

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 March 4, 2026

11 3:48 p.m.

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14 REGULAR SESSION

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18 LIEUTENANT GOVERNOR ANTONIO DELGADO, President

19 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 Everyone please rise and recite the
5 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, Tuesday,
16 March 3, 2026, the Senate met pursuant to
17 adjournment. The Journal of Monday, March 2,
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: Let's begin by
10 recognizing Senator Mayer for an introduction.

11 THE PRESIDENT: Senator Mayer.

12 SENATOR MAYER: Thank you,
13 Mr. President.

14 It truly is my honor to introduce a
15 number of guests who are here from the New York
16 Alliance for Early College Pathways, which is a
17 statewide cross-sector coalition focused on
18 expanding high-quality early college
19 opportunities for New York's high school
20 students, something we are working hard to
21 enhance.

22 Visiting the Capitol today are
23 college students who are alumni of high school
24 early college programs. We had Buffalo and
25 New York City, but our Buffalo person had to

1 leave.

2 So I am pleased to recognize those
3 that are here to learn about our government, to
4 get to meet members of the Legislature and tell
5 their stories about how early college really
6 enhanced their lives and allowed them to be very
7 successful in their college careers.

8 The group is led by Alexandra
9 Wilcox, deputy director of New York Alliance for
10 Early College Pathways, and Claire Byrnes,
11 project operations manager.

12 And I ask that you recognize these
13 students, distinguished students who are here
14 learning about how government works and about the
15 value of early college and sharing the message to
16 our colleagues in the Legislature.

17 So I wish you would offer them all
18 the cordialities of the house, and thank you for
19 recognizing them.

20 THE PRESIDENT: Thank you,
21 Senator Mayer.

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

25 Please rise and be recognized.

1 (Standing ovation.)

2 THE PRESIDENT: Senator Gianaris.

3 SENATOR GIANARIS: Next up, let's
4 recognize Senator Zellner -- Senator Jeremy
5 Zellner --

6 (Laughter.)

7 SENATOR GIANARIS: -- for another
8 introduction.

9 THE PRESIDENT: Senator Zellner.

10 SENATOR ZELLNER: Mr. President, I
11 rise today with immense pride to recognize the
12 brave men of the Buffalo Professional
13 Firefighters Union Local 282: President
14 John Otto, Vice President Timothy Max,
15 Treasurer Rick Panowicz, and
16 Trustees Michael Pasquale and Otis Stephens.

17 Before we go any further, I want to
18 take a moment to honor a hero, fallen Buffalo
19 Firefighter Jason Arno.

20 Jason was a proud member of
21 Local 282 who gave his life in the line of duty
22 three years ago this week. He served the City of
23 Buffalo without hesitation. He ran toward danger
24 to protect us all, and he made the ultimate
25 sacrifice.

1 May he rest in peace, and may we
2 honor him not just in words, but in how we
3 support all who serve.

4 And today we remember every
5 firefighter who has paid the ultimate price in
6 service to their community.

7 To the Buffalo Professional
8 Firefighters, we applaud you. You serve more
9 than a quarter of a million people across
10 42 square miles of our great city. You don't
11 wait for danger to pass; you run towards it. You
12 answer every alarm with courage, skill and
13 determination.

14 You represent over 700 men and women
15 who live this mission every single day to provide
16 the highest-quality fire, EMS and specialized
17 services through leadership, action, and
18 partnership.

19 This is not just your mission, it is
20 a promise, and you keep it every time you step in
21 the line of duty.

22 To Buffalo's bravest, thank you for
23 what you do, for who you are, and for the
24 sacrifices you make to keep our families, our
25 neighborhoods and our city safe.

1 And let us honor your courage not
2 only with words, but by supporting you, backing
3 you, and ensuring every firefighter has the
4 resources and respect they deserve.

5 Mr. President, please join me in
6 welcoming the Buffalo Firefighters.

7 THE PRESIDENT: Thank you, Senator.

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

11 Please rise and be recognized.

12 (Standing ovation.)

13 THE PRESIDENT: Senator Gianaris.

14 SENATOR GIANARIS: Mr. President, I
15 want to recognize that we have numerous members
16 who wanted to recognize the firefighters,
17 including Senator Gallivan and others, but the
18 house rules only allow one member to speak on an
19 introduction, and that was Senator Zellner.

20 So the firefighters should know they
21 have a lot of fans here in the chamber.

22 Now let's move on to previously
23 adopted Resolution 1489, by Senator Sepúlveda.
24 Please read that resolution's title and recognize
25 Senator Sepúlveda.

1 THE PRESIDENT: The Secretary will
2 read.

3 THE SECRETARY: Resolution 1489, by
4 Senator Sepúlveda, commemorating the
5 182nd Anniversary of the Independence of the
6 Dominican Republic, to be celebrated on
7 February 27, 2026.

8 THE PRESIDENT: Senator Sepúlveda.

9 SENATOR SEPÚLVEDA: Thank you,
10 Mr. President, for allowing me to present this
11 resolution.

12 I'm going to begin in Spanish, for
13 the first time in the history of this Senate
14 chamber, and then translate into English.

15 (In Spanish.)

16 Dear colleagues, distinguished
17 guests, members of the Dominican community in
18 New York. Today we not only commemorate a date;
19 today we celebrate a people. We celebrate
20 resilience, dignity, and an unwavering faith in
21 freedom.

