NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

MARCH 21, 2024

11:30 A.M.

REGULAR SESSION

SENATOR JEREMY A. COONEY, ACTING PRESIDENT

ALEJANDRA N. PAULINO, ESQ., SECRETARY

P R O C E E D I N G S

ACTING PRESIDENT COONEY: THE SENATE WILL COME TO ORDER.

I ASK EVERYONE TO PLEASE RISE AND RECITE THE PLEDGE OF ALLEGIANCE.

(WHEREUPON, THE ASSEMBLAGE RECITED THE PLEDGE OF ALLEGIANCE TO THE FLAG.)

ACTING PRESIDENT COONEY: IN THE ABSENCE OF CLERGY, LET US BOW OUR HEADS IN A MOMENT OF SILENT REFLECTION OR PRAYER.

(WHEREUPON, THE ASSEMBLAGE RESPECTED A MOMENT OF SILENCE.)

ACTING PRESIDENT COONEY: READING OF THE JOURNAL.

THE SECRETARY: IN SENATE, WEDNESDAY, MARCH 20, 2024, THE SENATE MET PURSUANT TO ADJOURNMENT. THE JOURNAL OF TUESDAY, MARCH 19, 2024, WAS READ AND APPROVED. ON MOTION, THE SENATE ADJOURNED.

ACTING PRESIDENT COONEY: WITHOUT OBJECTION, THE JOURNAL STANDS APPROVED AS READ.

PRESENTATION OF PETITIONS.

MESSAGES FROM THE ASSEMBLY.

MESSAGES FROM THE GOVERNOR.

REPORTS OF STANDING COMMITTEES.

REPORTS OF SELECT COMMITTEES.

COMMUNICATIONS AND REPORTS FROM STATE OFFICERS.

MOTIONS AND RESOLUTIONS.

SENATOR GIANARIS.

SENATOR GIANARIS: GOOD MORNING, MR. PRESIDENT.

ON BEHALF OF SENATOR COMRIE, ON PAGE 9 I OFFER THE FOLLOWING AMENDMENTS TO CALENDAR 125, SENATE PRINT 5597A, AND ASK THAT SAID BILL RETAIN ITS PLACE ON THE THIRD READING CALENDAR.

ACTING PRESIDENT COONEY: THE AMENDMENTS ARE RECEIVED, AND THE BILL WILL RETAIN ITS PLACE ON THE THIRD READING CALENDAR.

SENATOR GIANARIS.

SENATOR GIANARIS: PLEASE TAKE UP THE CALENDAR AT THIS TIME.

ACTING PRESIDENT COONEY: THE SECRETARY WILL READ.

THE SECRETARY: CALENDAR NUMBER 86, SENATE PRINT 2862, BY SENATOR MARTINEZ, AN ACT TO AMEND THE REAL PROPERTY TAX LAW.

ACTING PRESIDENT COONEY: READ THE LAST SECTION.

THE SECRETARY: SECTION 2. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

ACTING PRESIDENT COONEY: CALL THE ROLL.

(THE SECRETARY CALLED THE ROLL.)

ACTING PRESIDENT COONEY: ANNOUNCE THE RESULTS.

THE SECRETARY: AYES, 52.

ACTING PRESIDENT COONEY: THE BILL IS PASSED.

THE SECRETARY: CALENDAR NUMBER 93, SENATE PRINT 2796, BY SENATOR BRESLIN, AN ACT TO AMEND THE INSURANCE LAW.

ACTING PRESIDENT COONEY: READ THE LAST SECTION.

THE SECRETARY: SECTION 2. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

ACTING PRESIDENT COONEY: CALL THE ROLL.

(THE SECRETARY CALLED THE ROLL.)

ACTING PRESIDENT COONEY: ANNOUNCE THE RESULTS.

THE SECRETARY: AYES, 52.

ACTING PRESIDENT COONEY: THE BILL IS PASSED.

THE SECRETARY: CALENDAR NUMBER 143, SENATE PRINT 6007A, BY SENATOR PARKER, AN ACT TO AMEND THE CIVIL PRACTICE LAW AND RULES.

ACTING PRESIDENT COONEY: READ THE LAST SECTION.

THE SECRETARY: SECTION 2. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

ACTING PRESIDENT COONEY: CALL THE ROLL.

(THE SECRETARY CALLED THE ROLL.)

ACTING PRESIDENT COONEY: ANNOUNCE THE RESULTS.

THE SECRETARY: IN RELATION TO CALENDAR 143, THOSE SENATORS VOTING IN THE NEGATIVE ARE SENATORS BORRELLO, GRIFFO, HELMING, OBERACKER, O'MARA, ORTT, STEC, TEDISCO AND WEIK.

AYES, 43. NAYS, 9.

ACTING PRESIDENT COONEY: THE BILL IS PASSED.

THE SECRETARY: CALENDAR NUMBER 231, SENATE PRINT 1396, BY SENATOR LIU, AN ACT TO AMEND THE EDUCATION LAW.

ACTING PRESIDENT COONEY: READ THE LAST SECTION.

THE SECRETARY: SECTION 2. THIS

ACT SHALL TAKE EFFECT ON THE 90TH DAY AFTER IT SHALL HAVE BECOME A LAW.

ACTING PRESIDENT COONEY: CALL THE ROLL.

(THE SECRETARY CALLED THE ROLL.)

ACTING PRESIDENT COONEY: ANNOUNCE THE RESULTS.

THE SECRETARY: AYES, 52.

ACTING PRESIDENT COONEY: THE BILL IS PASSED.

THE SECRETARY: CALENDAR NUMBER 340, SENATE PRINT 2510A, BY SENATOR RAMOS, AN ACT TO AMEND THE ENVIRONMENTAL CONSERVATION LAW.

SENATOR LANZA: LAY IT ASIDE.

ACTING PRESIDENT COONEY: THE BILL IS LAID ASIDE.

THE SECRETARY: CALENDAR NUMBER 399, SENATE PRINT 6745, BY SENATOR SKOUFIS, AN ACT TO AMEND THE EXECUTIVE LAW.

ACTING PRESIDENT COONEY: READ THE LAST SECTION.

THE SECRETARY: SECTION 2. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

ACTING PRESIDENT COONEY: CALL THE ROLL.

(THE SECRETARY CALLED THE ROLL.)

ACTING PRESIDENT COONEY: ANNOUNCE THE RESULTS.

THE SECRETARY: AYES, 52.

ACTING PRESIDENT COONEY: THE BILL IS PASSED.

THE SECRETARY: CALENDAR NUMBER 492, SENATE PRINT 1870A, BY SENATOR CLEARE, AN ACT TO AMEND THE PUBLIC HOUSING LAW.

SENATOR LANZA: LAY IT ASIDE.

ACTING PRESIDENT COONEY: THE BILL IS LAID ASIDE.

THE SECRETARY: CALENDAR NUMBER 604, SENATE PRINT 2472, BY SENATOR CLEARE, AN ACT TO AMEND THE PUBLIC HEALTH LAW.

ACTING PRESIDENT COONEY: READ THE LAST SECTION.

THE SECRETARY: SECTION 3. THIS ACT SHALL TAKE EFFECT ONE YEAR AFTER IT SHALL HAVE BECOME A LAW.

ACTING PRESIDENT COONEY: CALL THE ROLL.

(THE SECRETARY CALLED THE ROLL.)

ACTING PRESIDENT COONEY: ANNOUNCE THE RESULTS.

THE SECRETARY: AYES, 52.

ACTING PRESIDENT COONEY: THE BILL IS PASSED.

THE SECRETARY: CALENDAR NUMBER 606, SENATE PRINT 1296, BY SENATOR SANDERS, AN ACT TO AMEND THE ELDER LAW.

