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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 27, 2026

3:48 p.m.

REGULAR SESSION

LIEUTENANT GOVERNOR ANTONIO DELGADO, President

ALEJANDRA N. PAULINO, ESQ., Secretary

1 P R O C E E D I N G S

2 THE PRESIDENT: The Senate will
3 come to order.

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

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

8 THE PRESIDENT: In the absence of
9 clergy, let us bow our heads in a moment of
10 silent reflection or prayer.

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

13 THE PRESIDENT: Reading of the
14 Journal.

15 THE SECRETARY: In Senate, Sunday,
16 January 25, 2026, the Senate met pursuant to
17 adjournment. The Journal of Friday, January 23,
18 2026, was read and approved. On motion, the
19 Senate adjourned.

20 THE PRESIDENT: Without objection,
21 the Journal stands approved as read.

22 Presentation of petitions.

23 Messages from the Assembly.

24 Messages from the Governor.

25 Reports of standing committees.

1 Reports of select committees.

2 Communications and reports from
3 state officers.

4 Motions and resolutions.

5 Senator Gianaris.

6 SENATOR GIANARIS: Good afternoon,
7 Mr. President.

8 THE PRESIDENT: Good afternoon.

9 SENATOR GIANARIS: We'll start with
10 an immediate meeting of the Rules Committee in
11 Room 332.

12 THE PRESIDENT: There will be an
13 immediate meeting of the Rules Committee in
14 Room 332.

15 SENATOR GIANARIS: The Senate will
16 stand at ease.

17 THE PRESIDENT: The Senate will
18 stand at ease.

19 (Whereupon, the Senate stood at ease
20 at 3:49 p.m.)

21 (Whereupon, the Senate reconvened at
22 4:03 p.m.)

23 THE PRESIDENT: The Senate will
24 return to order.

25 Senator Gianaris.

1 SENATOR GIANARIS: Mr. President,
2 there's a report of the Rules Committee at the
3 desk. Let's take that up, please.

4 THE PRESIDENT: The Secretary will
5 read.

6 THE SECRETARY: Senator
7 Stewart-Cousins, from the Committee on Rules,
8 reports the following bills:

9 Senate Print 135, by Senator Cleare,
10 an act to amend the Public Health Law;

11 Senate Print 1012A, by
12 Senator Brouk, an act to amend the
13 Public Service Law;

14 Senate Print 1327, by
15 Senator Parker, an act to amend the
16 Public Service Law;

17 Senate Print 1329, by
18 Senator Parker, an act to amend the
19 Public Service Law;

20 Senate Print 1438A, by
21 Senator Krueger, an act to amend the
22 Public Health Law;

23 Senate Print 1633A, by
24 Senator Fernandez, an act to amend the
25 Public Health Law;

1 Senate Print 1847, by
2 Senator Comrie, an act to amend the
3 Public Service Law;

4 Senate Print 1896, by Senator Mayer,
5 an act to amend the Public Service Law;

6 Senate Print 5553C, by
7 Senator Comrie, an act to amend the
8 Public Service Law;

9 Senate Print 5593, by Senator Mayer,
10 an act to amend the Public Service Law;

11 Senate Print 5981, by
12 Senator Fernandez, an act to amend the
13 Public Health Law;

14 Senate Print 7165A, by
15 Senator Hinchey, an act to amend the
16 Public Service Law;

17 Senate Print 7328A, by
18 Senator Hinchey, an act to amend the
19 Public Service Law;

20 Senate Print 7693, by Senator Mayer,
21 an act to amend the Public Service Law;

22 Senate Print 8257A, by
23 Senator Sutton, an act directing the Department
24 of Health to establish an alternative payment
25 methodology for Federally Qualified Health