22 One hundred eighty-two years ago,
23 under the leadership of Juan Pablo Duarte, the
24 Dominican Republic was born -- a nation founded
25 on principles, sustained by sacrifice, and guided

1 by the rule of law.

2 Duarte understood something very
3 profound: Sovereignty is not unlimited power.
4 It is a constitutional responsibility.

5 And as Foreign Minister Roberto
6 Álvarez has stated: "Sovereignty is not
7 protected by rejecting international commitments,
8 but by negotiating clarity, reciprocity,
9 constitutional compatibility, and preservation of
10 internal decision-making power."

11 And with historical clarity: "When
12 a state assumes treaty obligations, it does not
13 abdicate its sovereignty; it exercises it."

14 This vision is not rhetoric. It is
15 reflected in results.

16 In 2024, the Dominican economy grew
17 by approximately 5 percent, positioning itself
18 among the most dynamic in the Western Hemisphere.
19 Foreign direct investment exceeded \$5 billion.

20 Tourism received more than 10
21 million visitors, consolidating the country as a
22 regional leader. Free trade zones continue to
23 expand exports and employment. And
24 remittances -- sent largely from New York --
25 reached approximately \$10.75 billion.

1 By 2025, total projected foreign
2 exchange earnings exceed \$46 billion.

3 Now, that's no coincidence. That's
4 institutional stability. That's macroeconomic
5 discipline. That's confidence in the rule of
6 law.

7 And behind every number are human
8 stories: The worker in the Bronx who sends
9 support to Santiago, to La Ramona, to
10 Trinidad Sanchez. The young professional
11 building a future in two countries without giving
12 up either.

13 Here lives the largest Dominican
14 community outside the country. The diaspora
15 doesn't weaken sovereignty. If anything, it
16 amplifies it. It honors it.

17 Today we celebrate a living
18 independence, a democracy that produces results,
19 a nation that cooperates without losing its
20 identity.

21 As part of this commemoration and
22 recognition, we have the honor of presenting a
23 Resolution of Independence to the Consul General
24 of the Dominican Republic in New York, the
25 Honorable Jesús Vásquez Martínez.

1 Vásquez Martínez is a prominent
2 Dominican political leader and public servant
3 with extensive experience in public
4 administration and diplomatic representation.

5 He began his career as a health
6 inspector in the municipality of Sánchez,
7 Samaná Province, and at the age of 24 was
8 appointed the youngest civil governor in the
9 Dominican Republic, for the province of María
10 Trinidad Sánchez.

11 Between 1985 and 1986, he served as
12 Consul General of the Dominican Republic in
13 Caracas, Venezuela.

14 From 1994 to 2010, he served as a
15 senator for María Trinidad Sánchez Province in
16 the Senate of the Dominican Republic, an
17 institution he also was president for, for 2003
18 to 2004. And during his time in Congress, I know
19 that he championed significant legislative
20 reforms and led committees.

21 In 2024 he was appointed
22 Consul General of the Dominican Republic in
23 New York, a position that he currently holds.

24 Today we celebrate the cultural
25 richness that the Dominican community brings to

1 our city, as well as the enduring independence
2 that has defined us since their historic day of
3 February 27, 1844.

4 I want to express my sincere
5 gratitude to everyone present and, in a very
6 special way, to Consul General Jesús Vásquez
7 Martínez for his commitment and dedication, and
8 his wife, Deonicia Marte; as well as to those who
9 are accompanying him today, particularly the
10 delegation comprised of Leonel Tanguí,
11 Luis Rodríguez, and Jairo Díaz.

12 Long live the Dominican Republic!
13 Long live the Dominican community in New York!
14 And may the friendship between our two homes
15 always endure!

16 Thank you.

17 THE PRESIDENT: Thank you,
18 Senator Sepúlveda.

19 Senator Jackson.

20 SENATOR JACKSON: Thank you,
21 Mr. President.

22 I rise in support of Senate
23 Resolution J1489, which acknowledges
24 Dominican heritage and commemorates the
25 182nd Anniversary of an independent

1 Dominican state.

2 I have the privilege of representing
3 the 31st Senatorial District, home to New York's
4 largest Dominican population, spanning
5 Northern Manhattan and portions of the Bronx.
6 The "Quisqueyanos" who call this district home
7 are not just constituents, they are my long-time
8 neighbors, who have always embraced me with a
9 profound love and respect, underscoring our
10 mutual solidarity and commitment to unity.

11 Dominican history is rich with
12 remarkable figures who shaped the destiny of
13 their nation. From the founders of the
14 Dominican Republic to the many heroes who
15 struggled for freedom and justice, names such as
16 Gregorio Luperón, Salomé Ureña, Máximo Gómez,
17 Ercilia Pepín, the Mirabal Sisters, Manolo
18 Tavárez Justo, José Francisco Peña Gómez, and
19 Mamá Tingó stand as enduring symbols of courage,
20 resilience, and unwavering determination. Their
21 legacy continues to inspire generations to pursue
22 dignity, liberty, and pride.

23 Yet among the remarkable names that
24 adorn the annals of history, let us also uplift
25 the everyday heroes who grace our streets and

1 communities and have contributed so much to our
2 society in New York.

3 Dominican New Yorkers strengthen our
4 state every single day as entrepreneurs, workers,
5 street vendors, parents, students and public
6 servants. Their presence shapes our
7 neighborhoods, strengthens our economy, and
8 enriches the cultural life of our state.