ACTING PRESIDENT COONEY: READ THE LAST SECTION.

THE SECRETARY: SECTION 2. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

ACTING PRESIDENT COONEY: CALL THE ROLL.

(THE SECRETARY CALLED THE ROLL.)

ACTING PRESIDENT COONEY: ANNOUNCE THE RESULTS.

THE SECRETARY: AYES, 52.

ACTING PRESIDENT COONEY: THE BILL IS PASSED.

THE SECRETARY: CALENDAR NUMBER 609, SENATE PRINT 6095, BY SENATOR CLEARE, AN ACT TO AMEND THE REAL PROPERTY TAX LAW.

ACTING PRESIDENT COONEY: READ THE LAST SECTION.

THE SECRETARY: SECTION 2. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

ACTING PRESIDENT COONEY: CALL THE ROLL.

(THE SECRETARY CALLED THE ROLL.)

ACTING PRESIDENT COONEY: ANNOUNCE THE RESULTS.

THE SECRETARY: AYES, 52.

ACTING PRESIDENT COONEY: THE BILL IS PASSED.

SENATOR GIANARIS, THIS COMPLETES READING OF TODAY'S CALENDAR.

SENATOR GIANARIS: LET'S MOVE ON TO THE CONTROVERSIAL CALENDAR, PLEASE.

ACTING PRESIDENT COONEY: THE SECRETARY WILL RING THE BELL.

THE SECRETARY WILL READ.

THE SECRETARY: CALENDAR NUMBER 340, SENATE PRINT 2510A, BY SENATOR RAMOS, AN ACT TO AMEND THE ENVIRONMENTAL CONSERVATION LAW.

ACTING PRESIDENT COONEY: SENATOR LANZA, WHY DO YOU RISE?

SENATOR LANZA: MR. PRESIDENT, I BELIEVE THERE'S AN AMENDMENT AT THE DESK. I WAIVE THE READING OF THAT AMENDMENT AND ASK THAT YOU RECOGNIZE SENATOR RHOADS.

ACTING PRESIDENT COONEY: THANK

YOU, SENATOR LANZA.

UPON REVIEW OF THE AMENDMENT, IN ACCORDANCE WITH RULE 6, SECTION 4B, I RULE IT NONGERMANE AND OUT OF ORDER AT THIS TIME.

SENATOR LANZA: ACCORDINGLY, MR. PRESIDENT, I APPEAL THE RULING OF THE CHAIR AND ASK THAT SENATOR RHOADS BE HEARD ON THAT APPEAL.

ACTING PRESIDENT COONEY: THE APPEAL HAS BEEN MADE AND RECOGNIZED. SENATOR RHOADS MAY BE HEARD.

SENATOR RHOADS: MR. PRESIDENT, THANK YOU SO MUCH. I RISE TO APPEAL THE RULING OF THE CHAIR.

THE PROPOSED AMENDMENT IS GERMANE TO THE BILL AT HAND BECAUSE THE BILL AT HAND DEALS WITH ENVIRONMENTAL JUSTICE, AND THE TOPIC OF THE HOSTILE, THE TOPIC OF THE PROPOSED AMENDMENT DEALS WITH ENVIRONMENTAL JUSTICE AND A PROGRAM THAT IS -- THAT PURPORTS ITSELF TO BE ABOUT ENVIRONMENTAL JUSTICE.

THE CONGESTION PRICING PLAN IS BEING MESSAGED AS A WAY TO FIGHT FOR -- FIGHT ENVIRONMENTAL INJUSTICE ON LOW-INCOME RESIDENTS OF MANHATTAN BY REDUCING THE NUMBER OF CARS THAT

ARE COMING INTO THE CITY.

HOWEVER, THEIR OFFICIAL BUDGET PREDICTIONS INDICATE THAT THE ACTUAL NUMBER OF VEHICLES WILL STAY THE SAME, IF NOT INCREASE, AS A RESULT OF THE CONGESTION PRICING PLAN. AS WE DISCUSSED ON THE CHAMBER FLOOR YESTERDAY, THIS PLAN IS NOTHING MORE THAN A MONEY GRAB WITH A FACADE OF ENVIRONMENTAL JUSTICE.

THERE ARE SERIOUS RESERVATIONS BY THE PEOPLE OF THE STATE OF NEW YORK, ESPECIALLY THOSE IN THE MTA CONGESTION PRICING AREA. THIS IS IMPACTING ENTIRE COMMUNITIES, AND THERE WILL BE SIGNIFICANT REPERCUSSIONS DOWN THE LINE. AND ELECTED OFFICIALS SHOULD HAVE A SAY. THIS SHOULD NOT BE LEFT UP TO AN UNELECTED BOARD. THERE MUST BE ACCOUNTABILITY.

AND THE AMENDMENT THAT I AM PROPOSING IS ACTUALLY THE SAME AS SENATE BILL 5934/ASSEMBLY BILL 3063A, WHICH WOULD ACTUALLY FORCE THE ISSUE OF TOLLING TO COME BACK TO THE LEGISLATURE TO ACTUALLY APPROVE ANY RECOMMENDED TOLL AMOUNT THAT IS ESTABLISHED BY THE MTA.

THE MTA BOARD HAS HISTORICALLY BEEN NOTHING MORE -- NOT A WATCHDOG FOR CONSUMERS, NOT A WATCHDOG FOR COMMUTERS, BUT HAS BEEN NOTHING

MORE THAN A LAPDOG FOR THE GOVERNOR AND A LAPDOG FOR THE RADICAL POLICIES THAT ARE OFTEN PASSED BY THIS CHAMBER. AND THIS IS A PERFECT EXAMPLE FOR THAT.

IF WE WANT TO ESTABLISH CONGESTION PRICING, THE PEOPLE WHO SEND US TO THIS CHAMBER HAVE THE RIGHT TO EXPECT THAT WE WILL OWN IT WHEN THESE TOLLS ARE ESTABLISHED. TURNING IT OVER TO AN UNELECTED BOARD, TURNING IT OVER TO RANDOM PEOPLE WHO MOST OF THE PUBLIC WILL NEVER HAVE THE OPPORTUNITY TO MEET -- INSTEAD OF TAKING RESPONSIBILITY FOR A POLICY THAT THIS CHAMBER CREATED TO ACTUALLY ESTABLISH THOSE TOLLS -- IS SHIRKING OUR RESPONSIBILITY. AND THIS AMENDMENT WILL PLACE THE RESPONSIBILITY BACK WHERE IT LIES: THE VERY PEOPLE IN THIS CHAMBER.

NOW, THE MTA IS $48 BILLION IN DEBT. AND THIS PLAN IS EXPECTED TO GENERATE $1 BILLION. THIS REVENUE IS ALREADY EARMARKED FOR THE MTA CAPITAL PROGRAM, WHICH CURRENTLY ALREADY HAS A FUNDING SHORTFALL OF 3 BILLION. SO IF THE IDEA BEHIND CONGESTION PRICING WAS ABOUT MONEY, WHICH IT WAS, THE AMOUNT OF MONEY IS JUST A DROP IN THE BUCKET IN COMPARISON TO WHAT THE NEEDS OF THE MTA ACTUALLY ARE. WHICH IS WHY I STOOD ON THE FLOOR

YESTERDAY REFERRING TO THE MTA AS "MONEY THROWN AWAY."