1 Centers;
2 Senate Print 8759, by
3 Senator Cleare, an act to amend the Elder Law;
4 Senate Print 8760, by
5 Senator Sanders, an act to amend the
6 Real Property Law;
7 Senate Print 8780, by
8 Senator Skoufis, an act to amend the
9 General Business Law;
10 Senate Print 8793, by
11 Senator Cooney, an act to amend the
12 State Finance Law;
13 Senate Print 8817, by
14 Senator Cooney, an act to amend the
15 Insurance Law;
16 Senate Print 8830, by
17 Senator Cleare, an act to amend the
18 General Business Law;
19 Senate Print 8833, by
20 Senator Jackson, an act to amend the Labor Law;
21 Senate Print 8836, by
22 Senator Serrano, an act to amend the
23 Environmental Conservation Law;
24 Senate Print 8886, by
25 Senator Addabbo, an act to amend the

1 General Municipal Law.

2 All bills reported direct to third
3 reading.

4 SENATOR GIANARIS: Move to accept
5 the report of the Rules Committee.

6 THE PRESIDENT: All those in favor
7 of accepting the report of the Rules Committee
8 please signify by saying aye.

9 (Response of "Aye.")

10 THE PRESIDENT: Opposed, nay.

11 (Response of "Nay.")

12 THE PRESIDENT: The report of the
13 Rules Committee is accepted.

14 Senator Gianaris.

15 SENATOR GIANARIS: At this time
16 let's take up the calendar, please.

17 THE PRESIDENT: The Secretary will
18 read.

19 THE SECRETARY: Calendar Number 53,
20 Senate Print 1703, by Senator Webb, an act to
21 amend the Education Law.

22 THE PRESIDENT: Read the last
23 section.

24 THE SECRETARY: Section 6. This
25 act shall take effect one year after it shall

1 have become a law.

2 THE PRESIDENT: Call the roll.

3 (The Secretary called the roll.)

4 THE PRESIDENT: Senator Webb to
5 explain her vote.

6 SENATOR WEBB: Thank you,
7 Mr. President.

8 I rise to explain my vote. And I
9 first want to thank our Senate Majority Leader
10 for continuing to demonstrate such incredible and
11 necessary leadership on important issues such as
12 reproductive healthcare.

13 And so today we introduce a package
14 of bills that are designed to strengthen
15 protections for women's healthcare. This
16 legislation takes a very practical, meaningful
17 step towards ensuring that students on SUNY and
18 CUNY campuses have access to emergency
19 contraception, by requiring that each institution
20 offering in-person instruction has at least one
21 vending machine on their campus where these items
22 would be available for purchase.

23 A number of reasons why this
24 legislation is important; I'll just highlight a
25 couple of things.

1 This bill breaks down barriers to
2 accessibility for students who may have
3 difficulty getting off campus to a drugstore or
4 other stores that would sell this important
5 medication, especially given the time-sensitive
6 need to utilize emergency contraceptive medicine
7 within three days of unprotected sexual activity.

8 Currently students on college
9 campuses across the state and country are working
10 with various clubs and alumni organizations to
11 bring access to these vending machines on their
12 campuses.

13 And most certainly in light of the
14 Dobbs decision, which we know severely restricts
15 women's access to abortion and continues attacks
16 on reproductive healthcare by the federal
17 government, it is more critical now more than
18 ever to ensure that women have access to
19 necessary medications such as this.

20 Many times that access is limited by
21 barriers such as pharmacy availability,
22 transportation, and also cost. And also fear of
23 stigma.

24 Students who live on campus or in
25 rural districts like mine, or in underserved

1 areas, may not have the flexibility or privacy to
2 get what they need in a timely manner.

3 When we pass this legislation, we
4 will join a few other states such as Connecticut,
5 Massachusetts and Illinois, who have existing
6 legislation in this regard.

7 I want to thank you, Mr. President,
8 for this important legislation, and I encourage
9 my colleagues to vote aye.

10 Thank you.

11 THE PRESIDENT: Senator Webb will
12 be recorded in the affirmative.

13 Announce the results.

14 THE SECRETARY: In relation to
15 Calendar 53, voting in the negative are
16 Senators Borrello, Canzoneri-Fitzpatrick, Chan,
17 Gallivan, Griffo, Lanza, Mattera, Murray,
18 Oberacker, O'Mara, Ortt, Stec and Tedisco.

