NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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March 5, 2026

11:37 a.m.

REGULAR SESSION

LIEUTENANT GOVERNOR ANTONIO DELGADO, President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will come to order.

Everyone please rise and recite the Pledge of Allegiance.

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

THE PRESIDENT: In the absence of clergy, please bow your heads in a moment of silent reflection or prayer.

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

THE PRESIDENT: Reading of the Journal.

THE SECRETARY: In Senate, Wednesday, March 4, 2026, the Senate met pursuant to adjournment. The Journal of Tuesday, March 3, 2026, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Sepúlveda

moves to discharge, from the Committee on Codes, Assembly Bill Number 6338 and substitute it for the identical Senate Bill 5041, Third Reading Calendar 276.

Senator Harckham moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 8515A and substitute it for the identical Senate Bill 2292B, Third Reading Calendar 376.

Senator Salazar moves to discharge, from the Committee on Women's Issues, Assembly Bill Number 4591A and substitute it for the identical Senate Bill 1305A, Third Reading Calendar 406.

THE PRESIDENT: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good morning, Mr. President.

THE PRESIDENT: Good morning.

SENATOR GIANARIS: At this time I move to adopt the Resolution Calendar, with the exception of Resolution 1677.

THE PRESIDENT: All those in favor of adopting the Resolution Calendar, with the exception of Resolution 1677, please signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The Resolution Calendar is adopted.

Senator Gianaris.

SENATOR GIANARIS: We're going to begin with Resolution 1677, by Senator Cooney.

Please read its title and recognize Senator Cooney.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Resolution 1677, by Senator Cooney, celebrating Holi, an ancient Hindu Spring Festival.

THE PRESIDENT: Senator Cooney on the resolution.

SENATOR COONEY: Thank you,

Mr. President.

It's my pleasure to speak in support of the resolution recognizing and celebrating Holi.

Holi, known as the Festival of Colors, signals the coming of spring. It celebrates vibrancy, promise, and the possibility that the season brings.

Holi is celebrated worldwide, including here in New York. And as many of you know, our AAPI community is the fastest-growing population in the state and throughout our nation, meaning more and more South Asians and Hindus are choosing New York to call home.

Today's resolution is about marking the progress of that growth and celebrating the love, happiness and freedom that Holi represents to all those celebrating worldwide.

It's a holiday that holds special significance for me. As an immigrant from Calcutta, India, Holi is one of the times of year that makes me feel more connected to my heritage and to my culture.

I hope that everyone who has celebrated a joyous, colorful holiday with

friends and family -- and with so much negativity in our world, celebrations like these are needed more than ever, to remember the positive parts of our lives and the people that gather around us, especially our loved ones.

Happy Holi, Mr. President.

I vote aye. Thank you.

Holi hai!

THE PRESIDENT: Holi hai!

The question is on the resolution. All those in favor please signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Okay. At this time there's a privileged resolution at the desk, Resolution 1701, by Leader Stewart-Cousins.

Let's take that up, read its title only, and recognize Senator Webb to speak on that resolution, please.

THE PRESIDENT: There is a privileged resolution at the desk.

The Secretary will read.

THE SECRETARY: Resolution 1701, by Senator Stewart-Cousins, memorializing Governor Kathy Hochul to proclaim March 2026 as Women's History Month in the State of New York, honoring the extraordinary innovation, resilience, and contributions of women who have shaped New York and the nation.

THE PRESIDENT: Senator Webb.

SENATOR WEBB: Thank you, Mr. President.

It is my great honor to rise today on behalf of our esteemed Majority Leader, Senator Andrea Stewart-Cousins, to speak on this resolution memorializing Governor Hochul to proclaim March 2026 as Women's History Month in the State of New York.

This presents us with an opportunity to be clear -- not just in the month of March, but every day -- to recognize the invaluable contributions of women in every aspect of history and most certainly our present and future.

Women's History Month is a time for us to reflect on the monumental impact that women have made to our communities and continue to make

not only to our communities, our state, and our nation. It is an opportunity to recognize the leadership and determination of the women who broke barriers -- often those barriers were glass ceilings, and in other cases brick ceilings -- and paved the way for future generations, and those who work tirelessly every day that may not have public or very wide public acclaim, but their influence is felt and appreciated nonetheless.

Mr. President, throughout history women have expanded opportunities in education, healthcare, all workplaces, led movements for justice, and strengthened our families and communities. Many of the rights and opportunities that we benefit from today exist because women like us in this chamber and in our communities refused to accept inequality and instead chose to stand up, advocate, establish programs, lead policy, start businesses, and so much more.

Mr. President, as we take up this resolution today I want to lift up the words of the civil rights leader and fighter for women's rights, Coretta Scott King. I am inspired by her

call for freedom and justice. As she shared, "Freedom and justice cannot be parceled out in pieces to suit political convenience. I don't believe you can stand for freedom for one group and deny it to others."

