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

P R O C E E D I N G S

ACTING PRESIDENT PERSAUD: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT PERSAUD: Reading of the Journal.

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

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Comrie

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

ACTING PRESIDENT PERSAUD: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good afternoon, Madam President.

ACTING PRESIDENT PERSAUD: Good afternoon.

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

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

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

And by Senator May, page 30,

Calendar 684, Senate Print 8641.

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

Senator Gianaris.

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

ACTING PRESIDENT PERSAUD: The Secretary will read.

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

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

SENATOR SCARCELLA-SPANTON: Thank you, Madam President.

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

April 9th here in New York State.

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

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

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

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

Thank you, and I proudly vote aye.

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

affirmative.

The resolution was adopted on March 10th.

Senator Gianaris.

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

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

Senator Gianaris.

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

ACTING PRESIDENT PERSAUD: The Secretary will read.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

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

Ayes, 40. Nays, 14.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

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

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 627, voting in the negative:

Senator Walczyk.

Ayes, 53. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

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

to amend the Public Service Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

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

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT PERSAUD: The bill

is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

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

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 687, voting in the negative:

Senator Ortt.

Ayes, 54. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

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

(Laughter.)

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

Let's take up the controversial calendar.

ACTING PRESIDENT PERSAUD: Let the fun begin.

The Secretary will ring the bell.

The Secretary will read.

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

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

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

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

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

I yield.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MAYER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

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

SENATOR WALCZYK: Madam President, would the sponsor yield?

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MAYER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: Through you, Madam President.

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

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

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

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

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

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

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MAYER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

SENATOR WALCZYK: Would the sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR MAYER: Yes.

ACTING PRESIDENT PERSAUD: The

sponsor yields.

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

(Pause.)

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

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

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

ACTING PRESIDENT PERSAUD: Does the

sponsor yield?

SENATOR MAYER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: Thank you.

Through you, Madam President. Anything in the -- and we talked a little bit about the timeline of implementation and how this will affect future rate cases.

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

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

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

constituents face.

SENATOR WALCZYK: Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed.

Senator Gianaris.

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

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

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

Ayes, 44. Nays, 11.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

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

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR WEBB: Yes, I will, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

to the people of the State of New York.

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

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

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

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

SENATOR WALCZYK: Would the sponsor

continue to yield?

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR WEBB: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

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

SENATOR WALCZYK: And would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR WEBB: Maybe. (Laughing.)

I will.

ACTING PRESIDENT PERSAUD: The sponsor will yield.

SENATOR WALCZYK: Through you, Madam President.

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

SENATOR WEBB: Through you, Madam President.

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

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

But as my colleague said earlier,

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

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR WEBB: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR WEBB: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

What this bill will do -- through

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

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

SENATOR WALCZYK: And would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR WEBB: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

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

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

SENATOR WALCZYK: Thank you, Madam President.

SENATOR WEBB: Thank you.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Are there any other Senators wishing to be heard?

Senator Tedisco.

SENATOR TEDISCO: Yes.

ACTING PRESIDENT PERSAUD: Senator Tedisco.

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

a few questions?

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR WEBB: Well, the young lady will yield.

(Laughter.)

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR TEDISCO: Thank you.

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

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

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

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

ratepayers.

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

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

SENATOR TEDISCO: Will the sponsor yield for another question?

ACTING PRESIDENT PERSAUD: Will the Senator yield?

SENATOR WEBB: I will, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

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

SENATOR TEDISCO: Would the Senator yield --

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR TEDISCO: -- for another question?

SENATOR WEBB: Yes.

SENATOR TEDISCO: You said the --

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR TEDISCO: Excuse me.

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

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

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

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR WEBB: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

But all of our meetings are on public record.

SENATOR TEDISCO: Would the Senator yield --

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR TEDISCO: -- for another question?

SENATOR WEBB: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

This is a part of the tip of the

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

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

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

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

ACTING PRESIDENT PERSAUD: Senator

Gianaris.

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

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

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

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

ACTING PRESIDENT PERSAUD: Senator Tedisco on the bill.

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

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

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

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

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

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

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

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

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

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

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

And if the taxpayers are looking,

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

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

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: You're welcome, Senator.

Are there any other Senators wishing to be heard?

Senator Rhoads, why do you rise?

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR WEBB: I will, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR RHOADS: Thank you.

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

SENATOR WEBB: Through you, Madam President, yes.

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

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

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

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

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

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR WEBB: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR RHOADS: Thank you, Senator Webb.

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

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

SENATOR WEBB: Through you, Madam President, yes.

SENATOR RHOADS: And will the

sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR WEBB: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR RHOADS: Through you, Madam President.