9 But that spirit is also present
10 within my own office, where half of my staff
11 proudly trace their roots to the
12 Dominican Republic. Each carries forward a
13 tradition of perseverance, dignity, and
14 dedication that reflects the very best of the
15 Dominican spirit.

16 Progress is built not only by
17 historic figures, but by everyday people who
18 refuse to surrender their hope, their voice, or
19 their commitment to community. They teach us
20 that in the face of adversity, the strength of
21 community and the resilience of the human spirit
22 will always prevail.

23 As someone who was made an honorary
24 citizen of Haina in 2010, and as an ally,
25 neighbor, friend and representative, I have the

1 privilege of witnessing that spirit every single
2 day.

3 So today, as we commemorate the
4 182nd Anniversary of Dominican Independence, I
5 proudly rise in support of this resolution -- and
6 welcoming Consul General Jesús Antonio Vásquez
7 Martínez -- honoring the enduring contributions
8 of Dominican New Yorkers in District 31 and
9 across the great State of New York.

10 Thank you, Mr. President.

11 THE PRESIDENT: Thank you,
12 Senator Jackson.

13 Senator Weber.

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

16 I want to thank Senator Sepúlveda
17 for bringing this annual resolution forward
18 recognizing this year as the 182nd Anniversary of
19 the independence of the Dominican Republic.

20 Now, Mr. President, I have actual
21 ties to the Dominican Republic, both politically
22 and personally. And you may say how does a guy
23 like me have ties to the Dominican Republic. But
24 while I was a teenager, my father married -- got
25 remarried and married a woman from Baní. So I

1 was able to visit the island of the
2 Dominican Republic many times through my teen
3 years and into my adult life as well.

4 And it was a wonderful experience to
5 learn the culture and the -- everything that was
6 great about the island.

7 I also have a stepbrother who is
8 Dominican, too. He's also a police officer in
9 the 41st Precinct in the Bronx.

10 So great memories of visiting the
11 island and great experiences throughout my life.

12 Now, politically, I represent the
13 Town of Haverstraw. And in the Town of
14 Haverstraw we have a very large Dominican
15 community, including in the Village of
16 Haverstraw, where I think 70 percent or more of
17 the residents of the Village of Haverstraw are
18 Dominicans or of Dominican descent.

19 So we have so much -- such a big
20 vibrant Dominican community in my district. And
21 people like Johnny Ortiz, who was the first Town
22 of Haverstraw councilman that was Dominican. We
23 have West Haverstraw Trustees Ramon Lopez and
24 Joel Santana. We have Clerk Raquel Ventura. We
25 have Judges Roselina D'Annucci and Ivonne Santos.

1 So we have a great, vibrant
2 Dominican community, great members of the
3 political persuasion within that village and in
4 that town as well.

5 So I'm happy to be a part of this
6 recognition. We had a flag-raising ceremony in
7 the Village of Haverstraw last Friday. We went
8 back to the Quisqueya Sports Club to have a very
9 cold Presidente beer. And it was a great night
10 for all of us to be there.

11 So thank you again,
12 Senator Sepúlveda, for this resolution.

13 Mr. President, I proudly vote aye.

14 THE PRESIDENT: Thank you,
15 Senator Weber.

16 Senator Bailey.

17 SENATOR BAILEY: Thank you,
18 Mr. President.

19 Thank you again to Senator Sepúlveda
20 for introducing this very important resolution.

21 When we speak about the Dominican
22 diaspora -- Senator Weber speaks of it, but we
23 should look no further than our -- those doors of
24 our chamber {indicating}, where the Secretary of
25 the Senate, Ms. Alejandra Paulino, a proud woman

1 of Dominican descent, runs the show here.

2 And so you need look no further than
3 Ale about the aspect and the impact of the
4 Dominican community.

5 I also proudly represent the Bronx
6 and the City of Mount Vernon. But as
7 Senator Sepúlveda alluded to, the
8 Dominican population is the largest in the
9 Bronx outside of the Dominican Republic. The
10 fastest-growing population in the City of
11 New York, and one where we have so many different
12 heroes and heroines and leaders.

13 And so I just want to thank the
14 Dominican community for continuing to uplift
15 themselves but uplift all of us.

16 There is a phrase that my Dominican
17 friends -- which they say de lo me {ph}, "you
18 are" -- more or less loosely translated to
19 "you're one of us." And they have bestowed that
20 honor upon many of us, but it's due to the hard
21 work that we put in and the efforts of
22 collegiality that they put in towards us.

23 So they're making this country truly
24 great. They continue to impact the lives of
25 every New Yorker. And I say -- I remember this,

1 Senator Sepúlveda and all of my friends -- Dios,
2 Patria, Libertad.

3 Thank you, Mr. President.

4 THE PRESIDENT: Thank you,
5 Senator Bailey.

6 Senator Fernandez. Senator
7 Fernandez.

8 SENATOR FERNANDEZ: Oh. Hi.
9 Qué lo que, Mr. President. Thank you for giving
10 me the opportunity to speak on this resolution.

11 And thank you so much, Senator, for
12 introducing it and giving a rightful place in our
13 state history to commemorate this day of
14 independence and heritage of the Dominican
15 community.

