And would the  
2 sponsor continue to yield?

3                   ACTING PRESIDENT PERSAUD:   Will the  
4 sponsor yield?

5                   SENATOR PARKER:    Yes,  
6 Madam President.

7                   ACTING PRESIDENT PERSAUD:   The  
8 sponsor yields.

9                   SENATOR WALCZYK:    Through you,  
10 Madam President.  Would that net-metered energy  
11 stay with the original customer, or would that  
12 roll over to whoever takes over generation in  
13 perpetuity?

14                   SENATOR PARKER:    Madam President,  
15 through you.  The legislation, through net  
16 metering, allows a credit that will stay with the  
17 customer.

18                   I think that's the question that  
19 you're really trying to ask, as opposed to the  
20 question which you asked, which was does the  
21 electricity -- the electricity is in the grid, so  
22 the electricity doesn't follow the customer.  The  
23 credit of the energy that they generated from the  
24 system stays with the customer.

25                   SENATOR WALCZYK:    Madam President,

1 would the sponsor continue to yield.

2 ACTING PRESIDENT PERSAUD: Will the  
3 sponsor yield?

4 SENATOR PARKER: Yes,  
5 Madam President.

6 ACTING PRESIDENT PERSAUD: The  
7 sponsor yields.

8 SENATOR WALCZYK: Yeah, the  
9 question was about the credit and whether that  
10 will roll over, allowing them to purchase energy  
11 or have a credit, essentially, to not purchase  
12 energy.

13 So that would stay with the customer  
14 even if they've left that generating facility and  
15 moved on with their life, in perpetuity, anywhere  
16 else that they live or register in the State of  
17 New York or anywhere they're seated, they would  
18 then have that much bill credit for the energy  
19 that they used to produce years, decades prior at  
20 another site?

21 Am I understanding that correctly?

22 SENATOR PARKER: Madam President,  
23 through you. It would be in the customer's  
24 account. So as long as the customer signs up  
25 with that utility and that account, connected to

1 that account, yes.

2 SENATOR WALCZYK: Madam President,  
3 will the sponsor continue to yield?

4 ACTING PRESIDENT PERSAUD: Will the  
5 sponsor yield?

6 SENATOR PARKER: Yes,  
7 Madam President.

8 ACTING PRESIDENT PERSAUD: The  
9 sponsor yields.

10 SENATOR WALCZYK: So if a credit in  
11 perpetuity is given to a number of different  
12 consumers who were once producers of electricity  
13 in the State of New York, who's going to be  
14 paying the balance?

15 Won't the rest of the ratepayers of  
16 the State of New York be paying the balance for  
17 those credits in the future?

18 SENATOR PARKER: Madam President,  
19 through you.

20 I would love to be at a place in  
21 which we had so much retail distributed  
22 generation that there were groups of people that  
23 were holding up the grid and that there were a  
24 bunch of us who were, you know, living off the  
25 land, soaking up the sun, and using as much

1 electricity as we can.

2 The reality is what happens in this  
3 system, Madam President, in real life is that  
4 there are some months in which you produce excess  
5 electricity, and there are other months in which  
6 you don't. And so it kind of balances itself  
7 out.

8 There aren't -- there aren't, you  
9 know, people with generation systems that are  
10 doing distributed energy who are walking around  
11 with like large accounts of credits that they  
12 are -- that are unused. It's just -- it's not a  
13 thing in this moment.

14 And so at this moment, and how this  
15 really works in real life, is that most people  
16 some months are paying nothing and sometimes if  
17 they're producing, you know, their own  
18 generation, some months have very small bills.

19 SENATOR WALCZYK: Will the sponsor  
20 continue to yield?

21 ACTING PRESIDENT PERSAUD: Will the  
22 sponsor yield?

23 SENATOR PARKER: Yes,  
24 Madam President.

25 ACTING PRESIDENT PERSAUD: The

1 sponsor yields.

2 SENATOR WALCZYK: Through you,  
3 Madam President.

4 But currently it's on an annual  
5 basis, right? You can accrue credits for a year.

6 So in your month-to-month example,  
7 if you have solar panels on your roof, for  
8 example, then you're going to get the credit in  
9 the sunnier months, you'll be producing maybe  
10 more than you're actually using at your  
11 residence, and then in the darker months of  
12 New York's winter, then you would be using those  
13 credits to offset the very high heating costs in  
14 the State of New York. And currently it's annual  
15 on that basis, isn't it?

16 SENATOR PARKER: Through you,  
17 Madam President, there's an annual rollover of  
18 credits. Right? So that at the end of the year,  
19 if you have produced more than you used, then  
20 there's an annual rollover of credits.

21 But also the example is not quite  
22 right because in some places, depending on how  
23 you are set up, you may or may not have your  
24 heating system set up to electricity. So  
25 theoretically we will get to a place where, you

1 know, hopefully everybody's heating or the vast  
2 majority of people's heating will be set up to  
3 electricity, but that's not necessarily always  
4 the case.

5 SENATOR WALCZYK: And through you,  
6 Madam President, will the sponsor continue to  
7 yield?

8 ACTING PRESIDENT PERSAUD: Will the  
9 sponsor yield?

10 SENATOR PARKER: Yes,  
11 Madam President.

12 ACTING PRESIDENT PERSAUD: The  
13 sponsor yields.

14 SENATOR WALCZYK: Through you,  
15 Madam President. Anything in this bill that will  
16 lower energy costs for the regular consumer  
17 tomorrow, next month, in the next year?

18 SENATOR PARKER: Madam President,  
19 distributed energy is already in this very moment  
20 lowering energy costs.

21 Let's be very clear. The rise in  
22 energy costs over the last number of years has to  
23 do with global phenomena that are outside of  
24 really the realm of the State of New York.

25 We are in fact doing the best that

1 we can to in fact help our citizens, our  
2 ratepayers, you know, the folks who are working  
3 and living every day in our state. And we're  
4 trying to create a dynamic in which we can keep  
5 their utility rates low.

6 But the reality is it is Putin's war  
7 on Ukraine and Trump's illegal war on Iran which  
8 have a deleterious effect on the global price of  
9 natural gas. And it is that global price of  
10 natural gas which has in fact created large  
11 spikes in energy and utility costs across the  
12 nation, not just here in the State of New York.

13 And so the CLCPA actually, if and  
14 when fully implemented, would actually lower  
15 costs. Right? Because it actually is cheaper to  
16 run solar, wind, battery storage, hydro, co-gen,  
17 you know, thermal energy, than it is to run  
18 fossil fuels.

