

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10

February 9, 2026

11

3:39 p.m.

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14

REGULAR SESSION

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SENATOR JAMAAL T. BAILEY, Acting President

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ALEJANDRA N. PAULINO, ESQ., Secretary

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

2                   ACTING PRESIDENT BAILEY:    The  
3   Senate will come to order.

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

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

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

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

13                   ACTING PRESIDENT BAILEY:    Before  
14  the reading of the Journal, since  
15  Senator Gianaris would be the usual one to do  
16  this, I'm going to take a personal point of  
17  privilege.

18                   There was an announcement made  
19  today, and we will have plenty of time to speak  
20  about the great career that Senator Michael  
21  Gianaris has had and continues to have.

22                   But if we can continue to rise and  
23  give him a round of applause for the work that he  
24  has done in the New York State Senate.

25                   (Extended standing ovation; cheers.)

1                   ACTING PRESIDENT BAILEY:    We will  
2    have plenty more time.

3                   But Senator Gianaris, I knew you  
4    would not do that for yourself as the floor  
5    leader.  As the presiding officer I decided to  
6    take a moment of personal privilege.  And I do  
7    apologize for the lack of decorum --

8                   (Laughter.)

9                   ACTING PRESIDENT BAILEY:    -- but I  
10   felt it was worthy.

11                   Reading of the Journal.

12                   THE SECRETARY:    In Senate, Sunday,  
13   February 8, 2026, the Senate met pursuant to  
14   adjournment.  The Journal of Saturday,  
15   February 7, 2026, was read and approved.  On  
16   motion, the Senate adjourned.

17                   ACTING PRESIDENT BAILEY:    Without  
18   objection, the Journal stands approved as read.

19                   Presentation of petitions.

20                   Messages from the Assembly.

21                   Messages from the Governor.

22                   Reports of standing committees.

23                   Reports of select committees.

24                   Communications and reports from  
25   state officers.

1 Motions and resolutions.

2 Senator Gianaris.

3 SENATOR GIANARIS: Thank you,  
4 Mr. President. Thank you for those kind words.

5 I'm going to make you all do that  
6 again in June, just to be clear.

7 (Laughter.)

8 SENATOR GIANARIS: On behalf of  
9 Majority Leader Stewart-Cousins, I hand up the  
10 following committee assignments of the  
11 Majority Conference and ask that they be filed in  
12 the Journal.

13 ACTING PRESIDENT BAILEY: The  
14 hand-up is received and shall be filed in the  
15 Journal.

16 Senator Gianaris.

17 SENATOR GIANARIS: There will be an  
18 immediate meeting of the Rules Committee in  
19 Room 332.

20 ACTING PRESIDENT BAILEY: There  
21 will be an immediate meeting of the  
22 Rules Committee in Room 332.

23 The Senate will stand at ease.

24 (Whereupon, the Senate stood at ease  
25 at 3:41 p.m.)

1 (Whereupon, the Senate reconvened at  
2 3:49 p.m.)

3 ACTING PRESIDENT BAILEY: The  
4 Senate will return to order.

5 Senator Gianaris.

6 SENATOR GIANARIS: Mr. President,  
7 there's a report of the Rules Committee at the  
8 desk. Please take that up.

9 ACTING PRESIDENT BAILEY: The  
10 Secretary will read.

11 THE SECRETARY: Senator  
12 Stewart-Cousins, from the Committee on Rules,  
13 reports the following bills:

14 Senate Print 672B, by  
15 Senator Hinchey, an act to amend the  
16 Environmental Conservation Law;

17 Senate Print 1180B, by  
18 Senator Gianaris, an act to amend the  
19 Environmental Conservation Law;

20 Senate Print 1618, by  
21 Senator Rivera, an act to amend the  
22 Public Health Law;

23 Senate Print 9072A, by  
24 Senator Harckham, an act to amend the  
25 Environmental Conservation Law.

1 All bills reported direct to third  
2 reading.

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

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

8 (Response of "Aye.")

9 ACTING PRESIDENT BAILEY: Opposed,  
10 nay.

11 (No response.)

