NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

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3:45 p.m.

REGULAR SESSION

SENATOR ROXANNE J. PERSAUD, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT PERSAUD: The Senate will come to order.

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

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

ACTING PRESIDENT PERSAUD: Imam Muhammad Shahidullah, of Dawah USA Center in Jamaica, Queens, will deliver today's invocation.

IMAM MUHAMMAD SHAHIDULLAH: Ramadan Mubarak. Ramadan Kareem. Greeting of peace, Asalamu Alaikum {in Arabic}. Peace be upon you.

{In Arabic.} The meaning of the verse from the Holy Quran: The month of the Ramadan, the God which was the month of the Ramadan, the Rebuilder, the Holy Book, the Quran. This Quran, the Holy Book, guidance for mankind and very, very clear proof of the guidance. Amen.

And Almighty God, the Most Gracious and Most Merciful, guide us, our -- this chamber of Senate. Grant us our leaders wisdom, justice, and commitment to our common and good things. And, God, bless our deliberations with

cooperation and respect, ensuring all voices are heard. Inspire us to support the marginalized.

God, accept our all good deeds. And uniting us under Your guidance, may Your effort reflect Your love, mercy, fostering a community of peace and prosperity. Amen.

Again, Ramadan Mubarak. God bless us. God bless New York State. God bless the United States of America and all mankind.

Amen.

(Response of "Amen.")

ACTING PRESIDENT PERSAUD: Reading of the Journal.

THE SECRETARY: In Senate, Tuesday, March 19, 2024, the Senate met pursuant to adjournment. The Journal of Monday, March 18, 2024, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Webb moves to discharge, from the Committee on

Environmental Conservation, Assembly Bill Number 8866 and substitute it for the identical Senate Bill 8357, Third Reading Calendar 541.

ACTING PRESIDENT PERSAUD: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good afternoon, Madam President.

We have a number of important guests with us in the chamber today.

I want to initially point out that Senate rules only allow one member to speak on an introduction, so Senators Stavisky, Liu and Sanders have graciously agreed to let Senator Comrie introduce the group of students who are with us.

So please recognize Senator Comrie for an introduction.

ACTING PRESIDENT PERSAUD: Senator

Comrie for an introduction.

SENATOR COMRIE: Good afternoon, Madam President.

I want to thank the leader and the Senate admin for allowing me to introduce the student government representatives from School District 29 from Southeast Queens.

They are young people who are already student leaders in their school from 30 different schools around the district. This is the second year that they were brought to Albany to understand how government works from the Albany level, from the level that we're honored to represent our districts today.

We have -- this is a new tradition that was started by our superintendent, Dr. Crystal Bonds, who's been doing a great job. I want to thank her for her constant work to deliver the highest-quality education to the schools in her purview. And she's been invaluable to the Southeast Queens community.

I also would be remiss if I didn't thank and acknowledge the chaperones who have taken time out, especially Ms. Cherise Parson, who helped coordinate today's event.

I want to just let the young people know that on both sides of the house, that you are starting off as student leaders today in your respective classes. You are going to continue to be student leaders because the things that I heard from you today -- the questions, the inquiries, the ideas that you have -- will definitely make sure that you are leaders of tomorrow.

Keep doing what you're doing. Keep being leaders. Don't be afraid to ask questions. Don't be afraid to work with your teachers so that you can be the people that you know you want to be. Making sure that you push past the negativity that's in this world, getting a great education so that I can come sit in your offices one day with a cup of tea and find out how well you're doing.

(Laughter.)

SENATOR COMRIE: So again, thank you for giving me this opportunity, giving my colleagues Senator Stavisky, Senator Liu and Senator Sanders an opportunity to meet with you today and talk with you.

And I hope that you had a chance to

experience the Capitol, and I hope that you come back often as you continue in your journey.

Thank you, Madam President. I would like to extend the courtesies of the house to the student leaders of District 29.

ACTING PRESIDENT PERSAUD: To our guests, the student leaders of District 29, I welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Extended standing ovation.)

ACTING PRESIDENT PERSAUD: Senator Gianaris.

SENATOR GIANARIS: Thank you, Madam President.

Let's move on to previously adopted Resolution 1908, by Senator Myrie, read that resolution's title and recognize Senator Myrie.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Resolution 1908, by Senator Myrie, congratulating the Medgar Evers College Men and Women's Indoor Track and Field team upon the occasion of capturing the 2024

City University of New York Athletic Conference Indoor Track and Field Championships on February 18, 2024.

ACTING PRESIDENT PERSAUD: Senator Myrie on the resolution.

SENATOR MYRIE: Thank you, Madam President.

We are in March Madness, where the country's attention turns to college athletics -- more specifically, to college basketball. But today we have the honor of recognizing the Men's and Women's Indoor Track and Field team from my district -- a storied institution, Medgar Evers College -- the two teams that won the championship for the 2023 and 2024 season.

Now, this is unprecedented in many ways. First, the men's team won this championship for the first time in the school's history. And the women's team won the championship for the first time for the past 20 years.

And I'd be remiss if I didn't recognize that under the new leadership of President Ramsey, who has joined us today, we now have some championships under our belt. And for

track and field purposes, it is important to recognize that the CUNY championships this year were Medgar-made.

So I want to recognize the athletes and the officials that have joined us today. Of course the Director of Athletics Chetara Murphy; Head Coach Hugh Reid; Assistant Coach O'Neil Sandiford and Assistant Coach Aaron Dickens.

And from the Women's Indoor Track & Field Team, the most valuable performer during the championship, Aaliyah Bartholomew, who was joined by her teammates Jada Clayton, Sarah Vallon, Torey Richards, Desireth Ramirez, Deja Davis, and Nia Butler.

From the Men's Indoor Track & Field Team, the most valuable performer in the championship, Rupert Luard-Charles, who's joined by his teammates Crisnel Nicholas, Isaac Akindipe, Jerome Hodges, Dontay Washington, Joshua Adisa, Adeolu Adeyemi, Jahiem Johnson, and Christopher Richards.

We are so proud of you, it is important that you be recognized in the upper house of the State Legislature.

And that, Madam President, if you

could please afford them all privileges and courtesies of this house.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Madam President.

Thank you, Senator Myrie, for bringing these incredible student athletes up to our State Capitol.

Senator Myrie said it all, so I won't go over it again. But to be a student athlete is incredibly impressive, because it combines two very difficult things. To be a student, as you know, is your full-time job. And to be an athlete at this level of collegiate participation is also another full-time job. So you're working two unpaid full-time jobs on top of probably having a job outside of school -- and you're doing it at a championship level.

So let you -- you should be very proud of the work that you've done in utilizing track and field as a metaphor that no matter what's happening in the world of life, in this race of life, if you train and you practice, you

will continuously run ahead of your competition.

So thank you for doing what you do. We are proud of you. We appreciate you.

Senator Myrie, thank you for bringing these amazing young kings and queens up here.

Madam President, I vote aye on the resolution.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

To our guests, the championship teams from Medgar Evers College, I welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Lengthy standing ovation.)

ACTING PRESIDENT PERSAUD: The resolution was adopted on March 12th.

Senator Gianaris.

SENATOR GIANARIS: Next up, Madam President, we're going to take up two previously adopted resolutions together, previously adopted Resolution 1616 and previously adopted Resolution 1729, both by Senator Sepúlveda. Please read those

resolutions' titles and recognize Senator Sepúlveda.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Resolution 1616, by Senator Sepúlveda, honoring Dr. Julio A. Brache Arzeno posthumously for his multifaceted contributions and enduring impact in medicine, business, philanthropy, and his commitment to New York.

Resolution 1729, by Senator Sepúlveda, commemorating the annual Merit Student event hosted by Fundacion Rica Inc. for over 20 years on August 31, 2023.

ACTING PRESIDENT PERSAUD: Senator Sepúlveda on the resolutions.

SENATOR SEPÚLVEDA: Thank you, Madam President, for allowing me to speak on this resolution.

Today is a day that I am filled with honor and pride because today we gather to pay tribute to an extraordinary individual, an extraordinary man, an extraordinary person, Dr. Julio A. Brache Arzeno, who sadly passed away on January 1, 2024, at the age of 96.

As we reflect on his invaluable contributions to medicine, business, philanthropy and community engagement, it is with a profound sense of loss and respect that we honor his memory.

In this moment of remembrance, it is my honor to acknowledge the presence of Dr. Brache's beloved family who join us today, beginning with his wonderful wife, Elsa Alvarez Bonilla de Brache -- who, by the way, was an Assemblywoman in the Dominican Republic several years ago -- and their extraordinary children: Pedro Brache, Julio Virgilio Brache, Braulio Brache, Elsa Julia Brache Alvarez, and Carmen Maria Brache de Rios.

