NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 19, 2024

3:27 p.m.

REGULAR SESSION

SENATOR SHELLEY B. MAYER, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT MAYER: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT MAYER: Reading of the Journal.

THE SECRETARY: In Senate, Monday, March 18, 2024, the Senate met pursuant to adjournment. The Journal of Sunday, March 17, 2024, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

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.

I move to adopt the Resolution Calendar, with the exception of Resolution 2002.

ACTING PRESIDENT MAYER: All those in favor of adopting the Resolution Calendar, with the exception of Resolution 2002, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(No response.)

ACTING PRESIDENT MAYER: The Resolution Calendar is adopted.

Senator Gianaris.

SENATOR GIANARIS: Let's now take up Resolution 2002, by Senator Martinez, read its title and recognize Senator Martinez.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Resolution 2002, by Senator Martinez, welcoming and paying tribute to David Gill, the Consul General of Germany in New York State, upon the occasion of his visit to the New York State Capitol on March 19 and 20, 2024.

ACTING PRESIDENT MAYER: Senator Martinez on the resolution.

SENATOR MARTINEZ: Good afternoon, Madam President. And thank you all for being here today to welcome our Consul General today.

And it's a pleasure to introduce him, Consul General David Gill from New York -- born in the 1960s in the former German Democratic Republic, where his journey embodies the spirit of resilience and determination.

Denied the opportunity to attend public schools or university for political reasons, he initially trained as a plumber before finding an opportunity to pursue higher education through classes run by the church, which were not recognized by the Communist regime at that time, before becoming a student of theology.

Through his passion for civil and human rights, Consul General Gill served as

chairman of the Normannenstrasse Citizens Committee and would eventually oversee the dissolution of the East German Ministry of State Security, commonly known as Stasi. After German reunification, Consul General Gill served as spokesperson and head of the research division of the Federal Commissioner for the Stasi Files, before studying law in Philadelphia and other cities.

Consul General Gill served Germany in several capacities, including as State Secretary and Chief of Staff to former German Federal President Gauck in 2012, prior to finally beginning his diplomatic career in 2017.

Today, as German Consul General in New York, Consul General Gill's work focuses on maintaining strong ties between Germany and the United States, based upon those allies' shared democratic values.

I had the pleasure of visiting Germany in October, and it was an amazing city -- amazing country. I visited both Berlin and Munich, and the hospitality that this country gave to me and others who visited was just amazing, and aside from the food being delicious.

But it was nice to see different cultures across the world and across our world honestly, and how things are similar and differ but yet, at the end of the day, we're all one society.

And I just want to thank you for being here today and for opening the doors to many of us, not just here in New York but abroad. And I hope to visit again. But thank you so much for coming here today.

And, Madam President, please join me in welcoming Consul General Gill to the Capitol of this great state.

ACTING PRESIDENT MAYER: Senator Fernandez on the resolution.

SENATOR FERNANDEZ: Thank you. Well, danke schön, Madam President. Danke so much for this moment, this opportunity to welcome our new friend, the Consul General of Germany here to our State Capitol to see how we do this work.

I was on that trip as well, and it was an amazing experience. I've shared one of the visits that we did in Germany, in Munich, at Camp Dachau. And the conversation just around how Germany has been able to come back from a

place that was so dark to now a place that is so welcoming to everyone in the world is truly remarkable. And I thank them for that education, that experience, and I'm so happy to welcome them today.

So wunderbar, you made it to New York, to Albany!

Thank you.

ACTING PRESIDENT MAYER: To our guest, Consul General David Gill, I welcome you on behalf of the Senate. Please rise -- you are risen -- and be recognized. We extend to you the privileges and courtesies of the house.

(Standing ovation.)

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

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(No response.)

ACTING PRESIDENT MAYER: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Now let's take

up previously adopted Resolution 1829, by Senator Kennedy, read its title and recognize Senator Kennedy.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Resolution 1829, by Senator Kennedy, memorializing Governor Kathy Hochul to proclaim March 2024 as Bleeding Disorders Awareness Month in the State of New York.

ACTING PRESIDENT MAYER: Senator Kennedy on the resolution.

SENATOR KENNEDY: Thank you, Madam President.

I rise today to recognize this month, March 2024, as Bleeding Disorders Awareness Month in New York State.

I'd like to welcome to the gallery here today a couple of wonderful advocates for the New York State Bleeding Disorders Coalition: The coordinator, Jessica Graham, who's also the president of the Bleeding Disorders Advocacy Network, as well as Bob Graham, who is the public policy director for the coalition.

Yesterday we were joined by a number

of other advocates from the Buffalo area: Mikel Lewis-Myree; Mya-Isabella Samuel; Taraca Myree, who is the mother of Mya and Mikel; Marlene Golden, the grandmother of Mya and Mikel; John Alduino; and Arianna Nichelson.

Now, they were here to make sure that the awareness of these bleeding disorders is made very clear through this month, because it's so personal for so many New Yorkers, one in a hundred of which are affected by bleeding disorders, including a variety of genetic conditions -- hemophilia, von Willebrand disease, sickle cell anemia, and platelet disorders, just to name a few.

As recently as the 1960s, there was no treatment for people with bleeding disorders. And those with serious symptoms such as prolonged bleeding, debilitating joint and muscle damage, organ failure, often have a very limited life expectancy, sometimes only upwards of 40 years. But fast forward to today, and there's hope. With the right treatment, people diagnosed with bleeding disorders are leading full, productive lives.

Part of that is due to the

advancement in medicine and research that's profoundly impacted what we know about these disorders and how we treat them. And the other part is credited to early diagnosis, proper care, and ensuring that patients have access to medication and services that they need.

With all of these ways that we're improving individuals' lives with bleeding disorders, it revolves around awareness. So by recognizing March as Bleeding Disorders Awareness Month, New York's aligning itself with the National Bleeding Disorders Awareness Month.

And fostering this public awareness, and understanding these disorders with the hope of educating New Yorkers about the symptoms and encouraging early detection and treatment, will help to save and enhance lives here in this great state.

The National Hemophilia Foundation is encouraging our greater community to start the conversation this month, and that's exactly what we're doing here again today. And I encourage our colleagues, Madam President, to join with us to start this conversation and potentially save lives.

With that, Madam President, I thank you and I vote aye.

ACTING PRESIDENT MAYER: The resolution was previously adopted on February 27th.

Senator Gianaris.

But before that, to our guests, I welcome you on behalf of the Senate. We extend to you the privileges and courtesies of the house. Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT MAYER: As I noted, the resolution was previously adopted on February 27th.

Senator Gianaris.

SENATOR GIANARIS: Madam President, at the request of the sponsors, the resolutions are open for cosponsorship.

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

Senator Gianaris.

SENATOR GIANARIS: Please take up the calendar.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 84, Senate Print 935, by Senator Kennedy, an act to amend the Real Property Tax Law.

ACTING PRESIDENT MAYER: 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 MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 151, Senate Print 8109, by Senator Mannion, an act to amend the State Administrative Procedure Act.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 216, Senate Print 1303B, by Senator Parker, an act to amend the Public Service Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 216, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Lanza, Martins, Murray,

Oberacker, O'Mara, Ortt, Rhoads, Stec, Tedisco and Weik.

Ayes, 48. Nays, 13.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 217, Senate Print 1851B, by Senator Hinchey, an act to amend the Public Service Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 217, voting in the negative:

Senator Griffo.

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Correction. In relation to Calendar 217: Ayes, 61. Senator

Griffo in the affirmative.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 218, Senate Print 2432, by Senator Comrie, an act to amend the Public Service Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 218, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Palumbo, Weber and Weik.

Ayes, 56. Nays, 5.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 266, Senate Print 2623A, 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 MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 266, those Senators voting in the negative are Senators Martins, O'Mara and Ortt.