19 We also just need more generation.  
20 Because even if we eliminated the CLCPA right now  
21 we don't have enough electrical load to meet the  
22 demands of the people of the State of New York.  
23 And so more generation would in fact help that.

24 So I continue to be an advocate for  
25 both the full implementation of the CLCPA and the

1 full implementation of cap-and-invest, that would  
2 both create enough resources for us to implement  
3 the program but then also provide the kind of  
4 deep savings in utility costs that we would need  
5 to offset the global phenomena that we're dealing  
6 with, you know, because of Trump and some of the  
7 other things that are happening globally.

8 SENATOR WALCZYK: Would the sponsor  
9 continue to yield?

10 ACTING PRESIDENT PERSAUD: Does the  
11 sponsor yield?

12 SENATOR PARKER: Yes,  
13 Madam President.

14 ACTING PRESIDENT PERSAUD: The  
15 sponsor yields.

16 SENATOR WALCZYK: Maybe I'll spend  
17 time correcting the record on some geopolitics  
18 and where natural gas is actually imported and  
19 exported from. But I'd like to stick to the  
20 germaneness of the bill now.

21 Geopolitics aside, New York State is  
22 50.7 percent above the national average in energy  
23 costs. A number of colleagues here today, and  
24 you included, Mr. Chairman, have said this  
25 package of bills will lower energy costs for

1 New Yorkers.

2                   How much more competitive with the  
3 rest of the nation, which is on the same globe --  
4 how much more competitive with the rest of the  
5 nation? Will we be 30 percent above the national  
6 average after this package of legislation is  
7 passed, 10 percent above the national average?  
8 Will we be at or below the national average in  
9 energy costs after this package of bills today?

10                   SENATOR PARKER: Madam President, I  
11 don't think that anybody in this conference or  
12 anywhere in the state is suggesting that there is  
13 in fact a silver bullet that is in fact going to  
14 address all of the needs that we have to deal  
15 with and in context of utility affordability.

16                   However, I'm very proud to have been  
17 the chair of the Energy and Telecommunications  
18 Committee over the last number of years when we  
19 have put forward several packages every single  
20 year -- and in fact, this is our second package  
21 on utility affordability this year -- to address  
22 these issues.

23                   And so if in fact, you know, the  
24 bills that we passed earlier, the bills that  
25 we're going to pass today get passed by the

1 Assembly, signed by the Governor and implemented,  
2 I promise you that we will significantly reduce  
3 utility costs.

4 Now, what exactly those costs are or  
5 what the exact number is, I don't know off the  
6 top of my head. But I do know that we'll be  
7 better than what we're currently facing.

8 I also know that it's better than  
9 any other proposal that's been brought forward by  
10 any other competing group of people in the  
11 Legislature. That no one has put forward as much  
12 around utility affordability as this conference  
13 has over the last decade, and that's just simply  
14 the fact.

15 And by the way, it's cute to say  
16 phrases, Madam President, like "geopolitics  
17 aside," but the reality is the global price of  
18 natural gas is what keeps people's utility prices  
19 high, period.

20 You can say forget all the other --  
21 you know, forget it, but you can't forget it  
22 because that's in fact the reason. Right? So  
23 you have to come from the right place in order to  
24 understand where we're going, where we're going  
25 to. Right?

1                   And so here we are trying to address  
2 a few things. I think there may be other things  
3 that we can do. I don't think anybody's claiming  
4 these are the only things that we can do.

5                   What we are saying, though, is that  
6 we have ideas about what needs to be done. And  
7 not only are we talking about it, we're putting  
8 our money where our mouth is by standing here in  
9 our Legislature, passing these bills, voting on  
10 those bills, sending them to the other house and  
11 to the Governor for their approval, and fighting  
12 to make sure that utility prices in the State of  
13 New York are as low as they can be.

14                   SENATOR WALCZYK: Madam President,  
15 on the bill.

16                   ACTING PRESIDENT PERSAUD: Senator  
17 Walczyk on the bill.

18                   SENATOR WALCZYK: Yup, a second  
19 package of energy bills. Look, some of these --  
20 some of these are fine. Some of these will do  
21 nothing. Some of them are hurtful, frankly, to  
22 ratepayers in nuanced ways. Most of them are  
23 pretty much nothing.

24                   And I would counter the last point  
25 that was made about helpful ideas that have been

1 brought forward in this chamber. In fact, one  
2 here today, to take the government cost off of  
3 your utility bills, was shot down -- for its  
4 germaneness, okay, following the procedures of  
5 the house.

6           Try and take that back to your  
7 constituency. Explain to them how you shot down  
8 a piece of legislation that would remove all the  
9 government taxes and fees for a year on their  
10 energy bills because it was ungermane or because  
11 you were following the procedures of the house.

12           They don't want excuses, they want  
13 real action to lower their energy bills now,  
14 tomorrow, next month.

15           Our natural gas comes from Canada  
16 and Pennsylvania. I got it, there's global  
17 pricing on those things. But to understand on  
18 your utility bills, we need more supply of energy  
19 in the State of New York. We need more supply.  
20 We don't have enough supply. We're not producing  
21 enough electrons. That drives up the cost of  
22 electricity.

23           We have too much demand. Much of  
24 the demand has been passed through this chamber  
25 on electrification of everything in the State of

1 New York. So that drives up demand.

2 Delivery, on your utility bills,  
3 that's the cost of the utility bringing it to  
4 your house. And worth debating.

5 The other piece that's worth  
6 debating that we do bring forward are the taxes,  
7 fees, surcharges, assessments -- green energy  
8 money pots and social welfare programs that we  
9 have jammed into people's utility bills.

10 They don't want to hear the excuses  
11 anymore. They want this stuff off of their  
12 utility bills and they want the cost of their  
13 utility bill lowered.

14 With that, Madam President, I urge  
15 my colleagues to vote no. And I'll be doing so.

16 ACTING PRESIDENT PERSAUD: Senator  
17 Borrello?

18 SENATOR BORRELLO: On the bill,  
19 Madam President.

20 ACTING PRESIDENT PERSAUD: Senator  
21 Borrello on the bill.

22 SENATOR BORRELLO: You know, I know  
23 this bill and all the others that have been put  
24 forth as an urgent need to reduce utility costs.  
25 This is the third year in a row that we've voted

1 on this bill. And pretty much every bill that  
2 will has been brought forth today as part of this  
3 package, this urgent need, is the third or fourth  
4 year that we've voted on this bill.

5 So apparently it's not all that  
6 urgent. Apparently we're just filling some time  
7 here and trying to make up some excuses.

8 I heard a lot of things about it's  
9 the reliance on fossil fuel here in New York  
10 State that's the reason why our utility bills are  
11 so high. That's just simply not true.