They're all here with us, sitting with us today, and we're all full of pride to have them with us because they embody the enduring spirit of Dr. Brache's life and work. Each of them continues to uphold his visionary contributions through their respective roles within Grupo Rica and Fundacion Rica, demonstrating the lasting impact of his dedication to innovation and to serve the community.

Dr. Brache's pioneering spirit in founding Pasteurizadora Rica transformed the Dominican agricultural landscape, setting a new standard for corporate responsibility and social engagement.

His philanthropic endeavors, particularly through the Fundacion Rica, have uplifted communities by addressing essential needs in education, health, and societal development. These efforts have significantly enhanced the quality of life for countless individuals, underscoring the transformative power of committed philanthropy.

Moreover, Dr. Brache's profound connection to New York, manifested in his support for Dominican students, engagement in community initiatives, and active participation in cultural life, has strengthened the bonds between the Dominican Republic and New York.

His collaborations with organizations like CitiHope International and Major League Baseball have highlighted his commitment to leveraging influence for the greater good, benefiting numerous individuals and communities beyond geographic borders.

As we honor Dr. Brache Arzeno posthumously today, we extend our deepest respect and gratitude to his family and their personal sacrifices and contributions that have allowed Dr. Brache's vision and legacy to thrive. Their presence here is a testament to the enduring power of his life's work, inspiring us all to pursue a path of service, leadership and community engagement.

Let this moment inspire us to continue Dr. Brache's remarkable legacy, ensuring that his impact on the world will be felt beyond generations to come.

I want to thank Junior Martinez, Jasmine Garcia, Wenceslao Soto, Rusking Pimentel, and Hennessy Reyes for participating in organizing this historic event.

(Previous remarks in Spanish.)

Thank you.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Jackson on the resolutions.

SENATOR JACKSON: Thank you, Madam President. I rise regarding this resolution.

In these hallowed halls we come together to celebrate the extraordinary life of Dr. Julio A. Brache Arzeno, a paragon of philanthropy whose efforts have significantly elevated the well-being of countless individuals both within our state and internationally.

And Dr. Brache's commitment to fostering sustainable growth and equitable opportunities speak volumes of his character and the depth of his compassion for humanity.

The founding of Fundacion Rica under Dr. Brache's guidance was a milestone in charitable work, emphasizing the critical areas of education and health.

His vision has not only catalyzed economic and agricultural development, but has laid down the very foundation for a future where community empowerment and mutual support are the norm.

And today, as we are joined by Dr. Brache's family, their presence reinforces the narrative of sacrifice and unwavering dedication that has been the hallmark of their family's legacy.

It is a testament -- today as we're

joined by Dr. Brache's family their presence reinforces the narrative of sacrifice and unwavering dedication that has been the hallmark of their family's legacy. It is a testament to how Dr. Brache's work has integrally woven the fabric of our communities closer, creating a vibrant tapestry of cultural and social unity between the Dominican Republic and New York.

And as we pay tribute to Dr. Brache, let us all be inspired by his magnanimous spirit. May we too strive to embody the virtues of empathy, foresight, and a relentless commitment to community service. Dr. Brache's legacy challenges us to carry forward the torch for philanthropy and renewed vigor and purpose.

I vote aye, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Comrie on the resolution.

SENATOR COMRIE: Thank you, Madam President.

I also rise to support this resolution and congratulate the Brache family for continuing to honor the works of their father to be a major philanthropist not just in their

country, but also working to extend their mission into the United States also.

I want to thank you for continuing that legacy, creating opportunities for minority young people, opportunities for health, opportunities for education and, even more so, opportunities for entrepreneurship, to teach people how to become investors and businesspeople.

Thank you for coming to our chambers today. We're honored by your presence. And thank you for continuing your philanthropy of service. Thank you.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Bailey on the resolutions.

SENATOR BAILEY: Thank you, Madam President.

Thank you, Senator Sepúlveda, for bringing the Brache family here.

So to the Brache family, thank you for coming up to our State Capitol. And thank you for continuing your legacy, as has been said by many of my colleagues. It is really important not just as legislators but as parents, right?

Like we want our children to continue the legacy that we have set forth, whatever that is.

And when you're able to excel in the fields of education, healthcare and social development, that is a very strong legacy that continues to build a bridge between the Dominican Republic and the United States of America, in New York specifically.

So I just want to say thank you for the work that you do and the work that you haven't done yet that will continue because of the work that you've done now. I know that was a lot, right? But it makes sense, I promise.

(Laughter.)

SENATOR BAILEY: But I just want to say like the spirit of philanthropy is something that we can all do, whether it's financial or just giving of your time. And you, in continuing that legacy, is a testament to all of us that we can always do more for those in our community.

So I salute you. Mucho gusto un placer.

Thank you, Madam President. I vote aye.

ACTING PRESIDENT PERSAUD: Senator

Parker on the resolutions.

SENATOR PARKER: Thank you, Madam President.

And thank you, Senator Sepúlveda, for bringing these resolutions to the floor and leading this important effort.

Today we convene in this august body and this chamber to honor a man of profound generosity and vision. And that's Dr. Julio A. Brache Arzeno, who you've heard us mention.

Now, I had planned to give all of my remarks in Spanish today, and I lost my notes.

(Laughter.)

SENATOR PARKER: But I'm glad that Senator Sepúlveda found my notes --

(Laughter.)

SENATOR PARKER: -- and read them word for word. So thank you, Senator Sepúlveda, for delivering them. And thank you -- it's already been said in the record, so I don't want to hold us up with a lot of unnecessary rhetoric.

(Laughter.)

SENATOR PARKER: As you know -- you know, the Brache family may not know this, but I try to be brief and concise in my remarks on this

floor.

(Laughter.)

SENATOR PARKER: But in all seriousness, we really want to honor Dr. Brache's unparalleled philanthropic endeavors and really just note how profoundly he has affected not just his local community and his country, but really communities across our great planet.

His legacy is a beacon of how unwavering compassion and relentless pursuit of societal betterment can transform our entire world. Through his initiatives like the Rica Foundation, Dr. Brache demonstrated exemplary leadership, pioneering in sectors that are vital for our collective progress, like education, healthcare and societal welfare.

These efforts have not only propelled advancements in the Dominican Republic, but also have fostered and nurtured bonds between New York and making our societies richer and also more inclusive.

As we gather today with his family, we are inspired by their enduring dedication. And his loved ones have also shown up because they also believe and have been involved in this

cause of human upliftment. Their collective journey is a powerful reminder of the impact of one's family commitment and how that can have an important, you know, impact on the tapestry of all of our communities.

And so in honoring Dr. Brache today, let his life and legacy be a guidepost for all of us. May we all aspire to reflect his selflessness, his strategic foresight, and his wont for a better society.

And we also want to just honor his deep-rooted belief in the strength of community bonds, because we understand that only together can we make our communities as good as we want them to be.

So today we rekindle our dedication to the principles that he's brought us and his family has demonstrated and he so eloquently lived by -- and may we all live by these important principles.

Thank you for being here, and congratulations for all that you are doing.

Thank you.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

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

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT PERSAUD: Resolution 1616 was adopted on January 17th, and Resolution 1729 was adopted on January 30th.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Madam President.

Now let's move on to previously adopted Resolution 1980, by Senator Chu, read its title and recognize Senator Chu on the resolution.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Resolution 1980, by Senator Chu, memorializing Governor Kathy Hochul to proclaim March 23, 2024, as Pakistan-American Heritage Day in the State of New York.

ACTING PRESIDENT PERSAUD: Senator Chu on the resolution.

SENATOR CHU: Thank you, Madam President, for this opportunity to speak on

this resolution and introduce the Consul General of Pakistan to New York, Consul General Atozai, on the floor today.

Pakistani-Americans make up the seventh largest Asian-American ethnic group in the United States. And I'm extremely proud to carry this resolution that highlights and celebrates the contributions of Pakistani Americans in New York. It is a great pride for the Pakistani-American community to pass down their heritage to diversify New York.

Being a proud Pakistani-American means uplifting values of family, faith and community. During this time of Ramadan, many of our Pakistani-American community members are observing by fasting and giving back so much to those in and around their neighborhoods and our respective districts.

New York City is home to approximately 200,000 Pakistani-Americans, and their contributions to our state add to the extreme diversity and richness throughout.

I'm proud to represent the neighborhoods of Bensonhurst and Bath Beach. They are home to a growing and proud Pakistani

community. Just going down the street you can see stores with traditional Pakistani clothes, community centers to engage and learn, mosques for all to observe their faith.

As an immigrant community, Pakistani Americans are working to pass down their heritage and traditions to their next generation. For example, I have great {inaudible} organizations on the ground in my district like APNA Community Center that is filling this gap and providing space for seniors and youth. Their work exemplifies the core values of Pakistani heritage and respect for the power of the community.