Ayes, 58. Nays, 3.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 277, Senate Print 1104, by Senator Comrie, an act to amend the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 90th day after it

shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 293, Senate Print 4882, by Senator Mayer, an act to amend the Public Service Law.

ACTING PRESIDENT MAYER: 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 MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 293, those Senators voting in the negative are Senators Ashby, Borrello,

Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Weber and Weik.

Ayes, 41. Nays, 20.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 296, Senate Print 6557A, by Senator Mayer, an act to amend the Public Service Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. This act shall take effect one year after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Madam President.

I understand that the idea here is to create some kind of a standard annual analysis of the return on equity for utilities. But

even -- this is being sold as a way to, I guess, level the playing field, but the reality is it is going to hamstring not just the PSC, but also the utility companies as they come in to negotiate their rate negotiations.

So really this is going to be -- it's going to hinder both sides, in my opinion. That's why I'm opposed to this.

But really when you enter into a negotiation, when you're trying to negotiate something as important as a rate that's going to affect hundreds of thousands of people, you want to go in there knowing that each side has their determining point, their starting point, and they're going to meet in the middle.

This will handcuff them and make it unable for them to really, I think, fairly negotiate good rates on behalf of the ratepayers.

So I'll be a no. Thank you.

ACTING PRESIDENT MAYER: Senator Borrello to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 296, those Senators voting in the negative are Senators Ashby, Borrello, O'Mara,

Ortt, Palumbo, Tedisco, Weber and Weik.

Ayes, 53. Nays, 8.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 297, Senate Print 6710, by Senator Skoufis, an act to amend the Public Service Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 324, Senate Print 1147A, by Senator Krueger, an act to amend the Tax Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect on the first of April.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 324, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco, Weber and Weik.

Ayes, 43. Nays, 18.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 348, Senate Print 258, by Senator Serrano, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 348, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Weber and Weik.

Ayes, 41. Nays, 20.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 419, Senate Print 2496, by Senator Mannion, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 453, Senate Print 8456, by Senator Rivera, an act to amend the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 469, Senate Print 3409, by Senator Skoufis, an act to amend the General Municipal Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 469, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Weber and Weik.

Ayes, 42. Nays, 19.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 476, Senate Print 2016B, by Senator Krueger, an act to amend the Public Service Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

THE SECRETARY: Calendar Number 619, Senate Print 7516, by Senator Salazar, an act to amend the Judiciary Law.

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

SENATOR SERRANO: Thank you. Can you please go to the reading of the controversial calendar.

ACTING PRESIDENT MAYER: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 476, Senate Print 2016B, by Senator Krueger, an act to amend the Public Service Law.

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

SENATOR LANZA: Madam President, I believe there's an amendment at the desk. I waive the reading of that amendment and ask that you recognize Senator Canzoneri-Fitzpatrick to be heard.

ACTING PRESIDENT MAYER: Thank you, Senator Lanza.

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

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

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

SENATOR CANZONERI-FITZPATRICK: 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 creates provisions that will increase the cost of electricity for families, and my amendment limits the impact those costs will have and ensures we

have a comprehensive analysis of how the policies that come out of this body would potentially impact everyday New Yorkers' wallets.

We are living through a time of tremendous economic uncertainty. As the cost of living continues to rise, from grocery bills to utility bills, more and more families are struggling to make ends meet. Our job as representatives of the people of New York is to make their lives easier and more affordable. And I can tell you that I have not heard from any constituents asking for Albany to make their electric bills higher.

Families' monthly electric bills are already loaded up with taxes that drive up costs. These taxes have been imposed because of policies that this chamber has put in place without consideration of the cost to the middle class. The bill before us today would potentially create additional electricity taxes on 75 percent of this state.

The legislation before us follows a common theme we see from this body, passing policy to reach ambitious goals without taking a commonsense first-step assessment of the direct

impact those policies have on New Yorkers.

For the constituents and families I meet, when they have goals or want to make a big purchase, what's the first thing they do? They make a budget. They plan, they determine their costs and what the benefits are, and if they determine that the benefits outweigh the costs, then they go forward. Other times, when the costs outweigh the benefits, they reassess and go from there.

Why should our state government operate any differently?

My amendment will prohibit the Public Service Commission and the Legislature from imposing any new surcharge, assessment, tax or fee or cost-bearing regulation on New Yorkers without first conducting an analysis of the costs of the proposed environmental and energy policies that have come and continue to come out of Albany.

We owe it to New Yorkers to be transparent on how the policies coming out of this body will impact their lives and their budgets, and this amendment will surely do that.

For those reasons, Madam Chair, I

strongly urge you to reconsider your ruling.

Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 20.

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

Senator Mattera, why do you rise?

SENATOR MATTERA: Thank you, Madam President. Would the sponsor yield for a whole bunch of questions?

(Laughter.)

ACTING PRESIDENT MAYER: Senator Krueger, do you yield for a whole bunch of

questions?

SENATOR KRUEGER: Madam President, how many is a whole bunch?

(Laughter.)

SENATOR KRUEGER: Yes, I will.

ACTING PRESIDENT MAYER: Thank you. The Senator yields, and I don't know the answer.

(Laughter.)

SENATOR MATTERA: Thank you, Senator Krueger.

You know, last week we had a discussion also too, but it was very fast. We only had a couple of hours. And I'm -- you know, I'm going to get back into the same question that I did ask.

I understand that this legislation abolishes the hundred-foot rule, which obligates a utility to connect any customer within 100 feet of a gas line to a main line, free of charge.

Companies I've spoken to that operate in this space have told me that this will lead them to lay off 30 percent or more of their workforce. Again, does this legislation contain any funding to retrain those laid-off workers?

All these utility workers, these union utility workers, all the union plumbers, the non-union plumbers, contractors that are going to be losing workers in this field -- what are we doing, again, to retrain?

You had a couple of days to think about it, and I was just wondering, have you had any thoughts since?

SENATOR KRUEGER: Thank you so much, Senator.

So this bill says we don't need to do new gas pipes for the last hundred feet -- which, by the way, the ratepayers pay for. Okay? It's not free. The utility companies charge the ratepayers approximately $200 million a year to put in these pipes for the last hundred feet.

And we have passed other laws in this state saying that we're no longer going to be allowing gas- and oil-driven new buildings.

So we're going to continue to build new buildings, as we should. We're going to continue to retrofit buildings. But why would we continue to demand ratepayers pay up to $200 million a year to build pipes that are no longer legally going to be able to be used? So

that's the answer to the hundred-foot question.

But as far as the specific question about what will happen if people don't have jobs to build these last hundred feet of gas and oil pipes, here's the good news. We are shifting our economy into new renewable energy. We have mandated that in other laws that we have passed in this Legislature, signed by the Governor. We are mandated to do that by international treaties this country has signed.

And we are mandated to do that because every scientist in the world has told us if we don't change our behavior when it comes to the use of oil and gas, we're going to burn up.

So we know we need to do this. The great news to give you is there will be more jobs building a new renewable economy. And it is true there won't be jobs in certain activities laying oil and gas pipes. But there will be jobs for pipes. You and I have already discussed how great geothermal energy is, ensuring that there will still be pipes being put in the ground needing repair. But there it will be steam and hot water running through them, not oil and gas.

We already know and have talked to

endless labor about the fact that there will be all kinds of jobs that don't exist now for their workers. They may need to be retrained. Many of them, frankly, will have retired by the time we make the transition, and the new generation of workers will have new kinds of jobs.

And we have put money into other parts of the budget -- not this bill -- specifically to help with the retraining of workers who might not in fact have jobs in oil and gas anymore. I gave you the list last week. I can get it again, yes. (Pause.)

So we put 25 million into the Department of Labor/New York Power Authority for retraining, Office of Just Transition. We put $90 million into SUNY decarbonization to provide education for retraining. And we've put -- that's proposed in our one-house, excuse me. And there's $200 million, over $200 million in the Department of Labor Strategic Workforce Program.