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

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

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

SENATOR RHOADS: Will the sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR WEBB: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR RHOADS: Through you, Madam President.

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

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

Can you explain why that would be the case?

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

referenced.

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

SENATOR RHOADS: And will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

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

But yes, I will yield.

SENATOR RHOADS: We're reaching the end.

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

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

SENATOR WEBB: Through you, Madam President, yes.

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

SENATOR RHOADS: Will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR WEBB: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR RHOADS: Through you, Madam President.

Senator Webb, thank you for that answer.

Is there any provision within this

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

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

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

SENATOR RHOADS: I'll yield.

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

SENATOR WEBB: Mm-hmm.

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

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

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

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

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

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

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

SENATOR RHOADS: Thank you, Senator Webb.

Thank you, Madam President.

SENATOR WEBB: Thank you.

ACTING PRESIDENT PERSAUD: You're

welcome.

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed.

Senator Gianaris.

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

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Madam President.

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

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

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

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

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

I vote aye, Madam President.

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

Senator Webb to explain her vote.

SENATOR WEBB: Thank you, Madam President.

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

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

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

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

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

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

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

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

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

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

Thank you.

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

Senator Hinchey to explain her vote.

SENATOR HINCHEY: Thank you, Madam President.

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

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

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

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

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

Thank you.

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

Senator Tedisco to explain his vote.

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

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

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

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

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

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

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

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

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

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

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

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

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

SENATOR TEDISCO: Madam Speaker, yes.

ACTING PRESIDENT PERSAUD: How do you vote?

SENATOR TEDISCO: Yes.

ACTING PRESIDENT PERSAUD: Senator

Tedisco to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

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

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GONZALEZ: Yes, I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: Through you, Madam President.

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

SENATOR GONZALEZ: Through you,

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

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

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

is approved.

Why does that requirement exist?

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

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

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

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

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

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

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

SENATOR WALCZYK: Would the sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

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

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

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

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

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

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

SENATOR WALCZYK: Will the sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

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

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

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

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

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

SENATOR WALCZYK: Madam President, briefly on the bill.

ACTING PRESIDENT PERSAUD: Senator Walczyk on the bill.

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

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

And with that, would the sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Senator Gonzalez on the bill.

SENATOR GONZALEZ: Well, I continue --

ACTING PRESIDENT PERSAUD: You want to explain something.

SENATOR GONZALEZ: I continue.

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

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

those customers' bills at the end of that investigation.

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

SENATOR WALCZYK: Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you.

Are there any other -- Senator Mattera.

SENATOR MATTERA: Thank you, Madam President.

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR MATTERA: And thank you, Senator.

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

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

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

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

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

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

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

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

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

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

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

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

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

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

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

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

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

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

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

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

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

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

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

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

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

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

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

SENATOR MATTERA: But the PSC --

ACTING PRESIDENT PERSAUD: The

sponsor yields.

SENATOR MATTERA: I'm sorry.

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

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

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

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

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

120 days after the results of an investigation.

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

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

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

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT PERSAUD: The

sponsor yields.

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

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

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

SENATOR MATTERA: Oh, so the PSC again.

SENATOR GONZALEZ: Yes. Correct.

SENATOR MATTERA: All right.

On the bill.

ACTING PRESIDENT PERSAUD: On the bill, Senator Mattera.

SENATOR MATTERA: Great. Thank you, Madam President.

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

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

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

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

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

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

keeping our rates down.

So you know what, Madam President? I am a no on this bill. Thank you.

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

Seeing and hearing none, debate is closed.

Senator Gianaris.

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

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Gonzalez to explain her vote.

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

colleagues in this conference.

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

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

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

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

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

Senator Murray to explain his vote.

SENATOR MURRAY: Thank you, Madam President.

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

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

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

deeper. So it just compounds the problem.

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

For this, I'm a no.

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

Announce the results.

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

Ayes, 41. Nays, 14.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

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

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

ACTING PRESIDENT PERSAUD: Thank you, Senator Lanza.

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

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

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

Senator Rolison.

SENATOR ROLISON: Thank you, Madam President.

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

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

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

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

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

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

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

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

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

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

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

Thank you.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

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

Those in favor of overruling the

chair, signify by saying aye.

(Response of "Aye.")

SENATOR LANZA: Show of hands.

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

Announce the results.

THE SECRETARY: Ayes, 18.

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

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR PARKER: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: Through you, Madam President.

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

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

SENATOR WALCZYK: And would the sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR PARKER: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

SENATOR WALCZYK: Madam President,

would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR PARKER: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

Am I understanding that correctly?

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

that account, yes.

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR PARKER: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

SENATOR PARKER: Madam President, through you.

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

electricity as we can.

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

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

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

SENATOR WALCZYK: Will the sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR PARKER: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The

sponsor yields.

