NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

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3:16 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 present 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, Monday, February 12, 2024, the Senate met pursuant to adjournment. The Journal of Sunday, February 11, 2024, 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.

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.

Can we begin by recognizing Senator Chu for an introduction.

ACTING PRESIDENT PERSAUD: Senator Chu for an introduction.

SENATOR CHU: Thank you, Madam President, for allowing me to welcome very special guests from local -- my district, Brooklyn, Southern Brooklyn, to this chamber today.

We know last Tuesday I was able to recognize and pass our Lunar New Year resolution, and it marked the beginning of the 30-day celebration of the Year of the Dragon. And today I'm honored to welcome our Brooklyn delegation at this chamber. These community leaders and members came from Sunset Park, Bensonhurst, Bath Beach, and many other local communities from New York City.

And many of them dedicate their careers to boosting our economy, providing job opportunities. Some of them volunteer and partner with our local precincts to ensure the safety of the community members, especially during the COVID pandemic time when the Asian-Americans, many families were under attack from the hate crime.

And some of them provide crucial social services to address the senior needs and youth educational programs.

I really had the great honor and pleasure to work with many of them over the past decade in a different capacity. Therefore, it is my true honor to welcome them on this special day as their State Senator.

As I mentioned last week, Lunar New Year is a 30-days-long celebration, and I would like to use this opportunity to extend this invitation to our Brooklyn delegation and to all our members and staff in this chamber. Please join our Lunar New Year reception after session on the third floor of the LOB.

So, Madam President, if I may, please extend them the privilege of our floor and

welcome our guests to the chamber.

(Applause from the gallery.)

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Senator Gianaris.

SENATOR GIANARIS: Madam President, I move to adopt the Resolution Calendar, with the exception of Resolution 1806.

ACTING PRESIDENT PERSAUD: All those in favor of adopting the Resolution Calendar, with the exception of Resolution 1806, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT PERSAUD: Opposed, nay.

(No response.)

ACTING PRESIDENT PERSAUD: The Resolution Calendar is adopted.

Senator Gianaris.

SENATOR GIANARIS: Can we now go

and take up previously adopted Resolution 1465, by Senator Fernandez, read its title, and recognize Senator Fernandez.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Resolution 1465, by Senator Fernandez, memorializing Governor Kathy Hochul to proclaim September 2024 as Recovery Month in the State of New York.

ACTING PRESIDENT PERSAUD: Senator Fernandez on the resolution.

SENATOR FERNANDEZ: Thank you so much, Madam President.

And thank you to this body for allowing me to speak on the Recovery Day resolution.

Today in Albany we celebrate Recovery Day. If you saw everyone at the Capitol Center -- oh, the Egg Center, and the convention there, there were numerous groups, advocates, family, friends, everyone that is in support of the recovery movement.

And the recovery movement doesn't look just one any type way. A person's path to recovery is meeting their needs and continuously

supporting them for the rest of their life.

There are over 300,000 New Yorkers that identify with the recovery community today, and we know that there must be more. We know that there are many that are suffering in silence still that don't know how to take that first step, don't know where to go, don't know how to continue.

And what we do in this Legislature and in our communities, especially with our neighbors, is so important. Because we must continue to destigmatize the -- we must continue to destigmatize the hate that is out there for those that are suffering with addiction. everyone has their gripe, everyone has their struggle. And for some, they are suffering with a disease that sometimes is uncontrollable.

And for many that have been able to take that control, the support must be needed through initiatives in transportation needs and housing needs and supportive services, peer support services, recovery communities -- not recovery homes, but communities that center on you stabilizing your life with things that you love to do and people you want to see.

So I really do thank this body for always supporting those that are on the journey, that are about to take that first step on the journey. And please promise to commit to that journey so they can continue to be with their families, in their communities, and living the flourishing lives that we are all entitled to.

Thank you so much, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

The resolution was adopted on January 9th.

Senator Gianaris.