So I would like to take this opportunity to introduce some very special guests to this chamber: The Consul General of Pakistan to New York, Consul General Atozai; and also president and founder of the American Pakistani Advocacy Group, Mr. Rashid, and also the fellow members of APAG.

Madam President, if I may, please welcome our guests and extend them the privileges of the floor.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank

you.

Senator Canzoneri-Fitzpatrick on the resolution.

SENATOR CANZONERI-FITZPATRICK: Thank you, Madam President.

Thank you, Senator Chu, for bringing this resolution to the floor.

I rise today in recognition of our honored guests, and I wanted just to let everybody know that the Ninth Senate District is proud of the diverse heritage that makes up our community, specifically the Pakistani-American population.

According to a recent survey, Nassau County has the eighth-highest Pakistani population in the nation outside of -- in New York State, but outside of New York City. And in solidarity with our Pakistani-American neighbors who are such an integral part of our community, our county executive, Bruce Blakeman, led a relief effort to help the victims of severe flooding that plagued Pakistan in 2022.

One thing I'm sure of is that people of all backgrounds will be very excited about the upcoming cricket teams coming to Nassau County.

And the featured matches will include matches between India and Pakistan, which are both among the top five teams in the world.

So thank you again, Senator Chu. And I welcome our guests as well.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Comrie on the resolution.

SENATOR COMRIE: Thank you, Madam President.

I also rise to support Senator Chu's resolution today to invite and acknowledge the Pakistani-Americans living in New York City.

I have many Pakistani-Americans living in my district, in the 14th District. They also are, as in the other districts, working to become major participatory people in our district -- not just in business, but in government and education and also in philanthropy as well.

I just want to thank the Consul General for being here, and all of the members that are here today. I want to continue to let folks know that this is New York, which is a

dynamic state, a state that works to make sure that multiculturalism is honored and respected, that all groups that are here can make sure that their history, their legacy, and the things that they need to pass on to their children are respected in our school system as well.

And I hope that we can make sure that we continue to push multiculturalism in school, and a tapestry in the school system that that can have a program that can educate our young people from birth to the 12th grade so that they can understand that the beauty of this state is all of the people that are working in this state, living in this state, and contributing to making sure that this state is a place where all children can grow up and be respected.

I honor this resolution. Thank you, Senator Chu, for bringing it today.

Thank you.

ACTING PRESIDENT PERSAUD: Senator Sanders on the resolution.

SENATOR SANDERS: Thank you, Madam President.

Thank you for bringing this resolution forward.

I was speaking to the great delegation that has come before us, and we were speaking of many of the issues. But I must admit I enjoyed the conversation I had with the Consul General. We were speaking of the greatness of the two places of New York State and Pakistan, and how though Pakistan finds itself in a very difficult place in the world today -- the very tough neighborhood that Pakistan finds itself in -- that as long as they have good citizens like the ones we have before us, they will be well-represented in the U.S.

I don't see my friend Faran up there. He missed his cue. He works with me in the -- actually, I work for him, if the truth is told.

So I look forward to working with you further and having further discussions. Perhaps we'll have it in Pakistan next time.

Thank you. Thank you. Thank you again.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Rhoads on the resolution.

SENATOR RHOADS: Thank you,

Madam President.

And thank you, Senator Chu, for bringing forward this resolution.

And Pakistani-American Heritage Day and the selection of March 23rd is not by accident. It's actually known as Pakistan Resolution Day, or Pakistan Day. And it's a significant day in the history of Pakistan that commemorates the adoption of the Lahore Resolution on March 23rd of 1940. And that day marks the beginning of the struggle for an independent state, which ultimately led to the creation of Pakistan on August 14th of 1947.

More importantly, it's a reminder of the resilience, determination and unity that define the Pakistani spirit. And every year on Pakistan Day the entire nation comes together to celebrate the spirit of independence and pay homage to the great leaders like the Quaid-e-Azam, who played a crucial role in the formation of the country.

Pakistan Day is also a time to reflect on the progress and achievements of the country since its inception. From a struggling newly formed nation to a nuclear power today, and

a developing economy, Pakistan has come a long way in the last seven decades. They've become leaders in various fields, including science and technology, education, sports, business -- not only in Pakistan but, for the over 600,000 Pakistani-Americans who call America now their home, the incredible contributions that they have made to this nation as well.

Let us find today, then, inspiration in the timeless words of Muhammad Iqbal, the great thinker in Pakistan who urged us to envision a better tomorrow amidst today's challenges. And let's use this as an opportunity to reaffirm our commitment to democracy, growth, tolerance and stability, realizing the vision of the Quaid-e-Azam, one of the great founders of Pakistan.

So to our guests here in the chamber, to our Consul General, and to all Pakistanis across New York State and in the Fifth Senate District, I wish you a very happy Pakistan Day and Pakistan-American Heritage Day here in the great State of New York.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank

you, Senator.

Senator Liu on the resolution.

SENATOR LIU: Thank you, Madam President.

I want to thank Senator Chu for bringing this important resolution. And I agree with everything everybody has said already.

I also want to take an opportunity to welcome our new Consul General from Pakistan to New York. Welcome. You're going to see a very vibrant Pakistani-American community here in New York.

I want to say hello to my friends from APAG. Ali, waiting for the day for Iftar.

And with that, I think not only has this organization been completely intertwined into the fabric of our communities -- during the pandemic, they fed people, they had social programs, they did so much for the growing Pakistani community and beyond.

And of course they are also very influential in political circles. Probably, Madam President, we may see the first Pakistani-American elected official within the ranks of these individuals standing right there.

And, you know, I hope to see the first Pakistani-American State Senator soon, hopefully from Sanders' district.

(Laughter.)

SENATOR LIU: Thank you very much, Madam President.

ACTING PRESIDENT PERSAUD: Thank you.

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

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT PERSAUD: The resolution was adopted on March 19th.

Senator Gianaris.

SENATOR GIANARIS: Madam President, the various sponsors of today's resolutions would like to open them for cosponsorship.

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

Senator Gianaris.

SENATOR GIANARIS: Please take up the calendar.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 122, Senate Print 1137A, by Senator Sanders, an act to amend the Banking Law.

ACTING PRESIDENT PERSAUD: Hold on.

(Pause.)

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 122, Senate Print 1137A, by Senator Sanders, an act to amend the Banking Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 126, Senate Print 1179, by Senator Harckham, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 126, voting in the negative are Senators Canzoneri-Fitzpatrick and Weik.

Ayes, 59. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 164, Senate Print 1001, by Senator Hoylman-Sigal, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the first of January.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 319, Senate Print 6808, by Senator Mannion, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 13. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 346, Senate Print 151, by Senator Gianaris, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 346, 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, Stec, Tedisco, Weber and Weik.

Ayes, 40. Nays, 21.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 394, Senate Print 622, by Senator Kavanagh, an

act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 427, Senate Print 2088, by Senator Kavanagh, an act to amend the General Obligations Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce

the results.

THE SECRETARY: In relation to Calendar 427, 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, Skoufis, Stec, Tedisco, Weber and Weik.

Ayes, 40. Nays, 21.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 437, Senate Print 1974A, by Senator Ramos, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to

Calendar 437, voting in the negative:
Senator Lanza.
Ayes, 60. Nays, 1.
ACTING PRESIDENT PERSAUD: The bill is passed.
THE SECRETARY: Calendar Number 467, Senate Print 1176, by Senator Harckham, an act to amend Chapter 606 of the Laws of 2006.
ACTING PRESIDENT PERSAUD: Read the last section.
THE SECRETARY: Section 2. This act shall take effect immediately.
ACTING PRESIDENT PERSAUD: Call the roll.
(The Secretary called the roll.)
ACTING PRESIDENT PERSAUD: Announce the results.
THE SECRETARY: Ayes, 61.
ACTING PRESIDENT PERSAUD: The bill is passed.
THE SECRETARY: Calendar Number 526, Senate Print 4342, by Senator Sepúlveda, an act to amend the Surrogate's Court Procedure Act.
ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Canzoneri-Fitzpatrick to explain her vote.

SENATOR CANZONERI-FITZPATRICK: Thank you, Madam President.

This bill allows someone who's not related to a decedent to become the administrator of an estate. And my concern is that there's no guarantee that this person will act in the best interests of that family. There's no bond that is posted, and this person could be completely unrelated.

We do have a public administrator in every county. That is a person that -- a state official that steps in to handle estates when there is no family that is qualified.

So for those reasons, I am voting in the negative. Thank you.

ACTING PRESIDENT PERSAUD: Senator Canzoneri-Fitzpatrick to be recorded in the

negative.