So we are investing a significant amount of money to make sure that workers who need retraining or workers who want to come into industries that never even existed till now will be able to do so.

SENATOR MATTERA: Would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes indeed.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MATTERA: So, Senator, we have letters here of opposition from IBEW workers unions, other unions that -- have you had a chance to sit down with them at all? Have they been -- did they approach you at all with any of this to sit there and say, guess what, we -- you know, this is the cart before the horse, this mandate's not good; you know, our goals are great, but mandates are not going to work?

Have you sat down and talked to any of these union reps? And when you had the discussion with them you're explaining this to them also?

SENATOR KRUEGER: I do. My staff and I have met with quite a few locals, and we have gone back and forth on the materials. And I have to say some are raising the points you raise. Others are admitting the world is

changing, the kinds of jobs that they're going to be hiring people into is changing. And they recognize both with their labor hats and their citizens of this country and planet hats that we've got to change. We just have to get off of oil and gas.

So it requires transition. You know, fascinatingly, the economy of the world has had major revolutions any number of times. Before the Industrial Revolution, there were no labor jobs relating to industry because it was pre-Industrial Revolution. We were an agricultural society at one time. And we still have a critical agricultural economy and need to protect it. But we have changed. We are now in a completely different universe of what our economy is, what it's going to be.

And the job of government is to make sure that we can transition and be ready and that our workers can be ready to move into the new jobs that we will need and want and want to make sure that they're trained and ready to do.

So some locals, to be honest, are a little more uncomfortable with change than others. But the fact is, this is what is

actually happening on the planet. So I think, with all due respect, saying we're not ready yet or it's too early is simply a little bit like closing your eyes and hoping everything you already know about climate change and what's happening on this planet isn't.

But we can't deny it anymore. We see it every day. It's in our press every day. We have to move forward.

And with all due respect, you voted no on a whole series of environmental bills today. And it's the same argument on each of them. We can pretend we don't need to do these things, but we do.

SENATOR MATTERA: Would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes, ma'am.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MATTERA: You know what, Senator -- you know, and I was so proud, you know, you came out to my hydrogen tour, the green -- I really, really appreciate that. You

got a little, you know, education on geothermal.

When do you really feel that this will be transitioned into what we're talking about? I would love it to be tomorrow morning. I really do. But to be honest with you, what's happening right now, wind, solar and battery storage is sucking up all of our money and it's going to cost trillions of dollars, what we're doing to eliminate our natural gas for our future. The cleanest-burning fuel that there is.

Oil, we can have another discussion on that. Totally great. But natural gas, to eliminate it the way this is going -- I'm going to ask you a question. When do you really feel that we're going to be transitioning into our geothermal, our green hydrogen, nuclear -- all the stuff, in other words, that I have feasibility studies for in the Energy Committee.

SENATOR KRUEGER: Transition is happening now. We're talking about it, but it's happening.

Do you know that the State of Maine has more geothermal heat pumps being put into buildings than any other form of energy? Scandinavia is almost all geothermal now, not

boilers, not oil/gas. Minnesota, Michigan -- some of the coldest states in this country -- are seeing more growth in geothermal and alternatives to any traditional kind.

So you can say when will transition happen, and I'll say look at the statistics: It is happening. It's already happening. It's happening successfully.

Now, you asked about other sources. Of course we want to explore every possible new model for moving into green technology. You and I may disagree on nuclear; I am not convinced that there's any safe nuclear yet to be built. I could be wrong, but I don't see anybody trying to do it, either, right now in New York.

Natural gas was viewed as a stepping stone. Get off of oil, get the other things working, but hold on to natural gas. We're not outlawing natural gas in this bill. There's nothing in this bill that says you can't continue if you're on natural gas. There's nothing in this bill that says the PSC can't make a ruling that they're going to let you put more pipes in specifically for gas for each individual argument that's made to them.

It simply makes it clear that this is no longer a mandate to do this in New York State and gives PSC the ability to say, no, that doesn't make sense here. Oh, you're making an argument there. Oh, this is a special kind of manufacturing.

And maybe it does work with hydrogen. I don't know. It depends on what it is. But they will allow that. So we're not outlawing gas in this bill. So if you have that impression, you're incorrect.

SENATOR MATTERA: Will the sponsor continue to yield, please?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MATTERA: So what you're doing here with your bill is pretty much saying that utilities aren't going to be able to bring it in and it's going to be -- if anybody, the consumer, the resident of New York State wants to have natural gas, you're telling them pretty much that it's going to cost you that much more to do.

So what you're doing is you are not helping the public receive the natural gas to come to their home if they would want it. You're telling them: You're going to have to pay for it.

SENATOR KRUEGER: We're saying to the vast majority of ratepayers: You're no longer going to have to pay for it for other people.

There may be some -- more likely manufacturing than residential who may make an argument for why they need gas pipes moved into new construction. And it's actually up to PSC how the pricing on that kind of project gets done. But no, we're not saying to people this all becomes your expense.

I have to say something else, that it's been brought up -- I believe by you several times, perhaps even in the hostile right before it -- the perception that shifting to renewable energy is going to increase utility payers' costs. It's just the opposite.

There is no question but fewer and fewer people will be on a gas/oil system as the years go on. Those people will pay more because

there will be so many fewer people in the system because most will have transitioned into something more efficient, cleaner, and frankly less costly. Because we're seeing research showing that kilowatt hour costs for electricity from alternative new renewable energy is actually going down, while the price of gas/oil utility costs is going up. So it's the opposite of what you're claiming.

And I get that there are companies who are arguing that's the storyline. But it's not. So we're not charging more for people to stay on oil and gas. But they will end up paying more if they do stay on oil and gas, over time.

SENATOR MATTERA: Would the sponsor continue to yield, please.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MATTERA: So -- Senator, so there it is, I have oil in my home and I want to go and I want to convert to natural gas. And all of a sudden I can't, because they're saying that

you're going to have to pay for the main to come to your house. Am I correct by saying that? So you're going to have to -- you would have to pay for that.

So do you realize that -- in other words, then you're saying to people, okay, that's going to cost that, that it's going to cost -- that studies have seen -- indicate that these conversions could cost up to as much as $50,000 per home. We discussed this last time also too.

What allowances does this legislation make to assist those customers with these costs? I understand that we have a certain percentage of low-income. What are we doing to protect our middle class, again, that is going to have an issue with this that can't even afford -- right now they're having a hard time paying their taxes, the highest taxes in the whole Union, okay? And how are they going to go and actually pay for something like this?

SENATOR KRUEGER: You're combining two sets of questions, which is fine.

SENATOR MATTERA: Well, you can answer one and the other.

SENATOR KRUEGER: So the question

of what if you are transitioning your current system to an alternative system, that's actually not addressed in this bill, but I'm happy to get to that.

But as far as the costs being transferred to other utility customers because of the New York HEAT Act, that's not true. We do put in a maximum of how much your utility bill can be as a percentage of your income. Six percent of your income would be the maximum that you can get hit with by utility costs.

But the intention of the bill is not to transfer those payments to the non-lower-income people. And there are other sources of funds to address that.

When you talk about -- and again, it's not part of this bill, but I'm more than happy to discuss it -- about what is it going to cost to transition your current home into alternative forms of energy, it really, really varies. Okay? There's one set of costs if you're going solar, there's one set of costs if you're doing geothermal. Actually, multiple sets of costs, because there are different kinds of geothermal, including networks, which is an

amazing opportunity. There's the actual HVAC cost and the heat pump costs. And they also vary.

I think $50,000 is an incredibly high estimate, but I'd be happy to sit and review whatever materials you have.

But the fact is we're all going to try for low-hanging fruit first. We're not going to be mandating these changes on existing. But anything new being built is going to actually use alternative sources of energy. And I am being told that those are actually sometimes cheaper than whatever's being used now, not more expensive.