These words are very relevant and prominent today as we gather our collective strength to face new and continued challenges as a nation and as a state. Right here in New York we stand on the shoulders of extraordinary trailblazers like Susan B. Anthony and Elizabeth Cady Stanton, who helped lead the fight for women's suffrage.

Trailblazers like Shirley Chisholm, the first Black woman elected to the United States Congress and the first Black woman to seek the nomination for president of the United States.

Trailblazers like Dr. Hazel Dukes, former national president and New York State president of the NAACP.

Both she and Shirley Chisholm were members of Delta Sigma Theta Sorority, Inc., which played a pivotal role in the women's suffrage movement, making its first action by

marching in the 1913 Women's Suffrage Procession in Washington, D.C., just months after its founding.

And we celebrate abolitionists like Sojourner Truth, and women of color past and present who continued fighting to ensure justice and dignity for all women.

We celebrate trailblazers like Ella Baker. And for those who may not be familiar with Ella Baker, she was a prominent civil and human rights leader with SCLC and SNCC, who fought for social, economic and racial equality and mentored leaders like Diane Nash, Stokely Carmichael, Bob Moses and also worked alongside leaders like W.E.B. Du Bois, Thurgood Marshall, A. Philip Randolph, and countless other leaders.

We also think about leaders like Ruth Bader Ginsburg, the first Jewish woman to serve on the U.S. Supreme Court, and Sonia Sotomayor, a Bronx native -- I know Bronx Day is coming up next week -- who became the first Latina and the third woman appointed to the Supreme Court.

We also have leaders like right here

in our state capital, Dr. Dorcey Applyrs, the first Black women to ever serve as the mayor of the City of Albany, and Sharon Owens, the first Black woman to serve as mayor of Syracuse.

The courage that these women display has transformed our democracy and continues to inspire all of us to step forward as leaders.

Women's History Month also reminds us that history is not only made by those whose names appear in textbooks, it is made by the mothers, the teachers, the caregivers, the entrepreneurs and community leaders who work every day to build stronger communities across our state.

I would be remiss if I didn't mention the amazing women leaders and trailblazers right here in this chamber. Mr. President, as a woman serving in this chamber I was proud to be elected to this body three years ago as part of our first ever all-women incoming class, the first in the history of the New York Senate. And we have the great privilege of serving under the leadership of Majority Leader Andrea Stewart-Cousins, who is the first Black woman to ever lead the New York

State Senate.

The women of New York are strong and ready for this fight. We will follow in the footsteps of the sheroes who paved the way for all of us -- working together to meet the challenges of not only today, but we are endowed with the strength of all the powerful women who came before us.

Let us celebrate the women who shaped our past, uplift the women who are leading today, and continue working toward a future where every woman and girl has the opportunity to reach her full potential.

I proudly vote aye, and I encourage my colleagues to do the same.

Thank you, Mr. President.

THE PRESIDENT: Thank you, Senator Webb.

Senator Canzoneri-Fitzpatrick.

SENATOR CANZONERI-FITZPATRICK: Thank you, Mr. President.

I too want to thank the Majority Leader for bringing this important resolution to the floor.

I think every woman in this chamber

is very confident in their abilities. And if you ask any of the Senators here, you would know that they feel confident that they take care of their families, they can serve as a Senator, and we know that we can do the job.

And I am so proud that every day I have -- I'm an example to my three daughters that anything is possible, regardless of where you come from. I've been very blessed by having parents that never treated me and my two sisters any differently than my three brothers. And in my hometown, we've had the fortune of having trailblazer mayors like Cathy Hunt, who was the first woman elected, and Patti McDonald, who is a dear friend and served for 12 years as mayor.

So I've been lucky and blessed in my life that I've been surrounded by women who have never shied away from achievement or reaching for the next star.

I think it's important to pause and think about the women who were examples that broke the barriers and allowed us to serve in this chamber. But I think it's also important that we think about the next step.

And while I know that we all speak

to our daughters and our sisters about the fact that they can do anything, it's incumbent on us to make sure our sons know that difference as well. Because they will be the ones that treat a woman differently or say that you should not have the job simply because you're a woman.

So I submit to you that not only are we examples to our daughters, but we must be a good example to all of our sons to make sure that they know that we are capable, we are bright, and we do it with heart and with compassion, and we should serve in every level of government, every level of business the same way that men have had those opportunities.

Thank you, Mr. President. I proudly vote aye.

THE PRESIDENT: Thank you.

As the father of two boys, that resonates. I really appreciate you sharing that.

Now, Senator Comrie.

SENATOR COMRIE: Thank you, Mr. President.

I rise to support the resolution. I want to thank our leader for bringing this forward.

I want to thank all of the women in my life, because I would not be here today without the leadership, the perseverance, and the vision of the women in my life.

And I want to start with my woman, my wife, that has been putting up with me for 35 years. I've known her for 39 years, and I don't know why she puts up with me. I just want to thank her publicly for, you know, making sure that I'm a better person.

