

TUESDAY, JANUARY 14, 2020

12:44 P.M.

ACTING SPEAKER AUBRY: The House will come to order.

In the absence of clergy, let us pause for a moment of silence.

(Whereupon, a moment of silence was observed.)

Visitors are invited to join the members in the Pledge of Allegiance.

(Whereupon, Acting Speaker Aubry led visitors and members in the Pledge of Allegiance.)

A quorum being present, the Clerk will read the Journal of Monday, January 13th.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move to dispense with the further reading of the Journal of Monday, January

the 13th and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so stands.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. For our quote today we are bringing to you Margaret Hilda Thatcher. As you know, Mrs. Thatcher was a British stateswoman who served as Prime Minister of the United Kingdom from 1979 until 1990. Her words are, Mr. Speaker, *Where there is discord, may we bring harmony. Where there is error, may we bring truth. Where there is doubt, may we bring faith. And where there is despair, may we bring hope.*

With that, Mr. Speaker, I would make members aware that there is a Calendar on your desk. However, there is -- we're going to be calling a Rules Committee very shortly which will produce an A-Calendar. That Calendar has -- will have ten bills on it and it's related to the limousine safety regulation, and we'll be taking that up as soon as that Committee is done.

We do have a few members, Mr. Speaker, who have some introductions. And so with that, now would be the appropriate time.

ACTING SPEAKER AUBRY: For the purposes of an introduction, Mr. Cahill.

MR. CAHILL: Thank you, Mr. Speaker. I rise today with great pleasure to introduce one of my nine siblings. I am number five, she is number six. You probably couldn't tell by the look -- by

looking at her hair and her jowly cheeks that she's my sister, but this is my sister, Elizabeth, Liz. Liz is in Albany today putting in her papers for retirement for 31 years of public service.

(Applause)

It was a grueling 31 years, but not as bad as the twice as long that she's had to be my sister.

So, Mr. Speaker, I would just ask that you extend the cordialities of the House and welcome her to our Chamber and do whatever you do best.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Cahill, the Speaker and all the members, Elizabeth, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. And as family, you always have those privileges. Thank you for allowing your brother to grace us with his presence, you know. And I'm sure you've given him sagacious advice, none of which he took.

(Laughter)

Thank you so very much. We hope that you will come back and visit us, and have a great retirement. Thank you.

(Applause)

Ms. Griffin.

MS. GRIFFIN: Thank you, Mr. Speaker, for providing me with the opportunity to introduce a very special family from Rockville Centre. They are my friends, and their family is also here. And I want to introduce the Foundation that they formed in

memory of their son, Ryan Patrick O'Shea. When we lost Ryan to suicide last year at the young age of 18, our entire town was devastated along with the O'Shea family. Parents can never be prepared to lose a child, and brothers can never be prepared to lose a sibling. But Mary and John took this tragedy and did a remarkable thing. They decided to help other people in crisis. The Ryan Patrick O'Shea Foundation was formed in memory of Ryan, who died by suicide on January 11, 2019 at the young age of 18. Ryan's parents, Mary and John, have always been immersed in our community, and they courageously decided to turn this insurmountable loss of their charismatic, intelligent, athletic and compassionate son into a way to help bring awareness to mental health and support for suicide. And in turn, they are helping to impact the lives of other teenagers, which truly is a selfless act. In recognition of the Foundation, yesterday we passed a resolution conveying their mission. The legislative Body is proud to pay tribute and commend the Ryan Patrick O'Shea Foundation and its members for their invaluable work and ceaseless dedication to suicide prevention and mental health awareness. Remaining true to its mission, the Ryan Patrick O'Shea Foundation increases mental health awareness while decreasing self-destructive behavior through support and education. It also aims to support for -- to provide support for those in crisis so they are armed with the proper tools, making suicide no longer a viable option.

Here today we have with us Mary and John O'Shea, with their sons John, Liam and Griffin, and their grandmother, Marian.