So you have to look at multiple questions, multiple pieces that are moving parts on the game board. But to simply say that a change into an -- a green energy model of heating and electrifying your home or your business is more expensive than the current system is just not factually true.

SENATOR MATTERA: Would the sponsor continue to yield, please.

ACTING PRESIDENT MAYER: Senator, do you yield?

SENATOR KRUEGER: Of course.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MATTERA: If there is no obligation to serve gas manufacturers, how will this impact companies if they can't have access to gas? Last year all-electric buildings manufacturing was carved out. Are there any carveouts of this bill for the manufacturers?

SENATOR KRUEGER: If a company takes the position that they need to have gas or oil to function, they go to the PSC and make a case and the PSC can say yes.

Interestingly, the PSC has to do that now. Anytime you build anything new you have to get permission from the PSC to get whatever connected in. So that role for the PSC will be continued, it's just that there will no longer be an odd mandate in state law that you have to put in oil and gas pipes.

SENATOR MATTERA: Would the sponsor continue to yield, please.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes indeed.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MATTERA: Are there any thoughts to mitigate the costs to consumers aside from taxing entities that will simply pass it on to customers?

SENATOR KRUEGER: I'm sorry, I didn't quite understand. Can you repeat that?

SENATOR MATTERA: All right, so we continue to go down a dangerous path, banning natural gas. Are there any thoughts to mitigate the costs to consumers aside from taxing entities that will simply pass it on to the consumers?

SENATOR KRUEGER: If you choose to want to continue with oil and gas -- right? Is that -- that's the question?

SENATOR MATTERA: Mm-hmm.

SENATOR KRUEGER: But the cost of oil and gas is going up, is there anything in this bill that addresses that?

SENATOR MATTERA: Yup. Yes.

SENATOR KRUEGER: So no, actually. Because it doesn't -- it doesn't do anything to mandate an increase in utility costs. (Pause.)

Oh, thank you. Thank you, staff.

So there's nothing specifically in this bill that addresses it one way or the other. But the other point of our being able to stop putting in unnecessary oil and gas pipes and stop fixing unnecessary oil and gas pipes is the economists project that this state can save $150 billion not modernizing and keeping from continued leakage the old pipes. And that money clearly could be made available for all kinds of utility improvements and savings for ratepayers as they move to green energy alternatives.

Of course you are right -- I think you were referencing this, perhaps -- there are tax credits at the state level, at least in New York City at the local level, and from the federal government that are already being used by significant numbers of people to help decrease the costs of new energy models.

SENATOR MATTERA: Would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Sponsor, do you yield? Senator Krueger?

SENATOR KRUEGER: I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MATTERA: Senator Krueger, your bill, do you feel that it's making it harder on the residents of New York State to have natural gas supplied to their homes, businesses, et cetera?

SENATOR KRUEGER: If you already have it, no. I don't think it's making it harder. Hopefully -- and I emphasize "hopefully" -- more and more people will actually realize the advantages of wanting to voluntarily move off of oil and gas. And certainly we are already seeing, as I cited earlier, that people who build new homes, new apartment buildings, new manufacturing plants are already making the decision that it is in their best interest not to use oil and gas and to use alternatives, and more people will be doing so.

But no, I do not think that is actually a problem being caused by this bill at all.

SENATOR MATTERA: All right, I'm going to -- just a couple more questions, please. Will the sponsor continue to yield, please?

ACTING PRESIDENT MAYER: Senator Krueger? Yes, she yields, Senator.

SENATOR KRUEGER: After all, you said lots of questions.

(Overtalk.)

SENATOR MATTERA: Lord knows you're going to have a lot more. Not just me. Not just me, Senator, which is good. And I appreciate you --

(Overtalk.)

SENATOR KRUEGER: No, no, I'm happy to answer.

SENATOR MATTERA: I don't believe -- I don't agree with everything that you're saying because I just know for a fact that the jobs are going to be lost. You're asking somebody that's 50 years old, that they're going to lose their whole career -- you're asking them to become an electrician, that's what you're asking them to do.

But do you -- no, that wasn't -- that wasn't a question. But here's the question. Do you know that there is a lawsuit right now that it's against federal law, against the Constitution of the United States, to ban natural gas?

SENATOR KRUEGER: No, I do not know

that.

SENATOR MATTERA: Well, I would love to have that conversation with you. That's something that you need to look at, please. Just like Berkeley, California, had a lawsuit, right -- Berkeley, California, the Restaurant Association sued --

SENATOR KRUEGER: That wasn't a national ban. I know that lawsuit.

SENATOR MATTERA: No, that was against natural gas.

ACTING PRESIDENT MAYER: Excuse me, Senator Mattera. Are you asking a question?

SENATOR MATTERA: Okay. All right. So obviously she -- she answered it. Excuse me, Senator, you did answer that question, you do not know. But hopefully you'll get the --

SENATOR KRUEGER: If I can clarify, I am familiar with that lawsuit, so please let me correct myself. And that is not a lawsuit at the federal level -- it was in federal court and it ruled against one town, Berkeley, California, that the way they wrote their law seemed to be in violation of the Constitution.

We didn't write a law like that.

Our law has no parallel to their law. So we're quite confident that there would not be a parallel decision in the courts if somebody decided to sue here.

SENATOR MATTERA: Would the sponsor continue to yield for a question?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes, I will.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MATTERA: So let me explain to you, there is a lawsuit right now against New York State banning natural gas. It is against the Constitution, against federal law. There's a lot of plaintiffs and everything like that. So please, that's something that we could -- we could definitely look at.

You know what, on the bill, please.

Senator, thank you.

ACTING PRESIDENT MAYER: Senator Mattera on the bill.

SENATOR KRUEGER: Thank you.

SENATOR MATTERA: Thank you so much.

You know, like last week I was here and I was telling everybody in this room, in this beautiful chamber, and I'm letting all New Yorkers know again that what is happening here is unacceptable to most New Yorkers -- I'm going to say probably 85 percent New Yorkers -- to ban our natural gas.

All this bill does, it mandates that you cannot afford to put natural gas in your homes, your buildings. That's all it's doing. It's preventing you to run natural gas to your homes, to your buildings. That's exactly what this is doing.

And, you know, to sit there and say, yes, we care about our environment -- but natural gas is something very important to all of us in our lives. Right now you have a situation with this bill. There it is. We have something happens, we have, God forbid, a Superstorm Sandy, God forbid we have a snow blizzard. Right now, when somebody wants to put natural gas that's right down the block, they want to go put natural gas to their homes for a generator, it's going to cost them a fortune to do it.

All you're doing is stopping

New Yorkers from living, from living their lives the way they want to have their fuel choice, their energy choice. That's all you are doing. It is a complete mandate.

I love goals. Goals are important. Mandates are a disaster. And it's not fair to all New York State residents. Just -- New York State residents watching this right now, what's happening right here with banning our natural gas and banning our fuels and going all-electric -- wind, solar and batteries are going to cost New York Staters, New York State residents trillions of dollars. Not millions, not billions, but trillions.

And you know what? If anybody wants to see somebody that deals with Cornell professors, I'm not just saying this. I have a nice pamphlet to give everybody in this chamber that survey, that data.

So this is a disaster happening to all New York State residents. California, we are showing everybody, in other words, that we want to go and deal the way California is dealing with their energy needs and their energy -- look at them. They're in dire straits. They've got a

lot more sunny days than we do. They have a lot more windier days than we do. Now, frankly, look at the months of January and February. Solar panels, I have no idea what it generated. It didn't generate enough with this happening right now.

We are not putting money into other renewable energies that will be something that will work for the future of New York State. I have feasibility study bills that's out there. My colleague on the other side pretty much says that, guess what, we do have put in place -- there is nothing put in place that technology is there, other technologies like geothermal to really -- yes, it's there.