19 Ayes, 45. Nays, 13.

20 THE PRESIDENT: The bill is passed.

21 THE SECRETARY: Calendar Number 54,
22 Senate Print 2058, by Senator Webb, an act to
23 amend the Education Law.

24 THE PRESIDENT: Read the last
25 section.

1 THE SECRETARY: Section 3. This
2 act shall take effect April 1, 2026.

3 THE PRESIDENT: Call the roll.
4 (The Secretary called the roll.)

5 THE PRESIDENT: Announce the
6 results.

7 THE SECRETARY: In relation to
8 Calendar 54, voting in the negative are
9 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
10 Chan, Gallivan, Griffio, Helming, Lanza, Martinez,
11 Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads,
12 Stec, Tedisco, Walczyk, Weber and Weik.

13 Ayes, 38. Nays, 20.

14 THE PRESIDENT: The bill is passed.

15 THE SECRETARY: Calendar Number 55,
16 Senate Print 3155, by Senator Cooney, an act to
17 amend the Insurance Law.

18 THE PRESIDENT: Read the last
19 section.

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

22 THE PRESIDENT: Call the roll.
23 (The Secretary called the roll.)

24 THE PRESIDENT: Senator Cooney to
25 explain his vote.

1 SENATOR COONEY: Thank you,
2 Mr. President.

3 It's a privilege to speak in support
4 of my legislation which would provide greater
5 coverage and access to in vitro fertilization
6 here in New York.

7 With the current situation at the
8 federal government, we know it's important now
9 more than ever for New York to take the lead when
10 it comes to reproductive healthcare options, and
11 this bill would do just that.

12 Back in 2019 this Legislature passed
13 a landmark piece of legislation to require
14 coverage for three cycles of IVF in cases of
15 infertility. But unfortunately, healthcare
16 companies have been requiring the use of all of
17 the embryos in a specific cycle before covering
18 the next -- a situation that is not always viable
19 that delays the process, and often limits the
20 ability of women and families who are looking to
21 start a family later in life.

22 When a couple is trying to have a
23 child, the last thing they want to do is wait and
24 risk more potential issues down the line.

25 Our bill fixes this issue. And I'm

1 proud to support and sponsor this legislation to
2 change insurance practices and create more
3 opportunities for those looking to start a family
4 here in New York.

5 Thank you, Mr. President.

6 THE PRESIDENT: Senator Cooney to
7 be recorded in the affirmative.

8 Announce the results.

9 THE SECRETARY: In relation to
10 Calendar 55, voting in the negative are
11 Senators Borrello, Griffo, Murray, Stec, Tedisco,
12 Walczyk -- oh, excuse me. Senator Griffo in the
13 affirmative. Senator Gallivan in the negative.

14 Ayes, 52. Nays, 6.

15 THE PRESIDENT: The bill is passed.

16 THE SECRETARY: Calendar Number 56,
17 Senate Print 4497, by Senator Hinchey, an act to
18 amend the Insurance Law.

19 SENATOR LANZA: Lay it aside.

20 THE PRESIDENT: Lay it aside.

21 THE SECRETARY: Calendar Number 59,
22 Senate Print 8544, by Senator Hinchey, an act to
23 amend the Penal Law.

24 THE PRESIDENT: Read the last
25 section.

1 THE SECRETARY: Section 5. This
2 act shall take effect immediately.

3 THE PRESIDENT: Call the roll.
4 (The Secretary called the roll.)

5 THE PRESIDENT: Announce the
6 results.

7 THE SECRETARY: In relation to
8 Calendar 59, voting in the negative are
9 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
10 Chan, Gallivan, Griffio, Helming, Lanza, Martins,
11 Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
12 Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

13 Senator Martins in the affirmative;
14 Senator Mattera in the negative.

15 Ayes, 37. Nays, 21.

16 THE PRESIDENT: The bill is passed.

17 THE SECRETARY: Calendar Number 60,
18 Senate Print 8656A, by Senator Mayer, an act to
19 amend the Education Law.

20 THE PRESIDENT: Read the last
21 section.

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

24 THE PRESIDENT: Call the roll.
25 (The Secretary called the roll.)

1 THE PRESIDENT: Announce the
2 results.

3 THE SECRETARY: In relation to
4 Calendar 60, voting in the negative are
5 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
6 Chan, Gallivan, Griffio, Helming, Lanza, Mattera,
7 Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
8 Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

9 Ayes, 37. Nays, 21.

10 THE PRESIDENT: The bill is passed.

11 THE SECRETARY: Calendar Number 96,
12 Senate Print 8860, by Senator May, an act to
13 amend the Domestic Relations Law.