Announce the results.

THE SECRETARY: In relation to Calendar 526, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco, Weber and Weik.

Ayes, 44. Nays, 17.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 541, Assembly Bill Number 8866, by Assemblymember Kelles, an act to amend the Environmental Conservation Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 551, Senate Print Number 7374, by Senator Scarcella-Spanton, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 557, Senate Print 1478, by Senator Hinchey, an act in relation to directing the Commissioner of Health to conduct a study of the delivery of services to individuals with traumatic brain injury.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 570, Senate Print 1468, by Senator Breslin, an act to amend the Insurance Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 636, Senate Print 1918, by Senator May, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 636, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Griffo, Helming, Lanza, Martins, Mattera, Murray, O'Mara, Rhoads, Rolison, Stec, Tedisco, Weber and Weik.

Ayes, 45. Nays, 16.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 654, Senate Print 1863, by Senator Brouk, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Brouk to explain her vote.

SENATOR BROUK: Thank you, Madam President.

I wanted to share with everyone, because the way we came to this bill today is really representative of how we do work here in Albany. Oftentimes we have advocacy groups, we have youth groups come to Albany, learn about the Legislature, see how we do everything here. And one of those groups is a really big group of foster youth who often come.

And one of the things I learned in conversations with some of these young people is that a large percentage of young people who go through the foster system -- in fact, 63 percent of them -- do wish to go to college but don't believe that there are resources in place for them to be able to do that.

And for those who actually do enroll in these schools, only 3 to 11 percent actually end up graduating with their degree.

Now, part of the reason this happens is because they're not aware of the actually ample resources that we in New York

State have for young people who have gone through the foster system or the child welfare system.

So this bill is actually simple in nature. The idea is that we want to make sure more young people and administrators at both SUNY and CUNY have this information and that it's conspicuously displayed so that more of these young people who want to obtain their degrees, who want to enter the workforce and who need these resources can actually master them.

So thank you to the Senate; this has passed before. And I am excited that it's being passed again today, and I proudly vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 655, Senate Print 2208, by Senator Liu, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

SENATOR GIANARIS: Thank you, Madam President.

Before we move to the controversial calendar, there's a report of the Finance Committee at the desk with some nominations.

Can we please take that up now.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Senator Krueger, from the Committee on Finance, reports the following nominations.

As members of the Metropolitan Transportation Authority: Samuel Chu,

Meera Joshi, Daniel Garodnick, Marc W. Herbst; and Michael Fleischer.

As a member of the Niagara Frontier Transportation Authority: Treneeka Cusack Fields.

As a member of the Rochester-Genesee Regional Transportation Authority: John A. Trott.

As a member of the Capital District Transportation Authority: Jacqueline McDonough.

SENATOR GIANARIS: I move to accept the report of the Finance Committee and ask that you recognize Senator Krueger.

ACTING PRESIDENT PERSAUD: All those in favor of accepting the report of the Finance Committee signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT PERSAUD: Opposed, nay.

(No response.)

ACTING PRESIDENT PERSAUD: The report of the Finance Committee is accepted.

Senator Krueger on the nominations.

SENATOR KRUEGER: Thank you, Madam President.

So yesterday we had three committees meet together -- the Corporations and Authorities Committee, chaired by Senator Comrie; the Transportation Committee, chaired by Senator Kennedy; and the Finance Committee, chaired by myself. So we did three committee meetings in one.

We had extensive questioning of the five MTA candidates. We did not have the three other authority candidates come in person. The questions were extensive, important, and we felt that all of the candidates submitted by the Governor were absolutely qualified to take their place -- in the first case, for the first five -- for the Metropolitan Transportation Authority, the 12-county MTA, and as well for the three nominees representing three upstate transportation authorities.

I don't think anyone has any doubts how important public transportation is to everyone here in New York State, and how important it is to have excellent representatives on the boards doing their best for us all.

So I'm very glad that we're able to bring them here today and certainly urge all of

my colleagues to vote yes for them.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Skoufis.

SENATOR SKOUFIS: Thank you very much, Madam President.

While I have no objection to the three nominees for authorities that are not the MTA, there is only one vote we're allowed to cast here as a package, and so I will on their nominations regrettably be voting no because of my opposition to the five MTA board nominees.

And as Senator Krueger noted, we had three hours -- I think over three hours of questions and answers from these nominees. It was a good and robust meeting. But I was disappointed that all five of the nominees that came before us and that are before us here today were unabashed in their answers to my questions and concerns related to congestion pricing.

And specifically -- there was some agreement. Whether we like or dislike congestion pricing, we at least all agreed that the goal of congestion pricing was to shift people away from their vehicles and onto MTA mass transit. Now,

that works well and fine in many places within the MTA region, but it does not work if there is no MTA mass transit.

Where I am in Orange County, there is, I think objectively speaking, sorely inadequate service. And I raised this with a number of nominees.

The final two, the last two trains available at the Harriman Train Station -- which is the most heavily trafficked station in Orange County, just down the road from Woodbury Common -- the final two stops each and every day from Orange County to New Jersey where you have to transfer to get into Manhattan, are 3:57 p.m. and then 10:30 p.m. There's a 6 hour and 33 minute gap between trains to travel from Orange County eventually, with a transfer, to Penn Station in Manhattan.

And I'd raised the question, if you want to get into Manhattan within those six and a half hours and there's no train, what do you do? You have to drive. And so how is it fair that my constituents, with no alternative available to them, must pay $30, 15 on the George Washington Bridge, 15 in the congestion pricing zone, not to

mention probably around $20 in gas round trip, and there'd be no accommodation in the MTA -- or in the recommendations to the MTA for congestion pricing.

Each and every one of these nominees quite frankly simply did not care. They, in my characterization, were happy to sacrifice, at the altar of congestion pricing, Orange County and my constituents.

And so I'll be voting no on all of them. I continue to implore the MTA to do the right thing, amend these recommendations. And for all the transit deserts in the region, provide reasonable accommodations.

Thank you.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Martinez on the nominations.

SENATOR MARTINEZ: Thank you, Madam President.

I also rise today in opposition to the slate of nominees to the MTA board. Specifically, one of the individuals being confirmed today is from Long Island and supported congestion pricing.

Congestion pricing, as we know, will have a detrimental effect on my constituents that I represent on Long Island, particularly those that travel daily from Suffolk County into Manhattan, including our first responders, our teachers, our healthcare providers, and our union workers. Congestion pricing imposes an additional financial burden on our hardworking individuals who rely on affordable transportation.

Additionally, though, I would like to acknowledge one of the nominees who was not on the MTA board when this vote took place. And I appreciate his efforts on Long Island, and that is Marc Herbst. He is the head of the Long Island Contractors' Association. His leadership in the transportation industry has made such great improvements in Suffolk County alone. It is commendable what he has done. I truly respect him. It's unfortunate that we have to vote on a slate of nominees and not individually, because Marc Herbst would have had my complete support.

But I in good conscience cannot vote for a slate of nominees who support congestion

pricing, who at the end of the day will hurt my constituencies.

For that reason, Madam President, I vote in the negative.

ACTING PRESIDENT PERSAUD: Senator Martinez in the negative.

Senator Comrie on the nominations.

SENATOR COMRIE: Thank you, Madam President.

I rise today to thank all of my colleagues on both sides of the aisle for the debate and questioning of the candidates that were brought before us to serve on the MTA board and the other regional authorities.

I support all of the candidates for service. I think their records individually are extensive and are impressive. I think they have an ability to bring a new direction to the MTA, facing the difficulties that we have to face. I won't go into all of the details, but everything from electrification at the northern end of Long Island to taking care of the West of the Hudson that Senator Skoufis so passionately spoke about. Dealing with this congestion pricing that we have to figure out and get right.

I think that we have a group of nominees that can do the job. They heard from members yesterday from both sides of the aisle about these issues. They understand that they have to do something about it. The nominees all have extensive history in construction, and they all moved to talk about the need for transparency, ensuring that the system can work better, that we can lower construction costs, which are the highest anywhere in the nation. That we can also make sure that we have an opportunity to improve transportation, to do through-running through the most important station in the country, Penn Station, so a person could ride from the Hamptons to Buffalo or to Albany, which is important for our economy.

I have concerns and will continue to raise concerns about transparency and the ability of the MTA to ensure that the ridership is safe, that the ridership can be better, that we can have a fair fare system that would make it easier for everyone. And I hope that we can continue to work on both sides to make sure that we have an MTA that can service our communities.

But these five candidates for the

MTA all have an extensive background and create opportunities to lift the MTA to better heights.

I vote aye, Madam President.

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

Senator Weber to explain his vote.

SENATOR WEBER: Thank you, Madam President.