SENATOR WALCZYK: Through you, Madam President.

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

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

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

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

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

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR PARKER: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

We are in fact doing the best that

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

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

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

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

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

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

SENATOR WALCZYK: Would the sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR PARKER: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

New Yorkers.

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

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

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

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

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

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

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

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

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

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

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

SENATOR WALCZYK: Madam President, on the bill.

ACTING PRESIDENT PERSAUD: Senator Walczyk on the bill.

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

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

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

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

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

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

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

New York. So that drives up demand.

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

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

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

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

ACTING PRESIDENT PERSAUD: Senator Borrello?

SENATOR BORRELLO: On the bill, Madam President.

ACTING PRESIDENT PERSAUD: Senator Borrello on the bill.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you, Madam President.

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

Senator Parker on the bill?

SENATOR PARKER: Yes, Madam President.

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

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

Democratic Conference of the State Senate.

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

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

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

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

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

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

and talking about how we address that as well.

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

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

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

projects. And NYSERDA has resources.

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

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

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

And so, Madam President, I vote aye

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

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

Seeing and hearing none, debate is closed.

Senator Gianaris.

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

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Rhoads to explain his vote.

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

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

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

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

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

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

ACTING PRESIDENT PERSAUD: Senator

Rolison {sic} to be recorded in the affirmative.

Announce the results.

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

Ayes, 52. Nays, 3.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

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

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

ACTING PRESIDENT PERSAUD: Thank you, Senator Lanza.

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

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

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

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

Senator O'Mara.

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

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

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

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

To make matters worse, the reporting

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

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

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

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

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

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

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

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

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

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

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

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

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

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

(Response of "Aye.")

SENATOR LANZA: Show of hands.

ACTING PRESIDENT PERSAUD: A show

of hands has been requested and so ordered.

Announce the results.

THE SECRETARY: Ayes, 18.

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

Senator Walczyk.

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR COMRIE: Madam President, yes, I yield.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

SENATOR COMRIE: Through you, Madam President, yes.

SENATOR WALCZYK: And would the

sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR COMRIE: I yield.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

SENATOR COMRIE: Through you, Madam President, no.

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

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

SENATOR WALCZYK: And would the

sponsor continue to yield.

SENATOR COMRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

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

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

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

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

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

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

SENATOR WALCZYK: Thank you.

Madam President, will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

SENATOR WALCZYK: Thank you.

Madam President, on the bill.

SENATOR COMRIE: Thank you.

ACTING PRESIDENT PERSAUD: Senator Walczyk on the bill.

SENATOR WALCZYK: So this bill here

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

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

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

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

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

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

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

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

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

I vote aye.

ACTING PRESIDENT PERSAUD: Thank you.

Are there any other Senators wishing to be heard?

Seeing and hearing none, the debate is closed.

Senator Gianaris.

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

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Harckham to explain his vote.

SENATOR HARCKHAM: Thank you very much, Madam President.

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

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

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

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

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

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

Announce the results.

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Senator

Walczyk, why do you rise?

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR RYAN: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

SENATOR RYAN: Through you, Madam President.

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

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

SENATOR WALCZYK: Madam President,

would the sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR RYAN: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

SENATOR WALCZYK: Will the sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR RYAN: Yes,

Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

SENATOR RYAN: Yes.

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR RYAN: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

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

SENATOR RYAN: Yes.

SENATOR WALCZYK: (Inaudible overtalk.)

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

I am very much completely, fully

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

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

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

SENATOR WALCZYK: Madam President, briefly on the bill.

ACTING PRESIDENT PERSAUD: Senator Walczyk on the bill.

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

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

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

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

So what are the proposed changes in your bill?

SENATOR RYAN: No proposed changes.

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR RYAN: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR RYAN: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

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

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

SENATOR WALCZYK: Thank you.

Madam President, on the bill.

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

SENATOR WALCZYK: Madam President, would the sponsor yield?

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR RYAN: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

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

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR RYAN: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

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

SENATOR WALCZYK: Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Helming, why do you rise?

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

ACTING PRESIDENT PERSAUD: Senator Helming on the bill.

SENATOR HELMING: Thank you.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Are there any other Senators wishing to be heard?

Seeing and hearing none, the debate is closed.

Senator Gianaris.

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

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

Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Ryan to explain his vote.

SENATOR RYAN: Thank you, Madam President.

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

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

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

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

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

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

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

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

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

mandate. This is what this does, commonsense reform.

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

Thank you. I vote in the affirmative.

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

Announce the results.

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

Ayes, 54. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

Senator Gianaris, that completes the reading of the calendar.

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

ACTING PRESIDENT PERSAUD: There is

no further business at the desk.

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

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

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