NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 20, 2023

3:02 p.m.

REGULAR SESSION

SENATOR JEREMY A. COONEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT COONEY: The Senate will come to order.

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

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

ACTING PRESIDENT COONEY: 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 COONEY: Reading of the Journal.

THE SECRETARY: In Senate, Friday, March 17, 2023, the Senate met pursuant to adjournment. The Journal of Thursday, March 16, 2023, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

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: Mr. President, please take up previously adopted Resolution 510, by Senator Kennedy, read its title, and recognize Senator Kennedy.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Senate Resolution 510, by Senator Kennedy, memorializing Governor Kathy Hochul to proclaim March 2023 as Bleeding Disorders Awareness Month in the State of New York.

ACTING PRESIDENT COONEY: Senator Kennedy on the resolution.

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

Today I rise to recognize March 2023 as Bleeding Disorders Awareness Month in New York State.

We're joined by a number of advocates from all across the State of New York,

including a number of Buffalonians, my friends Mikel Lewis, his sister Mya-Isabella Samuel, and John Alduino.

They are among a number of other folks who are here to spread the word and advocate on behalf of so many individuals who suffer from bleeding disorders here in New York, affecting more than one in 100 people across this great state, including a wide variety of disorders, genetic conditions -- hemophilia, Von Willebrand disease, sickle cell anemia, platelet disorders, just to name a few.

As recently as the 1960s there was no treatment for people with bleeding disorders. Those with serious symptoms such as prolonged bleeding, debilitating joint and muscle damage, and organ failure often had a life expectancy of just 40 years.

Fast forward to today, and there's far more hope. With the right treatment, people diagnosed with bleeding disorders are leading full, productive lives. Part of that is due to the advancements in medicine and research that have profoundly impacted what we know about these disorders and how to treat them.

And the other part is credited to early diagnosis, proper care, and ensuring patients have access to the medication and services that they need to thrive.

By recognizing March as Bleeding Disorders Awareness Month, New York is aligning this with the observance of National Bleeding Disorders Awareness Month, and fostering public awareness and understanding of these disorders with the hope of educating New Yorkers about the symptoms and encouraging early detection and treatment.

The National Hemophilia Foundation is encouraging our greater community to, quote, start the conversation this month, and that's exactly what we're doing here today. That's exactly why these wonderful advocates have joined us here in this auspicious chamber.

And I encourage my colleagues here today to join me in bringing attention to these disorders, with the hope that we can provide resources and start the conversation, Mr. President, that can potentially save lives.

With that, I vote aye.

ACTING PRESIDENT COONEY: Thank

you, Senator Kennedy.

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

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT COONEY: The resolution was previously adopted on March 15th.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, Senator Kennedy would like to open that resolution for cosponsorship.

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

Senator Gianaris.

SENATOR GIANARIS: Please take up the reading of the calendar.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Calendar Number 174, Senate Print 636, by Senator Comrie, an act to amend the Business Corporation Law and the Limited Liability Company Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 174, those Senators voting in the negative are Senators Ashby, Borrello, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, Ortt, Palumbo, Rhoads, Rolison, Scarcella-Spanton, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 36. Nays, 20.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 204, Senate Print 1918, by Senator May, an act to amend the Environmental Conservation Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT COONEY: Lay it

aside.

THE SECRETARY: Calendar Number 238, Senate Print 447C, by Senator Stavisky, an act to amend the Education Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Stavisky to explain her vote.

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

First, I want to thank the folks who worked for the past two and a half years or so on this legislation. It was originally brought to my attention in about 2020 by the Commission on Independent Colleges and Universities, and in the ensuing days we worked very closely together, collaboratively, with the State Education Department, with SUNY and CUNY. And it demonstrates how, working together, we can make a

bill better.

This helps the nursing shortage. It provides up to 30 percent of simulation with the sophisticated dummies and -- that's sort of an oxymoron, I guess --

(Laughter.)

SENATOR STAVISKY: -- come to think of it. But with the quality of simulation, we are able to allow more students to fill these slots. In the past the colleges and universities throughout our state did not have the space for the clinical classes that are needed.

So, Mr. President, I thank everybody for making this possible, and I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 267, Senate Print 1361, by Senator Kennedy, an act to amend the Public Authorities Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 274, Senate Print 1147, by Senator Krueger, an act to amend the Tax Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first of April.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 274, those Senators voting in the negative are Senators Ashby, Borrello, Gallivan,

Griffo, Lanza, Martins, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Tedisco, Weber and Weik.

Ayes, 43. Nays, 16.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 294, Senate Print 490, by Senator Comrie, an act to amend the Not-For-Profit Corporation Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 326, Senate Print 410, by Senator Thomas, an act to amend the General Business Law.

ACTING PRESIDENT COONEY: Read the

last section.