But where is it out there with manufacturers? Where are there businesses that are right now -- and residents of New York is using this, using this source of energy?

The problem is we're focusing on wind, solar and battery storage, which has been a total -- sorry, an experiment. That's what I call that. Yes, wind and solar is important. Battery storage, all that is is a total experiment.

So this right here is just hurting all New Yorkers. This bill is a bad bill. And please, everybody on both sides, you need to look at this and care about New York residents, to make sure that they have a choice. Because right here you're stopping the choice of all New Yorkers from living.

And you know what? I will totally, always be against this. Everybody knows that I'm vocal. And again, we need a plan, not a ban. And that's what this bill does. It's banning our natural gas, and I will be a big no.

Thank you.

ACTING PRESIDENT MAYER: Thank you, Senator Mattera.

Senator Helming on the bill.

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

I listened closely to the debate. Great questions, Senator Mattera.

I thought at one point that I heard the sponsor mention that this legislation proposes to save ratepayers money. I see it very differently after reading the legislation.

While this legislation includes a

goal, that's all it is, is a goal, that certain residential customers not bear an energy burden greater than 6 percent of their household income. That's all it is, is a goal. It's not a requirement, it's not a certainty.

Further, the bill allows the PSC to establish per-customer caps on the amount of energy subject to the cap. For all the people who have been in the Capitol recently protesting, I've had the opportunity to talk to them. They're in support of the HEAT Act. They want it passed. But in talking to them, they think that there's certainty around them seeing a reduced energy bill. Not the case in energy -- yeah, an invoice from their energy company. Not the case with this bill. This is just a goal.

The goal, I think it's also important to point out, only applies to residential customers. It ignores the catastrophic impact that increased energy costs will have on local businesses, especially our manufacturers. I've talked to those who manufacture steel, glass, other products that can't get those high temps through the use of electric. They need gas.

Look, I want to support them. I want to see more manufacturing in New York State. I want to see less imports from China and other countries. And this bill will not allow us to achieve that.

As Senator Mattera noted, in addition to increased costs, the HEAT Act will cost many New Yorkers their jobs.

I support the development and the use of diverse energy sources. I always have. But we need to implement those over realistic and reasonable time frames. And we need full transparency about the costs and the reliability of the electric grid.

And this bill and so many of the other of the all-electric things that we are seeing pushed, it doesn't deliver that transparency. We need to know costs. We need to know how reliable the systems are.

For those reasons and so many others, I'll be voting in the negative.

Thank you.

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

Senator Borrello, why do you rise?

SENATOR BORRELLO: Madam President, would the sponsor yield for a question.

ACTING PRESIDENT MAYER: Senator Krueger, do you yield?

SENATOR KRUEGER: Just one, as opposed to a lot? Just checking.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: I'm not making any promises.

SENATOR KRUEGER: Yes, of course, Madam President.

SENATOR BORRELLO: Through you, Madam President. You said that that goal of this was to ensure that people that fall in 80 percent of median income or below would have their utility bills capped to 6 percent. Is that correct?

SENATOR KRUEGER: (Pause.) Excuse me. We changed the bill. It's for everyone.

SENATOR BORRELLO: Madam President, will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: I'm glad you said that, because that's actually what I read in the bill, that it's not for just 80 percent and below.

So we're going to cap everyone's utility bill at 6 percent. Who's going to pick up the difference?

SENATOR KRUEGER: (Pause.) So because higher-income people basically have no evidence of paying more than 6 percent of their income towards utilities, while this bill would apply to everyone equally, it won't actually increase the cost because people at the higher end don't pay more than 6 percent of their income now.

SENATOR BORRELLO: Madam President, will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: But yet if

you're going to limit someone's income -- or the percentage they're paying of their income to 6 percent, that means we expect that some people are already paying more than that in that lower income. So who's going to pick up the difference if you're limiting -- if someone's paying, let's just make it easy, $100 a month and we're now saying, you know, you're only going to pay $80 a month, who's picking up that extra $20?

SENATOR KRUEGER: (Pause.) So yes, so there's already various programs within the PSC and state law that help to pay the utility costs for people who have a disproportionately high utility expense. So we think that will actually be able to be absorbed.

As we said, if the utilities aren't spending 200 million a year to build unnecessary new pipes, if they're not spending $150 billion over the next several decades, we'll also be able to lower utility costs because we're redirecting how they can spend the money that they've been collecting.

And let's not forget, before this bill New York has some of the highest utility rates in the country. We have actually some of

the biggest blackout problems. I know it referenced, suppose the new kinds of energy don't work, what happens if there's a snowstorm? Well, when there's a snowstorm and the electricity goes out, the current electricity, the boilers don't work.

So we already have exactly the problems that people think would somehow be created by the new sources of energy that will actually be more secure and less at risk. And considering we already have the most expensive utility costs in the country, I really don't think this is our problem.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: We can have that discussion later, because I would disagree with you on some of those points, particularly because natural gas powers most backup generators, which is what keeps people -- keeps their lights on,

you know, keeps their energy on, their heat on in many places like Western New York, where I'm from, when the power goes out. And that's going to go away if this goes into place.

But with that being said, you said we already have programs in place that would make sure that people at low incomes are not going to pay more than 6 percent. Are we going to have to increase those funds -- because those are typically state and federal funds -- in order to achieve this goal that you set for everybody, not just people at a certain income level?

SENATOR KRUEGER: (Pause.) So we usually address these cost issues through rate structures. So we don't actually think it will be a new real cost for the state and that we can control for these within the context of how we do rate structures.

We also have a number of programs that frankly I don't think do work so well. So we had a program for $200 million that -- I forgot the name of it -- the Energy Affordability Program. And I think -- I don't know whether we're all to blame or the interpretation of what they were supposed to do. But rather than that

being money targeted to people who were really in need on the utility bills, it eventually got decided that everybody, residential or commercial, would each get $25.

That's not solving a problem. I think you and I would both agree a program that took $200 million and turned it into $25 checks missed the point.

So hopefully we can also reevaluate some of the things we've been doing that aren't working and apply this money more effectively.

SENATOR BORRELLO: Madam President, if the sponsor will continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: I would agree with you that the government does a lot of things that spend a lot of money and have very little impact. I recall getting checks with our current Governor's and our former governor's name on them. Instead of just giving us a credit on our tax bill, we have to get a check in the mail so

we're reminded who wrote that check -- even though we're being bribed with our own money.

So with that being said, let's move on to the next question here. You kept saying over and over again this is not going to eliminate natural gas. So you're saying that there's nothing in this law that would eliminate the use of natural gas in New York State?

SENATOR KRUEGER: (Pause.) So we've passed other laws, Madam President, that do say that this state needs to get off of oil and gas over X period of time, and there are different target years.

This bill doesn't change any of that, but it does give PSC the tools to be able to stop oddly requiring pipes to be put in the ground that they know they have other laws mandating that these pipes don't get used after X date.

So the concept that you would spend literally hundreds of billions of dollars repairing and continuing an existing gas and oil pipe system, requiring gas/oil pipes to be connected to buildings being built that have no intention to use them or even legal ability to

use them, and then say, yeah, that's not a problem -- but that's crazy, I think. And all of that money could be better used for the things you and I are talking about and Senator Mattera and I were talking about.

Let's use the money we're wasting in our current utility model to be more effectively used to help control costs for ratepayers and help us transition to models that meet our CLCPA goals and our international treaty goals and our scientists begging for us goals to transition to clean energy.

SENATOR BORRELLO: Madam President, will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: So you brought up that we're wasting lots of money, but it's actually the utility company that's choosing -- that we're saying you have to hook up a new service for natural gas. In return, that utility company now has a new customer. That customer

will be paying over time -- usually over many, many years, decades -- a bill, and that money will be returned back to that company eventually.