We also have Rockville Centre Mayor Francis Murray and Deputy Mayor Kathy Baxley. We have members of the Foundation and extended family members of the O'Sheas, and students from South Side High School in Rockville Centre. I am so proud to know the O'Sheas, and I'm grateful that my son, Sean, who is here today with -- is -- had enjoyed a wonderful friendship with Ryan, along with so many other friends. So many friends Ryan just had, I -- I can't imagine who wasn't Ryan O'Shea's friend. They couldn't all be here today. If they were, they'd just fill the room. So I am so proud to know the O'Sheas, and I'm honored to have them here and members of the Foundation here. And our community from Rockville Centre is so well represented today. Thank you for all that you are doing for suicide awareness.

And I ask you to extend the -- the privileges and courtesy of the House to them today.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Griffin, the Speaker and all the members, we welcome this great family and the Foundation, all of you that support this effort, here to the New York State Assembly. You are given the privileges of the floor. Certainly, our admiration and respect for the fact that you've turned such a tragedy into something that will help other people. It is a remarkable step that you've taken, and we salute you for that and hope that you find solace in this world for the good that you're doing others. Thank you so very much.

(Applause)

Mr. Barron.

MR. BARRON: Thank you, Mr. Speaker. I rise to introduce to you members of RAPP, and those are those who are fighting for the release of aging people from prison. Too many people are in prison and beyond years that they should be in. And also with us are former political prisoners and original Black Panthers. These are my comrades in struggle. And before I get into anymore with them, I want to thank the Black, Latino and Asian Caucus for assisting us in having letters for the release of Herman Bell and for the release of Seth Hayes. And Seth Hayes made his transition shortly upon his release after spending 40 years in prison. And I think it's a shame that someone had to spend all those years in prison and not receive the adequate healthcare that they deserved, and when we finally get them out after all of these years, they made their transition. So we are going to continue to fight for the release of political prisoners and prisoners of war. We're going to continue to fight for the right of people to be paroled. Parole is not to keep people in prison because you don't like the original crime they committed. Parole is supposed to be based upon the time spent in prison. And most of our political prisoners, Ja -- Jalil Muntaqim and so many others, they have done impeccable time in prison, got degrees, they have been mentors to others. And every year they get hit with two more years because people don't like their political prisoners. Remember -- or political position. You can't change the original so-called "crime" that they committed. That can't be changed. It has to be based upon their time served. So we ask that

you honor those who are with us. Brother Sekou Odinga - raise your hand, Sekou - he spent 33 years in prison and he has been released. He was a model incarcerated inmate and now he's a model citizen in our community that all are looking up to and he's guiding people in the right direction. And we also have with us Tyrone Secure -- Shakur, who is the son of Mutulu Shakur, who's also in prison - raise your hand - and Mutulu Shakur is the stepfather -- or we say the father -- of -- of Tupac Shakur. So I just want to thank you for the moment to acknowledge those who are amongst us and are fighting for our freedom and liberation. And could you grant them and extend them the cordiality of the House, I'd appreciate that.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Barron, the Speaker and all the members, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Hope that you will continue the work to continue to find freedom and justice here in this society. Thank you so very much for that work. Continue the great work. And of course, as friends, I'm always pleased to see you. Thank you so very much.

(Applause)

A bit of housekeeping.

On a motion by Mrs. Galef, page 14, Calendar No. 68, Bill No. A.1329, amendments are received and adopted.

On a motion by Mr. Goodell, page 40, Calendar No. 208, Bill No. A.5464, amendments are received and adopted.

Mr. Benedetto for an introduction, sir.

MR. BENEDETTO: Thank you, Mr. Chairman, for allowing me to rise for making an introduction. A very special group of young people have just come into the Chamber. They come from my district, and as a matter of fact, in the school that I taught in, PS 160 for 27 years. They occupy part of that school for the Equality Charter School. A fine school who educates youth of tom -- of today to be the leaders of tomorrow. They are up here in Albany, taking a look at how we do the business of the people of New York State. I'm very proud of these young people who are here today and the school.