14 THE PRESIDENT: Read the last
15 section.

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

18 THE PRESIDENT: Call the roll.
19 (The Secretary called the roll.)

20 THE PRESIDENT: Senator May to
21 explain her vote.

22 SENATOR MAY: Thank you,
23 Mr. President.

24 I'm proud to be part of this
25 Senate Majority that believes that abortion care

1 is healthcare.

2 If someone has sought an abortion in
3 the past, it is no way an indication that they
4 cannot be a good parent -- in fact, sometimes
5 quite the opposite. And yet a history of seeking
6 reproductive health services has been used
7 against parents in custody cases.

8 This bill will stop that practice as
9 one more means of safeguarding both the best
10 interests of the child in a custody case and
11 New Yorkers' ability to access reproductive
12 health services without fear.

13 I vote aye.

14 THE PRESIDENT: Senator May will be
15 recorded in the affirmative.

16 Announce the results.

17 THE SECRETARY: In relation to
18 Calendar 96, voting in the negative are
19 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
20 Chan, Mattered, Murray, Oberacker, O'Mara, Ortt,
21 Palumbo, Rhoads, Stec, Tedisco, Walczyk and Weik.

22 Ayes, 43. Nays, 15.

23 THE PRESIDENT: The bill is passed.

24 THE SECRETARY: Calendar Number 97,
25 Senate Print 8866, by Senator Salazar, an act to

1 amend the Insurance Law.

2 THE PRESIDENT: Read the last
3 section.

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

6 THE PRESIDENT: Call the roll.
7 (The Secretary called the roll.)

8 THE PRESIDENT: Senator Salazar to
9 explain her vote.

10 SENATOR SALAZAR: Thank you,
11 Mr. President.

12 This bill would ensure that same-sex
13 couples and LGBTQ New Yorkers will no longer be
14 unfairly excluded from insurance coverage if they
15 need to seek IVF treatment.

16 It also will ensure that insurance
17 coverage for IVF patients must include three full
18 rounds of IVF.

19 In 2019 New York enacted legislation
20 to offer IVF insurance coverage to couples who
21 are trying to conceive. The law requires
22 insurance to cover three complete cycles of IVF,
23 but it does not it define what a cycle of IVF
24 entails. And due to the lack of explicit
25 definition in the existing law, some insurance

1 companies began defining various steps in the IVF
2 process as individual cycles instead of covering
3 all the steps required to actually complete a
4 single cycle of IVF.

5 The result is that many couples are
6 currently being denied fair insurance coverage
7 for this essential reproductive healthcare. It
8 means many couples are left to pay out-of-pocket
9 even when transferring embryos from what should
10 be a covered IVF cycle or when additional cycles
11 of IVF are needed.

12 Furthermore, when multiple embryo
13 transfers are not properly covered by insurance,
14 it creates a perverse incentive to transfer too
15 many embryos in a single transfer, which risks
16 leading to poor medical outcomes for all involved
17 in the IVF process.

18 I want to thank my colleagues for
19 your support in passing the Equity Infertility
20 Treatment Act today to correct this and to expand
21 access to IVF in our state.

22 I vote aye.

23 THE PRESIDENT: Senator Salazar
24 will be recorded in the affirmative.

25 Announce the results.

1 THE SECRETARY: In relation to
2 Calendar 97, voting in the negative are
3 Senators Borrello, Gallivan, Helming, Mattera,
4 Murray, O'Mara, Ortt, Tedisco and Walczyk.

5 Ayes, 49. Nays, 9.

6 THE PRESIDENT: The bill is passed.

7 THE SECRETARY: Calendar Number 98,
8 Senate Print 8869, by Senator Skoufis, an act to
9 amend the Insurance Law.

10 THE PRESIDENT: Read the last
11 section.

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

14 THE PRESIDENT: Call the roll.

15 (The Secretary called the roll.)