When she first met me, I was wearing sweatshirts with holes in them and spots on them.

(Laughter.)

SENATOR COMRIE: And she's cleaned me a little bit better. I'm still not there yet, in her eyes, but I'm trying to get there. I'm trying to get there.

But with all due respect, you know, women across our nation are leading in every sector of society, in every part of democracy. They are educators shaping the minds of the next generation, entrepreneurs building economic opportunity, healthcare professionals protecting the well-being of our families, and advocates ensuring that every voice is heard.

Their leadership is not only visible in positions of power but in the everyday work of building stronger communities and supporting one another.

In my district I have been fortunate to witness the impact of women who have dedicated their time, talents and expertise to improving the lives of others, and for guiding me throughout my life.

Whether throughout community organizations, faith institutions, small business or public service, women continue to play a critical role in advancing opportunity and creating pathways for future generations.

Women's History Month is also a time to acknowledge that progress does not happen by accident. The rights and opportunities many enjoy today were secured through the courage and determination of women who challenged injustice, demanded fairness, and worked tirelessly to open doors that have been long closed.

As we celebrate the achievements of women throughout history, we must also remain committed to supporting policies and initiatives that expand opportunity, strengthen health

outcomes, promote economic mobility, and to ensure that all women and young women have the resources they need to succeed.

The story of Women's History Month is written every day, and many of the women shaping that story are right here in our communities, right here in our body.

I've said it in conference, I've said it in public: Andrea Stewart-Cousins is the strongest leader that I've ever worked with throughout my time in the state, throughout my time in the City Council, throughout my time in the school board, throughout my time in my Democratic club. Andrea Stewart-Cousins stands head above all. I just want to pay that respect to her during Women's History Month.

All the women in this body have been enlightening, informing, and also contributing greatly to our society. But we also have to remember and realize that there are a lot more attacks on women.

Now more than ever, we need to combat that and utilize our legislative authority to help with domestic violence, to help with disrespect of women, to make sure that women get

equal pay, to make sure that women get respected at a higher level. Because whatever's going on in the world, the numbers are not improving but are becoming worse.

So we need to make sure that we're doing everything we can to make sure that the extraordinary contributions of women, that their ideas, that their passions are respected, nurtured and honored.

And finally I just want to say happy birthday to Shelley Mayer tomorrow -- another extraordinary woman in our body -- while I take that moment to give her a happy birthday.

(Applause.)

SENATOR COMRIE: Thank you for your indulgence, Mr. President, and thank you for allowing me to speak.

Thank you.

THE PRESIDENT: Thank you.

Senator Fernandez.

SENATOR FERNANDEZ: Thank you, Mr. President.

Thank you, Senator Webb, for that wonderful speech on Women's History Month. And representing the Bronx, you mentioned Bronx Day

in Albany. It's Tuesday, March 10th, so mark your calendars.

But I am the only woman Senator representing the Bronx, so I feel compelled to stand here and speak up for the women of the Bronx and Westchester.

I'm very fortunate that in my district there's majority women partners. In the Southeast Bronx of Parkchester and Castle Hill, Soundview, the entire slate is women from top to bottom, all levels of government are represented by women. And that's the first time ever that's happened in Bronx history.

The contributions of women in New York State are monumental. And I'm so proud to say I'm a woman from New York because we started the women's suffrage movement. We helped lead the way to make sure that this country is recognizing and respecting and protecting women.

And I ask all of you as we continue to live this life, make sure you do stand up and speak up for your friend, your mother, your sister, your neighbor, your colleague. Because we do make a difference. You know we make that difference. But together we can make the

ultimate difference.

So thank you for this resolution. Thank you for New York, for being its great self and setting the standard of women in leadership and women in the rooms and at the table.

And happy Women's History Month!

Thank you.

THE PRESIDENT: Thank you.

Senator Martins.

SENATOR MARTINS: Thank you, Mr. President.

I also rise in support of this resolution. I want to thank the sponsor.

You know, as the father of four daughters, Mr. President, I know all too well what it's like to grow up in a household surrounded by women. People tell me all the time that I'm outnumbered, and I remind them that I was outnumbered when it was just Paula and I. And I have no illusions about where I stand in the pecking order.

For anyone who has had a daughter and has a daughter or a niece, you know very quickly that when that daughter turns two or three, they're running the household. There's no

doubt about it, the strength that they have at a young age. You can't say the same thing about your sons. Well-meaning, they're doing very well. But there's something about women as they grow up and become strong, independent women.

But yes, I want to echo some of the sentiments of some of my colleagues that we're not there yet. We're certainly not there yet. When we're still talking about, in this chamber, pay equity and equity in the workplace, when we're talking about reproductive rights and the rights of women to have and enjoy all of the same rights that we expect from anyone in society -- folks, we're not there.

But as the Reverend Martin Luther King said, the arc of justice bends towards the future, but it bends towards justice. And we expect that it's going to actually get there eventually if we continue to work in the same place.