And, sir, I wish that you would wish -- welcome them to this Chamber and give them the cordialities of the House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Benedetto, the Speaker and all the members, we welcome these fine students here to the New York State Assembly, extend to you the privileges of the floor. Our congratulations on your excellence in your school work. And so that you understand, Mr. Benedetto just doesn't talk about you when you're here. Last night he and I, over dinner, had a conversation about that school because he's a former teacher there, and shared with me the growth and development and the problems that children have in school today. So we want to thank you, and you should certainly thank your Assemblyperson for the work that he does. Thank you very much.

(Applause)

MRS. PEOPLES-STOKES: Mr. Speaker, if you could please call the Rules Committee to the Speaker's Conference

Room. Thank you, Mr. Gottfried. We will meet them there.

ACTING SPEAKER AUBRY: Rules Committee, Speaker's Conference Room immediately.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if we could begin our work on Calendar -- at Calendar No. 31. It's on page 7.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly No. A00654, Calendar No. 31, Paulin, Seawright, Dickens, Dinowitz, D'Urso, Galef, Gottfried, Jaffe, Joyner, Pichardo, L. Rosenthal, Simon, Steck, Niou, Hevesi, Quart, Cruz, Simotas, Kim, Mosley, Epstein, Walker, Perry, Arroyo, Ortiz, Blake, Fernandez, O'Donnell, Carroll, Reyes, Weprin, Rivera, Richardson, Wright. An act to repeal Section 240.37 of the Penal Law, relating to loitering for the purpose of engaging in a prostitution offense; and to amend the Penal Law, the Criminal Procedure Law, the Social Services Law and the Administrative Code of the City of New York, in relation to making technical corrections relating thereto.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00688, Calendar No. 32, L. Rosenthal. An act to amend the Public Health Law, in relation to adding dysmenorrhea to the list of conditions covered for lawful medical use of marihuana.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00694, Calendar No.

33, L. Rosenthal, Perry, Wright. An act to amend the Civil Rights Law, in relation to privacy of electronic fare and toll records.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00710-A, Calendar No. 34, Niou, Abinanti, Barron, Carroll, Colton, Cusick, De La Rosa, Dickens, Dilan, Glick, Gottfried, Hevesi, Kim, Mosley, Ortiz, Peoples-Stokes, Pretlow, Quart, Richardson, L. Rosenthal, Simon, Simotas, Abbate, Lentol, Pheffer Amato, Blake, Seawright, Epstein, Englebright, Frontus, Solages, Reyes. An act to amend the Public Health Law, in relation to the closure of nursing homes.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00711, Calendar No. 35, Niou, Wright, Barron, Kim, Dinowitz, Epstein, Simon, Frontus, Richardson, D'Urso, Fall, Sayegh, Weprin, D. Rosenthal, Blake, Reyes, Solages, Abinanti. An act to amend the General Business Law, in relation to requiring debt collectors to inform debtors that written communications are available in large print formate.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00714-A, Calendar No. 36, Paulin, Dinowitz, Galef, Otis, Seawright, Colton, D'Urso, Ortiz, Barron, Rodriguez, De La Rosa, Buchwald. An act to amend the Public Service Law, in relation to filing gas safety reports.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00718, Calendar No. 37, Joyner, Perry. An act to amend the Criminal Procedure Law, in

relation to youthful offender determinations.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00745, Calendar No. 38, Aubry, Richardson, Zebrowski. An act to amend the Penal Law, in relation to criminal mischief in the third degree and criminal mischief in the second degree.

ACTING SPEAKER AUBRY: The bill is --

(Laughter)

-- the bill is laid aside.