12 The State of Pennsylvania relies  
13 heavily to generate electricity through natural  
14 gas and nuclear power, and our rates are  
15 50 percent higher than the State of  
16 Pennsylvania -- and as has been said, 50 percent  
17 higher than the national average.

18 So it's not that. It's once again  
19 that we have told utility companies: Do not  
20 invest here. Do not invest in infrastructure.

21 And the infrastructure is failing.  
22 And our supply is dwindling. That's why our  
23 rates are high, because of bad policies passed in  
24 this chamber because of the CLCPA. Which is  
25 saying in another 10, 15, 20 years you're going

1 to be out of business, and we haven't figured out  
2 what we're going to replace that business with.  
3 Because it will not be wind and solar; it will  
4 not be enough.

5 So we continue to watch this game,  
6 this dangerous game of musical chairs where we  
7 are taking away sources of power and replacing it  
8 with nothing except for hopes and dreams and  
9 ideas.

10 Goals are not plans. We have no  
11 plan to achieve any of these radical goals.  
12 That's why our bills are going up. That's why  
13 people are fleeing this state. That's why people  
14 cannot afford to do this, to generate electricity  
15 here in New York State.

16 And by the way, that's not just me  
17 saying it. It's not the people that actually  
18 generate real power that are saying it. It's  
19 also NYSERDA and the Public Service Commission  
20 that have said the exact same thing. We are not  
21 investing in reliable sources of base energy here  
22 in New York State, baseload power.

23 We cannot generate enough, and we  
24 are failing as a result. And as the costs are  
25 going up, we are seeing our reliability go down.

1 We are headed down a path of becoming a  
2 third-world nation here in New York State where  
3 you don't know everyday whether or not, when you  
4 flip on that switch, that the lights are actually  
5 going to go on. That's the problem that we have.

6 We have to stop this insanity. We  
7 have to restore reliable, affordable energy here  
8 in New York State. And this package of bills  
9 isn't going to do any of that.

10 Thank you, Madam President.

11 ACTING PRESIDENT PERSAUD: Are  
12 there any other Senators wishing to be heard?

13 Senator Parker on the bill?

14 SENATOR PARKER: Yes,  
15 Madam President.

16 We can have different opinions, but  
17 we have to agree on the facts. And the facts are  
18 the facts. And you can ask NYSERDA, you can ask,  
19 Madam President, you know, the ISO; they will  
20 tell you that it is the global cost of natural  
21 gas that has led to global spikes in energy  
22 prices. This is not simply a New York dynamic.

23 But we're responsible for New York,  
24 and so what we're doing is standing here and  
25 taking the lead, as we always do here in the

1 Democratic Conference of the State Senate.

2           And so people can ignore science,  
3 they can ignore geopolitics, they can ignore, you  
4 know, Donald Trump, who has caused illegal wars,  
5 who has put a kibosh -- we need -- I'm going to  
6 agree with Senator Walczyk, we need more  
7 generation here. We need more generation. But  
8 when we try to do offshore wind, Donald Trump,  
9 who's in his -- who's the leader of his party,  
10 put the kibosh on it. When we tried to invest in  
11 new generation to create more electrons, it was  
12 the leader of that party that went and decided  
13 that we should not be able to produce offshore  
14 wind, to produce more electrons for our state.

15           The reality is we are, whether  
16 anybody recognizes it or not, in the middle of a  
17 global catastrophe as it relates to climate.  
18 Last year we had the hottest summer on record,  
19 followed by the coldest winter on record. What  
20 are we doing here? What are we talking about?

21           And the reality is that we have  
22 load, yes, that is increasing. And so we have  
23 been trying to do our best to do all of the  
24 things that need to be done while simultaneously  
25 understanding that climate change is happening.

1                   And so voting against these bills --  
2                   and the reason why these bills come up year after  
3                   year after year is because we're dedicated to the  
4                   cause. But everybody else has not caught up with  
5                   us yet, and we're clear about that. And so we do  
6                   what we must, which is push forward. Which is to  
7                   continue to bring these important ideas to the  
8                   forefront, to pass this legislation and hopefully  
9                   eventually get to a place.

10                   Most bills don't pass the first time  
11                   they come out. Actually in the State of New York  
12                   the average bill takes three years to pass, the  
13                   average bill. And some of the things that we're  
14                   talking about here are well beyond average. It  
15                   took us six years to pass the CLCPA, and that was  
16                   once we started to -- that was once we started  
17                   debating it, it took six years.

18                   And so, you know, we're here  
19                   fighting for the lives of our future. That this  
20                   is not just about immediate prices, which we  
21                   obviously want to address, but we're  
22                   simultaneously doing what we always do, deal with  
23                   competing priorities. And so we have a priority  
24                   on one hand of lowering utility prices, but  
25                   simultaneously of also looking at climate change

1 and talking about how we address that as well.

2 And they simultaneously have to be  
3 done. And we have to do that while also  
4 simultaneously fighting a hostile federal  
5 government that does not understand science.  
6 Don't apparently understand war or global energy  
7 prices either, or the prices of anything, given  
8 how much prices have gone up after this country  
9 has elected somebody who promised that they were  
10 going to lower prices and not get us into any  
11 global wars. And I'm saying that has a direct  
12 effect on what we're doing here.

13 And so what this bill attempts to do  
14 is to put the power in the hands of the people in  
15 our communities. That if you feel like your  
16 electric bill is too high, call NYSERDA. We have  
17 programs to help you get into distributed energy  
18 programs that will immediately lower your bills  
19 as those systems get online.

20 You may get a solar device on your  
21 house that allows you to net-meter it, to net  
22 meter. You can get, you know, battery storage.  
23 You can, you know, depending on how much room you  
24 have, you can get, you know, wind turbines.  
25 Right? You can develop co-gen, you know,

1 projects. And NYSERDA has resources.

2 And so the money that we collect in  
3 things like the system benefit charge and the  
4 RGGI funds are used to in fact go back into the  
5 pockets of our constituents as they go into these  
6 distributed network programs that allow them to  
7 both lower their carbon footprint, to get more  
8 energy, right, and also produces full-time jobs  
9 at a living wage with benefits to New Yorkers  
10 every single day. Right?

11 And so if you want to look at one of  
12 the fastest-growing sectors of where full-time  
13 jobs are being created right here in the State of  
14 New York, it's in clean energy.