THE SECRETARY: Section 25. This act shall take effect immediately.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 326, those Senators voting in the negative are Senators Ashby, Borrello, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 39. Nays, 20.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 399, Senate Print 3306, by Senator Hoylman-Sigal, an act to amend the Business Corporation Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 460, Senate Print 2298, by Senator Mayer, an act to amend the Election Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number

477, Senate Print 3403, by Senator Breslin, an act to amend the Insurance Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 477, voting in the negative are Senators Brisport and Skoufis.

Ayes, 57. Nays, 2.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 484, Senate Print 3459, by Senator Skoufis, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 484, voting in the negative: Senator Walczyk.

Ayes, 58. Nays, 1.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 490, Senate Print 3249, by Senator Bailey, an act to amend the Executive Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you,

Mr. President.

This past January there was a significant fire in my district, and it ripped through a multifamily dwelling on Carpenter Avenue in the Bronx.

Luckily there was no loss of life, and the injuries have come to what we believe are minor, although there can never be any minor injury in a fire because the trauma of seeing all of your possessions leave you is significant.

But the most important thing is that they all got out alive and the children got out alive. And the pets got out alive as well, Mr. President.

But this brings the question, how come we currently don't have requirements to make sure that there are smoke alarms in common areas of multifamily dwellings? And this is something that we don't know if it will prevent fires, but it will promote awareness. Because there were certain residents who didn't get out until very late -- by the grace of God, some would say -- because they did not have the building-wide smoke alarms.

So this bill would require that in

multifamily dwellings. And I believe that this is just one of the steps this majority has taken, under the leadership of Andrea Stewart-Cousins, to be more responsive to the requirements and the needs of our communities when we face the scourge of deadly fires.

So I'm excited that this bill is passing today. I look forward to its eventual passage in the Assembly. And I vote aye, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator Bailey, to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

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

SENATOR GIANARIS: Can we move to the controversial calendar, please.

ACTING PRESIDENT COONEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number

204, Senate Print 1918, by Senator May, an act to amend the Environmental Conservation Law.

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

SENATOR WALCZYK: Thank you, Mr. President. Would the sponsor yield for some questions.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR MAY: Yes, I'd be glad to.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: Through you, Mr. President, what does this bill do?

SENATOR MAY: Through you, Mr. President. This bill allows DEC to grant the rights for renewable energy production and transmission on state reforestation lands.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR MAY: I will.

ACTING PRESIDENT COONEY: The

sponsor yields.

SENATOR WALCZYK: Do you believe that this is in line with Title 5 of the Environmental Conservation Law?

SENATOR MAY: Article 5? Through you, Mr. President.

SENATOR WALCZYK: Through you, Mr. President. Article 5 addresses reforestation areas and their purpose, if that's helpful.

SENATOR MAY: Okay, thank you, Mr. President. My colleague said Title 5; we're talking about Article 5.

Yes, I do.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR MAY: I will.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: So out of the same section of Environmental Conservation Law, it reads: "In order to provide for the acquisition of lands outside the Adirondack Park

and Catskill Park ... which are adapted for reforestation and the establishment and maintenance thereon of forests for watershed protection, the production of timber and other forest products, and for recreation and kindred purposes, the department may acquire in the name of the state, by gift, purchase or appropriation, reforestation areas which shall consist respectively of not less than five hundred acres of contiguous lands, which shall be forever devoted to the planting, growth and harvesting of such trees ... as shall be reforested."

The question is, how are solar panels in line with that purpose in that section?

SENATOR MAY: Through you, Mr. President. The law already allows DEC the right to have oil and gas production on these lands. I believe that green energy production is more compatible with our forests and protecting them in the long run.

This doesn't prescribe that any -- any production has to occur on these lands, it just makes it possible for DEC to offer those leases.

SENATOR WALCZYK: Through you,

Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR MAY: I will.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: You brought up gas and oil, which generally have a relatively small footprint. But I notice that your legislation is allowing for wind production -- which would also have a relatively small footprint as long as the turbine could be so far above the trees -- but also solar.

And through you, Mr. President, my question would be, why would we want to replace acreage that is specifically set aside for reforestation with solar panels in this state?

SENATOR MAY: Through you, Mr. President. So as it says in the bill, to the extent that this would interfere with any of the purposes for which the land was acquired, that would not be a possibility.

But there are certainly reforestation lands which are not covered with

trees where they could put solar panels.

But the main goal here probably is for transmission, because we are finding that that when you have solar and wind production in one place and then state lands in between, it's very hard to do the transmission along those -- across those areas.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR MAY: I do.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: So transmission has already been prescribed by this Legislature as an exception, as has communications wiring and various other things you brought up -- oil and gas leases. So I don't accept that answer.