Congestion pricing is a dumpster fire. Let's be honest. The residents of Rockland County have been shortchanged by the MTA for generations. We don't have a one-seat ride into the city. A lot of our residents have to drive into the city.

So we have to vote on one slate of candidates, and I'm going to speak for one voice of the residents of Rockland County by voting no on this slate of candidates because we need to send a message.

This body voted for congestion pricing before I got here. I would have voted no if I were here. This body has the opportunity to get rid of congestion pricing. I guess we choose not to as a body. I hope we will consider doing that before the end of the session.

I vote no.

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

Senator Borrello.

SENATOR BORRELLO: Thank you, Madam President.

You know, again, I have to voice my concern with having to group all these important positions into one vote. I will remind everyone last year I brought up the fact that when the DEC wants to protect a species of fish, we have to vote on each individual species of fish as a different bill. But yet we are going to continue to group these important nominees.

So I'll be forced to vote no even though there are some I think that are qualified. But I want to speak a moment on the MTA.

You know, New York State taxpayers, even ones that never use the MTA, ever in their entire life, subsidize the MTA to the tune of a billion dollars every year just for operating expenses. That doesn't include the billions for capital expenses that New York State taxpayers also subsidize.

And what does that billion dollars

actually go towards? Well, 700 million of it this year is going to go towards fare evasion, people that dodge fares. And there's really no appetite to do anything about that. We're not going to, you know, provide a criminal penalty to someone that isn't going to pay the fare. That's number one. Seven hundred million dollars this year alone.

Then there's hundreds of millions of dollars a year for no-show positions where the MTA admits there are possibly thousands of positions that they can't prove somebody actually shows up to work for every day, but yet still draws a paycheck.

Then of course there's all the overtime fraud that we've seen through the MTA.

So the money that the New York State taxpayers supply to the MTA goes almost exclusively to cover fraud -- waste, fraud and abuse. That's what the money that New York State taxpayers supply it to the MTA for. It's a mess. It needs to be fixed. And I don't know if these folks are up to the task or not -- I hope they are. But at this moment, dumpster fire is probably a good way to describe the entire MTA.

So I'll be voting no. Thank you.

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

Senator Scarcella-Spanton.

SENATOR SCARCELLA-SPANTON: Thank you, Madam Chair.

I also am rising today to voice my opposition to the slate of candidates for the MTA board.

Unfortunately, congestion pricing not only is going to hurt the pockets of my constituents, but their own federal environmental impact studies show that the pollutants are going to rise significantly, both in portions of Staten Island and in portions of the Bronx as well. So not only is this bad for them financially, but it's also bad for their health.

We already have some of the highest asthma rates on Staten Island. We have one of the highest childhood cancer rates on Staten Island.

And I cannot in good faith support these candidates, so I vote no.

Thank you.

ACTING PRESIDENT PERSAUD: Senator

Scarcella-Spanton to be recorded in the negative.

Senator Martins.

SENATOR MARTINS: Thank you, Madam President.

You know, to borrow a phrase from Senator Weber, congestion pricing is a dumpster fire. You know, but that isn't our task here today, right? We're not here to substitute our opinions for those of others. These are appointments, and our job I believe is to determine whether or not people are qualified.

If they are qualified to occupy those positions, there's a certain amount of deference that this body has historically given to those people who are making those appointments.

So I hear people standing up today using this vote as a referendum on congestion pricing -- the very same people who were here in 2019 and actually voted for congestion pricing, Madam President.

Which is shocking to me, because rather than taking it out on nominees who were appointed by people, whether it's county executives or the Governor herself, we're dealing

with an issue by not holding ourselves to that same standard. Which, again, everyone can actually make that decision for themselves. But there are people who have stood up here and said they're going to cast a negative vote for people who are possibly qualified, but not because of their qualifications, because of an issue that they themselves put in harm's way and put our constituents in harm's way.

So, Madam President, if this vote is about congestion pricing, then I vote no. Because if that is the standard that we're going to use today, then I will vote no on these nominees if that's the standard that we're going to use in this chamber. Historically, it hasn't been.

But because that's the standard that has been placed before us today, Madam President, I vote no.

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

Senator Canzoneri-Fitzpatrick.

SENATOR CANZONERI-FITZPATRICK: Thank you, Madam President. I rise to explain my vote against this -- these nominations as well.

I'm disappointed to hear that despite a hearing was held with three committees, that some of the nominees didn't take the time to appear and be interviewed. I think that's troubling.

I do think, though, that the MTA has failed in many ways to my constituents, the constituents of Nassau County. They've failed to answer pleas by my mayors and my local government to be a good neighbor to clean up after themselves. There's constant mismanagement. And I'm told repeatedly that there's just not enough funding to do the things that they should do to be good neighbors -- put up fences, clean up garbage, put up safety fences because they back onto schoolyards where small children play.

And I'm frustrated that the MTA doesn't have the money for these things, and now we're putting in congestion pricing under the guise of trying to have a cleaner environment -- but really, it's about the money. And of course it's about the money, because the MTA put into their budget a billion dollars that they're going to gain from congestion pricing, banking on the fact that there's so many people from both

Rockland County, Nassau County, that will have to drive.

So I'm frustrated to hear that all of the candidates are absolutely in favor of congestion pricing and don't come up with an alternative to the financial crisis that the MTA is currently in.

So for those reasons, Madam President, I'll be a nay.

ACTING PRESIDENT PERSAUD: Senator Canzoneri-Fitzpatrick to be recorded in the negative.

Senator Lanza.

SENATOR LANZA: Thank you, Madam President.

And I vote -- I rise in opposition to this -- to these nominations.

Congestion pricing from its inception has been a lie. It is why I have opposed it. It's why I debated against it on this floor. And it's why I voted against it.

First, it was about traffic. That's how it all started, traffic in one area of New York City. Doesn't matter that it takes a half-hour to go five blocks in the Bronx or seven

blocks in Staten Island or even longer to drive a few blocks in Brooklyn. It doesn't care, and the people who support it don't care that it will actually cause more congestion everywhere but the congestion pricing district.

Some of the supporters and advocates for it realized that people were onto them. How could they argue that it was about traffic or congestion when in fact traffic would increase everywhere else? So they changed it. They said it was about pollution, that somehow congestion pricing, which is nothing more than a punitive tax, was going to reduce pollution.

As my colleague and good friend from Staten Island just stated, the MTA's own study has concluded that congestion pricing will increase pollution. It will just push it to the Bronx and to Staten Island and to parts of New Jersey.

So again, they're lying. Where the MTA chairman, president, a few weeks ago talked about the fact that crime is only a perception that people have about the MTA and the subway system. It's really not real. It's not that bad. We have 4 million riders. If we were a

city, it would be a very good, safe city.

Three weeks later, the Governor sent the Guard, the State Police, and God knows who else is going to be needed to address not a perception, but a travesty.

And congestion pricing is no more insulting to any other place in the State of New York than it is to the people of Staten Island that Senator Scarcella-Spanton and myself represent. Here we are, part of New York City. We pay New York City taxes. When I listened to Senator Skoufis, I thought for a moment he had moved to Staten Island and was representing Staten Island. His plight is our plight. I was with him until he said that there's a five-hour gap between the train and that you get -- a six-hour -- I got you beat. A six-hour beat between one train and the other train to get to Manhattan.

There is a never-ending gap on Staten Island. We -- you cannot get on a train on Staten Island and find yourself in Manhattan. Nowhere has the MTA failed in its mission than it has to the people of Staten Island, 550,000 people. Nowhere.

And yet because of their failures, where as a Staten Islander you must, you must choose to get in a car to go to market, to get your kids to school, to go to work. Maybe once in a while go into Manhattan. After all, it's our city. And then after putting us in our cars, they tell us you can't take it into Manhattan, your city.

Forget about what this does to businesses. Forget about what this does to families all across the city. I'll let my colleagues talk about outside the city. But this is really -- this is an insult. It's an outrage. It's a crime. It's a lie.

I can't vote for anyone that has anything to do with the MTA. And I will not, until -- until we figure out a way to go from the top down and the bottom up and rework what is happening in the MTA. Because there are things we agree about in this body. There are things we disagree about. But I can tell you there's one thing that unites us all. Our residents, in every district we represent, believe the MTA is doing a terrible job in the State of New York.

I vote no, Madam President.

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

Senator Rhoads.

SENATOR RHOADS: Thank you, Madam President.

You know, I've said it on this floor before and I've said it publicly numerous times. To me, the MTA stands for "Money Thrown Away." Because that's what we do. Every single year we have a budget. Every single year the MTA runs deficits. It's just differing amounts.

And every year the one thing that we need to do, to try and figure out where that money is going, conducting a forensic audit of the MTA, forcing them to open their books and disclose where it is this money is going and why -- year after year after year there continues to be a shortfall of hundreds of millions, billions of dollars, and that doesn't happen.