15 And so we stand here proud of the  
16 work that we have done over the last number of  
17 years to bring forward a set of bills that  
18 address the issue of utility affordability, but  
19 simultaneously proud of the work that we have  
20 done fighting for and maintaining the CLCPA,  
21 understanding that global climate change is a  
22 reality. And it's something that we're  
23 experiencing, and it has a life-and-death effect  
24 on communities every single day.

25 And so, Madam President, I vote aye

1 on this bill, and I also ask my colleagues to  
2 vote aye as well.

3 ACTING PRESIDENT PERSAUD: Are  
4 there any other Senators wishing to be heard?

5 Seeing and hearing none, debate is  
6 closed.

7 Senator Gianaris.

8 SENATOR GIANARIS: Madam President,  
9 we've agreed to restore this bill to the  
10 noncontroversial calendar.

11 ACTING PRESIDENT PERSAUD: The bill  
12 is restored to the noncontroversial calendar.

13 Read the last section.

14 THE SECRETARY: Section 4. This  
15 act shall take effect on the first of January.

16 ACTING PRESIDENT PERSAUD: Call the  
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT PERSAUD: Senator  
20 Rhoads to explain his vote.

21 SENATOR RHOADS: Madam President, I  
22 plan on voting for this legislation because I do  
23 think that consumers should receive the benefit  
24 of the electricity that is generated through  
25 their own efforts.

1                   But I am concerned about some of the  
2                   comments that have been made in this chamber.  
3                   Facts, in fact, are facts. The fact of the  
4                   matter is we've heard everything except what  
5                   we're doing wrong here in New York State as a  
6                   reason for why utility costs are so much higher.

7                   Because the plans that we're putting  
8                   forward in this chamber are not working. Putin  
9                   still exists for every other state in the  
10                  United States. Donald Trump is still president  
11                  in every other state in the United States besides  
12                  New York.

13                  But what I don't hear as an  
14                  explanation for why residential utility rates are  
15                  50.7 percent higher here in New York than the  
16                  national average. Commercial utility rates are  
17                  61.6 percent higher than the national average,  
18                  here in New York.

19                  The problem is here in New York,  
20                  with the policies that come out of this chamber,  
21                  and we continue to ignore it.

22                  I am voting in the affirmative, but  
23                  we need to take a look at the real root cause,  
24                  not look for excuses elsewhere.

25                  ACTING PRESIDENT PERSAUD:     Senator

1 Rolison {sic} to be recorded in the affirmative.

2 Announce the results.

3 THE SECRETARY: In relation to  
4 Calendar Number 629, voting in the negative are  
5 Senators Borrello, Walczyk and Weik.

6 Ayes, 52. Nays, 3.

7 ACTING PRESIDENT PERSAUD: The bill  
8 is passed.

9 THE SECRETARY: Calendar Number  
10 633, Assembly Bill Number 8410, by  
11 Assemblymember Barrett, an act to amend the  
12 Public Authorities Law.

13 ACTING PRESIDENT PERSAUD: Senator  
14 Lanza, why do you rise?

15 SENATOR LANZA: Madam President, I  
16 believe there's an amendment at the desk. I  
17 waive the reading of that amendment and ask that  
18 you recognize Senator O'Mara.

19 ACTING PRESIDENT PERSAUD: Thank  
20 you, Senator Lanza.

21 Upon review of the amendment, in  
22 accordance with Rule 6, Section 4B, I rule it  
23 nongermane and out of order at this time.

24 SENATOR LANZA: Accordingly,  
25 Madam President, I appeal the ruling of the chair

1 and ask that Senator O'Mara be heard on that  
2 appeal.

3 ACTING PRESIDENT PERSAUD: The  
4 appeal has been made and recognized, and  
5 Senator O'Mara may be heard.

6 Senator O'Mara.

7 SENATOR O'MARA: Thank you,  
8 Madam President, for the opportunity to be heard  
9 on the appeal of your ruling of germaneness.

10 This bill is completely germane --  
11 the amendment is completely germane to the  
12 bill-in-chief here because it deals not just with  
13 NYSERDA, but also with the reporting of NYSERDA.

14 And we have reporting from NYSERDA  
15 in hand that has been provided to this  
16 Legislature that says that NYSERDA is holding  
17 about \$2.4 billion in surcharges they've  
18 collected pursuant to the CLCPA, and that utility  
19 companies are currently holding in excess of  
20 \$600 million that they've collected in surcharges  
21 that they're waiting for NYSERDA to ask for it to  
22 be sent over.

23 So it's in excess of \$3 billion that  
24 is sitting and available to NYSERDA.

25 To make matters worse, the reporting

1 we have from NYSERDA is that this balance, this  
2 excess of over \$2 billion, \$2.4 billion that  
3 NYSERDA has right now, according to their own  
4 reporting, will be a revenue excess of over  
5 \$2 billion for several years into the future as  
6 far as their financial reporting goes.

7 We've had a lot of bills here today  
8 about trying to deal, going forward, with these  
9 excessive rates and the growing rates in New York  
10 State. But we've done nothing today that will  
11 provide immediate relief to ratepayers.

12 And this body has had two  
13 opportunities to do that today: This bill and  
14 amendment before us now, that would return those  
15 excess revenues of \$3 billion to the ratepayers  
16 at a time that it is most needed; and the  
17 previous amendment by Senator Rolison that would  
18 give us a tax and surcharge holiday going  
19 forward, so that ratepayers didn't have to pay  
20 those in this time of high bills.

21 We talk a lot about customers being  
22 in arrears, about 1.4 million customers in  
23 arrears. And that number of customers is growing  
24 because of the growing utility costs that we have  
25 in New York State. Yet we're doing nothing here

1 today that actually would immediately provide  
2 some relief and lower costs to households on  
3 their utility bills.

4           You know, a lot of complaining here  
5 about NYSERDA costs, their surcharges, actions  
6 that the Public Service Commission has taken. We  
7 knew this was going happen before 2019, when this  
8 body passed the CLCPA. I warned and several  
9 others warned that in a short time we'll be here  
10 with the majorities pointing their fingers at  
11 NYSERDA and the PSC and DEC for these rising  
12 rates, and saying "I didn't raise your rates, the  
13 Public Service Commission did it. NYSERDA did  
14 it. DEC's doing it with their requirements and  
15 regulations."

16           Well, Madam President, the entire  
17 CLCPA was set up for this so that this  
18 Legislature has no direct fingerprints on actual  
19 rate increases, but gave all the authority to the  
20 Public Service Commission and NYSERDA and DEC to  
21 enact rules and regulations that this body  
22 doesn't vote on, that have led in large part to  
23 these increasing rates that we have.