FORTY-EIGHT BILLION DOLLARS IN DEBT, A 3 BILLION CAPITAL FUNDING SHORTFALL, AND WE ARE JUST TRYING TO THROW MORE AND MORE MONEY INTO THE PIT IN THE HOPES THAT SOMEHOW WE WILL FILL THE GAPING HOLE. IT IS QUICKSAND. NO MATTER HOW MUCH MONEY YOU THROW IN, UNLESS WE FIGURE OUT WHERE THAT MONEY IS GOING, THROUGH A FORENSIC AUDIT, IT WILL NEVER HAPPEN.

AND ON TOP OF THE SPENDING DEFICIENCY, NONE OF THE MONEY GOES TOWARDS LOWERING PUBLIC TRANSPORTATION COSTS, THE VERY USAGE IT ALLEGEDLY SEEKS TO ENCOURAGE. IN FACT, WE RAISED FARES ON PUBLIC TRANSIT, MAKING IT LESS AFFORDABLE FOR PEOPLE TO USE THE ALTERNATIVE THAT WE'RE SUPPOSEDLY TRYING TO FORCE THEM INTO.

ADDITIONALLY, THE DIVERSION OF TRAFFIC WILL ONLY CREATE MORE SMOG FOR COMMUNITIES WHO HAVE BEEN SO IMPACTED BY POLLUTION CAUSED BY CONGESTION.

THERE IS NO PLAN TO ASSIST OR EXEMPT FIRST RESPONDERS OR OTHER ESSENTIAL WORKERS WITH CONGESTION PRICING, DESPITE THEIR IRREGULAR HOURS AND IMMINENT NEED IN THE CITY. SMALL TRUCKS

OPERATING IN THE CONGESTION PRICING ZONE ARE CHARGED $24, AND LARGE TRUCKS WILL BE CHARGED $36, AND THE LEGISLATURE HAS HAD NO ROLE IN ESTABLISHING THE AMOUNT OF THOSE TOLLS -- AGAIN, DONE BY UNELECTED BUREAUCRATS.

AND AS NEW YORK CITY RESIDENTS ARE ALREADY DEALING WITH INFLATED FOOD COSTS, THIS NEW PLAN WILL ONLY INCREASE THE BURDEN ON WORKING-CLASS CITIZENS BOTH INSIDE THE CITY AS WELL AS THOSE WHO ARE COMMUTING INTO THE CITY FOR WORK, FOR ENTERTAINMENT, AS WELL AS FOR DOCTOR'S APPOINTMENTS AND A HOST OF OTHER REASONS.

FURTHERMORE, THIS UNELECTED BOARD HAS DONE NOTHING TO SAFEGUARD THE PRIVATE PERSONAL DATA OF NEW YORKERS WHO ARE BEING FORCED TO ENGAGE IN THIS THEFT BY TAXATION THAT THE MTA HAS PROPOSED.

THIS BILL -- THIS AMENDMENT WOULD REQUIRE THAT THE MTA COME BACK TO US WITH A PLAN TO PROTECT THEIR PRIVACY.

THE MTA HASN'T ADDRESSED THEIR LOSSES OR THEIR INABILITY TO STOP FARE EVASION, AND THIS CHAMBER HAS DONE NOTHING TO HOLD FARE-BEATERS ACCOUNTABLE, RESULTING IN A $700 MILLION LOSS FOR THE MTA. INSTEAD OF TAXING

WORKING PEOPLE, THE MTA SHOULD BE FOCUSED ON RECOUPING THE MONEY THAT IS ALREADY BEING STOLEN FROM TAXPAYERS. AND YET IN OUR SENATE ONE-HOUSE, WE ACTUALLY REMOVED ONE OF THE PROPOSALS THAT WOULD HAVE DONE JUST THAT.

THE AMENDMENT THAT I HAVE BROUGHT TODAY WILL ENSURE THAT NO DECISIONS ARE MADE ABOUT CONGESTION PRICING WITHOUT THE APPROVAL OF THIS BODY, AND THE CITIZENS THAT THIS BILL HAS AFFECTED WILL HAVE NO CONCERNS ABOUT THEIR PRIVATE DATA BEING STOLEN. IT IS OUR RESPONSIBILITY, AND WE SHOULD OWN UP TO IT.

MR. PRESIDENT, FOR THESE REASONS, I STRONGLY URGE YOU TO RECONSIDER YOUR RULING. AND IF NOT, I ENCOURAGE MY COLLEAGUES TO OVERTURN THAT RULING.

THANK YOU, MR. PRESIDENT.

ACTING PRESIDENT COONEY: THANK YOU, SENATOR RHOADS.

I WANT TO REMIND THE HOUSE THAT THE VOTE IS ON THE PROCEDURES OF THE HOUSE AND THE RULING OF THE CHAIR.

THOSE IN FAVOR OF OVERRULING THE CHAIR, SIGNIFY BY SAYING AYE.

(RESPONSE OF "AYE.")

SENATOR LANZA: SHOW OF HANDS.

ACTING PRESIDENT COONEY: A SHOW OF HANDS HAS BEEN REQUESTED AND SO ORDERED.

ANNOUNCE THE RESULTS.

THE SECRETARY: AYES, 19.

ACTING PRESIDENT COONEY: THE RULING OF THE CHAIR STANDS, AND THE BILL-IN-CHIEF IS NOW BEFORE THE HOUSE.

SENATOR CANZONERI-FITZPATRICK.

SENATOR CANZONERI-FITZPATRICK: THANK YOU, MR. PRESIDENT. I WAS WONDERING IF THE SPONSOR WOULD YIELD FOR A FEW QUESTIONS.

ACTING PRESIDENT COONEY: DOES THE SPONSOR YIELD?

SENATOR RAMOS: I DO.

ACTING PRESIDENT COONEY: THE SPONSOR YIELDS.

SENATOR CANZONERI-FITZPATRICK: THANK YOU, SENATOR RAMOS.

MY UNDERSTANDING OF THIS BILL IS THAT COMMUNITIES THAT ARE LABELED AS DISADVANTAGED PURSUANT TO SECTION 75-011 WOULD HAVE TO SUBMIT -- WOULD BE ABLE TO SUBMIT AN ENHANCED PUBLIC PARTICIPATION PLAN. AND I AM FULLY IN FAVOR OF LOCAL INPUT WHEN WE HAVE

PROJECTS THAT AFFECT OUR COMMUNITIES.

AND SPECIFICALLY ON THIS LIST OF DISADVANTAGED COMMUNITIES, VALLEY STREAM, INWOOD, OCEANSIDE AND LONG BEACH ARE ALL IN MY 9TH SENATE DISTRICT.

SO MY QUESTION FOR YOU IS, IS THIS LIST SET? DOES THIS LIST CHANGE? AND HOW DO WE DETERMINE WHO'S A DISADVANTAGED COMMUNITY?

SENATOR RAMOS: THROUGH YOU, MR. PRESIDENT, I ACTUALLY WANT TO START BY THANKING THE SENATOR FOR VOTING FOR THIS BILL LAST YEAR. IN FACT, THIS BILL HAS PASSED UNANIMOUSLY FOR THE PAST THREE YEARS.

BUT I WELCOME THE QUESTION. AND IT'S CLEAR THAT THE -- THROUGH THE CLCPA, THE CLIMATE WORKING GROUP, THE CLIMATE JUSTICE WORKING GROUP WOULD BE ABLE TO DETERMINE WHAT TOWNS, VILLAGES, MUNICIPALITIES ARE ADDED TO THIS LIST OVER TIME.

SENATOR CANZONERI-FITZPATRICK: THROUGH YOU, MR. PRESIDENT, WILL THE SPONSOR CONTINUE TO YIELD.

ACTING PRESIDENT COONEY: WILL THE SPONSOR YIELD?

SENATOR RAMOS: YES.

ACTING PRESIDENT COONEY: THE SPONSOR YIELDS.