THE CLERK: Assembly No. A00746, Calendar No. 39, Lentol, L. Rosenthal. An act to amend the Criminal Procedure Law, the Civil Practice Law and Rules and the Executive Law, in relation to the possession of opioid antagonists.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect in 60 days.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Members, this is our first vote of today, Mr. Speaker, so I would encourage members that are in and around the Chambers to please cast your votes so that we can move forward. Thank you.

ACTING SPEAKER AUBRY: First vote of the day, ladies and gentlemen. If you are within the sound of my voice, please

come to the Chamber and vote. If you are in your seats, please vote now. Thank you.

ACTING SPEAKER D. ROSENTHAL: Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00794-C, Calendar No. 40, Simotas, Colton, Aubry, Englebright, Braunstein, DenDekker, Jaffee, Perry, Cook, Weprin, Santabarbara, Rozic, Hevesi, Quart, Lifton, Otis, Mosley, Fahy, Seawright, Taylor, Zebrowski, L. Rosenthal, Reyes. An act to amend the Penal Law, the Criminal Procedure Law, the Correction Law, the Social Services Law, the Vehicle and Traffic Law, the Family Court Act, the Civil Rights Law, the Civil Practice Law and Rules, the Agriculture and Markets Law, the Judiciary Law and the Domestic Relations Law, in relation to sex offenses; and to repeal certain provisions of the Penal Law relating thereto.

ACTING SPEAKER D. ROSENTHAL: The bill is laid aside.

THE CLERK: Assembly No. A00833-B, Calendar No. 41, L. Rosenthal, Cook, Simon, Lavine, Dickens, Taylor, D'Urso, Seawright, Gottfried, Arroyo, Rivera, Crespo, Jaffee, Weprin, Quart, Ortiz, McDonald, Walker, Colton, Perry, Carroll, Richardson. An act to amend the Correction Law, in relation to the establishment of a program for the use of medication assisted treatment for inmates; and

to amend the Mental Hygiene Law, in relation to the implementation of substance use disorder treatment and transition services in jails.

ACTING SPEAKER D. ROSENTHAL: The bill is laid aside.

THE CLERK: Assembly No. A00852, Calendar No. 42, Simotas, Steck, Jaffee, Zebrowski, Blake, Wright, Gottfried. An act to amend the General Obligations Law, in relation to the provisions of consumer and employment contracts.

ACTING SPEAKER D. ROSENTHAL: The bill is laid aside.

THE CLERK: Assembly No. A00876, Calendar No. 43, Quart, D'Urso, Epstein, Gottfried, Reyes, Hevesi. An act to amend the General Business Law and the Executive Law, in relation to debt collection notices.

ACTING SPEAKER D. ROSENTHAL: The bill is laid aside.

THE CLERK: Assembly No. A00927-A, Calendar No. 44, Perry, Walker, Frontus, Fernandez, Richardson, Crespo. An act to amend the Executive Law, in relation to requiring a law enforcement officer or peace officer who discharges his or her weapon under circumstances where a person could be struck by a bullet to immediately report the incident.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00950, Calendar No. 45, Cusick, Colton, Zebrowski, Ramos, Englebright, Galef, Cahill,

Gottfried, Abinanti, Thiele, Lifton, Weprin, Mosley, Rozic, Santabarbara, Otis, Blake, Steck, Buchwald, Seawright, Lupardo, Simon, Carroll, D'Urso, Dinowitz. Concurrent Resolution of the Senate and Assembly proposing an amendment to Section 1 of Article II of the Constitution, in relation to qualifications of voters.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00972-A, Calendar No. 46, L. Rosenthal, Jacobson, DenDekker, Carroll, Weprin, Richardson, Gottfried, Griffin. An act to amend the Insurance Law, in relation to prohibiting co-payments for treatment at an opioid treatment program.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01026, Calendar No. 47, L. Rosenthal, Perry, Weprin, Seawright. An act to amend the Civil Practice Law and Rules, in relation to increasing penalties for failure to execute and file satisfied judgments of \$5,000 or more with the court clerk.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01033, Calendar No. 48, Gottfried, Sayegh. An act to amend the Public Health Law, in relation to the use of psychotropic medications in nursing homes and adult care facilities.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01051, Calendar No. 49, Paulin, Galef, Englebright, Quart, Zebrowski, Cook, Abinanti,