Instead, we get congestion pricing. And I know that these nominees are not about congestion pricing. But you know what? It really is.

And for somebody who just had the honor of coming to the State Senate last year,

didn't have an opportunity to debate congestion pricing in 2019 as many in this chamber did have the opportunity to do, it's my opportunity to talk about what an outrage it is. Because this was never a conversation about the environment. This was never a conversation about trying to reduce congestion. Because the starting point for this was an amount of money.

And the single greatest thing to me that demonstrates that this had nothing to do with the environment or reducing congestion is the fact that while we're talking about making it more expensive for people to go to work, for people to conduct business, for people to go to visit family, for people to go to visit their doctor -- while we're talking about making it more expensive to drive anywhere south of 60th Street, what did they do? If we wanted to encourage people to actually take mass transit, to actually help solve the problem, they made it more expensive to take the bus, more expensive to take the Long Island Rail Road, more expensive to take the subways, raising the fares on each. So this was entirely about money.

And the notion that the MTA is now

having their public comment period which just ended, so that the public could finally be heard about congestion pricing, while all of the charging units are already up -- it's a sham. It's been a sham from day one.

And I cannot support the continuation of this sham. And that's why I'll be voting no on these nominees as a block.

Thank you, Madam President.

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

Senator Gianaris to close.

SENATOR GIANARIS: Thank you, Madam President.

I just want to read an excerpt from the Staten Island Advance. "Insisting that the plan is the borough's best hope of getting substantial money for more mass transit, State Senator Lanza told the Advance yesterday he is endorsing the ambitious controversial proposal."

It goes on to say, and I quote from my good colleague here if I can find the right place in this article -- here it is. This is the first -- quote, "This is the first real hope that

I think we've seen over the last 25 years for real money. It would be irresponsible to ignore this most valuable option I've seen for bringing these monies and these improvements for Staten Island."

I vote yes, Madam President.

ACTING PRESIDENT PERSAUD: Senator Gianaris to be recorded --

SENATOR LANZA: Madam President.

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

Senator Lanza, why do you rise?

SENATOR LANZA: Point of privilege. Senator Gianaris mentioned me.

Madam President, I do not support congestion pricing. I voted against congestion pricing on this floor. I debated congestion pricing on this floor. I have opposed it from its inception.

That quote in no way, shape or form reflects where I've been and am on congestion pricing. There was a proposal -- there was a proposal. Mike Bloomberg at the time wanted to put out the idea of congestion pricing. Mike Bloomberg at the time said and was fashioning a

bill that would hold Staten Island completely harmless, zero charge. And in addition, if, he promised congestion pricing were ever to come to pass, that not only would Staten Island be held harmless -- no charge, no payment -- but he would take some of the money and he would give it to Staten Island, who he acknowledged had been left in the dust and had been abandoned by the rest of the city and the MTA.

So what that is talking about is not congestion pricing as we are talking about it today.

ACTING PRESIDENT PERSAUD: Senator Lanza in the negative.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to the nominations, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martinez, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Scarcella-Spanton, Skoufis, Stec,

Tedisco, Weber and Weik.

Ayes, 39. Nays, 23.

ACTING PRESIDENT PERSAUD: The nominations have been confirmed.

Senator Gianaris.

SENATOR GIANARIS: Congratulations to the nominees, Madam President.

ACTING PRESIDENT PERSAUD: Congratulations to the nominees.

(Laughter.)

SENATOR GIANARIS: Lets move on to the controversial calendar, please.

ACTING PRESIDENT PERSAUD: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 541, Assembly Bill 8866, by Assemblymember Kelles, an act to amend the Environmental Conservation Law.

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

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

SENATOR WEBB: Through you, Madam President, I will yield.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: Through you, Madam President, first of all, Senator Webb, excuse my back as I speak into the microphone for my questions.

SENATOR WEBB: We're still friends.

(Laughter.)

SENATOR WEBB: For now.

(Laughter.)

SENATOR BORRELLO: So this bill obviously would ban a new potential type of hydraulic fracturing to extract gas from the earth, from the land. Can you explain how this process of extracting gas with CO2 is done?

SENATOR WEBB: So through you, Madam President, this currently is not a practice that is being done. It's being proposed.

And one of the things that we do know is that supercritical CO2 has many hazards associated with it. And so what this law -- what this bill will do, rather, is to close the loophole on the existing law that we have which bans hydrofracking.

SENATOR BORRELLO: Madam President,

will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR WEBB: I will yield.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So you're saying there are hazards with using CO2 to extract natural gas from shale. Is that correct?

SENATOR WEBB: That is correct. Through you, Madam President. That there are hazards associated with supercritical CO2 as an agent with regards to extraction.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR WEBB: Yes, I yield.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: Has the DEC weighed in on those hazards? Do we have any information from DEC?

SENATOR WEBB: So through you, Madam President, there is limited data with

regards to this issue.

And in fact when this issue was brought to my attention in my district, we reached out to the DEC to find out if in fact they had been contacted by Southern Tier Solutions with regards to their proposed plans around CO2 fracking. And up until this week they have yet to receive any requests or any queries by this company.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR WEBB: Yes, I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So if I'm doing something that's not currently regulated by the DEC, why would I contact them and ask them for their advice?

SENATOR WEBB: Through you, Madam President. For anything related to the environment, it is my understanding that our state authorities, this is part of their job. And so any new company or existing company would

have to contact the proper authorities.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR WEBB: Yes, I will.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR BORRELLO: So can you tell me the difference between using CO2 for hydraulic fracturing and the traditional form of hydraulic fracturing, also known as fracking? Can you tell me the difference between those two processes?

SENATOR WEBB: I'm sorry, can you repeat your question?

SENATOR BORRELLO: All right, sorry. Can you explain to me what the difference is between using CO2 to extract gas versus using traditional forms of hydraulic fracturing using water and chemicals?

SENATOR WEBB: (Pause.) So through you, Madam President, it is a similar process but it's a different substance that is proposed to be used, supercritical CO2. But the process is very similar.

And again, this is a practice that we have already banned here in New York State. And as I've said earlier, this bill is proposed to actually close a loophole on a practice that already is banned in our state. And that also has very proven research records that demonstrate the not only environmental hazards but public health impacts, negatively speaking, with regards to this practice.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR WEBB: Yes, I'll continue to yield.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: You're saying that it -- traditional fracking has hazards, documented hazards. But there's no documented hazards with this form of fracking because it hasn't been done, isn't that correct?

SENATOR WEBB: So through you, Madam President, what we do know about supercritical CO2 is that it is a volatile

substance. This type of practice, utilizing this particular material, will lead to issues with respect to corrosive -- it's corrosive in nature. It is also something that is very volatile.

And so again, as I've said earlier, that it is important that we close the loophole with respect to this proposed practice before any further issues ensue.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR WEBB: Yes, I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So you're maintaining, then, that CO2 is a volatile chemical. So you're saying we don't use any volatile chemicals when we do anything? Whether it's, you know, mining or exploration or any other type of drilling, there's no corrosive or volatile chemicals that are being used? Is that what you're claiming, what this would be?

SENATOR WEBB: (Pause.) Through you, Madam President. Fracking, as we know, has

significant not only issues as pertains to water pollution but also air pollution. And so this company that is proposing this practice has not proposed any environmental mitigation plans of the sort with regards to their proposed plans for CO2 fracking.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR WEBB: Yes, I do.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR BORRELLO: With all due respect, you're proposing to ban the whole process, so why would they have to offer anything? The DEC would have to come and promulgate regulations if they were given the opportunity to oversee the testing of this, which is really what this, you know, Southern Tier CO2 Clean Energy Solutions is looking to do. They're actually looking to use this as a pilot program.

So how can they be offering anything as far as safety recommendations when, you know, the only thing that's been offered from the State

of New York so far is a ban?

SENATOR WEBB: (Pause.) So through you, Madam President. We know from when fracking, hydrofracking was proposed 10 years ago, research and studies have been done to show that there are environmental and health hazards.

And that even with this proposed CO2 fracking, we do know that supercritical CO2 -- again, as I said earlier -- is a highly volatile substance. It is also a substance that is corrosive. When it hits the water, it most certainly creates issues as it pertains to environmental toxins and other issues.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR WEBB: Yes, I will.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: Well, we use a lot of volatile substances in many processes, in many manufacturing processes. Drilling, exploration for all kinds of things. So without having the DEC actually weigh in, how will we

know that this is going to be potentially hazardous? It's a closed-loop system that they're using.