16 I too am proud to represent a
17 beautiful population in the East Bronx. And we
18 see all over this state and this country the
19 amazing contributions they have in food, in
20 talent, in culture, in dance. And it is truly
21 one of our most proudest communities in this
22 state.

23 So thank you so much for giving us
24 the opportunity and the Dominican opportunity to
25 shine in New York.

1 Once again, I proudly vote aye.

2 THE PRESIDENT: Thank you.

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

6 Please rise to be recognized.

7 (Standing ovation.)

8 THE PRESIDENT: The resolution was
9 adopted on January 28th.

10 Senator Gianaris.

11 SENATOR GIANARIS: Mr. President,
12 Senator Sepúlveda would like to open that
13 resolution for cosponsorship.

14 THE PRESIDENT: The resolution is
15 open for cosponsorship. Should you choose not to
16 be a cosponsor, please notify the desk.

17 Senator Gianaris.

18 SENATOR GIANARIS: Please take up
19 the reading of the calendar.

20 THE PRESIDENT: The Secretary will
21 read.

22 THE SECRETARY: Calendar Number
23 117, Senate Print 3590A, by Senator Harckham, an
24 act to amend the Executive Law.

25 SENATOR LANZA: Lay it aside.

1 THE PRESIDENT: Lay it aside.

2 THE SECRETARY: Calendar Number
3 300, Senate Print 5852, by Senator Skoufis, an
4 act to amend the Insurance Law.

5 THE PRESIDENT: Read the last
6 section.

7 THE SECRETARY: Section 7. This
8 act shall take effect on the first of January.

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

11 THE PRESIDENT: Announce the
12 results.

13 THE SECRETARY: In relation to
14 Calendar 300, voting in the negative are
15 Senators Borrello, Canzoneri-Fitzpatrick, Chan,
16 Gallivan, Griffio, Helming, Martins, Mattera,
17 Murray, Oberacker, O'Mara, Ortt, Rhoads, Stec,
18 Walczyk, Weber and Weik. Also Senator Tedisco.

19 Ayes, 42. Nays, 18.

20 THE PRESIDENT: The bill is passed.

21 THE SECRETARY: Calendar Number
22 301, Senate Print 8334A, by Senator Gounardes, an
23 act to amend the Insurance Law.

24 THE PRESIDENT: Read the last
25 section.

1 THE SECRETARY: Section 5. This
2 act shall take effect on the first of January.

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 301, voting in the negative are
9 Senators Borrello, Canzoneri-Fitzpatrick,
10 Gallivan, Griffo, Mattera, Oberacker, O'Mara,
11 Ortt, Palumbo, Rhoads, Stec, Walczyk and Weik.

12 Ayes, 47. Nays, 13.

13 THE PRESIDENT: The bill is passed.

14 THE SECRETARY: Calendar Number
15 306, Senate Print 8853, by Senator Mayer, an act
16 to amend the Public Health Law.

17 THE PRESIDENT: Read the last
18 section.

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

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

23 THE PRESIDENT: Senator Weik to
24 explain her vote.

25 SENATOR WEIK: Thank you,

1 Mr. President. I rise to explain my vote.

2 If I asked everyone in this room to
3 take an aspirin today, I guarantee you several
4 people would have to decline based on the
5 interaction with current medicine or their health
6 condition -- because there is no such thing as
7 "one size fits all" medicine.

8 Medicine is as personal as it gets.
9 It should be discussed between a doctor and an
10 individual or parents and their doctors.
11 Mandatory medicine assumes one size fits all,
12 which doesn't exist.

13 Government can suggest or recommend;
14 that's all. I do not support mandatory medicine
15 because, as we can see, it just doesn't fit.

16 I don't support this bill, and I
17 vote no and I encourage my colleagues to
18 recognize this truth and vote accordingly.

19 Thank you.

20 THE PRESIDENT: Senator Weik will
21 be recorded in the negative.

22 Senator Mayer to explain her vote.

23 SENATOR MAYER: Thank you,
24 Mr. President.

25 I proudly rise to support this bill,

1 which is really to ensure that the current and
2 long-standing vaccination requirements for
3 children entering school are in sync with science
4 and are not driven by politics.

5 This requires the commissioner of
6 Health to create recommendations based on the
7 recommendations of the American Academy of
8 Pediatrics, the American Academy of Family
9 Physicians, the American College of Obstetricians
10 and Gynecologists, the American College of
11 Physicians, the Advisory Committee on
12 Immunization Practices -- which I would point out
13 has been greatly modified and changed and become
14 political under Secretary Kennedy. But they're
15 listed in there.

16 And this gives the Department of
17 Health the ability to ensure that New York State
18 does the right thing by our kids and provides
19 that the mandatory vaccines that are generally
20 required of all schoolchildren are in line with
21 science.

22 I am very proud that our conference
23 has this group of bills today that reflect our
24 commitment to a scientifically based immunization
25 schedule.

1 And I would point out the other part
2 of this bill deals with infant immunization,
3 which of course is up to the parent already and
4 is not required.

5 So that again defers to
6 science-based, very legitimate organizations and
7 does not exclude anyone in making the Department
8 of Health the determinant of what is best for
9 New York's children.

10 I feel quite confident that we are
11 doing the right thing by New York's infants and
12 schoolchildren, and I urge my colleagues to vote
13 yes.