24           And as was previously stated, this  
25 CLCPA was worked on for about six years prior to

1 its passage in 2019. And during that time, there  
2 was never a cost-benefit analysis done on what  
3 the costs of these requirements were going to be  
4 to ratepayers or New Yorkers going forward.  
5 There still has been no cost-benefit analysis of  
6 what these costs are going to be going forward.

7 Yet when presented with two  
8 opportunities today, clear opportunities to  
9 immediately provide some relief -- and it's not  
10 enough, trust me, but it's something -- the  
11 Majority in this house votes no.

12 I vote yes to provide some relief to  
13 ratepayers in New York State, as do my colleagues  
14 on this side of the aisle.

15 Thank you, Madam President.

16 ACTING PRESIDENT PERSAUD: Thank  
17 you, Senator.

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

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

23 (Response of "Aye.")

24 SENATOR LANZA: Show of hands.

25 ACTING PRESIDENT PERSAUD: A show

1 of hands has been requested and so ordered.

2 Announce the results.

3 THE SECRETARY: Ayes, 18.

4 ACTING PRESIDENT PERSAUD: The  
5 ruling of the chair stands, and the bill-in-chief  
6 is before the house.

7 Senator Walczyk.

8 SENATOR WALCZYK: Madam President,  
9 I'm back. Would the sponsor yield for some  
10 questions?

11 ACTING PRESIDENT PERSAUD: Will the  
12 sponsor yield?

13 SENATOR COMRIE: Madam President,  
14 yes, I yield.

15 ACTING PRESIDENT PERSAUD: The  
16 sponsor yields.

17 SENATOR WALCZYK: Through you,  
18 Madam President. And thank you.

19 Do you believe NYSERDA should be  
20 more transparent with how they spend the billions  
21 in ratepayer money that was just mentioned by our  
22 colleague here on the floor?

23 SENATOR COMRIE: Through you,  
24 Madam President, yes.

25 SENATOR WALCZYK: And would the

1 sponsor continue to yield?

2 ACTING PRESIDENT PERSAUD: Does the  
3 sponsor yield?

4 SENATOR COMRIE: I yield.

5 ACTING PRESIDENT PERSAUD: The  
6 sponsor yields.

7 SENATOR WALCZYK: Through you,  
8 Madam President. Do you share the concerns that  
9 I have and many do about spending ratepayer money  
10 that they collect? Specifically, do you believe  
11 there's enough legislative oversight over  
12 NYSERDA?

13 SENATOR COMRIE: Through you,  
14 Madam President, no.

15 I've been talking about the fact  
16 that NYSERDA and the Public Service Commission  
17 and the way that they do their rate cases, the  
18 way that they're holding on to money, is a  
19 travesty and needs to be reviewed and amended.

20 The fact that they are holding, as  
21 Senator O'Mara just said, billions of dollars,  
22 that they wait till there's another rate case to  
23 return back to the utilities, is a travesty. And  
24 that needs to be fixed.

25 SENATOR WALCZYK: And would the

1 sponsor continue to yield.

2 SENATOR COMRIE: Yes.

3 ACTING PRESIDENT PERSAUD: The  
4 sponsor yields.

5 SENATOR WALCZYK: Through you,  
6 Madam President. So there's already a  
7 requirement in law that every six months NYSERDA  
8 report to the Legislature. Currently they have  
9 to report, give a full report to the Senate  
10 Finance Committee and the chair of the Assembly  
11 Ways and Means Committee.

12 But I noticed in this bill you're  
13 asking for that report to also go to the chair of  
14 the Energy Committees in both houses.

15 Is that report -- I haven't seen it,  
16 and I've had a hard time getting any public  
17 information out of NYSERDA when I want to look,  
18 especially within the last six months or year,  
19 about how they've spent ratepayer money.

20 Is that because that report isn't  
21 filtering down to get to us rank-and-file  
22 legislators?

23 SENATOR COMRIE: No. Through you,  
24 Madam President, the issue is clarity. And the  
25 issue is so that people can see a fiscal clarity,

1 that there can be actually a clear accounting,  
2 that there can be more transparency about how the  
3 report is developed.

4 And because even the advocates, the  
5 experts that are trying to advocate to push back  
6 on the different rate cases that are coming up,  
7 have trouble understanding the reports that are  
8 out now.

9 So my bill, which is focused on  
10 making sure that there's a transparency and some  
11 illumination in what the agency is doing, can be  
12 transmitted down and through to other people.  
13 Because as you said, it's difficult to get.  
14 Sometimes the advocates can't even see the  
15 reports now when they're put out biannually.

16 So we're asking for it to be  
17 delivered to additional folk, that it be expanded  
18 to include the Energy chairs, to ensure broader  
19 legislative and public oversight, which is  
20 appropriate given the scale of these resources.

21 SENATOR WALCZYK: Thank you.

22 Madam President, will the sponsor  
23 continue to yield.

24 ACTING PRESIDENT PERSAUD: Will the  
25 sponsor yield?

1                   SENATOR COMRIE:     Yes.

2                   ACTING PRESIDENT PERSAUD:    The  
3 sponsor yields.

4                   SENATOR WALCZYK:     And do you know  
5 how -- through you, Madam President, do you know  
6 how much ratepayer money NYSERDA is currently  
7 sitting on in a pot that we don't have accounting  
8 of, and how much they've asked the utilities to  
9 set aside after they've collected it from  
10 ratepayers before NYSERDA calls it over then to  
11 spend that money? Do you know the accounting  
12 there?

13                   SENATOR COMRIE:     I'm not -- we're  
14 not 100 percent clear on that number, and that's  
15 one of the reasons why we're asking for this bill  
16 to be represented as well, so that we can get  
17 more transparency on exactly what NYSERDA has,  
18 what monies they're holding, and why they're  
19 holding it.

20                   SENATOR WALCZYK:     Thank you.  
21 Madam President, on the bill.

22                   SENATOR COMRIE:     Thank you.

23                   ACTING PRESIDENT PERSAUD:    Senator  
24 Walczyk on the bill.

25                   SENATOR WALCZYK:     So this bill here

1 isn't about reducing anybody's energy bills, but  
2 I did mention earlier in the package there are  
3 some bills that are good. This is good.

4           The New York State Energy Research  
5 and Development Authority doesn't really do  
6 research; they farm it out to third parties.  
7 They don't really -- they do some development,  
8 maybe. But they certainly express plenty of  
9 authority in the State of New York to roll over  
10 everything from home rule to ratepayers.

11           Earlier some facts came up. Well,  
12 let's talk about the facts. According to  
13 NYSERDA, which we don't get a whole lot of  
14 transparency from, when the CLCPA is fully  
15 implemented it will cost 60 percent more than it  
16 does today for delivery trucks to deliver food  
17 and goods to New Yorkers. Four grand more per  
18 household in energy costs; \$3.23 more for a  
19 gallon of gas for New Yorkers filling up at the  
20 pump.