16 THE PRESIDENT: Announce the
17 results.

18 THE SECRETARY: In relation to
19 Calendar 98, voting in the negative are
20 Senators Borrello, Canzoneri-Fitzpatrick, Chan,
21 Lanza, Rhoads, Tedisco and Walczyk.

22 Ayes, 51. Nays, 7.

23 THE PRESIDENT: The bill is passed.

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

1 SENATOR GIANARIS: Let's take up
2 the supplemental calendar, please.

3 THE PRESIDENT: The Secretary will
4 read.

5 THE SECRETARY: Calendar Number
6 135, Senate Print 135, by Senator Cleare, an act
7 to amend the Public Health Law.

8 THE PRESIDENT: Read the last
9 section.

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

12 THE PRESIDENT: Call the roll.
13 (The Secretary called the roll.)

14 THE PRESIDENT: Announce the
15 results.

16 THE SECRETARY: In relation to
17 Calendar 135, voting in the negative are
18 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
19 Gallivan, Griffo, Helming, Lanza, Martins,
20 Mattera, Murray, Oberacker, O'Mara, Ortt,
21 Palumbo, Rhoads, Rolison, Stec, Walczyk, Weber
22 and Weik. Also Senator Chan. Also
23 Senator Tedisco.

24 Ayes, 36. Nays, 22.

25 THE PRESIDENT: The bill is passed.

1 THE SECRETARY: Calendar Number
2 139, Senate Print 1438A, by Senator Krueger, an
3 act to amend the Public Health Law.

4 THE PRESIDENT: Read the last
5 section.

6 THE SECRETARY: Section 2. This
7 act shall take effect on the first of April.

8 THE PRESIDENT: Call the roll.
9 (The Secretary called the roll.)

10 THE PRESIDENT: Announce the
11 results.

12 THE SECRETARY: In relation to
13 Calendar 139, voting in the negative are
14 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
15 Chan, Gallivan, Griffio, Helming, Lanza, Martinez,
16 Mattera, Murray, Oberacker, O'Mara, Ortt,
17 Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk,
18 Weber and Weik.

19 Ayes, 36. Nays, 22.

20 THE PRESIDENT: The bill is passed.

21 THE SECRETARY: Calendar Number
22 140, Senate Print 1633A, by Senator Fernandez, an
23 act to amend the Public Health Law.

24 THE PRESIDENT: Read the last
25 section.

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

3 THE PRESIDENT: Call the roll.
4 (The Secretary called the roll.)

5 THE PRESIDENT: Senator Martins to
6 explain his vote.

7 SENATOR MARTINS: Thank you. Thank
8 you, Mr. President.

9 You know, I -- we had this bill in
10 committee, in Health Committee, just this
11 afternoon. And I do have concerns with regard to
12 the bill.

13 We have spent, as a state,
14 tremendous resources making sure that our medical
15 records are transportable, that these records are
16 available wherever a New Yorker happens to be.
17 Because if someone is ill, unconscious, or needs
18 medical treatment, wherever they happen to be in
19 the world, Mr. President, we want to make sure
20 that New Yorkers have access to their medical
21 records and that that healthcare professional,
22 wherever they may be, has a clear picture of this
23 person's health history.

24 And that's something that we as
25 New Yorkers should rely on, and it's something

1 that every New Yorker deserves, because it's
2 about health. It's about the health of our
3 residents.

4 And the reality is oftentimes, or
5 perhaps too often, the person may be unconscious,
6 not be able to describe adequately what
7 medications they're on, what conditions they may
8 have.

9 And so anything that prevents
10 someone from being able to look at a health
11 record and determine the best course of care for
12 that New Yorker is something that we should be
13 very careful about.

14 And so people being able to limit
15 their own records -- that is, not include certain
16 things in the record so that that future doctor
17 does not have the ability to actually see the
18 whole picture and may be prescribing or may
19 actually be performing procedures that may harm
20 that patient, that New Yorker who needs help.