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

14 Senator Gianaris.

15 SENATOR GIANARIS: Please take up  
16 the calendar.

17 ACTING PRESIDENT BAILEY: The  
18 Secretary will read.

19 THE SECRETARY: Calendar Number  
20 119, Senate Print 1336, by Senator Parker, an act  
21 to amend the New York State Urban Development  
22 Corporation Act.

23 ACTING PRESIDENT BAILEY: Read the  
24 last section.

25 THE SECRETARY: Section 4. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BAILEY: Call the  
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Announce  
6 the results.

7 THE SECRETARY: Ayes, 59.

8 ACTING PRESIDENT BAILEY: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number  
11 120, Senate Print 2324, by Senator Comrie, an act  
12 to amend the Public Authorities Law.

13 ACTING PRESIDENT BAILEY: Read the  
14 last section.

15 THE SECRETARY: Section 4. This  
16 act shall take effect on the 90th day after it  
17 shall have become a law.

18 ACTING PRESIDENT BAILEY: Call the  
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BAILEY: Announce  
22 the results.

23 THE SECRETARY: Ayes, 59.

24 ACTING PRESIDENT BAILEY: The bill  
25 is passed.

1 THE SECRETARY: Calendar Number  
2 163, Senate Print 4252, by Senator Parker, an act  
3 to amend the Administrative Code of the City of  
4 New York.

5 ACTING PRESIDENT BAILEY: Read the  
6 last section.

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

9 ACTING PRESIDENT BAILEY: Call the  
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BAILEY: Announce  
13 the results.

14 THE SECRETARY: Ayes, 59.

15 ACTING PRESIDENT BAILEY: And the  
16 bill is passed?

17 THE SECRETARY: Calendar Number  
18 173, Senate Print 4434, by Senator Skoufis, an  
19 act to amend the Education Law.

20 ACTING PRESIDENT BAILEY: Read the  
21 last section.

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

24 ACTING PRESIDENT BAILEY: Call the  
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BAILEY: Announce  
3 the results.

4 THE SECRETARY: In relation to  
5 Calendar 173, voting in the negative are  
6 Senators Ashby, Borrello, Chan, Gallivan, Griffo,  
7 Helming, Lanza, Mattera, Murray, Oberacker,  
8 O'Mara, Ortt, Palumbo, Rolison, Stec, Tedisco,  
9 Walczyk, Weber and Weik.

10 Ayes, 40. Nays, 19.

11 ACTING PRESIDENT BAILEY: The bill  
12 is passed.

13 THE SECRETARY: Calendar Number  
14 175, Senate Print 600A, by Senator Hinchey, an  
15 act to amend the General Municipal Law.

16 ACTING PRESIDENT BAILEY: Read the  
17 last section.

18 THE SECRETARY: Section 8. This  
19 act shall take effect on the first of January.

20 ACTING PRESIDENT BAILEY: Call the  
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT BAILEY: Announce  
24 the results.

25 THE SECRETARY: In relation to

1 Calendar 175, voting in the negative are  
2 Senators Helming, Murray, O'Mara, Ortt and  
3 Walczyk.

4 Ayes, 54. Nays, 5.

5 ACTING PRESIDENT BAILEY: The bill  
6 is passed.

7 THE SECRETARY: Calendar Number  
8 181, Senate Print 194B, by Senator Martinez, an  
9 act to amend the General Business Law.

10 ACTING PRESIDENT BAILEY: Read the  
11 last section.

12 THE SECRETARY: Section 4. This  
13 act shall take effect August 1, 2027.

14 ACTING PRESIDENT BAILEY: Call the  
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BAILEY: Senator  
18 Helming to explain her vote.

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

21 We hear a lot of talk about  
22 affordability, including from our schools and  
23 taxpayers who are facing extreme cost increases.  
24 A lot of these cost increases are driven by state  
25 mandates from skyrocketing utilities, healthcare

1 and insurance costs, to the multi-billion-dollar  
2 all-electric school bus mandate.

3 Adding more mandates without  
4 providing dedicated state funding will only  
5 increase the burden on our schools and on our  
6 constituents' tax bills.