21           Who's making your bill go up? That  
22 came up today plenty of times in debate. Okay,  
23 well, yeah, we could discuss the global  
24 environment. But here in New York -- and that's  
25 our job, this is the New York State Senate --

1 I've heard fingers pointed at the Public Service  
2 Commission.

3 Well, guess what, the Governor  
4 appoints them and you confirm the Public Service  
5 Commission commissioners. The Public Service  
6 Commission is following laws that you pass  
7 through this chamber and through the Assembly and  
8 who the Governor signs into law.

9 And I've heard fingers pointed at  
10 utilities. Well, those utilities are also  
11 following your laws, the ones that you've brought  
12 to the floor of this chamber, that you've passed  
13 here and in the Assembly and gotten signed into  
14 law by the Governor.

15 So who's making New Yorkers' bills  
16 go up? It's you! Surprise, it's you! The  
17 policies that you pass here in Albany, those are  
18 the reasons that New Yorkers' bills are  
19 50.7 percent higher than the national average  
20 energy bills. So take a look in the mirror.

21 However, I will say on this bill,  
22 Madam President, we do need more transparency for  
23 NYSEDA, and I applaud my colleague for bringing  
24 it to the floor.

25 I vote aye.

1                   ACTING PRESIDENT PERSAUD:    Thank  
2    you.

3                   Are there any other Senators wishing  
4    to be heard?

5                   Seeing and hearing none, the debate  
6    is closed.

7                   Senator Gianaris.

8                   SENATOR GIANARIS:    Madam President,  
9    we've agreed to restore this bill to the  
10   noncontroversial calendar.

11                  ACTING PRESIDENT PERSAUD:    The bill  
12   is restored to the noncontroversial calendar.

13                  Read the last section.

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

16                  ACTING PRESIDENT PERSAUD:    Call the  
17   roll.

18                  (The Secretary called the roll.)

19                  ACTING PRESIDENT PERSAUD:    Senator  
20   Harckham to explain his vote.

21                  SENATOR HARCKHAM:    Thank you very  
22   much, Madam President.

23                  I just want to correct for the  
24   record.  We just heard some numbers from our  
25   colleague across the aisle that was based on the

1 so-called NYSERDA memo of cherry-picked numbers  
2 that actually use a cost per carbon -- at the  
3 risk of getting in the wonky weeds here, a price  
4 per ton of carbon five times that of the highest  
5 nearest state, which would be California at 37.  
6 This was at \$175 per ton.

7 New York would never, ever approach  
8 a policy like that. It was, shall we say,  
9 irresponsible, I believe, for the administration  
10 to have used those numbers to start this debate.

11 But for other folks to continue to  
12 further use irresponsible and unrealistic numbers  
13 I don't think helps the conversation.

14 On this bill, I thank my colleague.  
15 I'll be voting yes.

16 ACTING PRESIDENT PERSAUD: Senator  
17 Harckham to be recorded in the affirmative.

18 Announce the results.

19 THE SECRETARY: Ayes, 55.

20 ACTING PRESIDENT PERSAUD: The bill  
21 is passed.

22 THE SECRETARY: Calendar Number  
23 686, Senate Print 1966, by Senator Ryan, an act  
24 to amend the Social Services Law.

25 ACTING PRESIDENT PERSAUD: Senator

1 Walczyk, why do you rise?

2 SENATOR WALCZYK: Madam President,  
3 I hope the sponsor would yield for some  
4 questions.

5 ACTING PRESIDENT PERSAUD: Will the  
6 sponsor yield?

7 SENATOR RYAN: Yes,  
8 Madam President.

9 ACTING PRESIDENT PERSAUD: The  
10 sponsor yields.

11 SENATOR WALCZYK: Through you,  
12 Madam President. Will this bill lower supply  
13 charges, delivery charges, or take off any  
14 government taxes or fees from utility bills?

15 SENATOR RYAN: Through you,  
16 Madam President.

17 Before I answer that,  
18 Senator Walczyk, I will say I want to thank you  
19 for your vote in the affirmative on this last  
20 year, so on the bipartisanship. And the year  
21 prior. So thank you.

22 Will this bill lower prices? I  
23 think it just helps consumers get the help they  
24 need, no.

25 SENATOR WALCZYK: Madam President,

1 would the sponsor continue to yield?

2 ACTING PRESIDENT PERSAUD: Does the  
3 sponsor yield?

4 SENATOR RYAN: Yes,  
5 Madam President.

6 ACTING PRESIDENT PERSAUD: The  
7 sponsor yields.

8 SENATOR WALCZYK: Through you,  
9 Madam President, how would it do that?

10 SENATOR RYAN: So what this bill  
11 does, program the automatic enrollment --  
12 automatic reenrollment of HEAP. So obviously  
13 those that are in need of help to pay for their  
14 energy, to keep their lights on, to keep their  
15 heat on, obviously to utilize that benefit.

16 It helps to reenroll them or it  
17 reenrolls them automatically so they won't have  
18 to do so themselves. So it streamlines the  
19 process, gets those that need the help in a  
20 better way, more effective way.

21 SENATOR WALCZYK: Will the sponsor  
22 continue to yield?

23 ACTING PRESIDENT PERSAUD: Does the  
24 sponsor yield?

25 SENATOR RYAN: Yes,

1 Madam President.

2 ACTING PRESIDENT PERSAUD: The  
3 sponsor yields.

4 SENATOR WALCZYK: Through you,  
5 Madam President. Yeah, and for those reasons, I  
6 was happy to support it.

7 It sounded familiar, so I did a  
8 little bit of digging. And while I was  
9 disappointed that it didn't have an Assembly  
10 sponsor and pass in that house, I did a little  
11 more digging.

12 Are you familiar with Section 131 of  
13 the Social Services Law?

14 SENATOR RYAN: Yes.

15 SENATOR WALCZYK: Madam President,  
16 would the sponsor continue to yield.

17 ACTING PRESIDENT PERSAUD: Will the  
18 sponsor yield?

19 SENATOR RYAN: Yes,  
20 Madam President.

21 ACTING PRESIDENT PERSAUD: The  
22 sponsor yields.

23 SENATOR WALCZYK: So I -- through  
24 you, Madam President. I reached out to a social  
25 services commissioner to ask about the impact of

1 this legislation. It sounded like it may even  
2 save them some paperwork. But they described  
3 this bill as redundant and unnecessary.