SENATOR GIANARIS: Next up we have Resolution 1806, by Senator May. Please read that resolution's title and recognize Senator May.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Resolution 1806, by Senator May, congratulating Dr. Jeanette Epps upon the occasion of serving as a Mission Specialist aboard NASA's SpaceX Dragon to the International Space Station.

ACTING PRESIDENT PERSAUD: Senator

May.

SENATOR MAY: Thank you, Madam President.

I am elated today to rise in honor of Syracuse's own Dr. Jeanette Epps as she prepares to launch -- as early as next week -- on a six-month mission to the International Space Station.

As we mark the Year of the Dragon, it is fitting she will be flying aboard a spacecraft called the Crew Dragon Endeavor.

Dr. Epps grew up on the South Side of Syracuse, an area that is usually considered to be synonymous with struggle, with poverty, disinvestment, and racial injustice. But it is also a neighborhood of tremendous hopes and dreams, of parents, siblings, teachers and community leaders who go above and beyond to help young people succeed -- and of boundless educational opportunity.

Jeanette Epps graduated from Corcoran High School -- go Cougars -- and has described her studies there as highly challenging and her teachers as true mentors. She stayed in Syracuse to go to Le Moyne College -- go

Dolphins -- where, again, she found terrific professors and brilliant classmates and was able to pursue a physics degree that launched her on her path first to a Ph.D. in aerospace engineering from the University of Maryland, and ultimately to achieve her greatest dream, of joining NASA's astronaut court, in 2009.

With this mission, Dr. Epps will be the second Black woman to board the International Space Station and the sixth Black woman to ever go to space.

Even as her childhood dream becomes a reality, Jeanette Epps never loses sight of where she came from. She returns to Syracuse often to give her message of hope and encouragement, especially to girls who look like her. Her mantra is: If I'm doing this, there's absolutely no reason you can't do this.

She also continually gives back to her alma mater, Le Moyne College. She's such a dedicated member of the Board of Trustees that she plans to join a trustees meeting from space.

My office has reached out to NASA so we can share the video of these proceedings. So Dr. Epps, if you are watching, please accept our

very best wishes for a mission that is worthy of your dreams and for a safe return, so you can continue to inspire us all.

Madam President, I vote aye on the resolution.

ACTING PRESIDENT PERSAUD: Thank you.

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

(Response of "Aye.")

ACTING PRESIDENT PERSAUD: Opposed, nay.

(No response.)

ACTING PRESIDENT PERSAUD: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Madam President, the sponsors would like to open these resolutions for cosponsorship.

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

Senator Gianaris.

SENATOR GIANARIS: Please take up

the reading of the calendar.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 88, Senate Print 7515, by Senator Stewart-Cousins, an act in relation to providing assessment relief to property owners within certain municipalities.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 11. 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, 54.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 128, Senate Print 1812A, by Senator Addabbo, an act to require the Department of Environmental Conservation to conduct a study on the feasibility of constructing a seawall.

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, 54.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 131, Senate Print 3335A, by Senator Mayer, an act to amend the Executive 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: Senator Mayer to explain her vote.

SENATOR MAYER: Thank you, Madam President.

I'm so pleased that today we are doing this package of bills. And thank you to the Majority Leader for ensuring that we address this compelling need to have a much more robust approach to flooding and storm resilience.

And my bill, which creates an Office of Flood Prevention and Mitigation, is absolutely essential. When these floods occur in our communities, people are at a loss for who is the expert, who has the money, who knows how to respond, who coordinates between municipalities, who can help them deal with the loss of -- potentially loss of life and loss of property.

After Superstorm Ida, which in my district led to the death of three of my constituents, people in all of the communities I represent were at a loss. And in fact I've done a recent poll of the most pressing issue in my community, and over a quarter of my constituents thought flooding and climate change was their top concern, and they have panicked every time it rains.

This office that I am proposing would be a senior-level office which would coordinate the response of all the state

agencies, help municipalities obtain the resources, and be a guide.