Does this legislation limit the number of acres that you would substitute reforestation with solar panels in the State of New York?

SENATOR MAY: Through you,

Mr. President, as I just said, any activity that interferes with the purpose of the land that was -- for which it was leased, couldn't be -- couldn't be interfered with.

So it -- that would be on a case-by-case basis decided by the DEC.

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

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR MAY: I will.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: Would you then agree that replacing acres that are designated for forest reforestation in the State of New York, as this statute states pretty clearly, that covering that same acreage with solar panels would be counter to the purpose of reforestation?

SENATOR MAY: Mr. President, I don't agree with that. This is -- this opens a possibility for a use of these lands that I think is compatible with our climate goals, which our forests depend on us reaching those climate goals

just as much as our agricultural lands do and our shorelines do and our children do.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR MAY: I do.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: Are there limits on the maintenance or the size of -- the maintenance activities or the size of infrastructure as are prescribed here when you're talking about adding solar arrays or solar fields to what used to be reforestation areas in the State of New York?

SENATOR MAY: So once again, the DEC would make a determination whether the project interfered with the goals of the original acquisition of this land. And that would determine the scale of development on that land as well.

SENATOR WALCZYK: So no limit.

Would there be -- through you,

Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR MAY: I do.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: On areas that are designated reforestation lands in the State of New York, would there be a prohibition of fences being installed around solar arrays?

SENATOR MAY: Through you, Mr. President, the idea is to treat renewable energy generation the same way that oil and gas are treated. And so it would be the same -- you know, there would be the same guidelines for those.

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

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR MAY: I would.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: Would there be any prohibition when substituting what would be a reforested forest, what would be trees, with solar arrays of substations placed in the reforestation area, above-ground transmission?

SENATOR MAY: I'm sorry, through you, Mr. President, could my colleague please repeat that? I don't understand the question.

SENATOR WALCZYK: Yeah, through you, Mr. President, I would.

What I'm asking is in this legislation where you have redesignated reforestation areas, which traditionally have been used by the State of New York to reforest an area -- and we're adding solar arrays to the possibility by siting, if this bill passes and becomes law -- have you placed any limits on the amount of infrastructure that can be put in the reforested area to support those solar arrays?

SENATOR MAY: Through you, Mr. President, I can't come up with another way to phrase this answer.

But once again, I will say this is -- only allows DEC to create these leases when it is compatible with the uses of the land that

were designated in the original acquisition of that land. And so there would be pretty strict restrictions in a lot of places, I believe, for that.

But some of these lands are used for logging, for example, which would presumably clear areas of land where it would be -- it would make a lot of sense, then, to do solar production or wind production when you've got that land that's just been cleared.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR MAY: I will.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: So you have evoked the Department of Environmental Conservation a number of times today. Was this prescribed in the scoping plan from the Climate Action Council for which the DEC sits as a cochair?

SENATOR MAY: Through you,

Mr. President. This bill predates that scoping plan. And -- but it is certainly compatible with the goals of the Climate Leadership and Community Protection plan.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR MAY: I would.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: Did the DEC give you a reason that they didn't include this proposal that you're bringing us here today in the scoping plan?

SENATOR MAY: Through you, Mr. President. So as I said, this bill predates that.

The scoping plan is more general. It doesn't have this kind of level of specificity, but it also puts forward the idea that we need more green energy production as well as that we need to protect our forest resources.

SENATOR WALCZYK: Through you,

Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR MAY: I will.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: While it's generally over 400 pages, it also includes a lot of specifics. This bill that you're bringing to this chamber today isn't one of the specifics that's included in the Climate Action Council's scoping plan.

What factors in the scoping plan included the state's forestlands for carbon sequestration?

SENATOR MAY: Through you, Mr. President, I don't know the answer to that.

SENATOR WALCZYK: Let me try -- if I may be a little more concise, through you Mr. -- thank you, Mr. President.

The draft scoping plan laid out a number of items after a long deliberation from the chairs of the Climate Action Council, many of which I disagree with. But there was one

interesting note, and that is of carbon sequestration. And I think to our conversation here today, when we're talking about reforested areas and how they're going to be used in the State of New York in the future, the Climate Action Council has said that forestlands are significant when we're talking about our goals to sequester carbon.

So I wonder how this bill here that you bring today is in line with what the goals of the Climate Action Council are.

SENATOR MAY: Through you, Mr. President. The Climate Action Plan and our climate goals are interconnected. We need to produce energy. We also need to protect -- or sequester carbon. Those are not necessarily incompatible. But we need to do it in an intelligent way.

This is -- there are 600,000 acres of reforestation lands in the state. This is not our old forest; this is land that was cleared for either agriculture or logging, is being reforested now.