SENATOR CANZONERI-FITZPATRICK: YES, SENATOR RAMOS, AS YOU'VE STATED I AM FULLY IN SUPPORT OF THIS LEGISLATION. THESE QUESTIONS ARE JUST TRYING TO ALLOW ME TO UNDERSTAND IT BETTER. BECAUSE ONE OF MY COMMUNITIES -- ELMONT -- I BELIEVE SHOULD BE CONSIDERED A DISADVANTAGED COMMUNITY IS NOT ON THIS LIST.

AND THAT'S WHY I'M WONDERING HOW THE LIST IS DETERMINED, AND DOES IT CHANGE?

SENATOR RAMOS: THROUGH YOU, MR. PRESIDENT, AS I STATED IN THE PREVIOUS ANSWER, THE LIST DOES CHANGE. THE CLIMATE JUSTICE WORKING GROUP ACTUALLY DETERMINES, BASED ON EXISTING CRITERIA, WHAT AREAS WILL BE ADDED ON TO THE LIST.

SENATOR CANZONERI-FITZPATRICK: THROUGH YOU, MR. PRESIDENT, WILL THE SPONSOR CONTINUE TO YIELD.

ACTING PRESIDENT COONEY: WILL THE SPONSOR YIELD?

SENATOR RAMOS: YES.

ACTING PRESIDENT COONEY: THE SPONSOR YIELDS .

SENATOR CANZONERI-FITZPATRICK: SO THE OTHER THING THAT I'M TRYING TO GET CLARITY ON IS WHAT WOULD BE CONSIDERED A MAJOR PROJECT FOR WHICH THIS LEGISLATION WOULD APPLY. BECAUSE MY UNDERSTANDING IS THAT A MAJOR PROJECT IS DEFINED AS NOT BEING A MINOR PROJECT.

AND THEREFORE I WOULD JUST LIKE TO HAVE A LITTLE CLARITY OR MAYBE SOME EXAMPLES OF WHAT WOULD BE CONSIDERED A MINOR PROJECT AND WHAT'S CONSIDERED A MAJOR PROJECT.

SENATOR RAMOS: (PAUSE.) SO BASICALLY I'M LEARNING THAT THE DIFFERENCE BETWEEN MINOR AND MAJOR PROJECTS REALLY IS ABOUT THE OVERALL IMPACT ON THE ENVIRONMENT OF THAT COMMUNITY, WHETHER THERE'S THE POTENTIAL FOR INCREASED AIR OR WATER POLLUTION AND THE LIKE.

SENATOR CANZONERI-FITZPATRICK: THROUGH YOU, MR. PRESIDENT, WILL THE SPONSOR CONTINUE TO YIELD?

ACTING PRESIDENT COONEY: WILL THE SPONSOR YIELD?

SENATOR RAMOS: YES.

ACTING PRESIDENT COONEY: THE SPONSOR YIELDS.

SENATOR CANZONERI-FITZPATRICK: SO

WHO WOULD MAKE THE DETERMINATION THAT A PROJECT IS MAJOR AND THEREFORE THIS LEGISLATION APPLIES?

SENATOR RAMOS: IT WOULD BE THE DEC.

SENATOR CANZONERI-FITZPATRICK: THROUGH YOU, MR. PRESIDENT, WILL THE SPONSOR CONTINUE TO YIELD.

ACTING PRESIDENT COONEY: WILL THE SPONSOR YIELD?

SENATOR RAMOS: YES.

ACTING PRESIDENT COONEY: THE SPONSOR YIELDS.

SENATOR CANZONERI-FITZPATRICK: SO ONE OF MY OTHER QUESTIONS STATES -- IS RELATED TO ADJACENT PROPERTIES. SO MY UNDERSTANDING IS THAT PROPERTIES THAT ARE DISADVANTAGED ARE CERTAINLY ABLE TO PUT IN THIS PLAN, BUT THEN ALSO COMMUNITIES THAT ARE WITHIN A MILE WOULD ALSO POTENTIALLY BE ABLE TO WEIGH IN. IS THAT CORRECT?

SENATOR RAMOS: THROUGH YOU, MR. PRESIDENT. ON TWO INSTANCES I'VE HEARD THE SENATOR DESCRIBE THE COMMUNITY PUTTING TOGETHER THE PLAN. THE COMMUNITY DOES NOT PUT TOGETHER THE PLAN. IT'S THE BIDDER WHO PUTS TOGETHER WHAT

THEY EXPECT THE COMMUNITY ENGAGEMENT PLAN TO BE THAT THEY WOULD HAVE TO SUBMIT WITH THEIR APPLICATION TO THE DEC.

SENATOR CANZONERI-FITZPATRICK: THROUGH YOU, MR. PRESIDENT, WILL THE SPONSOR CONTINUE TO YIELD.

ACTING PRESIDENT COONEY: WILL THE SPONSOR YIELD?

SENATOR RAMOS: YES.

ACTING PRESIDENT COONEY: THE SPONSOR YIELDS.

SENATOR CANZONERI-FITZPATRICK: THANK YOU FOR THAT CLARIFICATION. YES, I MISSPOKE.

BUT I WONDER WHAT OTHER COMMUNITIES WOULD BE ENGAGED BY A DEVELOPER FOR BEING IN THE LOCAL COMMUNITY WITHIN A MILE.

SENATOR RAMOS: THROUGH YOU, MR. PRESIDENT. ACCORDING TO THE BILL THAT WE'RE DEBATING, IT'S REALLY ABOUT A ONE-MILE RADIUS FROM THE AREA IMPACTED BY THE BID FOR THE PROJECT.

BUT PERHAPS I CAN GET A LITTLE MORE CLARITY ON THE SENATOR'S QUESTION. IT'S ALL LAID OUT IN THE BILL IN TERMS OF WHAT THAT PROCESS

WOULD LOOK LIKE.

SENATOR CANZONERI-FITZPATRICK: THROUGH YOU, MR. PRESIDENT, WILL THE SPONSOR CONTINUE TO YIELD.

ACTING PRESIDENT COONEY: WILL THE SPONSOR YIELD?

SENATOR RAMOS: YEAH.

ACTING PRESIDENT COONEY: THE SPONSOR YIELDS.

SENATOR CANZONERI-FITZPATRICK: SO ONE OF THE PROJECTS THAT IS POTENTIALLY WITHIN THIS STATUTE, WHICH I'D LIKE A LITTLE CLARITY ON, IS WOULD OFFSHORE WIND DEVELOPMENT THAT HAS TRANSMISSION LINES BE CONSIDERED A MAJOR PROJECT WITHIN THE SCOPE OF THIS LEGISLATION?

SENATOR RAMOS: YES.

SENATOR CANZONERI-FITZPATRICK: THROUGH YOU, MR. PRESIDENT, WILL THE SPONSOR CONTINUE TO YIELD.

ACTING PRESIDENT COONEY: WILL THE SPONSOR YIELD?

SENATOR RAMOS: YES.

ACTING PRESIDENT COONEY: THE SPONSOR YIELDS.

SENATOR CANZONERI-FITZPATRICK: SO

DETERMINING WHICH COMMUNITIES WILL BE ENGAGED, THE POTENTIAL WOULD BE THAT THE OFFSHORE TURBINES WOULD BE 12 TO 14 MILES OFFSHORE, WE MIGHT HAVE TRANSMISSION LINES THAT RUN THROUGH LAND, AND THEN WE MIGHT ALSO HAVE SUBSTATIONS.

SO MY QUESTION IS, ARE THE TRANSMISSION LINES, ARE THE SUBSTATIONS, ARE THEY ALSO CONSIDERED A MAJOR PROJECT WITHIN THE DEFINITION? OR IS JUST THE WIND TURBINE THAT'S OFFSHORE THE MAJOR PROJECT?