By way of example, after Ida we found out -- only through our own diligence -- that there was a federal program run by the Department of Agriculture that allowed communities to have homes bought back at pre-flood levels. Who would know? No one told us, no one found it. Through the work of myself and a colleague in the Assembly, we found this program, NRCS. It has now led to about 17 of our constituents having their homes bought out at pre-flood levels because they happen to live in a flood plain.

The point is we ought to make sure that flooding response is at the highest level, the most sophistication, and that we learn from others that have best practices.

I'm proud this bill has come to the floor. I urge my colleagues to vote yes. And I thank, again, the leader for making sure that we are addressing what our constituents believe are some of the most pressing issues they feel.

Thank you.

ACTING PRESIDENT PERSAUD: Senator

Mayer to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 132, Senate Print 8110, by Senator Martinez, an act reconvening the New York State Sea Level Rise Task Force.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 133, Senate Print 8170, by Senator Harckham, an act to amend the Environmental Conservation Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 134, Senate Print 8171, by Senator Harckham, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT PERSAUD: 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: Ayes, 56.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 153, Senate Print 8167, by Senator Breslin, an act in relation to directing the Department of Financial Services to conduct a study examining the increasing cost of insurance premiums.

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: Ayes, 56.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 154, Senate Print 8320A, by Senator Mayer, an act to amend the Insurance 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, 56.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 155, Senate Print 449, by Senator Gianaris, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 155, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chu, Gallivan, Griffo, Helming, Lanza, Martinez, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Weber and Weik.

Ayes, 34. Nays, 22.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 343, Senate Print 5620A, by Senator Harckham, an act to amend the Executive 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, 56.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 132, Senate Print 8110, by Senator Martinez, an act reconvening the New York State Sea Level Rise Task Force.

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 Helming.

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 Helming be heard on the appeal.

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

Senator Helming.

SENATOR HELMING: Thank you, Madam President.

I rise to appeal the ruling of the chair. The proposed amendment is absolutely germane to the bill at hand. The bill at hand reconvenes the State Sea Level Rise Task Force. An amendment that I have before this body deals with creating a task force to address the impact of flooding on homeowners.

As we all know, flooding creates tremendous damage and devastation for homeowners, who are often left holding the bag for thousands of dollars in flood damage. This flooding doesn't occur just in coastal areas, but all across the state, including in the area that I represent, the Finger Lakes area, and along Lake Ontario.

In 2017 and in 2019, along Lake Ontario, including in Wayne County and Monroe County, we had horrendous flooding. In 2018 in Seneca County, we had the loss of millions of dollars of property and homes. And just recently, in July of 2023, more localized flooding in Ontario County, again with devastating impacts to the people who are impacted.

When we get torrential rainstorms, it can cause havoc in the communities we represent and put extreme burdens on people who are barely able to afford to get by as it is. We've already seen, in other states such as Florida, flood insurance premiums skyrocket, leaving many homeowners without a flood policy simply because they cannot afford it.

As a legislative body we should be taking every single step possible to make our communities and our housing stock resilient. This bill that I have put forward would create a task force that includes not only state agencies but industry experts, people and members from homebuilders associations and the insurance industry, so that we can develop as many

strategies as possible to safeguard our communities from the impact of these storms.

Madam President, probably like me and like many others in this room, I hear from people all the time, constituents and others, saying, When you pass these policies in Albany, why don't you include more people who have experience in this area? This -- I hear about this whether we're talking about, right now, education funding and how people from education weren't included in the discussion that cut the Foundation Aid formula and everything else; whether it's about public safety; or whether it's about the flooding before us.

So, Madam President, for these reasons I strongly, strongly urge you to reconsider your ruling.

ACTING PRESIDENT PERSAUD: Thank you, Senator Helming.

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

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

(Response of "Aye.")

SENATOR LANZA: Show of hands.

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

Announce the results.