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

16 Announce the results.

17 THE SECRETARY: In relation to
18 Calendar 306, voting in the negative are
19 Senators Borrello, Canzoneri-Fitzpatrick, Chan,
20 Gallivan, Griffo, Helming, Lanza, Martins,
21 Mattera, Murray, Oberacker, O'Mara, Ortt,
22 Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk,
23 Weber and Senator Weik.

24 Ayes, 39. Nays, 21.

25 THE PRESIDENT: The bill is passed.

1 THE SECRETARY: Calendar Number
2 309, Senate Print 610A, by Senator Stavisky, an
3 act to amend the Education Law.

4 THE PRESIDENT: Read the last
5 section.

6 THE SECRETARY: Section 2. This
7 act shall take effect on the 90th day after it
8 shall have become a law.

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

11 THE PRESIDENT: Announce the
12 results.

13 THE SECRETARY: Ayes, 60.

14 THE PRESIDENT: Oh, Senator
15 Stavisky to explain your vote.

16 SENATOR STAVISKY: Thank you,
17 Mr. President, real quick.

18 This legislation simply broadens the
19 scope for the healthcare providers so that more
20 people can administer the vaccine under very
21 significant supervision.

22 I vote aye.

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

25 Announce the results.

1 THE SECRETARY: Ayes, 60.

2 THE PRESIDENT: The bill is passed.

3 THE SECRETARY: Calendar Number
4 311, Senate Print 5340B, by Senator Stavisky,
5 an act to amend the Education Law.

6 THE PRESIDENT: Read the last
7 section.

8 THE SECRETARY: Section 3. This
9 act shall take effect on the 180th day after it
10 shall have become a law.

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

13 THE PRESIDENT: Announce the
14 results.

15 THE SECRETARY: In relation to
16 Calendar 311, voting in the negative are
17 Senators Gallivan, Griffio, Lanza, Martinez, Ortt,
18 Palumbo, Walczyk and Weik.

19 Ayes, 52. Nays, 8.

20 THE PRESIDENT: The bill is passed.

21 THE SECRETARY: Calendar Number
22 313, Senate Print 5706A, by Senator Skoufis,
23 an act to amend the Education Law.

24 THE PRESIDENT: Read the last
25 section.

1 THE SECRETARY: Section 6. 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 313, voting in the negative are
9 Senators Borrello, Chan, Gallivan, Griffo,
10 Walczyk and Weik.

11 Ayes, 54. Nays, 6.

12 THE PRESIDENT: The bill is passed.

13 THE SECRETARY: Calendar Number
14 314, Senate Print 7025B, by Senator Cooney,
15 an act to amend the Education Law.

16 THE PRESIDENT: Read the last
17 section.

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

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

23 THE PRESIDENT: Announce the
24 results.

25 THE SECRETARY: In relation to

1 Calendar 314, voting in the negative:

2 Senator Martinez.

3 Ayes, 59. Nays, 1.

4 THE PRESIDENT: The bill is passed.

5 THE SECRETARY: Calendar Number
6 315, Senate Print 8496C, by Senator Hinchey, an
7 act to amend the Education Law.

8 THE PRESIDENT: Read the last
9 section.

10 THE SECRETARY: Section 10. 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 315, voting in the negative are
18 Senators Canzoneri-Fitzpatrick, Chan, Gallivan,
19 Griffo, Helming, Lanza, Martins, Mattera, Murray,
20 Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec,
21 Tedisco, Walczyk and Weber.

22 Ayes, 42. Nays, 18.

23 THE PRESIDENT: The bill is passed.

24 THE SECRETARY: Calendar Number
25 317, Senate Print 3071A, by Senator Sanders, an

1 act to amend the Education Law.

2 THE PRESIDENT: Read the last
3 section.

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

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

8 THE PRESIDENT: Announce the
9 results.

10 THE SECRETARY: Ayes, 60.

11 THE PRESIDENT: The bill is passed.

12 THE SECRETARY: Calendar Number
13 320, Senate Print 3189, by Senator Persaud, an
14 act to amend the Social Services Law.

15 THE PRESIDENT: Read the last
16 section.

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

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

21 THE PRESIDENT: Announce the
22 results.

23 THE SECRETARY: Ayes, 60.

24 THE PRESIDENT: The bill is passed.

25 THE SECRETARY: Calendar Number

1 332, Senate Print 2613, by Senator Addabbo, an
2 act to amend the Tax Law.

3 THE PRESIDENT: Read the last
4 section.

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

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

9 THE PRESIDENT: Announce the
10 results.

11 THE SECRETARY: In relation to
12 Calendar 332, voting in the negative are
13 Senators Griffo and Ortt.

14 Ayes, 58. Nays, 2.

15 THE PRESIDENT: The bill is passed.

16 THE SECRETARY: Calendar Number
17 365, Senate Print 490, by Senator Fernandez, an
18 act to amend the Penal Law.

19 THE PRESIDENT: Read the last
20 section.

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

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

25 THE PRESIDENT: Announce the

1 results.

2 THE SECRETARY: Ayes, 60.

3 THE PRESIDENT: The bill is passed.

4 THE SECRETARY: Calendar Number
5 375, Senate Print 6217, by Senator Fernandez, an
6 act to amend the Workers' Compensation Law.

7 THE PRESIDENT: Read the last
8 section.

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

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

13 THE PRESIDENT: Senator Fernandez
14 to explain your vote.

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

17 At its core, our workers'
18 compensation system was created to provide a
19 swift and certain source of benefits to injured
20 workers and to the families of those who lose
21 their lives on the job.