I am heartened by the sentiment in this room and by all of the consensus we have here. Let's make that consensus policy as we move forward.

To Senator Mayer, happy birthday.

And to all of our colleagues here, something to celebrate this year. This month, wonderful that we have a month. But let's remember it throughout the year as we go forward and set policy and prioritize the equity that we all talk to -- workplace, pay equity, protecting women from domestic violence, all of those policies that should be front of mind as we go forward and do the good work we do here in this chamber.

Thank you, Mr. President.

THE PRESIDENT: Thank you.

Senator Krueger.

SENATOR KRUEGER: Thank you very much. I want to thank the sponsor of this resolution.

And I have to say I think I've been standing up for the 24 years I've been here, reminding everyone that whenever we do resolutions in honor of Women's Month or something specific for women, I personally believe every day is Women's Day. We deserve equal rights and respect every day, 365 days a year. And I think we are moving closer and closer to that.

But I must remind everyone when the

president of the United States took office not that long ago, one of the first acts he did was require that the word "women" be struck from all federal websites. Women, the word "women" be struck from federal websites.

There are a bunch of other words he also required be struck, but since we're talking about women today ...

So have no illusions, we aren't there yet.

And on behalf of Leroy's wife, who I have not had the privilege to meet, it made me realize I wanted to stand up and say, as a woman who's also been married 36 years -- and many of us have, raise your hands -- you men are a pain in the ass.

(Laughter.)

SENATOR KRUEGER: So it's wonderful that there are so many of us who will put up with you that long.

So I just thought I'd share publicly. Thank you so much.

THE PRESIDENT: Thank you.

Senator Bailey.

SENATOR BAILEY: Wow.

(Laughter.)

SENATOR BAILEY: Timing is certainly something that women possess. They possess the ability to give life. Which is -- sometimes I don't know if we understand the actual gravity of what that means. I don't think that anyone in this room would be here if not for a woman. I don't think that we understand the depths of that statement.

So to the women in this room, thank you for doing things that we can't do as men, many things that we can't do as men. But for giving and preserving life -- life as we know it and life as we need it to be.

Esteemed hip-hop artist Nasir Jones said in his song "Daughters": "For my brothers with daughters, I call this. Not saying that our sons are less important."

I started out my career as a father -- the best job I'll ever have -- with two daughters, Giada and Carina. And they run the show, Mr. President. Not only do they run the show, they have shown me what life -- coming back to life, what life actually means. And if not for my amazing wife Giamara, we don't get to have

two daughters.

Now, me and my son Julian, you know, it's a three-on-two fast break every day. We're losing every time. We know our role in the house. Sometimes it's four on one, frankly, when, you know, they -- you know.

But I am eternally grateful and honored to be a girl dad. And I know, fellas, sometimes you try to take me out of the girl dad club because I have a son. It doesn't work like that. I'm girl dad emeritus.

But I don't think that we truly understand the gravity of what women do and what they mean to our society until we don't have them around.

Senator Fernandez mentioned correctly that she's the only female Senator from the Bronx. But outside of the building I wear a different hat as the chair of the Bronx party, being mindful of my nomenclature on the floor of the Senate. And we have helped more women advance to the judiciary than ever before. And this is making sure that women belong every and anywhere that a man belongs.

So to Senator Webb, thank you for

this resolution. Thank you for your leadership on the Women's Issues Committee. Happy Birthday to Shelley Mayer. You've got to make sure you shout out Shelley.

But I'll end with this, Mr. President. My birthday is August 26th -- and I'm not saying this because I want anything from you. But I am telling you that I was born on Women's Equality Day. And so it is my job to make sure that my birthday -- even though I don't get a cake --

SENATOR PERSAUD: Oh, Lord.

(Laughter.)

SENATOR BAILEY: Roxie, you can give me a cake.

(Laughter.)

SENATOR BAILEY: Even though I don't get a cake, that we make sure that we cut a cake in celebration for everything that women do, that they've done, and that they will do. May you continue to be strong and blessed and incredible.

Happy Women's History Month.

THE PRESIDENT: Thank you, Senator Bailey.

Senator Liu.

SENATOR LIU: Thank you, Mr. President.

I want to thank Senator Lea Webb for this resolution.

Happy Birthday, Shelly.

And bless you, Marcia Comrie.

Thank you.

(Laughter.)

THE PRESIDENT: Senator Chan.

SENATOR CHAN: Thank you, Mr. President.

I rise to give thanks to our Senator Webb for this resolution.

And I just want to bring a little ordinary life into the Senate floor. I want to give a special shout-out to my wife and my two daughters. I am a girl dad.

I may be a Senator here; in the police department in the past I might have been a supervisor and told men and women what to do. But I just want to let everybody know that at home, I'm just the guy that takes out the garbage and fixes the leaky faucets.

(Laughter.)