So I don't know how -- when you say we are wasting money, so you're suggesting that whatever money is spent currently now on the hundred-foot rule be redirected -- in other words, confiscated from the -- let's say National Fuel or whoever else provides service, and directed where? Where is that money going to go?

SENATOR KRUEGER: It's not confiscated. I mean, it's not their money. They're just hitting ratepayers up with that cost.

So we're saying you don't need to do this anymore, so you can't hit up the ratepayers for the cost because you're not needed -- you don't need to do this.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The

Senator yields.

SENATOR BORRELLO: So when we closed the NRG plant -- not we, when NRG closed the NRG plant in Dunkirk back in 2013, I think it was, you know, one of the things they started doing, and they've done this throughout New York State, is to run transmission lines to other states in order to import power.

That's been a multi-billion-dollar expense that has been borne by ratepayers. And we're actually running transmission lines to some of the dirtiest old-fashioned coal plants in America, like Homer City, Pennsylvania, which now supplies a significant amount of coal-powered electricity to New York State.

So with that being said, should we eliminate any future transmission lines, any expenses, so we can return that money to the ratepayers?

SENATOR KRUEGER: No. I actually think we'll have more need for transmission lines with the new forms of energy. And in fact there is a mandate also for the state to improve our transmission system.

So I would agree with you, importing

dirty coal energy, whether it's by truck or car or transmission line, isn't a great plan. But that's what CLCPA is about, getting us off of those sources of energy, whether we're importing them or whether they're home-grown.

But we'll still need transmission lines, absolutely. Because whether you make your energy through solar, through wind, through geothermal, it becomes electricity and you need it to get to all of us. So I'm a big believer in supporting transmission lines and a modernization of them.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: Maybe I wasn't being clear. I'm talking about transmission lines explicitly to import power from outside of New York State. Because what you're talking about -- I understand we need to upgrade our grid. And that is sorely, I think,

underperforming there.

But you mentioned that we should be getting off fossil fuels, even importing fossil fuel energy, is that correct?

SENATOR KRUEGER: And by the way, a transmission line is an electric wire. So once energy's been produced, it becomes electricity. So we can use the same transmission lines, right? So that's not a problem. It's just let's get energy that doesn't destroy the planet into our energy system.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: Well, I would argue we would actually -- we're actually going backwards in that. Because when we failed to repower the plant at Dunkirk with natural gas, we instead are importing coal power. So we're actually going backwards in that effort by not using natural gas to power power plants.

And certainly we know shutting down Indian Point also sent us backwards, requiring us to import more power. New York now imports more power than it ever has, and on high-load days it's as much as 50 percent of the power that comes into New York State is from outside of New York State, largely from fossil fuel plants.

So with that being said, my question is, is there anything in the CLCPA that mandates that we stop importing fossil fuel power?

SENATOR KRUEGER: I'm pretty sure there is. But we don't have a citation for you, so we will get back to you.

But I will tell you if asked now, yes, we should stop using dirty power from wherever it starts. And in fact the faster we move towards more zero-carbon-created energy, the faster we can get off of those sources as well as oil and gas from here.

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

SENATOR KRUEGER: I'm sorry, and just clarification, the majority of the fuels we're bringing in from Canada are hydropower, not fossil fuels or fossil-fuel-created energy.

SENATOR BORRELLO: Madam President, will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: So I just want to make sure I've got this correct. Section 7 says that, you know, essentially that the PSC -- it would acknowledge that "gas service may be limited or discontinued to facilitate achievement of the CLCPA climate justice and emissions reduction mandates."

So essentially you're saying that PSC has the authority at will to discontinue natural gas service, is that correct?

SENATOR KRUEGER: PSC already has authority within the CLCPA to make sure that we're moving off of gas.

This bill doesn't add any mandates to them of what they should do. So it's referencing that there is an existing standard, but it is not saying we're going to shut down your gas because of the HEAT Act.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: (No response.)

SENATOR BORRELLO: Well, I would disagree with what you just said --

ACTING PRESIDENT MAYER: Whoa, whoa. Excuse me --

SENATOR KRUEGER: Well, just reading the next paragraph --

SENATOR BORRELLO: Yes, that's what I'm reading too, how about that.

SENATOR KRUEGER: -- okay, "Nothing in this subdivision shall be construed to prohibit existing gas customers, in accordance with Section 30 of this article and subject to any other regulations implemented by the commission, from reconnecting to the gas distribution system following a gas interruption due to emergency repairs or remediation of leaking equipment."

So yes, my bill doesn't force anybody off of gas, and in fact makes clear that if there is some kind of interruption, PSC should

allow you to continue afterwards.

SENATOR BORRELLO: Madam President, will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: Yeah, what your bill says is that if there's some kind of an emergency that causes an interruption, that that service can be restored. But it still doesn't change the fact that the PSC has the authority, the broad authority, to -- in order to meet the climate justice and emission-reduction mandates, to eliminate or discontinue to facilitate the -- to limit, discontinue the use of natural gas. That's what it says right in that -- in Section 7.

Also Section 9 says it grants the commission authority for -- over the curtailment or discontinuance of use of gas for any customer -- any group of customers or any section of the gas distribution system where the commission has determined that such curtailment

or discontinuance is reasonably required to implement the state's energy policies.

So this is saying unequivocally that any customer can be discontinued for any reason as long as it meets the state's climate goals. Isn't that what this says?

SENATOR KRUEGER: So in fact the PSC has the authority now to approve or disapprove uses of different forms of energy.

And we passed a much larger overriding piece of legislation through the CLCPA which does mandate PSC move us down this road. I don't believe this bill is giving any new authority to the PSC that they don't already have under existing CLCPA laws to do what they believe they need to do. So it clarifies or repeats what's already there, but I don't believe it does give them anymore power than they already have to make decisions, yes for you, George; no for you, Liz.

SENATOR BORRELLO: Madam President, will the sponsor continue to yield.

SENATOR KRUEGER: Of course -- I'm sorry, I'm reading more. Because this actually limits them more than the CLCPA. So this

actually increases the limitations if you look on -- if you look at page 9 of the bill, Section I think 9 -- Section 9, towards the end of it, it actually clarifies it actually takes away some of their power and puts it back in the hands of people.

But I didn't mean to cut you off from your next question.

Sorry, Madam President.

SENATOR BORRELLO: I still have an opportunity to ask questions, is that correct?

ACTING PRESIDENT MAYER: Yes, the Senator -- do you yield?

SENATOR KRUEGER: Yes, I do.

ACTING PRESIDENT MAYER: Senator Krueger yields.

SENATOR BORRELLO: Well, you mentioned that they already have this authority. So if they already have the authority, the PSC, why do we need to outline it in these paragraphs here? If they already have the authority to do this, why are we restating it?

SENATOR KRUEGER: I think we're trying to be exceptionally careful about clarifying what it does and doesn't do.

And the one thing in law that it's very important -- I believe important -- is that we take away the obligation for gas and oil pipes into any buildings. That's what we're -- that's really what the primary purpose of this bill is, to take away the obligation of utilities to have to do this and then charge ratepayers for it, to take away the requirement that PSC says you must put these pipes into the ground no matter what.

And it just seems foolish to continue the "no matter what," since we already know, Madam President, the "no matter what" is stop doing more oil and gas construction.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes, of course.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: I want to go back -- Senator Mattera brought up the fact that currently -- I believe it was in the Governor's last year's budget, and the final budget, that there are exemptions from these natural gas bans

for manufacturing, agriculture and the food industry. How will this bill impact those exemptions?

SENATOR KRUEGER: Any of those industries, if they wanted to put in new oil/gas pipes or new oil/gas -- or hydrogen. Oh, where's my friend? He left. I wanted to make sure I said the word "hydrogen." So Senator Mattera -- okay, thank you.

-- that if you ask for the PSC to allow you to do that, they will review and, if they determine that's in the best interests, they will say yes. Nothing in this bill stops them from doing that.