7 Under the current budget proposal,  
8 many districts are slated to receive just a  
9 1 percent increase in Foundation Aid. At the  
10 same time, they're facing double-digit cost  
11 increases outside of their control.

12 We should be supporting increased  
13 school safety and the mandates should come with  
14 dedicated resources.

15 I support several bills that would  
16 make school safety and security improvements  
17 eligible for additional state funding streams.  
18 Because if we expect schools to make significant  
19 investments while maintaining critical programs,  
20 the state must be a partner in that effort.

21 I encourage this body to take a look  
22 at our Republican Conference school safety plans  
23 and to bring these bills to the floor for a vote.

24 Just this past Saturday I  
25 participated in the Monroe County School Board

1 Association legislative meeting. There, there  
2 were several students who spoke very powerfully  
3 about the impact of unfunded mandates. One young  
4 man summed it up perfectly: "If the state is  
5 going to mandate it, the state should pay for  
6 it."

7 Right now, schools and taxpayers  
8 need relief. We have better bills that achieve  
9 the intended goal of the bill before us that  
10 won't squeeze the taxpayers. For that reason,  
11 Mr. President, I vote no.

12 ACTING PRESIDENT BAILEY: Senator  
13 Helming to be recorded in the negative.

14 Announce the results.

15 THE SECRETARY: In relation to  
16 Calendar 181, voting in the negative are  
17 Senators Borrello, Gallivan, Griffio, Helming,  
18 Oberacker, O'Mara, Ortt, Stec, Tedisco, Walczyk  
19 and Weik.

20 Ayes, 48. Nays, 11.

21 ACTING PRESIDENT BAILEY: The bill  
22 is passed.

23 THE SECRETARY: Calendar Number  
24 182, Senate Print 5597, by Senator May, an act to  
25 amend the General Business Law.

1                   ACTING PRESIDENT BAILEY:    Read the  
2    last section.

3                   THE SECRETARY:        Section 25.  This  
4    act shall take effect immediately.

5                   ACTING PRESIDENT BAILEY:    Call the  
6    roll.

7                   (The Secretary called the roll.)

8                   ACTING PRESIDENT BAILEY:    Announce  
9    the results.

10                  THE SECRETARY:        In relation to  
11    Calendar 182, voting in the negative are  
12    Senators Ashby, Borrello, Chan, Gallivan, Griffio,  
13    Helming, Lanza, Mattera, Murray, Oberacker,  
14    O'Mara, Ortt, Palumbo, Rolison, Stec, Tedisco,  
15    Walczyk, Weber and Weik.

16                  Ayes, 40.  Nays, 19.

17                  ACTING PRESIDENT BAILEY:    The bill  
18    is passed.

19                  THE SECRETARY:        Calendar Number  
20    201, Senate Print 524, by Senator Mayer, an act  
21    to amend the Penal Law.

22                  ACTING PRESIDENT BAILEY:    Read the  
23    last section.

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

1                   ACTING PRESIDENT BAILEY:    Call the  
2    roll.

3                   (The Secretary called the roll.)

4                   ACTING PRESIDENT BAILEY:    Announce  
5    the results.

6                   THE SECRETARY:    In relation to  
7    Calendar 201, voting in the negative:  
8    Senator Brisport.

9                   Ayes, 58.   Nays, 1.

10                  ACTING PRESIDENT BAILEY:    The bill  
11    is passed.

12                  THE SECRETARY:    Calendar Number  
13    202, Senate Print 660, by Senator Gianaris, an  
14    act to amend the Criminal Procedure Law.

15                  SENATOR GIANARIS:    Lay it aside for  
16    the day.

17                  ACTING PRESIDENT BAILEY:    The bill  
18    will be laid aside for the day.

19                  THE SECRETARY:    Calendar Number  
20    204, Senate Print Number 4322, by  
21    Senator Scarcella-Spanton, an act to amend the  
22    Civil Rights Law.

23                  ACTING PRESIDENT BAILEY:    Read the  
24    last section.

25                  THE SECRETARY:    Section 2.   This

1 act shall take effect on the 90th day after it  
2 shall have become a law.

3 ACTING PRESIDENT BAILEY: Call the  
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BAILEY: Announce  
7 the results.