SENATOR CHAN: And to my daughters, I'm just the guy that works their bake sales in school and drives them to school every day.

And, you know, my district is full of women, Asians, Chinese from China. And I want to give them special acknowledgment because many of them have endured many decades of the repression of the China government, who they were forced to have abortions, they were told that they can't be moms, and they suffered this repression. And I want to acknowledge them for making a sacrifice so overwhelming.

So I absolutely support this resolution and I encourage my colleagues to do the same.

Thank you very much.

THE PRESIDENT: Thank you.

Senator Mattera.

SENATOR MATTERA: Thank you, Mr. President.

You know, I just want to thank Majority Leader Stewart-Cousins and Senator Webb for this very, very important Women's Month. It's just so important to me.

You know, I'd just like to first,

you know, thank my mother, which I have to thank somebody that is just so important in my life. My mom, she's down -- yes, she's down in Naples, Florida. But I always say this. I look like my father, may he rest in peace, but I am my mother.

Yes, she's a Leo like myself. We're very, very strong. And she's definitely wisdom to me over the years.

And I love women in politics. I think it's very, very important. And I want to thank all the women that are in this great chamber for all your hard work.

To my beautiful sister Mary, that is a single mom, and what she has done, what she has accomplished in life. She's an amazing woman. What she has done to raise my nephew. And she's a business -- she's a businesswoman. She is a tough woman, boy. Beautiful, tough, stands up for herself. And I really don't even -- she's on steroids compared to me, my sister Mary.

My beautiful daughters. Like with Senator Martins, we have -- we have it tough. We have, you know, the daughters, and they have their little clique. My beautiful wife Terry and the girls. Even my dogs are female, my golden

retrievers.

(Laughter.)

SENATOR MATTERA: But all I can say is this. My daughters are doing unbelievable, because they're a product of our environment. And I'm very, very proud of them, what direction they're taking right now in their lives. Yes, I do say my daughter Jessica, she's 27, maybe she's going on 18. And my daughter Jayme, 23, I'll say, you know, 16.

But you know what, they're amazing. They're amazing young women. Respectful. And I'm so proud of that.

And to my beautiful wife Terry, my worst critic. Every time I get up and speak, even at home, she's like this (gesturing at throat), she cuts me off. But I've got to tell you, somebody that went through something in life with a medical situation, she -- she kept on strong. It's amazing. Yeah, women give birth, we know that men can't. But she can do everything possible.

But I'm going to tell you, she's just an amazing person. At home, when I'm not home, she holds down the fort. She's at

Enterprise Car Rental for 33 years, she's operations manager, facilities manager, opens up every office. Dealing with construction workers, and straightens them right out. Because you know, why? Because she's tough. She's tough and she knows when she's right. And she doesn't put up with anything.

So I am just so proud of this -- this bill, and I am so proud, Mr. President, to be voting yes.

Thank you.

THE PRESIDENT: Thank you.

The question is on the resolution.

All those in favor please signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The resolution is adopted.

Senator Gianaris.

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

THE PRESIDENT: The resolutions are

open for cosponsorship. Should you choose not to be a cosponsor, please notify the desk.

Senator Gianaris.

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

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 155, Senate Print 8830, by Senator Cleare, an act to amend the General Business Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: In relation to Calendar 155, voting in the negative are Senators Borrello, Lanza, Oberacker, Ortt, Stec and Walczyk. Also Senator O'Mara.

(Pause.)

THE SECRETARY: So in relation to Calendar 155, voting in the negative are

Senators Borrello, Lanza, Mattera, Oberacker, O'Mara, Ortt, Stec and Walczyk.

Ayes, 50. Nays, 8.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 162, Senate Print 3569, by Senator Cleare, an act to amend the Public Housing Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: In relation to Calendar 162, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 37. Nays, 21.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number

177, Senate Print 3665, by Senator Hinchey, an act to amend the Real Property Tax Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 2. This act shall take effect one year after it shall have become a law.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 214, Senate Print 1783B, by Senator Hinchey, an act to amend the Agriculture and Markets Law.

SENATOR LANZA: Lay it aside.

THE PRESIDENT: Lay it aside.

THE SECRETARY: Calendar Number 246, Senate Print 2261, by Senator Cooney, an act to amend the Vehicle and Traffic Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 180th day after it

shall have become a law.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 256, Senate Print 678A, by Senator Martinez, an act to amend the Environmental Conservation Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 268, Senate Print 115A, by Senator Cleare, an act to amend the Arts and Cultural Affairs Law.

THE PRESIDENT: Read the last

section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: In relation to Calendar 268, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Murray, Oberacker, O'Mara, Ortt, Rhoads, Stec, Tedisco, Walczyk and Weik.

Ayes, 41. Nays, 17.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 276, Assembly Bill 6338, by Assemblymember Walker, an act to amend the Executive Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the

results.