SENATOR WEBB: So through you, Madam President, DEC did weigh in on this issue 10 years ago. And what they found is that there are no mitigation processes that will be able to address the negative impacts of hydrofracking.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR WEBB: Yes, I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: Well, again, they weighed in on traditional hydrofracking. But also -- it was also banned, by the way, you know, by the governor under executive order. There was no actual due diligence by the DEC. There was no scientific evaluations whatsoever.

So how can you compare this, which is using a completely different process, using a completely different chemical -- how could you compare that to what we've already banned.

SENATOR WEBB: So through you, Madam President, the DEC actually provided an environmental impact statement back in 2015 with regards to issues associated with hydrofracking.

And again, when we banned hydrofracking years ago, this particular method was not on the table pertaining to CO2, supercritical CO2. And like with any developments and with any legislation that we most certainly pass, we intend for it to be comprehensive. And in this case, like other laws, we must most certainly close loopholes.

And so the DEC has again, as I said earlier, made it very clear in their environmental impact statement that hydrofracking in any form or fashion, there are no mitigation methods that can address the impacts to our environment and most certainly to public health.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR WEBB: Yes, I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: If I'm reading correctly the bill, you address the fact that essentially this is about extracting natural gas to be burned in power plants. And you're opposed to that as a part of this ban. Is that correct? Are you opposed to using natural gas as a form of fuel here in New York State?

SENATOR WEBB: Through you, Madam President, this bill only pertains to the proposal for CO2 hydrofracking.

SENATOR BORRELLO: Madam President, on the bill.

ACTING PRESIDENT PERSAUD: Senator Borrello on the bill.

SENATOR BORRELLO: Senator Webb, thank you for the engagement today.

You know, I represent portions of the Southern Tier, as does Senator Webb, Senator O'Mara. The Southern Tier runs along the border of the State of Pennsylvania. The State of Pennsylvania has actually been hydrofracking for years. It has been an economic boon that the Southern Tier of New York has not been able to participate in because of the ban.

We talk about negative health

impacts and so forth. But it's literally being done literally feet away from New York State -- in some cases, literally right on the border of New York State. And yet, you know, we haven't seen those health impacts, nothing documented that I'm aware of.

But yet if there were any negative impacts, we would be suffering those impacts without any of the economic benefit of that fracking.

Now, we heard during the last debate about fracking that there were these supersecret chemical cocktails that were used to extricate natural gas from shale, and they were going to be dangerous and hazardous, so on and so forth.

So now we have a company that's come forward with a process to use CO2 -- CO2 that will be pumped into the ground, and extract the gas. Forced into the ground, the gas comes out.

CO2 is essentially a natural product. And that's the why -- and certainly much cleaner. Without those proprietary secret chemical cocktails that we heard about before.

For those of you that are concerned about the impacts of CO2, let me remind you.

When you go to a fast food restaurant and they hand you a cup, you go over to the fountain, you push the thing -- that's COs being forced through a liquid into your cup, and then you're drinking it. That's what CO2 is. Everybody has done that.

But now we're going to say, without any scientific evidence, without any due diligence, without any studying, we're going to shut down once again the opportunity for the people of the Southern Tier to be able to extract gas -- in this case, potentially without any harmful impacts, without any of those secret chemical cocktails, and we're going to deny those landowners that opportunity. And we're going to say it's because we're concerned about the potential public health impacts.

Well, that's really kind of hypocritical. Because I have heard a lot of potential -- not potential but real public health impacts from renewable energy projects. Public health impacts from wind turbines. Public health impacts from runoff from solar panels. Public health impacts in several other areas -- the environment, we're killing off endangered

species. We're actually allowing American bald eagles to be beheaded by the thousands across this country because we're saving the planet with renewable energy.

So it's okay to do all that -- it's okay to contaminate water supplies, it's okay to have a negative impact on people's health with things like infrasound. It's okay because we're saving the planet here.

Now we have an opportunity to do something without any evidence that there actually is a negative health impact, but we don't like that. We don't like natural gas now, so we're going to ban it. And we're going to ban the ability to actually extract it safely, potentially even cheaper, and giving the opportunity to all those folks in the Southern Tier that lost out on those job opportunities when we abandoned it years ago.

So we're not going to do that. We're going to shut our eyes, listen to the most extreme advocates, and say this is bad, we're going to ban it. That's not fair to the people of the Southern Tier, my constituents, the people that lost out in the past. They have an

opportunity again, and now it's going to be yanked away from them for political reasons.

So I'll be voting no on this bill.

Thank you.

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

Senator O'Mara.

SENATOR O'MARA: Yes. Thank you, Madam President. Just on the bill briefly --

ACTING PRESIDENT PERSAUD: Senator O'Mara on the bill.

SENATOR O'MARA: -- following Senator Borrello's comments.

And the district that I represent largely runs across the Pennsylvania border, the Southern Tier. There are vast reserves of natural gas throughout the Marcellus and Utica shale across New York State. Across the counties of Steuben, Chemung, Tioga, Broome, Delaware. The same reserves that are just south of the border in the northern tier of Pennsylvania, where those citizens have gained immensely from the production and recovery of natural gas.

Natural gas that, while half of this room -- more than half -- doesn't think we're

going to use, natural gas is going to be a part of our lives, of our energy, of our manufacturing in this country for the rest of our lives, like it or not.

We can't continue to overlook the better because we want the perfect. And that's what we're doing with this. That's what we're doing with the CLCPA and the Climate Action Council goals that have come out with no plan. We've seen the result of planning in energy and emissions of these majorities with the closing of Indian Point nuclear plant that has resulted, since its closing, in an increase of carbon emissions by over 40 percent. Right into the environmental justice communities that you all stand up and argue and fight for every day in this chamber.

It makes no sense. And yet we're not allowed to pursue cleaner-burning, more efficient natural gas that we have a wealth of under our feet in the Southern Tier. Farmers, landowners in the northern tier of Pennsylvania have obtained immense wealth from the recovery of natural gas. Our farmers, our landowners in the Southern Tier of New York have been denied that

time and time again.

Now we have another opportunity here. It's not hydrofracking. You're not injecting some unknown chemicals, as was mentioned before, that was the real reason for banning hydrofracking, and the impact to the aquifer with that. This is not the case. In fact, there was an added benefit with this of actually sequestering carbon -- carbon dioxide, a greenhouse gas, underground by injecting it in and getting out the natural gas that we need for our everyday lives.

That industry, to grow and thrive in New York State, is going to need low-cost energy for manufacturing, which is critically important. This is just one more block to doing things better because we want to get to perfect.

Well, this utopian approach is a train wreck coming down the tracks. It's going to crush New York State. It's going to crush communities across New York State, economically devastating. And doing this on this today, with absolutely no scientific review at all -- you're all now the experts on whether this is feasible, safe or not? It hasn't even been looked into.

And an opportunity to sequester a greenhouse gas.

This is just so shortsighted and so emblematic of the whole energy plan that this state thinks they have.

Thank you, Madam President. I vote no.

ACTING PRESIDENT PERSAUD: Senator Stec.

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

ACTING PRESIDENT PERSAUD: Senator Stec on the bill.

SENATOR STEC: This is not hydrofracking. This is a completely different process. This is using carbon dioxide -- I have a degree in chemical engineering. I've done some work in engineering in my life around energy.

This bill is about turning our nose up at natural gas, period. This bill is not about the safety of this process or environmental impacts. This is night and day. This isn't even apples and oranges, this is acorns and coconuts. The difference between what's been proposed and the ban on hydrofracking.

If we want to follow the science --

maybe there's somebody in this room that knows more about chemistry than I do, but DEC has people that will do this. To deny DEC the opportunity to review this and come up with a permitting process because we don't like natural gas is arrogant and shortsighted.

I'm opposed to this bill.

ACTING PRESIDENT PERSAUD: Thank you.

Are there any other Senators wishing to be heard?

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

Senator Gianaris.

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

ACTING PRESIDENT PERSAUD: Okay. The bill has been restored to the noncontroversial calendar.

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Harckham to explain his vote.

SENATOR HARCKHAM: Thank you very much, Madam President.

First I'd like to thank Senator Webb for this legislation. I want to thank the Majority Leader, Andrea Stewart-Cousins, for bringing it to the floor so rapidly.

I fully support this bill. I want to just share a few comments based on what we heard during the debate from our colleagues across the aisle, that fracking is somehow a boon in Pennsylvania. But there are extensive research studies talking about the harsh environmental and public health consequences fracking has had on the people of the State of Pennsylvania.

We heard about the polluted aquifers. We've heard about low birth weights documented in studies. Lung disease, asthma disease. So fracking has had adverse impacts -- the trucking, the pipelines. This has certainly not been a boon to the public health of Pennsylvania -- certainly not to the environment

in terms of water quality and other issues.