22 If we truly stand with labor and the
23 hardworking men and women who power our economy,
24 then we must ensure this system works for them
25 and not against them. This bill restores that

1 promise.

2 First we update the outdated 1,000
3 preauthorization limit to \$1500. Medical costs
4 have risen, yet the cap has remained stagnant.
5 By adjusting it, it reflects today's realities,
6 we reduce unnecessary delays for routine tests
7 and procedures and ensure injured workers receive
8 timely, appropriate care so they can heal and
9 return to work.

10 Secondly, we clarify the purpose of
11 the medical treatment guidelines. These
12 guidelines were meant to streamline care, not to
13 function as an automatic denial system.

14 Yet too often, necessary treatments
15 are rejected simply because they are not on a
16 list, even when prescribed by a medical
17 professional. This has driven providers away
18 from the system and left injured workers waiting.

19 Finally, this bill restores access
20 to out-of-network providers, allowing injured
21 workers to obtain timely testing and treatment
22 while still controlling costs by requiring
23 providers to accept negotiated rates.

24 Supporting this legislation means we
25 support labor. It means standing up for workers

1 when they are at their most vulnerable, and it
2 means ensuring that when someone is hurt on the
3 job, the system responds with care and not red
4 tape.

5 I proudly vote aye.

6 THE PRESIDENT: Senator Fernandez
7 will be recorded in the affirmative.

8 Announce the results.

9 THE SECRETARY: Ayes, 60.

10 THE PRESIDENT: The bill is passed.

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

13 SENATOR GIANARIS: Let's take up
14 the one bill on the controversial calendar,
15 please.

16 THE PRESIDENT: The Secretary will
17 ring the bell.

18 The Secretary will read.

19 THE SECRETARY: Calendar Number
20 117, Senate Print 3590A, by Senator Harckham, an
21 act to amend the Executive Law.

22 THE PRESIDENT: Senator Lanza, why
23 do you rise?

24 SENATOR LANZA: Mr. President, I
25 believe there's an amendment at the desk. I

1 waive the reading of that amendment and ask that
2 you recognize Senator Walczyk.

3 THE PRESIDENT: Thank you,
4 Senator Lanza.

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

8 SENATOR LANZA: Accordingly,
9 Mr. President, I appeal the ruling of the chair
10 and ask that Senator Walczyk be heard on that
11 appeal.

12 THE PRESIDENT: The appeal has been
13 made and recognized, and Senator Walczyk will be
14 heard.

15 SENATOR WALCZYK: Well, I'm
16 disappointed in the ruling, Mr. President, but I
17 thank you for the opportunity.

18 This amendment is germane, in fact,
19 to the bill-in-chief because the bill-in-chief
20 deals with climate resiliency, and this bill
21 would repeal the statutory requirement for a
22 statewide cap-and-invest program, one of the
23 pillars of New York's Climate Act -- a law which
24 threatens reliability and resiliency throughout
25 our energy sector.

1 I'm sure you're all aware that last
2 week the Governor released a memo outlining the
3 impact of the CLCPA on New Yorkers' pocketbooks
4 in the next five years. The memo, which was put
5 together by the state's Energy Research and
6 Development Authority -- you know, those
7 experts -- they concluded that absent changes by
8 2031, the impact of the CLCPA on the price of gas
9 could reach or exceed \$2.23 per gallon, on top of
10 whatever you're paying at the pump at the time.

11 At today's price of gas, that would
12 mean New Yorkers would be paying \$5.25 a gallon.

13 Upstate natural gas and oil
14 households would see a cost increase of \$4100 a
15 year, and New York City would see a natural gas
16 household increase annually of \$2300 per year per
17 home.

18 Small and medium commercial
19 businesses could expect utility costs to increase
20 by as much as 46 percent.

21 New Yorkers are already experiencing
22 skyrocketing utility bills. They cannot afford
23 \$350 a month additionally on their household
24 utility bill. New Yorkers cannot afford \$5.25
25 for a gallon of gas.

1 The memo confirms what our
2 conference, the Senate Republicans, have been
3 saying for years, that the cap-and-invest
4 program's \$12 billion a year tax on businesses
5 will be passed on down to consumers, making
6 things even more unaffordable in the State of
7 New York.

8 While I'm encouraged to see the
9 Governor has finally realized what our conference
10 has been saying about this cost for years,
11 New Yorkers cannot afford the Climate Act's
12 unrealistic and costly green energy mandates.

13 I hope my colleagues across the
14 aisle will join me in repealing this costly
15 program. This amendment that I offer up,
16 Mr. President, will repeal Section 75-0109 of the
17 Environmental Conservation Law and reverse the
18 unrealistic timelines and goals. It will save
19 New Yorkers \$12 billion annually for the price of
20 energy.

21 In a moment, the president of the
22 Senate will say we're voting on the procedures of
23 the house and not on the amendment that I'm
24 offering up. People do not want technical
25 excuses from any of us. They want affordable

1 energy. They expect you, as their
2 representatives, to do something about it.

3 And that's why I offer up this
4 amendment. A couple of weeks ago you failed to
5 send \$2 billion that is unspent in the
6 Clean Energy Fund back to ratepayers, providing
7 immediate relief. Don't fail New Yorkers again
8 today.

9 Overrule the chair, take up this
10 amendment for a vote, and together we can all
11 lower the cost of energy in New York State now.