SENATOR RAMOS: (PAUSE.) OKAY, THROUGH YOU, MR. PRESIDENT. ALL OF THE COMMUNITIES THAT WOULD BE IMPACTED BY THE PROJECT THAT'S BEING PROPOSED WOULD HAVE TO BE CONSULTED, WITHOUT EXCEPTION.

SENATOR CANZONERI-FITZPATRICK: THROUGH YOU, MR. PRESIDENT, WILL THE SPONSOR CONTINUE TO YIELD.

ACTING PRESIDENT COONEY: WILL THE SPONSOR YIELD?

SENATOR RAMOS: YES.

ACTING PRESIDENT COONEY: THE SPONSOR YIELDS.

SENATOR CANZONERI-FITZPATRICK: THANK YOU FOR THAT CLARIFICATION, SENATOR.

ONE OF THE THINGS THAT I WOULD -- AM TRYING TO RATIONALIZE -- OR RECONCILE, I SHOULD SAY, IS THERE HAS BEEN PROPOSALS IN THE ONE-HOUSE BUDGET RELATED TO THE RAPID ACT. AND THE RAPID ACT, TO MY UNDERSTANDING, HAS THE ABILITY TO OVERRULE LOCAL RULES AND REGULATIONS.

SO MY QUESTION IS, HOW DO WE RECONCILE THIS LEGISLATION WITH THE RAPID ACT, BECAUSE THIS LEGISLATION IS AIMED AT GETTING MEANINGFUL PUBLIC INPUT -- WHICH I'M FULLY SUPPORTIVE OF -- BUT THE RAPID ACT SEEMS TO BE GEARED TOWARD OVERRULING LOCAL RULES, ZONING, REGULATIONS. AND I'M NOT SURE HOW WE CAN RECONCILE THESE TWO STATUTES.

SENATOR RAMOS: (PAUSE.) SO THROUGH YOU, MR. PRESIDENT, THE RAPID ACT ALSO ALLOWS FOR COMMUNITY INPUT.

AND THE SENATOR IS RIGHT IN THAT IT WOULD OVERRIDE THIS PROCESS THAT WE'RE OUTLINING IN THE BILL.

SENATOR CANZONERI-FITZPATRICK: ON THE BILL, MR. PRESIDENT.

ACTING PRESIDENT COONEY: SENATOR CANZONERI-FITZPATRICK ON THE BILL.

SENATOR CANZONERI-FITZPATRICK: I

WANT TO THANK THE SPONSOR. THANK YOU, SENATOR RAMOS, FOR ANSWERING MY QUESTIONS AND BRINGING THIS BILL BEFORE US.

AS I STATED BEFORE, I'M FULLY IN SUPPORT OF THE LEGISLATION BECAUSE IT IS FOCUSED ON GETTING MEANINGFUL LOCAL INPUT TO THE THINGS THAT WILL AFFECT THOSE COMMUNITIES. IT'S CRITICAL THAT WE CONTINUE TO GET MEANINGFUL PARTICIPATION SO THAT WE CONSIDER LOCAL CONCERNS AND THE RESIDENTS FEEL HEARD.

PAST POLICY DECISIONS FROM LONG AGO CREATED A SLATE OF DISADVANTAGED COMMUNITIES. IT'S IMPERATIVE THAT IF WE ARE TRYING TO MEET THE GOALS OF THE CLCPA THAT WE DO NOT CREATE A NEW SLATE OF DISADVANTAGED COMMUNITIES THAT WOULD UNDULY BEAR THE BURDEN OF THE STATE'S GOALS.

AS I'M SURE YOU'RE AWARE, THERE HAVE BEEN EFFORTS IN NASSAU COUNTY TO DEVELOP OFFSHORE WIND, WHICH WOULD CERTAINLY IMPACT THE DISADVANTAGED COMMUNITY OF THE CITY OF LONG BEACH, WHICH IS IN MY DISTRICT. MANY OF MY CONSTITUENTS HAVE EXPRESSED FRUSTRATION THAT THEIR COMMENTS AND CONCERNS REGARDING THESE PROPOSALS WERE LARGELY BEING IGNORED.

I COMMEND THE SPONSOR FOR BRINGING

THIS LEGISLATION TO ENHANCE PUBLIC PARTICIPATION FOR DISADVANTAGED COMMUNITIES, AND IT'S MY SINCERE HOPE THAT IT WILL HELP ENSURE COMMUNITIES SUCH AS LONG BEACH WILL HAVE A MORE MEANINGFUL AND ACTIVE ROLE IN DECISIONS THAT IMPACT THEIR COMMUNITIES.

FOR THESE REASONS, MR. PRESIDENT, I VOTE AYE.

ACTING PRESIDENT COONEY: THANK YOU, SENATOR CANZONERI-FITZPATRICK.

ARE THERE ANY OTHER SENATORS WISHING TO BE HEARD?

SEEING AND HEARING NONE, DEBATE IS CLOSED.

SENATOR LIU.

SENATOR LIU: MR. PRESIDENT, UPON CONSENT WE'VE AGREED TO RESTORE THIS BILL TO THE NONCONTROVERSIAL CALENDAR.

LET'S TAKE IT UP THAT WAY.

ACTING PRESIDENT COONEY: THE BILL IS RESTORED TO THE NONCONTROVERSIAL CALENDAR.

CALL THE ROLL.

(THE SECRETARY CALLED THE ROLL.)

ACTING PRESIDENT COONEY: SENATOR RAMOS TO EXPLAIN HER VOTE.

SENATOR RAMOS: THANK YOU, MR. PRESIDENT.

YOU KNOW, I'M A FORMER MEMBER OF COMMUNITY BOARD 3 IN QUEENS, JUST LIKE MY FATHER BEFORE ME. AND I THINK ONE OF THE BIGGEST EYE-OPENING EXPERIENCES IN THE SIX YEARS THAT I'VE BEEN HERE IN THE STATE SENATE NOW HAS BEEN THE LACK OF COMMUNITY INPUT WHEN IT COMES TO SO MUCH DECISION-MAKING OVER REALLY LIFE-CHANGING PROJECTS OVERALL, EVEN SOME DUBBED ECONOMIC DEVELOPMENT.

FOR ME, THE INSPIRATION BEHIND THIS BILL, WHEN I USED TO HAVE A PORTION OF THE NEIGHBORHOOD OF ASTORIA IN MY DISTRICT, WAS A COMPANY CALLED NRG TRYING TO BUILD A PEAKER PLANT IN MY DISTRICT THAT WOULD HAVE ONLY EXACERBATED THE HIGH INCIDENCES AND CASES OF ASTHMA. IN FACT, THAT PARTICULAR CORNER OF QUEENS IS DUBBED ASTHMA ALLEY PRECISELY BECAUSE WE HAVE SO MANY POLLUTANTS AND SO MANY COMPANIES TRYING TO DO WRONG BY OUR CONSTITUENTS IN THAT AREA.

I'M VERY HAPPY TO SAY THAT BECAUSE NRG WAS UNWILLING TO COMPLY WITH A COMMUNITY INPUT PROCESS, THERE HAD TO BE A VERY LOUD PUBLIC OUTCRY AGAINST THEIR PROPOSED PEAKER PLANT. AND

DESPITE NOT HAVING THIS BILL BECOME LAW AT THAT GIVEN POINT IN TIME, WE WERE LOUD ENOUGH TO STOP THEM. AND NOW WE HAVE A COMPANY CALLED BEACON WIND TRYING TO BUILD A RENEWABLE ENERGY PROJECT THERE.