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

ACTING PRESIDENT MAYER: Senator Krueger, do you continue to yield?

SENATOR KRUEGER: I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: Well, I understand that that's essentially, then, at the PSC's discretion. So that's not an exemption.

An exemption, which is what

currently is in place, is an exemption. The PSC can't challenge it. So for example, if you are currently using natural gas in a manufacturing process and you can't use -- you can only use electricity but it would cost you five times as much to use electricity in that manufacturing process instead of natural gas, will the PSC consider the cost difference? My understanding is no, they don't have to consider the cost difference if there's an alternative, even if it's a more expensive alternative.

SENATOR KRUEGER: So my understanding is that that is up to their discretion. And frankly the PSC doesn't wish to do harm to the economy. So if you can show that this is in your best interests and that choosing another option would be a far, far greater expense for you, I do believe, clearly, that the PSC has the authority to make that decision. And I don't really question that they won't do the right thing.

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

ACTING PRESIDENT MAYER: Do you --

SENATOR KRUEGER: They are required

to evaluate feasibility in this law. So actually they would have to win an argument that their alternative, if they choose to say no to you on your hydrogen or gas request, that that's a feasible option.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: I understand that. But as someone who has had to deal with government agencies many times, you are guilty until you prove yourself innocent.

And that's the problem. We're giving the PSC and the bureaucrats within the PSC the authority to essentially say whether or not they consider it feasible.

By the way, "feasible" is much different than "practical." So why wouldn't we just allow this exemption to continue if the true goal is not to harm industry -- that's what you're saying, right? We don't want to make

negative economic impact. But yet we have a -- currently an exemption in place, and we are now changing that with the HEAT Act.

SENATOR KRUEGER: (Pause.) Okay, so it turns out I believe you're referencing the exemption language that -- in the All-Electric Building Law we actually allow an exemption for manufacturing. And you're saying here we're saying the PSC has final determination, but there's all kinds of protections in it for them to have to prove that basically saying no to the exemption would be feasible and realistic.

And I just personally don't think the PSC is in the business of trying to stop successful things from happening. And technically they have say over everything now. When you want to build something new, you still have to get their permission. They can still say no.

So it's not clear that we're changing the storyline when you are somebody who wants to have a disagreement with PSC about the kind of energy you're using.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes. Sure.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: See, I would disagree with that. Because again, what we're saying here is that essentially the most important goal for the PSC is not reliable, affordable energy but is in fact to facilitate the achievement of the CLCPA climate justice and emissions-reduction mandates. So that's their number-one goal.

If you've ever dealt with an agency, they're going to -- they're going to blame it on us, the State Legislature. The State Legislature said we have to do this.

So with this language, why wouldn't they just point to this and say, I realize that this is probably going to drive you out of business or drive you out of New York State, but I have an obligation to meet the goals of the CLCPA?

SENATOR KRUEGER: So one of the primary goals of the CLCPA, and it's spelled out

multiple times, is the importance of reliability. So the CLCPA, which is a larger, broader bill than this, is very explicit that reliability of our energy system is the top priority moving forward.

So PSC already has that mandate, as does the Power Authority, as does NYSERDA, as does DEC. So that's a prime directive, so to speak, within the context of the larger overriding CLCPA law.

So no, I don't think New York State is going to wake up one day and say, Let's make it impossible for anybody to have their lights go on or their heat working or we will drive them all out of the state. I just don't believe, even on my worst days about not thinking government always gets it right, that we are going to want to drive everybody out of our state and not provide a reliable utility system. So I'm not worried about that.

SENATOR BORRELLO: Madam President, one last question. Will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: So to kind of dovetail off of that, are you aware that recently the Public Service Commission, NYSERDA, ISO have all changed their mission statements very dramatically? They used to be focused on exactly what you said. They were supposed to be focused on affordable, reliable, safe energy. And now they have been changed to renewable, just energy supplies that meet climate goals.

Are you aware that those mission statements have all been recently changed?

SENATOR KRUEGER: I haven't looked at those. And yet I'm still not worried.

SENATOR BORRELLO: Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Borrello on the bill.

SENATOR BORRELLO: Thank you, Senator Krueger. I appreciate that.

So that last point is an important one. It is no longer in the mission statements of the PSC, NYSERDA, the -- all the other

governing bodies that have to do with energy, it's not at the top of their priority list to make sure it's affordable, reliable and safe. It's all now about green, renewable, just. That's an important distinction. Because the mission statement is what they go back to when they determine what they are going to do.

The HEAT Act says to the PSC: Reliability, affordability? No. It's about meeting the goals of the CLCPA. That's job number one.

And I know Senator Krueger said no, no, no, it's not the case. It is in the bill, basically twice, in Section 7 and Section 9, stated in different ways. That's the goal.

Anyone who's dealt with government agencies, particularly low-level bureaucrats, will know that they're just going to show up at your facility saying "I'm just following orders. I'm just doing what I was told by the people above me and ultimately by the Legislature and the Governor. You may not like it, I may not even agree with it, but I'm just following orders. That's what they say every single time they come to you with some bad news about how

New York State is going to put a nail in the coffin of your business. That what this is.

We are going to eliminate natural gas. That's what it says in the bill. That's what the folks that supply natural gas to millions of New Yorkers say it's going to do. And that's ultimately what the goal is.

We're no longer going to supply domestically produced natural gas -- in other words, natural gas that's originated here in New York State. Now, we might import power from other places to pretend that we're net zero, that we're 100 percent renewable, because we're not going to cut those transmission lines to other states. That's what was said in this debate. Instead, we're just going to make it impossible for people to supply it reliably and affordably here in New York State.

Now, as far as the hundred-foot rule, right now if you build a new business, if you build a new home, if you build a new subdivision of housing -- because we all know how important housing is. I've been hearing all day chants about housing justice. If you're going to put in new housing, particularly where I live in

Western New York, the best, most reliable, most affordable way to heat those homes is with natural gas.

And right now those utilities are required to make sure that hookup happens. In the end, people are going to have reliable, affordable natural gas service to heat their homes, and in the end also the gas company is going to make that money back over time by supplying that gas service.

So this whole idea that that hundred-foot rule elimination is going to save $200 million is a fallacy. When was the last time we were concerned about saving money for big corporations in this chamber? I can't think of one. But we are all of a sudden now, because that's just a red herring. It's a red herring for what's really going on here.

Because you can't stand up here and say, Guess what, folks, in order to achieve our crazy goals, we're going to make sure that you no longer have safe, affordable, reliable power. You no longer have the ability to heat your home with natural gas, which is what the vast majority of Western New Yorkers use. You can't stand up

and say, hey, guess what, folks, we've got a great idea here -- no more natural gas. No. Instead, you're going to say, We're going to make it affordable for you, and we're going to limit it to 6 percent.

The math doesn't add up. It didn't add up, by the way, when it was just those who are 80 percent of median income or below. The math still didn't add up. But now the bill has been changed so it applies to everybody. Nobody is going to pay more than that. And somehow that's not going to be an issue. If it wasn't going to be an issue, why do we need a cap? If you don't have a problem, then why do you need a cap?

Because we know there is a problem. We know that there is -- it is going to cost more. We know that as we transition to more expensive renewable energy, it's going to cost us more. And we're going to be reliant on importing power from other states and Canada to keep the lights on in New York State. That's outrageous. And for what? Because we're going to address climate change. We're going to save the planet. The 0.4 percent of greenhouse gas emissions that

New York State is responsible for is going to save the planet.

It's a lie. In the end, what we're going to do is we're actually going to increase our impact on global greenhouse gas emissions by importing more power. In the end, New York State is going to pretend we're doing something great, but at the expense of our quality of life, of our manufacturing, our industry base. That's what's going to happen here.

And this? This is a big step into that mud puddle for New Yorkers. And I hope that each and every one of my colleagues realizes that when they vote yes on this bill, they're going to have to go back and explain to their constituents why they're not going to be able to use natural gas in a very short period of time.