4 I'm not sure if you're aware of the  
5 timeline of Social Services Law 131, Section 131.  
6 But this was the chapter of -- Chapter No. 764 of  
7 2023. It went into effect in December of 2024,  
8 which meant last year, after your legislation  
9 came up, the actual -- the six months after,  
10 which really became the full effective statute,  
11 to already place this in under the Office of  
12 Temporary and Disability Assistance, to include  
13 HEAP with those other pieces. It already exists  
14 in something that they call automated file  
15 matching.

16 Are you aware of that, that section,  
17 that this is already in statute?

18 SENATOR RYAN: Yes.

19 SENATOR WALCZYK: (Inaudible  
20 overtalk.)

21 SENATOR RYAN: Well, through you,  
22 Madam President. Well, if I may, I don't -- so,  
23 Senator, I don't know who you spoke to, I don't  
24 know where they were, what county.

25 I am very much completely, fully

1 aware that OTDA administers this. I also know  
2 that counties, through social services.

3 But the point of this is to help  
4 streamline. So those especially now that utility  
5 bills are higher, in a -- especially in a winter  
6 like we had before where we're using more energy,  
7 using more heat, everybody can use as much help  
8 as they can get. It streamlines the process and  
9 helps those that might otherwise fall out of the  
10 program to ensure they don't fall out of the  
11 program.

12 So I think in the way that we help  
13 people, I think it's also kind of a good consumer  
14 protection bill as it is a good energy bill.

15 SENATOR WALCZYK: Madam President,  
16 briefly on the bill.

17 ACTING PRESIDENT PERSAUD: Senator  
18 Walczyk on the bill.

19 SENATOR WALCZYK: Yeah. So  
20 Section 131 of the Social Services Law is the  
21 automated identification of OTDA assistance  
22 program participants. It includes public  
23 assistance, home energy assistance programming,  
24 any other income-based programs, and includes a  
25 utility corporation affordability program giving

1 the onus for utility companies to ensure that if  
2 somebody qualifies for these things, there has to  
3 be a sharing of information between OTDA and the  
4 utility company to ensure that they don't lose  
5 that HEAP benefit and that it carries over.

6 In fact, OTDA -- and this is a  
7 "shall," not a "may" -- they take that matching  
8 file, shall be, if confirmed as eligible for such  
9 utility corporation affordability programs by the  
10 utility corporation enrolled in such utility  
11 corporation affordability programs by the utility  
12 corporation, within 60 days of receipt by the  
13 utility corporation the results of the automated  
14 file match.

15 So that means within 60 days the  
16 utility has to make sure if someone qualifies for  
17 HEAP, that they do it in fact get that carryover.  
18 It puts the onus on utilities, and that's already  
19 in law.

20 So what are the proposed changes in  
21 your bill?

22 SENATOR RYAN: No proposed changes.

23 SENATOR WALCZYK: I'm sorry, I was  
24 on the bill. Through you, Madam President, would  
25 the sponsor yield.

1                   ACTING PRESIDENT PERSAUD:    Will the  
2 sponsor yield?

3                   SENATOR RYAN:     Yes, Madam  
4 President.

5                   ACTING PRESIDENT PERSAUD:    The  
6 sponsor yields.

7                   SENATOR WALCZYK:    So how does your  
8 bill change the statute?

9                   SENATOR RYAN:     So to -- just very  
10 simply, it codifies the program.  It codifies  
11 that nobody falls out, makes sure that everything  
12 is being done to effectively get people their  
13 HEAP benefits that they desperately need.

14                  SENATOR WALCZYK:    Madam President,  
15 would the sponsor continue to yield.

16                  ACTING PRESIDENT PERSAUD:   Will the  
17 sponsor yield?

18                  SENATOR RYAN:     Yes,  
19 Madam President.

20                  ACTING PRESIDENT PERSAUD:    The  
21 sponsor yields.

22                  SENATOR WALCZYK:    Yeah, just -- and  
23 I do support the concept and obviously supported  
24 this bill in the past.  I'm a little concerned  
25 about some of the language.

1                   So the statute, the law right now  
2 requires OTDA to work with the utility companies  
3 and to push this information down. It takes that  
4 off of the social services districts.

5                   The way that your bill is written,  
6 it says each social service district shall, for  
7 every heating season, automatically reenroll. So  
8 this puts the onus back onto the social services  
9 districts.

10                   I'm just concerned that that  
11 redundant and what's been described to me as  
12 unnecessary and confusing legislation, trying to  
13 meet the same intent that's already in law, may  
14 in fact be unnecessary.

15                   SENATOR RYAN:    So what this -- so  
16 this is the underlying HEAP reenrollment. It  
17 doesn't make any changes to OTDA.

18                   SENATOR WALCZYK:   Thank you.  
19                   Madam President, on the bill.

20                   SENATOR RYAN:    Again -- I just want  
21 to say, again, it doesn't make any changes, thus  
22 ensuring that those that need this important  
23 benefit the most get the help that they need.

24                   SENATOR WALCZYK:    Madam President,  
25 would the sponsor yield?

1                   ACTING PRESIDENT PERSAUD:    Will the  
2 sponsor yield?

3                   SENATOR RYAN:     Yes,  
4 Madam President.

5                   ACTING PRESIDENT PERSAUD:    The  
6 sponsor yields.

7                   SENATOR WALCZYK:    Is there an  
8 Assembly sponsor for this bill?

9                   SENATOR RYAN:     Not that I'm aware  
10 of, no.

11                  SENATOR WALCZYK:    Madam President,  
12 would the sponsor continue to yield?

13                  ACTING PRESIDENT PERSAUD:   Will the  
14 sponsor yield?

15                  SENATOR RYAN:     Yes,  
16 Madam President.

17                  ACTING PRESIDENT PERSAUD:    The  
18 sponsor yields.

19                  SENATOR WALCZYK:    Last year this  
20 was passed in January, before the current law  
21 came into full effect. Will there be an  
22 Assembly sponsor on this bill this year?

23                  SENATOR RYAN:     I certainly hope so.  
24 Through you, Madam President, I certainly hope  
25 so.

1                   SENATOR WALCZYK:    Thank you,  
2   Madam President.

3                   ACTING PRESIDENT PERSAUD:   Thank  
4   you, Senator.

5                   Senator Helming, why do you rise?

6                   SENATOR HELMING:    Thank you,  
7   Madam President.   On the bill, please.

8                   ACTING PRESIDENT PERSAUD:   Senator  
9   Helming on the bill.

10                  SENATOR HELMING:    Thank you.

11                  The bill before us requires that all  
12   social service districts automatically reenroll  
13   households in HEAP.