SO I JUST WANTED TO OFFER AN EXAMPLE OF HOW A COMMUNITY BEING OUTSPOKEN AND ENGAGED IN WHAT THE FUTURE HOLDS FOR OUR COMMUNITIES ACTUALLY MAKES A REAL BIG DIFFERENCE. AND I LOOK FORWARD TO CONTINUING THIS CONVERSATION ABOUT COMMUNITY INPUT IN OTHER AREAS IN THE FOLLOWING WEEKS AND SESSIONS TO COME.

THANK YOU.

ACTING PRESIDENT COONEY: SENATOR RAMOS TO BE RECORDED IN THE AFFIRMATIVE.

SENATOR HELMING TO EXPLAIN HER VOTE.

SENATOR HELMING: THANK YOU, MR. PRESIDENT.

I WILL BE SUPPORTING THIS LEGISLATION AGAIN THIS YEAR BECAUSE I THINK IT IS VERY IMPORTANT THAT WE HAVE ENHANCED NOTICE AND PUBLIC PARTICIPATION REQUIREMENTS.

BUT WHAT IS TROUBLING TO ME IS THAT THIS BILL STATES THAT THE LEGISLATURE HEREBY FINDS IT IS IN THE INTEREST OF PUBLIC HEALTH AND

SAFETY TO REQUIRE MAJOR PROJECTS TO COMPLY WITH ENHANCED NOTICE AND PUBLIC PARTICIPATION REQUIREMENTS. I'M NOT SURE WHY, AND I DISAGREE WITH LIMITING THAT INPUT TO JUST DISADVANTAGED COMMUNITIES. IF THERE ARE PUBLIC HEALTH AND SAFETY ISSUES, WE SHOULD OPEN UP FOR MORE COMMENT.

THE SPONSOR MENTIONED THAT CLCPA WORKING GROUP. THIS WORKING GROUP ACTUALLY CALLS FOR EXPEDITING RENEWABLE ENERGY PROJECTS, TAKING AWAY THE LOCAL GOVERNMENT DECISION-MAKING PROCESS, TAKING AWAY PUBLIC COMMENT.

THE RAPID ACT THAT WAS MENTIONED BY THE SPONSOR ACTUALLY GOES AS FAR AS EMPLOYING EMINENT DOMAIN, TAKING AWAY, STRIPPING AWAY PRIVATE PROPERTY RIGHTS AND ALLOWING FOR BUILDING AND DEVELOPMENT OF PROJECTS WHICH THE SPONSOR HERSELF SAID COULD INCLUDE THINGS LIKE TRANSMISSION LINES ON CONSERVED PROPERTIES.

SO WHILE I SUPPORT THIS LEGISLATION BECAUSE, AGAIN, IT GOES FURTHER IN CALL FOR ENHANCED NOTICE AND PUBLIC PARTICIPATION, I JUST AM BOGGLED BY THE FACT THAT THE SAME SPONSOR OF THIS BILL VOTED YES TO OTHER BILLS THAT TAKE AWAY PUBLIC INPUT.

THANK YOU, MR. PRESIDENT.

ACTING PRESIDENT COONEY: SENATOR HELMING TO BE RECORDED IN THE AFFIRMATIVE.

ANNOUNCE THE RESULTS.

THE SECRETARY: AYES, 60.

ACTING PRESIDENT COONEY: THE BILL IS PASSED.

SENATOR LIU.

SENATOR LIU: MR. PRESIDENT, CAN WE PLEASE RETURN TO THE CONTROVERSIAL CALENDAR.

ACTING PRESIDENT COONEY: THE SECRETARY WILL RING THE BELL.

THE SECRETARY WILL READ.

THE SECRETARY: CALENDAR NUMBER 492, SENATE PRINT 1870A, BY SENATOR CLEARE, AN ACT TO AMEND THE PUBLIC HOUSING LAW.

ACTING PRESIDENT COONEY: SENATOR MARTINS, WHY DO YOU RISE?

SENATOR MARTINS: MR. PRESIDENT, IF THE SPONSOR WOULD YIELD FOR A FEW QUESTIONS.

ACTING PRESIDENT COONEY: WILL THE SPONSOR YIELD?

SENATOR CLEARE: THROUGH YOU, MR. PRESIDENT, YES.

ACTING PRESIDENT COONEY: THE

SPONSOR YIELDS, SENATOR CLEARE.

SENATOR MARTINS: THANK YOU, MR. PRESIDENT. THIS BILL WOULD REQUIRE SOMEONE TO PROVIDE A HISTORY WITH REGARD TO RENT-STABILIZED AND RENT-CONTROLLED APARTMENTS DATING BACK TO 1974. BUT IT'S UNCLEAR IN THE BILL WHO WOULD BE REQUIRED TO PROVIDE THAT INFORMATION OR THAT HISTORY. AND I WAS HOPING, SENATOR, THAT YOU'D BE ABLE TO CLARIFY THAT FOR US.

SENATOR CLEARE: CURRENTLY YOU WOULD MAKE THAT REQUEST FROM HCR.

SENATOR MARTINS: SO IF -- MR. PRESIDENT, THROUGH YOU, IF THE SPONSOR WOULD CONTINUE TO YIELD.

ACTING PRESIDENT COONEY: WILL THE SPONSOR YIELD?

SENATOR CLEARE: YES.

ACTING PRESIDENT COONEY: THE SPONSOR YIELDS.

SENATOR MARTINS: SO I UNDERSTAND THAT THE REQUEST WOULD GO THROUGH HCR. BUT WHO WOULD BE RESPONSIBLE? WOULD IT BE THE GOVERNMENT AGENCY THAT WOULD BE OVERSEEING THE RENT-STABILIZED OR RENT-CONTROLLED UNIT? OR

WOULD IT BE THE PROPERTY OWNER THEMSELVES THAT WOULD BE RESPONSIBLE FOR PROVIDING THAT INFORMATION?

THE BILL ITSELF DOESN'T CLARIFY THAT. WHO WOULD BE RESPONSIBLE FOR PROVIDING 50 YEARS' WORTH OF RENTAL RECORDS TO A PERSON WHO IS DEEMED TO BE A BONA FIDE RENTER BY HAVING PROVIDED A DEPOSIT TO RENT THE UNIT?

SENATOR CLEARE: A TENANT WHO HAS MADE A GOOD-FAITH DEPOSIT WITH THE INTENT TO ENTER INTO A LEASE WOULD BE ABLE TO REQUEST THOSE RECORDS FROM HCR, AND THOSE WOULD BE MADE AVAILABLE TO THEM.

SENATOR MARTINS: MR. PRESIDENT, THROUGH YOU, IF THE SPONSOR WOULD CONTINUE TO YIELD.

ACTING PRESIDENT COONEY: WILL THE SPONSOR CONTINUE TO YIELD?

SENATOR CLEARE: THROUGH YOU, MR. PRESIDENT, YES.

ACTING PRESIDENT COONEY: THE SPONSOR YIELDS.

SENATOR MARTINS: AND PER THIS LEGISLATION, SOMEONE WOULD HAVE TO PROVIDE THOSE RECORDS. WHO WOULD HAVE TO PROVIDE THOSE

RECORDS?

SENATOR CLEARE: HCR IS THE AGENCY THAT REPORTS THAT INFORMATION RIGHT NOW. YOU CAN REQUEST IT FROM HCR. CURRENTLY THEY RECEIVE THAT INFORMATION FROM LANDLORDS. THAT IS THE WAY IT IS DONE CURRENTLY.

THIS BILL SIMPLY ALLOWS A TENANT OR A PROSPECTIVE TENANT TO BE ABLE TO GET THAT INFORMATION BEFORE THEY ENTER INTO A LEASE.