8 THE SECRETARY: In relation to  
9 Calendar 204, voting in the negative are  
10 Senators Borrello, Gallivan, Lanza, Ortt and  
11 Tedisco.

12 Senator Tedisco in the affirmative.

13 Senator Griffo in the negative.

14 Ayes, 54. Nays, 5.

15 ACTING PRESIDENT BAILEY: The bill  
16 is passed.

17 THE SECRETARY: Calendar Number  
18 216, Senate Print 2436, by Senator Krueger, an  
19 act to amend the Administrative Code of the City  
20 of New York.

21 ACTING PRESIDENT BAILEY: Read the  
22 last section.

23 THE SECRETARY: Section 3. This  
24 act shall take effect on the first of January.

25 ACTING PRESIDENT BAILEY: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BAILEY: Announce  
4 the results.

5 THE SECRETARY: In relation to  
6 Calendar 216, voting in the negative are  
7 Senators Ashby, Borrello, Gallivan, Griffo,  
8 Helming, Lanza, Mattera, Murray, Oberacker,  
9 O'Mara, Ortt, Palumbo, Rolison,  
10 Scarcella-Spanton, Stec, Tedisco, Walczyk and  
11 Weik.

12 Ayes, 41. Nays, 18.

13 ACTING PRESIDENT BAILEY: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 220, Senate Print 5052, by Senator Bailey, an act  
17 to amend the Insurance Law.

18 ACTING PRESIDENT BAILEY: Read the  
19 last section.

20 THE SECRETARY: Section 9. This  
21 act shall take effect on the 270th day after it  
22 shall have become a law.

23 ACTING PRESIDENT BAILEY: Call the  
24 roll.

25 (The Secretary called the roll.)

1                   ACTING PRESIDENT BAILEY:    Announce  
2   the results.

3                   THE SECRETARY:     Ayes, 59.

4                   ACTING PRESIDENT BAILEY:    The bill  
5   is passed.

6                   THE SECRETARY:     Calendar Number  
7   221, Senate Print 896A, by Senator Martinez, an  
8   act to amend the Executive Law.

9                   ACTING PRESIDENT BAILEY:    Read the  
10  last section.

11                   THE SECRETARY:     Section 2. This  
12  act shall take effect on the 90th day after it  
13  shall have become a law.

14                   ACTING PRESIDENT BAILEY:    Call the  
15  roll.

16                   (The Secretary called the roll.)

17                   ACTING PRESIDENT BAILEY:    Announce  
18  the results.

19                   THE SECRETARY:     Ayes, 59.

20                   ACTING PRESIDENT BAILEY:    The bill  
21  is passed.

22                   THE SECRETARY:     Calendar Number  
23  222, Senate Print 1188, by Senator Addabbo, an  
24  act to amend the General Business Law.

25                   ACTING PRESIDENT BAILEY:    Read the

1 last section.

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

5 ACTING PRESIDENT BAILEY: Call the  
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BAILEY: Announce  
9 the results.

10 THE SECRETARY: Ayes, 59.

11 ACTING PRESIDENT BAILEY: The bill  
12 is passed.

13 THE SECRETARY: Calendar Number  
14 223, Senate Print 1788, by Senator Hinchey, an  
15 act to amend the Real Property Tax Law.

16 ACTING PRESIDENT BAILEY: Read the  
17 last section.

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

20 ACTING PRESIDENT BAILEY: Call the  
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT BAILEY: Announce  
24 the results.

25 THE SECRETARY: Ayes, 59.

1                   ACTING PRESIDENT BAILEY:    The bill  
2    is passed.

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

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

7                   ACTING PRESIDENT BAILEY:    There is  
8    no further business at the desk.

9                   SENATOR GIANARIS:    I move to  
10   adjourn until tomorrow, Tuesday, February 10th,  
11   at 3:00 p.m.

12                  ACTING PRESIDENT BAILEY:    On  
13   motion, the Senate stands adjourned until  
14   Tuesday, February 10th, at 3:00 p.m.

15                  (Whereupon, at 3:59 p.m., the Senate  
16   adjourned.)

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