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 279, Senate Print 29, by Senator Harckham, an act to amend the Public Health Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 295, Senate Print 51, by Senator Comrie, an act to amend the Vehicle and Traffic Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 303, Senate Print 1225, by Senator Rivera, an act to amend the Social Services Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 322, Senate Print 2555, by Senator Comrie, an act to amend the Public Authorities Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 367, Senate Print 1285A, by Senator Persaud, an act to amend the Criminal Procedure Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 120th day after it shall have become a law.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 376, Assembly Bill Number 8515A, by Assemblymember Kassay, an act to amend the Environmental Conservation Law.

THE PRESIDENT: Read the last

section.

THE SECRETARY: Section 6. This act shall take effect on the 180th day after it shall have become a law.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 406, Senate Print 4591A, by Senator Jackson, an act to amend the Public Health Law.

THE PRESIDENT: Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 428, Senate Print 933, by Senator Gonzalez, an

act to amend the State Technology Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 90th day after it shall have become a law.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 58.

THE PRESIDENT: The bill is passed.

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

SENATOR GIANARIS: Let's move on to the controversial calendar now.

THE PRESIDENT: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 214, Senate Print 1783B, by Senator Hinchey, an act to amend the Agriculture and Markets Law.

THE PRESIDENT: Senator Borrello, why do you rise?

SENATOR BORRELLO: Mr. President,

in the spirit of Women's History Month, would the sponsor yield for questions?

THE PRESIDENT: Does the sponsor yield?

SENATOR HINCHEY: I will yield, Mr. President.

THE PRESIDENT: The sponsor yields.

SENATOR BORRELLO: Thank you, Mr. President. Through you, Mr. President.

So can you please explain to me, in subdivision 13, what is the purpose of this particular language? "The fiscal impact of being compliant with any governmental, regulatory or environmental requirement shall not be borne by liquefied petroleum gas consumers and shall not be added to the bills rendered by a company selling liquefied petroleum gas, provided, however, that the subdivision shall not limit the per-gallon price charged by sellers or prohibit collection of any tax allowable under state law."

SENATOR HINCHEY: Through you, Mr. President. Thank you, Senator Borrello, for the question.

Taking a step back on this bill, the whole bill is to help drive down costs for

consumers and for our constituents.

We hear a lot about affordability when we're out in our communities. This bill actually came when I was knocking on doors in my communities, checking on my constituents, and they had complained very clearly about a number of fees that were being put upon them by their petroleum company that were, quite frankly, inappropriate for our customers -- for their customers and for our constituents.

And so this is actually lowering costs for them and for customers. And for that subdivision C, it's really compliance costs.

Fossil fuels -- as you know and as we've talked a lot about in this chamber, but as we know from science -- have driven up costs for everyone who lives in our communities. Fossil fuel companies are creating lots of damage. And so these are compliance costs that should be borne by the company, not by the -- our constituents and consumers themselves.

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

THE PRESIDENT: Does the sponsor yield?

SENATOR HINCHEY: I do.

THE PRESIDENT: The sponsor yields.

SENATOR BORRELLO: Well, it says governmental and regulatory or environmental requirements. But isn't this really essentially a tax, and we don't want them to tell the consumers that they're paying a tax to the government which is actually added to the costs that we're trying to drive down?

(Pause.)

SENATOR HINCHEY: Through you, Mr. President. To clarify, taxes are still able to be passed on. These are regulatory fees.

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

THE PRESIDENT: Does the sponsor yield?

SENATOR HINCHEY: I do.

THE PRESIDENT: The sponsor yields.

SENATOR BORRELLO: Well, I mean, where I come from -- because I've also spoken to my constituents, many of which use, you know, propane as well as other bottled gases. But, you know, I mean, a fee is a tax, right? The government is imposing it.

So you can call it what you want, but at the end of the day we're telling them that this is a fee being charged by the government which is going to actually increase the cost of propane, is it not?

(Pause.)

SENATOR HINCHEY: Through you, Mr. President. The bill says that these cannot be passed on to the customer. So no matter what happens, this bill is actually keeping rates lower for our constituents.

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

THE PRESIDENT: Does the sponsor yield?

SENATOR HINCHEY: I do.

THE PRESIDENT: The sponsor yields.

SENATOR BORRELLO: So, you know, this bill is about transparency, right? So therefore, in the spirit of transparency, would these companies be allowed to line-item the costs of complying with the CLCPA and these other requirements on the bill, so people understand clearly how much is going to the gas company and how much is actually going to the government?

(Pause.)

SENATOR HINCHEY: Through you, Mr. President. Twofold. One, these would not be borne by the consumer and by their customers, so I'm confused as to why we would be lining that out on the consumer's bill.

But in practice today, these companies are driving up costs based on their being fossil fuel companies and by the challenges that they've had generally to our environment. Those are not being lined out today either.

But again, this is for what customers would pay. This has nothing to do with -- this is not passing on costs to them at all.

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

THE PRESIDENT: Does the sponsor yield?

SENATOR HINCHEY: I do.