SENATOR MARTINS: VERY WELL.

MR. PRESIDENT, THROUGH YOU, IF THE SPONSOR WOULD CONTINUE TO YIELD.

ACTING PRESIDENT COONEY: DOES THE SPONSOR YIELD?

SENATOR CLEARE: THROUGH YOU, MR. PRESIDENT, YES.

ACTING PRESIDENT COONEY: THE SPONSOR YIELDS.

SENATOR MARTINS: SO IF -- DO YOU KNOW HOW LONG HCR CURRENTLY HAS THESE RECORDS? DO THEY HAVE RECORDS CURRENTLY DATING BACK TO 1974?

SENATOR CLEARE: (PAUSE.) YES, IT IS OUR UNDERSTANDING THAT HCR CURRENTLY HAS RECORDS UP TO 1974.

SENATOR MARTINS: THANK YOU, MR. PRESIDENT. THROUGH YOU, IF THE SPONSOR WOULD CONTINUE TO YIELD.

ACTING PRESIDENT COONEY: THE SPONSOR YIELDS?

SENATOR CLEARE: YES, MR. PRESIDENT.

ACTING PRESIDENT COONEY: THE SPONSOR YIELDS.

SENATOR MARTINS: THANK YOU FOR THAT, SENATOR CLEARE.

IF THE RECORDS ARE NOT AVAILABLE OR IF THE RECORDS ARE NOT COMPLETE BACK TO 1974, IS THERE ANY CONSEQUENCE TO THE FACT THAT THOSE RECORDS DON'T EXIST?

SENATOR CLEARE: JUST WHATEVER THEY HAVE AVAILABLE IS WHAT WOULD BE REQUIRED.

SENATOR MARTINS: THANK YOU.

MR. PRESIDENT, THROUGH YOU, IF THE SPONSOR WILL CONTINUE TO YIELD.

ACTING PRESIDENT COONEY: WILL THE SPONSOR YIELD?

SENATOR CLEARE: YES, THROUGH YOU.

ACTING PRESIDENT COONEY: THE SPONSOR YIELDS.

SENATOR MARTINS: SO THROUGH THIS BILL, IS THERE ANY OBLIGATION ON ANY PROPERTY OWNER TO PROVIDE THOSE RECORDS INDEPENDENTLY OF A REQUEST THAT GOES TO HCR?

SENATOR CLEARE: (PAUSE.) RIGHT. THE INFORMATION IS ALREADY PROVIDED TO HCR FROM THE LANDLORD. IT SHOULD BE REGISTERED, AND THE PROSPECTIVE TENANT CAN REQUEST THAT OF THE AGENCY.

SENATOR MARTINS: THANK YOU.

MR. PRESIDENT, THROUGH YOU, IF THE SPONSOR WOULD CONTINUE TO YIELD.

ACTING PRESIDENT COONEY: WILL THE SPONSOR YIELD?

SENATOR CLEARE: YES.

ACTING PRESIDENT COONEY: THE SPONSOR YIELDS.

SENATOR MARTINS: BUT IS THERE ANY -- BECAUSE IT DOES SPEAK TO REGULATIONS BEING ADVANCED. DO YOU SEE THESE REGULATIONS REQUIRING THE LANDLORD TO GO BACK INTO THEIR OWN -- OR PUTTING AN OBLIGATION ON THE LANDLORD TO GO BACK INTO THEIR OWN RECORDS AND PUTTING AN OBLIGATION ON THOSE LANDLORDS TO FIND RECORDS SOMETIMES DATING BEFORE THEY ACTUALLY ACQUIRED OR OWNED THE

BUILDING, AND BEING RESPONSIBLE FOR COMPLYING WITH THIS REQUIREMENT?

SENATOR CLEARE: NO, I DON'T SEE THAT IN THE BILL.

THIS INFORMATION SHOULD BE DEPOSITED WITH HCR NO MATTER WHO THE LANDLORD IS, NO MATTER WHEN THE RENTAL HISTORY IS SUPPOSED TO BE THERE. EVERY LANDLORD IS SUPPOSED TO REGISTER WHENEVER -- AT WHATEVER POINT THEY BECOME THE LANDLORD.

SENATOR MARTINS: THANK YOU, SENATOR. THANK YOU, MR. PRESIDENT.

ON THE BILL.

ACTING PRESIDENT COONEY: SENATOR MARTINS ON THE BILL.

SENATOR MARTINS: SO, SENATOR CLEARE, THANK YOU VERY MUCH FOR THOSE -- THAT CLARITY.

YOU KNOW, MY CONCERN IS ALWAYS, ANY TIME WE HAVE AN OPPORTUNITY HERE TO GO BACK AND LOOK AT RECORDS -- SPECIFICALLY WHEN WE'RE GOING BACK 50 YEARS -- IF WE'RE GOING TO RELY ON A GOVERNMENT AGENCY THAT'S SUPPOSED TO HAVE THOSE RECORDS IN FULL TRANSPARENCY, SURE, IT MAKES SENSE. LET'S MAKE THOSE RECORDS AVAILABLE AND

LET'S PROVIDE AS MUCH INFORMATION TO A PROSPECTIVE TENANT AS WE CAN.

BUT UNDERSTANDING THE MARKET AND UNDERSTANDING THAT SOMETIMES THESE BUILDINGS CHANGE HANDS, IF THIS WERE TO ADD AN ADDITIONAL OBLIGATION ON A PROPERTY OWNER TO HAVE TO COME UP WITH DOCUMENTS THAT THEY MAY NOT HAVE AND PRODUCE THOSE DOCUMENTS AT RISK OF SOMETHING, I'D BE VERY CONCERNED ABOUT THAT.

SO I'M GRATIFIED, FRANKLY, THAT THIS IS NOT WHAT THIS BILL DOES, THAT THIS BILL WILL ACTUALLY PROVIDE FOR TRANSPARENCY FOR TENANTS WITHOUT PUTTING ADDITIONAL OBLIGATIONS ON PROPERTY OWNERS.

AND, YOU KNOW, FRANKLY I'M HOPING THAT AS WE GO FORWARD WITH DISCUSSIONS WITH REGARD TO AFFORDABLE HOUSING AND WE LOOK FORWARD TO PROVIDING AFFORDABLE HOUSING TO MORE AND MORE NEW YORKERS WHERE IT'S NECESSARY, MR. PRESIDENT, I AM LOOKING FORWARD TO FINDING SOLUTIONS TO PROVIDING THOSE AFFORDABLE HOUSING UNITS THAT WE'RE ALL SO FOND OF TALKING ABOUT.

THERE ARE 1.1 MILLION RENT-STABILIZED AND RENT-CONTROLLED APARTMENTS IN NEW YORK CITY CURRENTLY -- 1.1 MILLION UNITS.

MR. PRESIDENT, MORE THAN 30 PERCENT OF THOSE, MORE THAN 300,000 UNITS IN NEW YORK CITY RIGHT NOW ARE OCCUPIED BY PEOPLE EARNING MORE THAN 100 PERCENT OF THE AREA MEDIAN INCOME BECAUSE RENT-STABILIZED APARTMENTS ARE NOT MEANS-TESTED.

WE HAVE LITERALLY PEOPLE EARNING OVER A MILLION DOLLARS LIVING IN A RENT-STABILIZED APARTMENT WHEN WE HAVE PEOPLE WHO CAN'T FIND APARTMENTS AND HOUSING IN NEW YORK CITY. AND THIS CHAMBER HAS DONE NOTHING TO DEAL WITH THAT ISSUE.