THE SECRETARY: Ayes, 20.

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

Senator Gianaris.

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

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: Senator Martinez to explain her vote.

SENATOR MARTINEZ: Good afternoon, Madam President.

Recognizing that these transformative flooding events are no longer

one-offs but, rather, reoccurring threats to communities that we serve across the state and Long Island, it's essential for our state to take an approach that reflects the evolving situation that we are facing.

We know that sea level rises increase the impacts of climate-induced natural disasters, and storms considered average are now having greater effects on communities due to the lack of resiliency measures. Reconvening this task force -- a measure passed unanimously over a decade ago, with the intent to evolve the way we approach sea level rise today -- will address coastal community resiliency, animal habitats, preserving our biodiversity, building and ensuring diversity while ensuring adequate education and resources, and review our current infrastructure we have in place.

This bill does not prevent the task force from providing suggestions and/or recommendations moving forward. The goal of this bill is not to reinvent the wheel, but to actually find new ways to focus on what we are working on with. We don't want to burden our agencies with duplicative work, and it's more to

build upon our efforts from 2007 and what we've been doing since and what we'll do moving forward.

So, Madam President, I vote in the affirmative, and I urge my colleagues to do the same. Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT PERSAUD: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Madam President, back to the controversial calendar and take up Calendar 133, please.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 133, Senate Print 8170, by Senator Harckham, an act to amend the Environmental Conservation 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 -- Stec.

(Laughter.)

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 Stec be heard on that appeal.

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

Senator Stec.

SENATOR STEC: Thank you, Madam President.

I rise to appeal the ruling of the chair. The proposed amendment is germane to the bill at hand because the bill at hand requires an annual accounting of the state's spending on stormwater and flooding reduction projects, and this amendment requires a supplemental study of the costs, benefits, technical and economic

feasibility of meeting the CLCPA renewable energy target.

The study would include a full cost-benefit analysis, including the current state of technology in place for electric generation, as well as the new and emerging generation methods; the impact of renewable energy targets and compliance on prices; delivery rates and total bills that consumers will pay; transportation costs and the impact of the CLCPA compliance on natural gas market prices, among other factors.

We have all undergone an extensive period of high inflation that has been devastating for New Yorkers. Food prices are high, energy prices are high, and people are struggling just to get by on a day-to-day basis. We have set forth ambitious goals for renewable energy in the state, but we have done so without doing the due diligence of what this will cost our ratepayers.

If electric bills go up because of actions of this Legislature that force New Yorkers to take {sic}, more and more people will continue to leave our state. We should do

at least the very minimum and inform the public about what these renewable energy systems will cost them.

For these reasons, Madam President, I strongly urge you to reconsider your ruling.

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, 20.

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

Senator Lanza, why do you rise?

SENATOR LANZA: Madam President, I believe there's a second amendment at the desk. I waive the reading of that amendment and I ask

that you recognize, this time, Senator Mattera.

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 MATTERA: Thank you, Madam President. I rise to appeal the ruling of the --

ACTING PRESIDENT PERSAUD: Hold on.

Senator Lanza.

I ruled it nongermane, Senator Lanza.

SENATOR LANZA: Oh, did you.

(Laughter.)

SENATOR LANZA: I was hopeful on this one.

(Laughter.)

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

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

Senator Mattera.

SENATOR MATTERA: Thank you again, Madam President.

I rise to appeal the ruling of the chair. The proposed amendment is germane to the bill at hand because the bill at hand requires an annual accounting of the state spending on stormwater and flooding reduction projects. And this amendment requires a study on the impact on taxpayers and ratepayers of the implementation of the CLCPA, Climate Leadership and Community Protection Act.

The newly created task force would be required to consider the impact on monthly bills for ratepayers; the total cost of spending by the state; the total cost of any tax credits on state revenues; the cost to municipalities, businesses, and school districts to meet various requirements.