THE PRESIDENT: The sponsor yields.

SENATOR BORRELLO: So obviously they have the right to raise their price. So if they want to raise the price to compensate for that, are you suggesting some kind of price

control?

How are you going to prevent them from increasing the price of that product so as to not offset those additional government costs and taxes that are being I guess burdened on the company?

SENATOR HINCHEY: Through you, Mr. President. We don't believe that the customers and our constituents should have to pay the cost that fossil fuel companies have already done to our planet and continue to do.

These companies may be able to find other ways to offset some of their costs. That is something that I know our businesses are looking to do all the time. But this is -- I don't believe that they should -- our customers and our -- their customers and our constituents should be paying that cost.

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

THE PRESIDENT: Does the sponsor yield?

SENATOR HINCHEY: I do.

THE PRESIDENT: The sponsor yields.

SENATOR BORRELLO: Well, there's a

lot of costs that I think all of us would wish we weren't going to have to pay. I don't like paying tolls when I have to drive on the road that was supposed to be paid for 50 years ago. But these things happen, right, because the government really never lives up to these commitments.

So with that being said, I don't understand how we're going to prevent them from passing that cost along. And is there going to be some kind of an audit? Are we going to put in price controls, like I said before?

I mean, keep in mind that when the government imposes a tax or a fee, all the companies will be paying it. Therefore, essentially there's no competition. Right? They're going to have to pay more -- everybody's going to have to pay more. Therefore, they can all raise their prices to offset that.

I'm not sure how we will control that cost from being passed on to consumers. Unless we're going to institute price controls.

SENATOR HINCHEY: Through you, Mr. President, Ag and Markets is responsible for implementing this, and so they will be working

with the companies to determine the execution.

SENATOR BORRELLO: Last question, Mr. President, through you, if the sponsor would yield.

THE PRESIDENT: Does the sponsor yield?

SENATOR HINCHEY: I do.

THE PRESIDENT: The sponsor yields.

SENATOR BORRELLO: Would this legislation, then, enable price controls as one way to try to control that cost?

SENATOR HINCHEY: Through you, Mr. President, this does not regulate commodity prices in any way.

SENATOR BORRELLO: Mr. President, on the bill.

THE PRESIDENT: Senator Borrello on the bill.

SENATOR BORRELLO: Thank you.

Thank you, Senator Hinchey.

So look, folks, we're hearing time after time after time that nothing that we're doing here is actually going to increase the cost of energy to our consumers. None of the CLCPA, none of the mandates, none of the additional

taxes. Don't worry, folks, it's not going to raise your bill.

But then every New Yorker opens their bills and they're seeing higher prices -- for everything. Electricity, gas, propane, you name it, prices are going up. Coincidentally, in the same time that we passed the CLCPA. And we told people this wasn't going to impact your bill.

So what you're basically saying is don't believe your eyes, folks, believe us. We're not going to raise your costs. There's something else that's happening. Just coincidental it happened to be at the same time as the CLCPA and trying to implement this very, very costly, I guess game-changing tax and -- tax and spend.

I know you want to call it cap-and-invest. It's not cap-and-invest, it's cap and tax. Because at the end of the day we all pay that. We all pay the cost of this really, I guess, nonsensical climate bill that in the end is driving more businesses and people out of New York State.

But when it comes to propane in

particular, these are people that have no other choice. They don't have natural gas infrastructure nearby, typically why you have propane. In some cases they live in remote areas where it's difficult -- sometimes impossible -- to deliver that propane. Only at certain times of the year, so they have to make sure that they buy a large quantity of it, a big tank.

And we're telling people that we're going to just tell those companies, Don't pass the cost along, even though we're burdening every single company with the same tax, the same compliance cost, and we're expecting they're just going to absorb it. That they're going to continue to deliver a service and make sure that the government is getting the biggest piece of the pie.

Because that's what this is really all about. This is about government being the biggest profiteer in the energy game, with taxes like this.

Now, you can make all the arguments you want, but people are smart here in New York State. They're opening their electric bills, they're opening their gas bills, they're looking

at what it's costing them to just get to work for the day or keep their house warm.

And some people, like the very poor people that live in districts like I represent, are choosing between food and medicine and keeping the lights on. And we've done nothing here to make sure that doesn't happen, except saying, Don't worry, folks, we're saving the planet here, you're going to have to help pick up the tab.

So I'll be voting no on this.

Thank you.

THE PRESIDENT: Senator Helming, why do you rise?

SENATOR MARTINS: Mr. President, on the bill.

SENATOR HELMING: Senator Helming, did you say?

THE PRESIDENT: Yes.

SENATOR HELMING: Thank you.

Mr. President, if the sponsor will yield for a quick question.

THE PRESIDENT: Does the sponsor yield?

SENATOR HINCHEY: I do.

THE PRESIDENT: The sponsor yields.

SENATOR HELMING: Senator Hinchey, is there anything in this bill language that would limit how much New York State government can pass on to these small businesses? Taxes, fees, mandated costs, et cetera.