21 The whole purpose of digital medical
22 records is exactly that. The idea that we will
23 actually pass a law that allows people to review
24 things from there based on their own personal
25 preferences I think is contrary to public policy,

1 it's against the effort that we as a body and as
2 a state have had consistently.

3 And you're going to hear, I'm sure,
4 people say, Well, given the climate, the
5 political climate in the world today and what's
6 happening in Washington, we have to do this.

7 This isn't about politics, it's
8 about protecting lives and it's about making sure
9 that we protect New Yorkers.

10 Mr. President, I vote no.

11 THE PRESIDENT: Senator Martins
12 recorded in the negative.

13 Senator Fernandez to explain her
14 vote.

15 SENATOR FERNANDEZ: Thank you so
16 much.

17 And thank you for explaining your
18 vote. It's unfortunate that you feel that this
19 is irrelevant to the time that we're in. But
20 this is very relevant. We're seeing this
21 administration and this president right now
22 attacking individuals based on their history,
23 their choices.

24 And this bill is very clear in
25 informing the patient as to what they are wanting

1 to do, letting them know their rights so that
2 they can opt in and opt out.

3 And for those that are not medical
4 professionals -- and if I'm correct, I don't
5 think anybody in this room is a doctor or a
6 medical professional -- this piece of legislation
7 has been supported by over 200 medical
8 professionals and providers, that this is a
9 practice that is safe for patients in protecting
10 their rights and the dignity to their healthcare.

11 So I proudly vote aye, and I thank
12 those that vote aye as well.

13 THE PRESIDENT: Senator Fernandez
14 recorded in the affirmative.

15 Senator May to explain her vote.

16 SENATOR MAY: Thank you,
17 Mr. President.

18 And I want to thank
19 Senator Fernandez for this legislation.

20 Just imagine if you had an abortion
21 in New York and then you found yourself in Texas
22 and you had some kind of medical emergency. And
23 you may be afraid to go to the hospital because
24 while they would have to treat you for your
25 medical emergency, they might also have to arrest

1 you because they found out from your medical
2 records that you had had an abortion.

3 Or imagine you are a family taking a
4 trip and you have a young -- a teenager who is
5 undergoing gender-affirming care, and some
6 medical emergency happens in a state where that
7 is considered to be a punishable offense. And so
8 you're afraid to seek medical care in that place.

9 This allows people to protect some
10 of that information, personal information, that
11 could be weaponized in a medical situation. And
12 I think that actually could mean better medical
13 care or that people would be more willing to
14 access medical care in those places.

15 So I think this is good policy, and
16 I vote aye.

17 THE PRESIDENT: Senator May
18 recorded in the affirmative.

19 Senator Weik to explain her vote.

20 SENATOR WEIK: Thank you.

21 The Hippocratic Oath says "First, do
22 no harm." And if we're preventing healthcare
23 workers from knowing what's wrong with a patient,
24 we're doing harm. And that's the patient's
25 fault.

1 And so I vote no on this bill.

2 Thank you.

3 THE PRESIDENT: Senator Weik
4 recorded in the negative.

5 Announce the results.

6 THE SECRETARY: In relation to
7 Calendar 140, voting in the negative are
8 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
9 Chan, Gallivan, Griffio, Helming, Lanza, Martins,
10 Mattera, Murray, Oberacker, O'Mara, Ortt,
11 Palumbo, Rhoads, Stec, Tedisco, Walczyk, Weber
12 and Weik.

13 Ayes, 37. Nays, 21.

14 THE PRESIDENT: The bill is passed.

15 THE SECRETARY: Calendar Number
16 145, Senate Print 5981, by Senator Fernandez, an
17 act to amend the Public Health Law.

18 THE PRESIDENT: Read the last
19 section.

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

22 THE PRESIDENT: Call the roll.

23 (The Secretary called the roll.)

24 THE PRESIDENT: Announce the
25 results.

1 THE SECRETARY: In relation to
2 Calendar 145, voting in the negative are
3 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
4 Chan, Gallivan, Griffio, Helming, Lanza, Mattera,
5 Murray, Oberacker, O'Mara, Ortt, Rhoads, Stec,
6 Tedisco, Walczyk, Weber and Weik.