12 Thank you, Mr. President.

13 THE PRESIDENT: Thank you, Senator.

14 I want to remind the house that the
15 vote is on the procedures of the house and the
16 ruling of the chair.

17 Those in favor of overruling the
18 chair signify by saying aye.

19 (Response of "Aye.")

20 SENATOR LANZA: Show of hands.

21 THE PRESIDENT: A show of hands has
22 been requested and so ordered.

23 Announce the results.

24 THE SECRETARY: Ayes, 21.

25 THE PRESIDENT: The ruling of the

1 chair stands, and the bill-in-chief is before the
2 house.

3 Read the last section.

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

7 THE PRESIDENT: Call the roll.

8 (The Secretary called the roll.)

9 THE PRESIDENT: Senator Harckham to
10 explain your vote.

11 SENATOR HARCKHAM: Thank you very
12 much, Mr. President. Good to see you up there.

13 I want to thank my colleague for his
14 hostile amendment. I was actually hoping for
15 more Dr. Seuss this week --

16 (Laughter.)

17 SENATOR HARCKHAM: -- but perhaps
18 we'll have to wait.

19 I just want to respond to a few
20 things that we heard.

21 We keep hearing about the so-called
22 NYSERDA memo, which I would characterize as
23 Governor Hochul's "The Iraqis have weapons of
24 mass destruction" moment. This is a completely
25 fabricated memo. It's a fabricated number,

1 cherry-picked from the most extreme
2 circumstances.

3 When the New York State Independent
4 System Operator and members of the Governor's own
5 administration have reported recently that the
6 number-one driving factor of high utility prices
7 in New York State is the price of natural gas.
8 Full stop. No mention of the climate law, no
9 mention of clean energy. The number-one driver
10 is the cost of natural gas.

11 And when we see what Donald Trump's
12 erratic foreign policy, invading the Middle
13 East -- whatever people think of that, we saw the
14 price of natural gas double on the world markets
15 the other day. Double.

16 And now the notion that some people
17 on the other side of the aisle want us to double
18 down on those energy policies is really something
19 that should be frightening consumers. When we
20 know that a kilowatt of clean energy -- a
21 kilowatt of wind, a kilowatt of solar -- is far
22 cheaper than a kilowatt of natural gas and a
23 kilowatt of nuclear.

24 So Mr. President, on the bill
25 regarding the Office of Resilience, for those who

1 say we can't afford to address climate change, I
2 would point out our taxpayers are paying for this
3 right now. In 2023 American taxpayers spent
4 \$800 billion on storm-related damage.

5 In my district -- I'll give you an
6 example. Last week DOT put out a press release
7 touting a road project called the Annsville
8 Circle in my district, where the town of
9 Cortlandt and the city of Peekskill meet. It's a
10 travel circle. They spent \$25 million of
11 taxpayer money to elevate that 8 feet because of
12 climate-driven sea-level rise of the Hudson
13 River.

14 Several years ago we spent
15 \$60 million of taxpayer money to elevate a
16 one-mile section of the Saw Mill River Parkway
17 because of climate-driven storm flooding.

18 All of our municipalities are
19 dealing with that. These are just two examples
20 in my district.

21 Mr. President, the Office of
22 Resilience -- on the merits of the bill, the
23 Office of Resilience we definitely need. What we
24 don't need is more rhetoric and false information
25 about natural gas.

1 I vote aye.

2 THE PRESIDENT: Senator Harckham to
3 be recorded in the affirmative.

4 Senator Borrello to explain his
5 vote.

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

8 Last year I voted yes on this bill,
9 but then I got to thinking about it this year.
10 This is just one more, I guess, layer of
11 bureaucracy that's going to do the same thing
12 that everyone else has done.

13 We literally blame everything on
14 climate change. It doesn't matter what it is.
15 If you get into a car accident tomorrow, it was
16 probably because of climate change. I'm not even
17 kidding, that's actually happened.

18 So we're going to have an entire
19 office, an entire bureaucracy, an entire
20 additional cost so we can blame everything on
21 climate change.

22 You know, it's funny, the history of
23 climate change as a term came about from the fact
24 that, you know, it used to be global warming. We
25 had to stop saying that because every time

1 Al Gore would show up somewhere and talk about
2 how the weather was getting warmer, it would
3 snow.

4 So we had to change it to climate
5 change. You guys keep moving the goalposts on
6 us. You blame it all on climate change.

7 And this bill is just going to
8 create another bureaucracy to blame everything on
9 what actually isn't the problem, which is bad
10 policy. It's bad policy in Albany that's raising
11 our utility rates. It's bad policy that has
12 allowed our farmland to be eaten up by wind and
13 solar. It's bad policy that is causing the
14 problem, not climate change.

15 So I'm voting no. Thank you.

16 THE PRESIDENT: Senator Borrello
17 to be recorded in the negative.

18 Senator Gianaris.

19 SENATOR GIANARIS: Mr. President, I
20 neglected to mention that we've agreed to restore
21 this to the noncontroversial calendar. So let's
22 please record the vote that way.

23 THE PRESIDENT: The bill is
24 restored.

25 Senator Krueger.

1 SENATOR KRUEGER: Thank you very
2 much.

3 I would just like to say ibid to
4 Pete Harckham's speech. He's 100 percent right.
5 And anyone who's still walking around this place
6 thinking there is no crisis for us to deal with
7 with climate change doesn't actually read
8 anything that's going on around the world each
9 and every day.