SENATOR HINCHEY: Through you, Mr. President. This bill is very simple in being transparent and limiting the fees that these companies can pass on to customers. That's the extent of this bill.

SENATOR HELMING: Thank you, Mr. President. So on the bill.

I'm a propane customer. I have been a long time, probably more than 25 years. I live in the country. It's the only option I have to heat my home. I support more transparency in billing, whether it's with propane companies or any other company.

But I think what is wrong with this bill in particular is that the government is saying to these small businesses that so many of us rely on to be able to live in our homes: We can charge you whatever the heck we want in new costs and fees and mandates, but you cannot pass

that on to your consumers.

How do these small businesses exist? Are we saying we don't want small businesses to be able to make money?

Look, I don't want any new costs, I don't want any new fees. But to me, what I want is New York State to stop jamming through all these costly mandates that time after time and report after report shows that are jacking up our costs to heat our homes, to fill our tanks at the gas pumps.

Mr. President, I will be voting no on this legislation.

THE PRESIDENT: Senator Martins, why do you rise?

SENATOR MARTINS: Thank you, Mr. President. On the bill.

THE PRESIDENT: Senator Martins on the bill.

SENATOR MARTINS: You know, a great American statesman once said that taxes on corporations are just a sneaky way for politicians to hide costs.

Corporations don't pay taxes, Mr. President, people pay taxes. And so when you

have a company like a company that sells propane, they sell propane. And if you add additional costs to that company, they have to increase the cost of the propane in order to actually pay those costs.

When policies are passed in this chamber that make those costs higher, the only thing they can do to pay those costs, Mr. President, is to increase the cost of their product -- in this case, propane and what people use to heat their homes across this state.

So it's a simple equation. Unless by some miracle the laws of economics don't work in New York, Mr. President -- or maybe not in this chamber, where we can just say they're not going to pass it on to their customers. But that's not the way it works in the real world.

When policies are passed in this chamber and those policies lead to increased costs, be it propane or any other product, it gets passed on to our constituents. And we've all heard from our constituents that the cost of energy, heating their homes, electricity across the board is spiking and they are -- they're finding it hard to pay those costs.

So to come in here and just say because we say they can't pass it on, that somehow the laws of economics don't work is absurd.

When you tax a corporation, they pass it on to the consumer. When you put additional costs on energy providers, whatever energy it is, they pass those costs on to the consumer as well.

Our constituents have told each and every one of us that they are paying more than they can afford.

I vote no.

THE PRESIDENT: Thank you.

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed.

Senator Gianaris.

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

THE PRESIDENT: The bill is restored.

Read the last section.

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

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Senator Hinchey to explain your vote.

SENATOR HINCHEY: Thank you, Mr. President.

I'd like to start by saying I too am a propane customer, and I live in the woods. We have a thousand-gallon tank because it's hard to get there, and if there's a snowstorm you can't get there, actually, to deliver the fuel. So this is the world that I'm living in too.

But I want to be really clear, because it sounds like a lot of my colleagues are either saying that they do not believe in the climate crisis or they do not care that people and companies that have perpetuated the climate crisis over decades should bear any costs for that responsibility.

But the main point about this bill is that it actually lowers the cost for our constituents and for those customers.

For example, a previous fee that was able to be put upon the customer was a fee for liquid petroleum gas that was not actually delivered. The customer had to pay for that.

The customer had to pay for a fee that was not disclosed in the contract related to a termination of that service. The customer had to pay for that.

The customer had to pay for a special usage fee if they didn't use enough petroleum to get a return on the investment for the customer. The customer had to pay an additional fee for that.

The customer also had to pay for the termination of service if they didn't want it. They would have to pay for keeping the tank on their property even when they did terminate the service because the company didn't want to come and pick it up. They had to pay basically a rental fee for that.

This bill is making sure that we are lowering the bills that we hear are skyrocketing all the time. This is actually an affordability measure. It is lowering those bills at a time when we also know that renewable energy is

cheaper than fossil fuels. We are shifting in that direction because we care about our constituents and it's what our constituents want.

So I thank my colleagues for voting for this bill. I encourage my other colleagues to look around them and talk to their constituents about the impacts that are happening across not just our state but across our country.

And I proudly vote aye. Thank you very much.

THE PRESIDENT: Senator Hinchey will be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 214, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 36. Nays, 22.

THE PRESIDENT: The bill is passed.

Senator Gianaris, that completes the reading of the calendar.

SENATOR GIANARIS: Is there any

further business at the desk?

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

SENATOR GIANARIS: I move to adjourn until Monday, March 9th, at 3:00 p.m., with the intervening days being legislative days.

THE PRESIDENT: On motion, the Senate stands adjourned until Monday, March 9th, at 3:00 p.m., with the intervening days being legislative days.

(Whereupon, the Senate adjourned at 12:33 p.m.)