7 Ayes, 39. Nays, 19.

8 THE PRESIDENT: The bill is passed.

9 THE SECRETARY: Calendar Number
10 149, Senate Print 8257A, by Senator Sutton, an
11 act directing the Department of Health to
12 establish an alternative payment methodology for
13 Federally Qualified Health Centers.

14 THE PRESIDENT: Read the last
15 section.

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

18 THE PRESIDENT: Call the roll.
19 (The Secretary called the roll.)

20 THE PRESIDENT: Announce the
21 results.

22 THE SECRETARY: In relation to
23 Calendar 149, voting in the negative:
24 Senator Walczyk.

25 Ayes, 57. Nays, 1.

1 THE PRESIDENT: The bill is passed.

2 Senator Gianaris, that completes the
3 reading of the supplemental calendar.

4 SENATOR GIANARIS: And now on to
5 the controversial calendar, please.

6 THE PRESIDENT: The Secretary will
7 ring the bell.

8 The Secretary will read.

9 THE SECRETARY: Calendar Number 56,
10 Senate Print 4497, by Senator Hinchey, an act to
11 amend the Insurance Law.

12 THE PRESIDENT: Senator Helming,
13 why do you rise?

14 SENATOR HELMING: Thank you,
15 Mr. President.

16 I would like to go on the bill, and
17 then I have a couple of questions for the sponsor
18 or the sponsor's representative.

19 THE PRESIDENT: Senator Helming on
20 the bill.

21 SENATOR HELMING: Thank you.

22 Mr. President, advancing real
23 affordability requires, at the very minimum,
24 understanding the costs associated with mandates
25 like the one included in this bill.

1 This bill will absolutely have an
2 impact on healthcare premiums at a time when we
3 have an issue with the high cost of healthcare
4 premiums. Premiums in New York State are among
5 the highest in the nation -- roughly 13 percent
6 higher than the national average.

7 On Saturday I had a meeting with
8 school superintendents, school board presidents
9 and other representatives from some of the 34
10 school districts that I represent. Healthcare
11 premium costs are one of their top concerns.
12 Schools have recently received notification of
13 premiums rising anywhere between 21 and
14 30 percent.

15 Similar concerns have been shared
16 with me by our local governments, local
17 municipalities, who are trying to figure out how
18 to cover these double-digit premium increases for
19 their employees.

20 In the Blueprint for New York --
21 it's a report that was prepared by the Public
22 Policy Institute of New York -- a top request
23 from our New York State businesses is to reduce
24 the costs of healthcare.

25 When we're making important

1 decisions on healthcare policy, we absolutely
2 need sound fiscal physical transparency.

3 So, Mr. President, if the sponsor or
4 support's representative would yield for a couple
5 of questions.

6 THE PRESIDENT: Senator Bailey,
7 would you yield?

8 SENATOR BAILEY: Press 1 for
9 representative. I am here. I am not
10 Senator Hinchey --

11 THE PRESIDENT: The sponsor yields.

12 SENATOR BAILEY: -- but I play her
13 on TV today. Yes.

14 SENATOR HELMING: Okay. Through
15 you, Mr. President.

16 Senator Bailey, thank you so much.
17 Great to see you.

18 Can you tell me what the fiscal
19 impact of this new insurance mandate -- the
20 impact that it will have on insurance premiums?

21 SENATOR BAILEY: Certainly.

22 So first and foremost, I think it's
23 important to talk about the turmoil that's
24 happened in Washington because of -- the
25 healthcare turmoil is happening a lot because of

1 what's happening in Washington with a certain
2 bill that was passed. So that we can talk about
3 turmoil.

4 But in terms of how much this bill
5 would cost, I think it roughly would cost the
6 state \$20 million overall for commercial plans,
7 Senator Helming.

8 SENATOR HELMING: Thank you.
9 Through you, Mr. President, if the sponsor will
10 continue to yield.

11 THE PRESIDENT: Will the sponsor
12 yield?

13 SENATOR BAILEY: I yield.

14 And if I may, because I'm playing
15 Senator Hinchey on TV, it would cost the state
16 \$3 million, but the \$20 million that I referred
17 to was for all commercial plans.