14                  I think this could be a much better  
15   bill, a much stronger bill, if it included actual  
16   solutions for helping households get off HEAP by  
17   bringing down the cost of utilities.

18                  This bill, and I want to talk about  
19   the broader package of energy bills that were  
20   passed today, does nothing to lower energy costs.  
21   This bill and the others that we voted on do not  
22   increase energy supply, they do nothing to  
23   address energy reliability.   And they don't get  
24   to the reason why New Yorkers are paying some of  
25   the highest electricity prices in the nation.

1                   Now, during an earlier debate I  
2 heard a member say that facts are facts and the  
3 Minority Conference needs to get on board with  
4 the facts. Here's a fact for you. Recent data  
5 shows New York's residential electricity  
6 rates are well above the national average, and  
7 they have been for years.

8                   Here's another fact for everyone.  
9 New York State's rates are rising faster than the  
10 national trend. Out in my district, the Democrat  
11 & Chronicle reported that nearly 67,000 RG&E  
12 households were behind on their bills at the end  
13 of 2025. Statewide, more than 400,000 households  
14 had their power shut off last year.

15                   And according to NYSERDA, their  
16 recent memo, people can expect their energy  
17 costs, their yearly bills, to go up by hundreds  
18 of dollars.

19                   Now, I also heard a comment about  
20 how we have to start somewhere and that's why  
21 these bills are on the floor. There was a lot of  
22 back and forth about will these bills actually do  
23 anything to lower costs.

24                   Well, it was pointed out earlier,  
25 some of these bills have been around for a number

1 of years. And here's another fact. Bills have  
2 increased, they have not gone down.

3 There was talk about planting seeds,  
4 that we have to start somewhere. And I would  
5 offer this, that the seeds that we should be  
6 planting today should be rooted in sound policy,  
7 not based on political party affiliation.  
8 Because right now these policies are not getting  
9 to the root cause.

10 People and businesses, we all said  
11 it today, everyone gets the calls in their  
12 offices, they're suffering. And for some of them  
13 it's so bad that they continue to leave our  
14 state. Some of them take their jobs with them.

15 We should bring to this floor great  
16 solutions regardless of political party  
17 affiliation. We had two great bills on the floor  
18 today brought through the hostile amendment  
19 process. They were voted down. They're common  
20 sense. One would give energy tax relief to  
21 everyone by removing government taxes. Who can  
22 disagree with that? Why would you disagree with  
23 that?

24 We also voted down today -- well,  
25 some members voted down today returning more than

1 \$3 billion to ratepayers that's just sitting in a  
2 NYSERDA fund.

3 Our conference has real solutions  
4 that increase supply, reduce costs, restore local  
5 decision-making, and check some of the powers of  
6 ORES, NYSERDA, PSC, which we've all voiced  
7 concerns about.

8 Madam President, these are the real  
9 steps that we need to take if we want to address  
10 the affordability crisis, the energy crisis  
11 that's happening in our state.

12 ACTING PRESIDENT PERSAUD: Thank  
13 you, Senator.

14 Are there any other Senators wishing  
15 to be heard?

16 Seeing and hearing none, the debate  
17 is closed.

18 Senator Gianaris.

19 SENATOR GIANARIS: We have agreed  
20 to restore this bill to the noncontroversial  
21 calendar, Madam President.

22 ACTING PRESIDENT PERSAUD: The bill  
23 is restored to the noncontroversial calendar.

24 Read the last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT PERSAUD: Call the  
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT PERSAUD: Senator  
6 Ryan to explain his vote.

7 SENATOR RYAN: Thank you,  
8 Madam President.

9 I obviously want to speak on this  
10 bill, about the Home Energy Assistance Program.  
11 But, you know, as unaffordability continues to  
12 persist, you know, New Yorkers are certainly  
13 desperate to meet the cost of living.

14 We talked a lot about energy here,  
15 talked a lot about it. And I think it was just  
16 said if we could do something about this or in  
17 this bill to reduce energy costs.

18 I can't -- I can't do anything about  
19 ending tariffs, the cost increases of aluminum,  
20 copper, electrical transformers that are through  
21 the roof that unfortunately energy utility  
22 companies have to pass on to us.

23 The volatility of gas on the global  
24 market seems to be not really things that people  
25 want to discuss. Or the fact that I put

1 14 gallons of gas in my car yesterday -- or last  
2 week, and it cost me \$67.

3 But I guess we'll continue to blame  
4 a law that hasn't gone into effect yet or that  
5 we're getting sued that hasn't gone into effect.

6 So this bill, which requires re --  
7 automatic reenrollment of HEAP will take one  
8 worry off the minds of folks who already have  
9 enough to worry about. Every year thousands of  
10 low-income households must reapply for HEAP,  
11 often navigating paperwork, deadlines,  
12 administrative hurdles. Too often eligible  
13 residents lose access to the assistance not  
14 because they can no longer qualify, but because  
15 they missed a deadline or encountered barriers in  
16 the application process.

17 This legislation directs social  
18 service districts to automatically reenroll  
19 households currently receiving HEAP benefits as  
20 long as they remain eligible under the state  
21 guidelines.

22 So, you know, it also reduces  
23 administrative costs on the counties. We like to  
24 talk about that, right, the unfunded -- or as I  
25 like to call some of my legislation the reverse

1 mandate. This is what this does, commonsense  
2 reform.

3 And, you know, as I said last week  
4 or a couple of weeks ago on the bill, the  
5 one-house, utility rates are also really, really  
6 high in other states like Pennsylvania, and they  
7 don't have the CLCPA. So let's start having a  
8 real conversation about what really drives energy  
9 costs.

10 Thank you. I vote in the  
11 affirmative.

12 ACTING PRESIDENT PERSAUD: Senator  
13 Ryan to be recorded in the affirmative.

14 Announce the results.

15 THE SECRETARY: In relation to  
16 Calendar 686, voting in the negative:  
17 Senator Walczyk.

18 Ayes, 54. Nays, 1.

19 ACTING PRESIDENT PERSAUD: The bill  
20 is passed.

21 Senator Gianaris, that completes the  
22 reading of the calendar.

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

25 ACTING PRESIDENT PERSAUD: There is

1 no further business at the desk.

2 SENATOR GIANARIS: I move to  
3 adjourn until tomorrow, Thursday, April 16th, at  
4 11:00 a.m.

5 ACTING PRESIDENT PERSAUD: On  
6 motion, the Senate stands adjourned until  
7 Thursday, April 16th, at 11:00 a.m.

8 (Whereupon, at 5:25 p.m., the Senate  
9 adjourned.)

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