Last week we all heard from NYSERDA that we are behind in implementation of the CLCPA goals. But we need other sources of renewable energy. We need to retool all of our power plants' carbon capture; sewage-to-heat recovery expansion with our sewage treatment plants and

our big facilities; nuclear, green hydrogen, geothermal and more.

We also heard that we still don't know what the total cost of this will be. No New Yorker knows. How much? I'll tell you, three to four times more our electric bills will be going up to all New Yorkers. Wind, solar, battery storage is not enough to create energy needed for our future energy needs.

We all, as a state, have set forth ambitious deadlines to meet emission goals, and the further we fall behind, the more it will cost to meet those goals.

Our response to climate change has been the cart before the horse, without the regard for how it will impact people just trying to pay their monthly bills. We need a plan, not a ban. And I know, Senator Stec, you were waiting for me to say that.

SENATOR STEC: Thank God.

(Laughter.)

SENATOR MATTERA: If the state is going to force New Yorkers to undertake these structural changes, New Yorkers should know what it will cost them -- again, three to four times

their electric bill costs.

For these reasons, Madam President, I strongly urge you to reconsider your ruling.

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, 20.

ACTING PRESIDENT PERSAUD: Senator Gianaris.

SENATOR GIANARIS: Let's return this also to the noncontroversial calendar, please.

ACTING PRESIDENT PERSAUD: The Secretary will read the last section.

THE SECRETARY: Section 3. This act

shall take effect on the first of February.

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.

To my friends across the aisle, I'm honored -- not one, but two hostile amendments. Thank you.

(Laughter.)

SENATOR HARCKHAM: Thank you. I must have done something right this morning. But I would have thought we would be debating Doodletown Brook, if anything.

(Laughter.)

SENATOR HARCKHAM: So I thank you.

Before I explain my vote, I would just like to put a couple of items on the record in response to my colleagues' comments.

The costs of the plan have been exhaustively studied, documented and reported. It's Chapter 10 of the Climate Scoping Plan. It's online, on the NYSERDA website, on the DEC

website. I encourage all of our residents to read it. Not only are the costs of the plan on here across all sectors, there are also the rewards of doing the plan.

And so by implementing the plan to protect our planet, we will be creating over 210,000 high-paying jobs.

Now, there will be a loss of jobs, there will be a dislocation as we transfer. The loss of about 22,000 jobs; the gain of about 210,000 jobs. That's almost 10 to one. But we care very deeply about each and every person who may lose a job, and that's why we talk about the just transition.

And as someone who represents Indian Point, where we didn't have these plans in place, I've seen firsthand what happens when we don't do it right. So I share the comments that we need to do this right.

But if we don't do this plan -- and again, the costs are explained in here -- $265 billion in costs to our economy from the constant storms. We are paying for climate change right now. So we can either pay for a plan to mitigate and prevent and to harden and to

deal with the resiliency, as some colleagues have mentioned on their bills today, or we can continue to pay the costs of the $265 billion.

The other I would add is because of poor air quality as a copollutant of carbon-based fuels, 1500 New Yorkers die every year -- from asthma, from lung disease, from heart disease. And that's not me saying that, that's the medical community. Fifteen hundred New Yorkers dying needlessly because of our carbon-based economy.

So again, I just want to say to everybody, Chapter 10 of the Climate Scoping Plan, costs and benefits laid out, documented. I encourage everyone to read. And I agree with my colleagues on the flooding package. We want to thank the leader. We need to get ahead of this now, aggressively, and invest in resiliency, not just on the other side on adapting to climate change.

So I vote aye. Thank you very much, Madam President.

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

Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

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

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

SENATOR GIANARIS: I move to adjourn until tomorrow, Wednesday, February 14th -- Valentine's Day -- at 11:00 a.m.

ACTING PRESIDENT PERSAUD: On motion, the Senate stands adjourned until Wednesday, February 14th, at 11:00 a.m.

(Whereupon, at 3:47 p.m., the Senate adjourned.)