So I'll be voting no. Thank you.

ACTING PRESIDENT MAYER: Senator Borrello to be recorded in the negative.

Senator Palumbo on the bill.

SENATOR PALUMBO: Thank you, Madam President. Would the sponsor yield for just a quick question?

ACTING PRESIDENT MAYER: Excuse me

one minute.

SENATOR PALUMBO: Thank you. Just one question, really, or one area.

SENATOR KRUEGER: I was chatting with Senator Lanza. I apologize.

ACTING PRESIDENT MAYER: Do you yield?

SENATOR KRUEGER: Of course.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you, Senator. And through you, Madam President.

I'm just curious as to what the mechanism is to determine the income of the ratepayer, for us to make the determination as to whether or not they are low or moderate. Because the ratepayers are tenants, the ratepayers are owners.

What is this mechanism going to be? How will we actually be able to determine what their income is and to verify that they're being accurate?

SENATOR KRUEGER: There are eight different criteria in the bill, so you have to meet one of those criteria. And that can include

tax documents, that can include being eligible for certain government programs that have income maximums such as SNAP and other public benefits. So there's a variety of ways to show.

SENATOR PALUMBO: Will the sponsor yield for another question, please.

SENATOR KRUEGER: It's not in the bill because it's already in PSC regulations for eligibility for affordability programs.

SENATOR PALUMBO: Will the sponsor yield for another question, then, Madam President?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Sure.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you.

Then PSC would promulgate rules in that regard and -- would you yield for another question? That was a question, I guess.

SENATOR KRUEGER: Of course.

SENATOR PALUMBO: So in that regard, then, how often do you need to reverify what your income is?

If someone's out of work, then of course they can -- their income would be lower. But if they ultimately secure a job -- is it just an honor system? Or is this, again, something that sounds like it might end up being quite convoluted? Would that just be up to PSC and we'll leave it at that for now and not be able to give a clear answer?

SENATOR KRUEGER: The income is annual. They already have programs that use this criteria, so it won't be anything new for them.

SENATOR PALUMBO: Okay. And would the sponsor yield for one last question.

SENATOR KRUEGER: Yes, Madam President, I will.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you.

So if someone fails to comply, they'll just be deemed to be over the limit, is that probably accurate? That if they just choose to not disclose their income.

SENATOR KRUEGER: Well, it's not being over the limit. There's no limit. It's just they'll fail to prove that their utility

costs are greater than 6 percent of their income. So therefore they wouldn't be eligible for assistance because they hadn't proved that their income-to-utility ratio made them eligible.

SENATOR PALUMBO: Thank you, Madam President. Thank you, Senator Krueger.

SENATOR KRUEGER: Thank you.

ACTING PRESIDENT MAYER: 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 16. This act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Gianaris.

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

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 16. This

act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you very much.

So just -- there was a couple of questions that were asked and I felt like I didn't necessarily totally have the answers.

But I am very happy to report that imported power already counts towards our calculations of clean or not-clean energy, so we can't pretend we're not emitting dirty energy by importing. So I think it resolves the concern that we are getting away with something. We're not.

And then also, we read the PSC mission on their website, and the primary mission of the New York State Department of Public Service is to ensure affordable, safe, secure and reliable access to electric, gas, steam, telecommunications and water services for New York State's residential and business

consumers at just and reasonable rates while protecting the natural environment.

The department also seeks to stimulate effective comprehensive markets for clean, renewable and distributed energy resources that benefit New York consumers as well as products and service innovations.

So I don't know what it used to say, but I'm quite comfortable with what they currently say is their mission.

Thank you, Madam President. I vote yes.

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

Senator May to explain her vote.

SENATOR MAY: Thank you, Madam President.

I want to thank Senator Krueger for her hard work on this bill and the Majority Leader for bringing it to the floor.

Over the weekend we detected a very strong smell of gas in my house and called National Grid, and they said to evacuate all the people and animals from the house until they could send someone over. So we held our utterly

bewildered cats out in the front yard in the cold for about 40 minutes until the technicians arrived, wondering if we were going to hear an explosion in the house.

They arrived, they tested the air, they didn't find any gas leak, thankfully. But when they tested the old gas stove they found very high levels of carbon monoxide when they turned it on, and they had to wait about 10 minutes for it to come down to what they said were acceptable levels or normal levels, as they put it, and they left.

This episode brought home to me, literally brought home to me what the everyday risks are that we take when we use natural gas to power our homes. And I definitely support this bill because it is -- the purpose of it is to address the mounting climate crisis. But I am also voting aye on behalf of the health and safety of New Yorkers everywhere.

Thank you.

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

Senator Rhoads to explain his vote.

SENATOR RHOADS: Thank you,

Madam President.

The HEAT Act is just the latest salvo in the CLCPA energy shell game that the Majority seems to be playing on the residents of the State of New York.

The sponsor made the comment that the PSC is not in the business of stopping successful things from happening. That appears to be the responsibility of this Legislature, and we seem to be doing it quite well.

We are making gas -- as much as the sponsor would say that we are not trying to eliminate the possibility of using natural gas, we are making it impossible to get natural gas, we are making it impossible to service natural gas, and we are making it impossible to afford natural gas. And the HEAT Act is one more step in that course.

Section 5 of this bill removes a residential customer's legal entitlement to gas services. Section 12 bans new gas expansions of infrastructure after December 31st of this year, and there will be no exceptions -- despite the sponsor's comments to the contrary, no exceptions that could be granted by the PSC after

December 31st of 2027.

There will be a 6 percent cap on residential electricity costs, but the PSC gets to control how much energy you can use that qualifies for the cap. And how are we are supposed to determine that? Are we now supposed to submit our income taxes to the Public Service Commission so that the Public Service Commission can make a determination?

And who actually pays for the cost that residents now will not pay, supposedly, by this cap? Is it going to go to commercial ratepayers, which will drive up inflation and the costs of goods and services and products all over the state or drive businesses out of business? Or will it be paid for by the tax dollars, the 242 billion tax dollars that this state already spends that comes directly from the taxpayer's pocket? Is that going to drive up that cost?

The bottom line is this legislation is one more step to putting the state's eggs in one basket, that one basket being electricity, electrifying --

ACTING PRESIDENT MAYER: Senator Rhoads, how do you vote?

SENATOR RHOADS: -- electrifying everything, giving consumers fewer options, and having government make the choice that consumers should have the choice to make for themselves. I vote against this bill, Madam President, and I urge my colleagues to do the same.

ACTING PRESIDENT MAYER: Senator Rhoads to be recorded in the negative.

Senator Borrello to explain his vote.

SENATOR BORRELLO: You know, Ronald Reagan said that the nine scariest words in the English language are "I'm from the government and I'm here to help."

And that's exactly what this bill is. It's being sold as an affordable transition, the HEAT Act. We're going to save people money.

That's not what this is, folks. If it was, and if it was exactly what was described in the debates as already existing, don't need it, it's not going to cost any more, we're going to save you money, then we wouldn't need this legislation.

Be concerned, folks. The government's here to help, and this is not going

to be a help at all.

I'll be voting no. Thank you.

ACTING PRESIDENT MAYER: Senator Borrello to be recorded in the negative.

The Secretary will announce the results.

THE SECRETARY: In relation to Calendar 476, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Felder, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Ryan, Stec, Tedisco, Weber and Weik.

Ayes, 40. Nays, 22.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gianaris, that completes the reading of the calendar.

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

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

SENATOR GIANARIS: I move to adjourn until tomorrow, Wednesday, March 20th, at 3:00 p.m.

ACTING PRESIDENT MAYER: On motion, the Senate stands adjourned until Wednesday, March 20th, at 3:00 p.m.

(Whereupon, at 5:01 p.m., the Senate adjourned.)