AND SO WE HAVE AN OPPORTUNITY TO MOVE FORWARD -- IF WE'RE GOING TO TALK ABOUT HOUSING JUSTICE, WE'RE GOING TO TALK ABOUT AFFORDABLE HOUSING AND PUTTING AFFORDABLE HOUSING IN THE HANDS OF PEOPLE WHO CAN ACTUALLY NEED THAT AFFORDABILITY, LET'S TALK ABOUT HOW WE CAN ACTUALLY MAKE THOSE UNITS AVAILABLE TO PEOPLE. AND LET'S MEANS-TEST THOSE UNITS. BECAUSE EVEN IF WE START BUILDING HOUSING TODAY, EVEN IF WE START BUILDING HOUSING TODAY, IT'S GOING TO BE LITERALLY YEARS BEFORE THOSE HOUSING UNITS ARE AVAILABLE FOR OCCUPANCY.

BUT I'LL TELL YOU WHAT. IF WE DECIDE AS A CHAMBER, WITH THE PEOPLE ON THE OTHER

SIDE OF THIS BUILDING, IF WE DECIDE TO BE SERIOUS ABOUT AFFORDABLE HOUSING AND WE TURN AROUND AND MEANS-TEST THESE UNITS, THESE UNITS CAN BE AVAILABLE TO THOSE WHO NEED THEM AND MEET THOSE MEANS-TESTS THAT ARE SET BY US, THEY CAN BE AVAILABLE AS SOON AS 12 MONTHS FROM NOW, MR. PRESIDENT.

AND SO TO PUT IT INTO CONTEXT, I SAID 30 PERCENT ARE EARNING MORE THAN THE AREA MEDIAN INCOME, 30 PERCENT. MR. PRESIDENT, 12 PERCENT -- THAT'S OVER 120,000 UNITS -- ARE EARNING MORE THAN 200 PERCENT OF THE AREA MEDIAN INCOME. THAT'S NEARLY $200,000 A YEAR IN RENT. AND YET THEY'RE ABLE TO OCCUPY RENT-STABILIZED UNITS AT THE EXPENSE OF THOSE PEOPLE EARNING FAR LESS WHO CAN'T FIND APARTMENTS TODAY.

SO ALTHOUGH I'LL BE VOTING YES ON THIS BILL, MR. PRESIDENT, I URGE MY COLLEAGUES WHO ARE IN A POSITION TO ACTUALLY DO SOMETHING ABOUT AFFORDABILITY, AND NOT JUST TALK ABOUT IT, THAT WE TACKLE THIS ISSUE HEAD ON AND THAT WE WORK THROUGH THIS PROCESS AS WE HEAD INTO A BUDGET THAT SHOULD ALLOW ALL OF US TO BE PART OF A SOLUTION. I OFFER THAT AS A GREAT SOLUTION AS WE MOVE FORWARD.

MR. PRESIDENT, I VOTE AYE.

ACTING PRESIDENT COONEY: THANK YOU, SENATOR MARTINS.

ARE THERE ANY OTHER SENATORS WISHING TO BE HEARD?

SEEING AND HEARING NONE, DEBATE IS CLOSED.

SENATOR LIU.

SENATOR LIU: MR. PRESIDENT, UPON CONSENT, WE'VE AGREED TO RESTORE THIS BILL TO THE NONCONTROVERSIAL CALENDAR.

LET'S TAKE IT UP THAT WAY.

ACTING PRESIDENT COONEY: THE BILL IS RESTORED TO THE NONCONTROVERSIAL CALENDAR.

READ THE LAST SECTION.

THE SECRETARY: SECTION 2. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

ACTING PRESIDENT COONEY: CALL THE ROLL.

(THE SECRETARY CALLED THE ROLL.)

ACTING PRESIDENT COONEY: SENATOR CLEARE TO EXPLAIN HER VOTE.

SENATOR CLEARE: THANK YOU, MR. PRESIDENT.

I JUST WANT TO MENTION THE FACT THAT

ACCORDING TO THE RENT GUIDELINES BOARD, THE AVERAGE MEDIAN INCOME OF RENT-STABILIZED TENANTS IS $47,000 A YEAR. THE AVERAGE RENT, MEDIAN RENT, IS $1400 A MONTH. PEOPLE ARE PAYING 36 PERCENT OF THEIR INCOME IN RENT EVEN IN RENT-STABILIZED UNITS.

BUT, YOU KNOW, WE GENERALLY HOLD THAT TRANSPARENCY IS A GOOD THING WHEN ENTERING INTO RETAIL AND COMMERCIAL TRANSACTIONS AND CONTRACTS. HOWEVER, RIGHT NOW A PROSPECTIVE TENANT OF A RENT-REGULATED OR RENT-STABILIZED APARTMENT HAS NO WAY OF KNOWING THE RENT HISTORY OF AN APARTMENT BEFORE THEY MAKE A CHOICE WHETHER OR NOT TO ENTER INTO A LEASE.

GIVEN THE MAJOR CHANGES IN THE LAWS OVER THE PAST 25 YEARS, MANY OF WHICH DISPROPORTIONATELY ADVANTAGED LANDLORDS, COMBINED WITH THE FACT THAT THERE HAS REPEATEDLY BEEN FRAUD AND EXTRALEGAL COLLUSION IN THE PRICING OF RENTS AND EFFORTS TO DEREGULATE APARTMENTS, UNDERSTANDING THE COMPLETE RENT HISTORY OF YOUR POSSIBLE HOME IS THE BASELINE OF INFORMATION WE SHOULD BE PROVIDING.

HOUSING IS A HUMAN RIGHT, AND IT SHOULD NOT GO TO THE HIGHEST BIDDER OR BE HELD

HOSTAGE BY THE UNSCRUPULOUS. THE MORE WE JUST DEMYSTIFY THE PRICING OF RENTS, THE BETTER FOR TENANTS. AND THE MORE WE ASK FOR THE TRUTH TO BE TOLD BY LANDLORDS, THE MORE THEY CAN BE HELD ACCOUNTABLE.

I PROUDLY VOTE AYE AND ASK THAT MY COLLEAGUES DO THE SAME.

ACTING PRESIDENT COONEY: SENATOR CLEARE TO BE RECORDED IN THE AFFIRMATIVE.

ANNOUNCE THE RESULTS.

THE SECRETARY: IN RELATION TO CALENDAR 492, THOSE SENATORS VOTING IN THE NEGATIVE ARE SENATORS BORRELLO, CANZONERI-FITZPATRICK, GRIFFO, HELMING, LANZA, MATTERA, MURRAY, OBERACKER, O'MARA, ORTT, PALUMBO, RHOADS, SCARCELLA-SPANTON, STEC, TEDISCO, WEBER AND WEIK.

AYES, 43. NAYS, 17.

ACTING PRESIDENT COONEY: THE BILL IS PASSED.

SENATOR LIU, THAT COMPLETES THE READING OF READING OF TODAY'S CALENDAR.

SENATOR LIU: MR. PRESIDENT, IS THERE ANY FURTHER BUSINESS AT THE DESK?

ACTING PRESIDENT COONEY: THERE IS

NO FURTHER BUSINESS AT THE DESK.

SENATOR LIU: I MOVE TO ADJOURN UNTIL MONDAY, MARCH 25TH, AT 3:00 P.M., WITH THE INTERVENING DAYS BEING LEGISLATIVE DAYS.

ACTING PRESIDENT COONEY: ON MOTION, THE SENATE STANDS ADJOURNED UNTIL MONDAY, MARCH 25TH, AT 3:00 P.M., WITH THE INTERVENING DAYS BEING LEGISLATIVE DAYS.

(WHEREUPON, AT 12:09 P.M., THE SENATE ADJOURNED.)