As I said before, mostly what we would expect probably on these lands is not that

they would be somehow cleared for solar production, but they would be used for transmission or connectivity between green energy projects, which -- many of which could be sited in pretty remote places.

So this is -- this puts an extra tool in the toolbox of those who are trying to implement this very complicated and ambitious law.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR MAY: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: I think it's our job to deal with the complications and nuance of this law or the proposals of the Climate Action Council.

I wonder, why would we promote the DEC's ability to put solar panels over what would be future forest in our reforestation areas, over things like brownfields or rooftops for solar?

SENATOR MAY: Through you, Mr. President. The DEC is bound by our climate goals to weigh the pluses and minuses of any action it takes with respect to the impact on climate.

And so they would be taking into account the value of reforestation or forest sequestration and the value of green energy production to -- to make those decisions.

SENATOR WALCZYK: Mr. President, I'll go on the bill.

ACTING PRESIDENT COONEY: Senator Walczyk on the bill.

SENATOR WALCZYK: So this piece of legislation that's been brought here today, as -- for those of you that have been paying attention, is not in line with the Climate Action Council's goals.

The sponsor said it predated the Climate Action Council's work, and so it makes sense why it's not in line with their goals in a 400-plus-page document. They actually went the opposite direction of this legislation that's been brought onto the floor here today.

You know, I'm -- there's a storied

history of forest preservation and reforestation in New York State. If you go back into the late 1800s, we had nearly clear-cut all of New York. We had extinct the turkey. The white-tailed deer was gone. There was almost nothing left in this state. And great conservationists in this state saw the mission to bring forests back because they saw how big of a danger this was to our entire ecology.

One of those is Franklin Hough. He was referred to as the "father of American forestry." He was from Lowville, New York, and he saw the devastation that the logging industry had done across upstate New York, because they weren't being responsible in replacing the forests and replanting the forests after they had clear-cut them.

But it's not just him, and it's not just the long history of this state. Recently the Environmental School of Forestry in Syracuse put out a paper that said 15 percent of the U.S. annual carbon emissions are offset by the forestlands.

Forests -- and this is their words -- forests store carbon in trees, leave

soil where it can be sequestered for years to centuries. And it makes sense, if you're turning that carbon into wood products that can become the desks that you're sitting at or the panels behind me, that carbon is forever sequestered -- so long as we don't have another Capitol fire like we did in 1911.

Forests provide negative emissions, which is -- this is the reason why the Climate Action Council tuned into forest preservation and reforestation areas. Forests converted to other uses will lose carbon stored and have much less capacity for sequestration.

That's SUNY ESF saying, actually, you don't want to have solar panels in an area where you should have forest. They're saying the exact opposite: You should incentivize growing of forests and good forest management in order to sequester more carbon.

Reforestation has very large benefits. This bill directly conflicts with the Environmental Conservation Law, as we laid out earlier. The purpose of reforestation is to grow forest, not to grow electrons with Chinese solar panels. And the religious dogma of

electrification sometimes comes into this chamber and misses it on the policy. It misses the forest for the trees, if you will.

This bill is bad for our forests, it's bad for our planet, it is shortsighted. And I hope all of you will join me in putting it down today and voting no.

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

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

Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

And I thank my colleague for calling attention to this bill and for a spirited debate, and for mentioning my alma mater, the SUNY College of Environmental Science and Forestry.

We're very proud of the forest research that's done there.

I believe very firmly that protecting our forestlands is important, but managing our forestlands is equally important. And we have a lot of tree species that are dying out, partly because of the climate crisis, areas that are being cut down because of logging in these lands.

We will be passing a bill tomorrow to prevent gas exploration and production in these lands as well, which I support. And I trust that my colleague will support that too.

But I definitely believe that we need to be using all of our resources as wisely as we possibly can.

And my esteemed colleague voted against the 30 by '30 conservation land bill that we passed, so that I think, you know, being lectured about protecting our forestlands by somebody who does not seem to value conservation is a little bit insulting.

But I will just say, as somebody with a degree in environmental science and with, you know, a lot of connection to our forest

preservation, I'm proud of this bill. I think this is one more piece of the puzzle of trying to make sure that we are doing green energy production and protecting our forestlands.

And I vote aye. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 204, those Senators voting in the negative are Senators Ashby, Borrello, Griffo, Helming, Lanza, Martins, Mattera, Murray, O'Mara, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 46. Nays, 16.

ACTING PRESIDENT COONEY: The bill is passed.

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

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

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

SENATOR GIANARIS: Move to adjourn until tomorrow, Tuesday, March 21st, at 3:00 p.m.

ACTING PRESIDENT COONEY: On motion, the Senate stands adjourned until Tuesday, March 21st, at 3:00 p.m.

(Whereupon, at 3:38 p.m., the Senate adjourned.)