18 And I do yield, Senator Helming.

19 SENATOR HELMING: Thank you.
20 Through you, Mr. President.

21 Senator Bailey, the bill that we
22 have before us says fiscal implications are none
23 to the state. Is that accurate?

24 SENATOR BAILEY: I -- \$3 million --
25 the state would cost \$3 million. That's our

1 staff has indicated that it would cost
2 \$3 million.

3 SENATOR HELMING: Through you,
4 Mr. President, on the bill.

5 THE PRESIDENT: Senator Helming on
6 the bill.

7 SENATOR HELMING: Thank you.

8 Mr. President, when we're
9 considering legislation with the potential to
10 drive up healthcare premiums, this body
11 absolutely should demand fiscal transparency.

12 I sponsor a bill -- Senator Bailey,
13 I'll be bringing it to the Insurance Committee.
14 Hope to talk to you before committees resume.

15 My bill, Senate Bill 8619, would
16 require that all legislation that mandates or
17 imposes new or expanded insurance coverage to
18 have a fiscal note attached. What this bill
19 doesn't do is limit or discourage expanding
20 benefits or services. It provides for fiscal
21 clarity and transparency to help us, to help
22 lawmakers and to help the consumers and the
23 people we represent anticipate and prepare for
24 the financial impacts.

25 Mr. President, I will be voting no

1 on the bill before us.

2 Thank you.

3 THE PRESIDENT: Are there any other
4 Senators wishing to be heard?

5 The Secretary will ring the bell.

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

8 Read the last section.

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

11 THE PRESIDENT: Call the roll.

12 (The Secretary called the roll.)

13 THE PRESIDENT: Senator Bailey to
14 explain his vote.

15 SENATOR BAILEY: Thank you,
16 Mr. President.

17 Thank you, Senator Helming, for
18 your -- for the debate on the bill.

19 And look, fiscal restraint is really
20 important, and I agree with my colleague there.
21 But as the father of three, as someone who has
22 enjoyed the benefits, the bountiful benefits of a
23 family, I think everybody should be able to enjoy
24 that. And you shouldn't be able to -- we
25 shouldn't be limiting that.

1 And New York State, this was the
2 first -- this was the first legislative chamber
3 in the entire country to pass a bill like this
4 relating to commercial insurance. You know, it
5 shouldn't take a medical emergency or something
6 that would make you medically infertile for you
7 to be able to have access to this type of care.

8 I believe in choice, and I believe
9 that choice relates not just to how you go about,
10 you know, your -- having your family, but when.
11 And you should be able to decide that.

12 So I support this bill
13 wholeheartedly. And I'm actually excited I
14 finally got to debate here. I vote aye,
15 Mr. President.

16 THE PRESIDENT: Senator Bailey
17 recorded in the affirmative.

18 Announce the results.

19 THE SECRETARY: In relation to
20 Calendar 56, voting in the negative are
21 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
22 Helming, Murray, O'Mara, Ortt, Stec, Tedisco,
23 Walczyk and Weik.

24 Ayes, 47. Nays, 11.

25 THE PRESIDENT: The bill is passed.

1 Senator Gianaris, that completes the
2 reading of the controversial calendar.

3 SENATOR GIANARIS: On behalf of
4 Majority Leader Stewart-Cousins, in consultation
5 with Senator Ortt, I hand up the following
6 committee assignment of the Minority Conference
7 and ask that it be filed in the Journal.

8 THE PRESIDENT: The hand-up is
9 received and shall be filed in the Journal.

10 Senator Gianaris.

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

13 THE PRESIDENT: There is no further
14 business at the desk.

15 SENATOR GIANARIS: Move to adjourn
16 until tomorrow, Wednesday, January 28th, at
17 3:00 p.m.

18 THE PRESIDENT: On motion, the
19 Senate stands adjourned until Wednesday,
20 January 28th, at 3:00 p.m.

21 (Whereupon, at 4:35 p.m., the Senate
22 adjourned.)

23

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25