But to me, fracking was a bad policy when the governor, former governor first by executive order stopped fracking, when we then subsequently banned it by legislation. And it doesn't make sense to me to be pumping CO2 into the ground only to extract something that is 80 times more harmful to heating the planet, which is the methane in natural gas.

Remember, methane is 80 times -- percent more potent of a greenhouse gas warming device or warming element than CO2 is. So this does not make sense to me.

And finally, we talk about economically. The point I go back to time and time and time again, a kilowatt of clean energy coming from solar or wind is cheaper for the consumers in our districts. We want to talk about economic boons, economic benefits. Solar and wind are cheaper than carbon-based fuels.

So --

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

SENATOR HARCKHAM: I vote aye.

Thank you.

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

Senator May to explain her vote.

SENATOR MAY: Thank you, Madam President.

I will start by endorsing everything that my colleague Senator Harckham said on the environmental and health problems associated with hydrofracking.

But I also want to talk about the quality-of-life issues. Because when New York was considering fracking, I went down to Pennsylvania to see what it did to communities there. And I visited rural communities that had once been bucolic and quiet and lovely places and now had, 24/7, big trucks just coming through, bringing the fracking liquids in and then carrying the materials out at the same time.

Every little tiny bridge was just a nightmare of traffic congestion. The noise was unbelievable. And the companies that had leased the land had no restrictions -- they would build their derricks right next to people's front doors. And the people who owned the land had no say in what the companies were doing.

So fracking is not just an environmental nightmare, but it is a quality-of-life nightmare. And I am very grateful to Senator Webb for bringing this bill, and I vote aye.

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

Senator Hinchey to explain her vote.

SENATOR HINCHEY: Thank you, Madam President.

One of my first jobs out of college was as a grassroots canvasser to actually ban fracking in the State of New York before the moratorium was put in place. And so while most people in their early twenties are making friends in their businesses and having, you know, interesting conversations, every time I met with a new person we were talking about hydrofracking.

And, you know, just to frame what fracking is, it is the process of drilling down into the earth and then drilling horizontally for miles. And then in the case of hydrofracking, it was pumping hundreds of gallons of water at lightning speed through these tiny tunnels, fracturing the bedrock, destabilizing the earth,

and often causing earthquakes.

I have stood with people from the Southern Tier. I went to school out in Ithaca when this was happening 10 years ago, 15 years ago. I've stood with people who sold their mineral rights on their property and then saw their land completely devalued. I saw their lives upended after they were sold a dream of a quick way to make better cash.

We rightfully in the State of New York banned the practice of hydrofracking. And now we hear today in this chamber that the same practice that we know to be dangerous, but switching it with CO2 -- supercritical CO2, not atmospheric CO2. Those are different things. The concept of putting supercritical CO2 at high velocities through these tiny tunnels to fracture the bedrock again to extract more gas is somehow going to be safe. We know that's just not true. It's not the CO2 that's in the bottle machine. It is a completely different compound.

And so I am incredibly proud that this body is bringing this bill to the floor to a vote. I thank our colleagues in the Assembly for passing it. And I thank my colleagues Senator

Webb and Senator Krueger for spearheading this initiative.

And I'm incredibly proud to vote aye on this bill. Thank you very much.

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

Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Madam President.

I just want to address some of the comments made about how these communities were transformed negatively by fracking in their areas. I would just debate that in general.

But I would also invite my colleagues to come to some places in my district that are experiencing the negative impacts of industrial wind turbines. The community of Arkwright that was sold a bill of goods, the streets were going to be paved with gold because of all the money they were going to make off of wind turbines. And now they tell me that 24/7 it sounds like a jet that never lands over their house constantly. They can't sleep at night. People have had issues with sleeping. I've had

Farmers tell me that chickens are not laying eggs anymore because of the infrasound.

So it's hypocritical to say that we're going to ban something that we have no idea about when we're not even willing to admit that there are problems with industrial wind turbines and solar panels.

So once again, I vote no. Thank you.

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

Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you very much, Madam President.

I was in and out during the debate, and so I don't want to be repeating anything that's already been said.

So I just want to proudly vote yes and explain the science is clear. People that have their disagreements of other things going on in their communities and other things going on, frankly, with an energy -- we had extensive debate about energy yesterday. This isn't about energy. This is a model that, if it was allowed to go forward, would be killing people,

destroying land, killing agriculture.

We know from our fights 10 years ago the insurance industry immediately said we're not going to insure any land that fracking goes on underneath because we know how toxic it will be to everyone involved.

And this is so much more dangerous, as I'm sure many people explained today. It's inconceivable that this would be allowed. And so I'm very glad that with our action today -- because I'm quite sure the Governor will sign this bill -- we will ensure the protection of New Yorkers from yet another extremely, extremely dangerous process that we have no business allowing in any part of New York.

I vote yes, Madam President.

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

Senator Hoylman-Sigal to explain his vote.

SENATOR HOYLMAN-SIGAL: Thank you, Madam President.

I just want to rise and join my colleagues in support of this bill, and want to thank Senator Webb particularly for her

leadership.

Just to point out that today there's been some evidence of climate change denialism on this floor. Earlier you heard members opposing board members to the MTA because they are opposed wholesale to congestion pricing. And now you hear our friends across the aisle opposing this new method of extracting fossil fuels.

Our own State Department of Environmental Conservation has determined that by the 2030s we will have sea level rise in parts of New York, including my district, up 13 inches. Thirteen inches will mean that parts of my district will disappear.

So we must do everything in our power to combat the use of fossil fuels. I strongly vote aye. Thank you, Senator Webb.

ACTING PRESIDENT PERSAUD: Senator Hoylman-Sigal to be recorded in the affirmative.

Senator Webb to explain her vote and to close.

SENATOR WEBB: Thank you, Madam President.

So I appreciate, you know, colleagues', you know, comments and most

certainly the debate. But I want to level-set a little bit here.

I was well-involved on this issue way before coming into the Senate. And as someone who was born and raised in the Southern Tier when hydrofracking started in our neighboring State of Pennsylvania, I met with residents and leaders there. And I will tell you that those issues with regards to health outcomes are very real.

When you talk about exposure, the environmental hazards that lead to very real health implications and changes, as a representative of the Southern Tier but, more importantly, as a concerned citizen, I refuse to have my district or, quite frankly, any resident in the State of New York to be a guinea pig for a practice to have a pilot that we know that CO2 mining is quite simply hydrofracking but just called by a different name.

We know, as evidence has demonstrated over many years of research, that this isn't an extreme approach with regards to the ban on hydrofracking. This is fueled by science, by research, and by real people's

stories with regards to the impacts on their lives.

In my opinion, there is no dollar sign or no amount of money that can cover the cost of long-term healthcare implications for these type of practices. And let's talk about what some of those health conditions are: Cardiovascular disease, COPD. For people who are suffering from asthma due to environmental toxins and things that they had no control over, what amount of money is good enough for them? And the answer is there is none.

It is our responsibility as public officials to do all that we can not only to protect the environment but to protect the health and well-being of our residents here in the State of New York.

Now, one of my colleagues pointed out with regards to CO2 that we need to have more opportunities to study. And one of the things that we do know with regards to CO2 is that once it hits -- and I want to make sure I quote this properly, that CO2 converts to carbonic acid in the presence of moisture, making it corrosion-prone.

Now, you don't need to be a scientist to know that corrosive materials are bad.

And so when you talk about the impacts and the implications of this new proposed practice -- again, hydrofracking just being called by a different name -- it is our responsibility to do all that we can to ensure not only the safety of our environment and the health of our residents now, but also for the future.

Madam President, I proudly vote aye, and I thank all of my colleagues -- Senator Krueger, for also helping to lead this fight for many years, and also Senator Harckham, our Senate Majority Leader, and of course the bill sponsors in the Assembly, Assemblymember Kelles and Assemblymember Lupardo.

Thank you, Madam President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 541, those Senators voting in the negative are Senators Ashby, Borrello,

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

Ayes, 45. Nays, 17.

ACTING PRESIDENT PERSAUD: The bill is passed.

Senator -- (throwing hands up).

(Laughter.)

ACTING PRESIDENT PERSAUD: Senator Serrano, that completes the reading of the calendar.

SENATOR SERRANO: Thank you, Madam President.

On page 15 I offer the following amendments to Calendar Number 269, by Senator Mannion, Senate Print Number 3141. I ask that the said bill retain its place on Third Reading Calendar.

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

Senator Serrano.

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

ACTING PRESIDENT PERSAUD: There is

no further business at the desk.

SENATOR SERRANO: I move to adjourn until tomorrow, Thursday, March 21st, at 11:00 a.m.

ACTING PRESIDENT PERSAUD: On motion, the Senate stands adjourned until Thursday, March 21st, at 11:00 a.m.

(Whereupon, at 5:40 p.m., the Senate adjourned.)