10 And I just hope that our children
11 and grandchildren -- I hope our children and
12 grandchildren are a lot smarter than we all are
13 so that they can address this real crisis that
14 they will be inheriting and have to deal with.

15 I vote yes. Thank you,
16 Mr. President.

17 THE PRESIDENT: Senator Krueger
18 will be recorded in the affirmative.

19 Senator Lanza to explain his vote.

20 SENATOR LANZA: Yes, Mr. President,
21 on the bill. Oh, no, we're explaining.

22 So listening to Governor Hochul and
23 some of her allies talk about the high cost of
24 energy bills and affordability in New York is
25 like watching the arsonist blame the house for

1 burning down.

2 If you want to decrease the cost of
3 electricity in the State of New York, you can do
4 it overnight. And that's by ridding the New York
5 State and the New York City tax -- which in New
6 York City is about 30 percent -- on the cost
7 residents pay for electricity.

8 I heard a Senator, a U.S. Senator
9 from the other side of the aisle the other day
10 talking about how the oil companies and the
11 natural gas companies are gouging, are gouging
12 Americans. The biggest gouger is government.
13 The number-one factor increasing the cost of
14 living in New York is taxes and regulations.

15 And in terms of the environment, we
16 can have a debate on how it's changing, when it's
17 changing. The fact is, it's always been
18 changing. Not so long ago there was three miles
19 of ice sitting right here and it melted away.
20 Not because people were driving cars. We could
21 talk about it, but you're not allowed to have an
22 honest conversation about the extent to which
23 human activity is either speeding that or slowing
24 that down or what the impact is.

25 We keep hearing about carbon

1 emissions. I've asked this question to numerous
2 folks who advance this? How much carbon should
3 we have in the environment? And you can't get an
4 answer. The answer is less.

5 We all want clean air. We all want
6 clean water. We all want good and clean food.
7 But if anyone thinks that turning on your gas
8 stove in New York City changes the weather,
9 you're just the useful idiot that Governor Hochul
10 is looking to exploit.

11 I vote no.

12 THE PRESIDENT: Senator Lanza will
13 be recorded in the negative.

14 Senator Martins to explain his vote.

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

17 You know, I'm voting for this bill.
18 I voted for it before. I'll continue to vote for
19 it.

20 And we can disagree on policy. But,
21 you know, I just -- it's a hard thing for me to
22 understand when we get up here and try and
23 convince, from a public policy standpoint, the
24 residents of our state, telling them that we're
25 not doing enough as a state. We're not doing

1 enough.

2 You know, we hear statistics,
3 Mr. President. We are the 13th largest economy
4 in the world. If we were to be our own country,
5 we are an industrial state, tremendous
6 production. Yet we make up 0.4 percent of the
7 carbon footprint of the world here.

8 And so over at last 20, 30 years we
9 have done more in this state to reduce our carbon
10 footprint than anywhere else in the world. Now
11 if we were a polluter and a net polluter of
12 this -- of the environment, as there are examples
13 throughout the world, sure, we can have this
14 conversation.

15 But we're asking our residents, who
16 are now paying the highest energy costs in the
17 country if not the world, to pay more because
18 somehow we have to go out there and solve the
19 world's problems when we already have. We've
20 asked our residents, our businesses, to sacrifice
21 for decades in order to protect the environment,
22 and they have.

23 And yet here we are again somehow
24 claiming that we're not doing enough when
25 every one of our residents is telling us that

1 they can't afford the energy bills each and every
2 month, that there are spikes in those bills and
3 that they continue to pay more and that enough is
4 enough.

5 So Mr. President, I would just
6 caution everyone to understand that when we talk
7 about the environment and energy costs, it comes
8 down to policies in this chamber, supported by
9 the Majority in this chamber, by the Governor on
10 the second floor, and the Majority in the other
11 chamber, that have put us in this position, and
12 our constituents deserve better.

13 Thank you, Mr. President.

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

16 Senator Gianaris to close.

17 SENATOR GIANARIS: Thank you,
18 Mr. President.

19 It's always a great moment in this
20 chamber when someone from the Minority gets up,
21 rails about what we do here, and then votes yes
22 on the bill.

23 And so I want to thank
24 Senator Martins and all my colleagues across the
25 aisle who are voting in favor of this important

1 legislation that Senator Harckham is advancing,
2 and as we continue to do what the people of this
3 state want in fighting for a responsible
4 environmental policy.

5 Thank you, Mr. President.

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

8 Announce the results.

9 THE SECRETARY: In relation to
10 Calendar 117, voting in the negative are
11 Senators Borrello, Griffo, Lanza, O'Mara, Ortt,
12 Stec and Walczyk. Also Senator Oberacker. Also
13 Senator Weik.

14 Ayes, 51. Nays, 9.

15 THE PRESIDENT: The bill is passed.

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

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

20 THE PRESIDENT: There is no further
21 business at the desk.

22 SENATOR GIANARIS: I move to
23 adjourn until tomorrow, Thursday, March 5th, at
24 11:00 a.m.

25 THE PRESIDENT: On motion, the

1 Senate stands adjourned until Thursday,
2 March 5th, at 11:00 a.m.

3 (Whereupon, at 4:43 p.m., the Senate
4 adjourned.)

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