L. Rosenthal, Colton, Weprin, Otis, Dinowitz, Thiele, Simon, Gottfried, Lupardo, Perry, Jaffee, Crespo, Fernandez, Griffin, Ortiz, Steck. An act to amend the Public Health Law and the Environmental Conservation Law, in relation to prohibiting the use of pesticides at children's overnight or summer day camp.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01092, Calendar No. 50, Lifton, Cahill, Cook, Dinowitz, Gottfried, Ortiz, Paulin, Rivera, Benedetto, Englebright, Cusick, Colton, Bronson, Perry, Simon, Mosley, Seawright, Steck, Williams, Reyes, Wallace, Buttenschon, Santabarbara. An act to amend the Civil Rights Law, in relation to waiving the State's sovereign immunity to claims under the Americans with Disabilities Act of 1990, the Fair Labor Standards Act of 1938, the Age Discrimination in Employment Act of 1967, and the Family and Medical Leave Act.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01119, Calendar No. 51, Simotas, Jaffee, M.G. Miller, L. Rosenthal, Abinanti, Weprin, Blake, Ortiz, Simon, Colton, Steck, Seawright, Mosley, Galef, Wright. An act to amend the General Business Law, in relation to allowing a private right of action for improper debt collection.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01120, Calendar No. 52, Gottfried, Abinanti, D'Urso, McDonough, Colton, Galef, Sayegh, DeStefano, Darling. An act to amend the Public Health Law and the

Mental Hygiene Law, in relation to patient health information and medical records.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01125-A, Calendar No. 53, Gottfried, Lupardo, Abinanti, Dinowitz, L. Rosenthal, Ortiz, Simon, Cahill, Bronson, D'Urso, Hevesi, Lifton, Jaffee, Seawright, Weprin, Woerner, Sayegh, Taylor, Fernandez, Blake, Darling. An act to amend the Public Health Law, in relation to the definition of a serious condition regarding the medical use of marihuana.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01147, Calendar No. 54, Gottfried, Paulin, L. Rosenthal, Jaffee, Abinanti, D'Urso, Colton, Sayegh. An act to amend the Public Health Law, in relation to hospital establishment.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01148, Calendar No. 55, Gottfried, Dinowitz, Paulin, Aubry, Cook, Glick, Perry, Blake, Ortiz, Abinanti, Crespo, D'Urso, Barron, Colton, Galef, Reyes, Fernandez, Sayegh. An act to amend the Public Health Law and the New York City Health and Hospitals Corporation Act, in relation to hospital community advisory boards.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01151, Calendar No. 56, Gottfried, Dinowitz, Paulin, Schimminger, Ortiz, Jaffee, D'Urso, Abinanti, Sayegh, DeStefano, Salka, Barron. An act to amend the

Public Health Law, in relation to authorizing the Commissioner of Health to make grants to be used for the costs of conducting a local blood donation drive.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will
record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A01167, Calendar No.
57, D. Rosenthal, D'Urso, Steck, Stirpe, Seawright, L. Rosenthal,
Ortiz, McDonald, Cruz, McDonough, Cook, Dickens, Arroyo, Blake,
Lawrence. An act to repeal certain provisions of the Insurance Law
relating to anti-arson applications.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will
record the vote.

(The Clerk recorded the vote.)

ACTING SPEAKER LAVINE: Are there any other
votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. If we could advance the A-Calendar, we would like to begin our work on the limousine package.

ACTING SPEAKER LAVINE: On Mrs. Peoples-Stokes' motion, the A-Calendar is advanced.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. Just so we can have some clarity of order here we're going to start this package with the Santabarbara bill, which is on the main Calendar that's on our desk. It's Calendar No. 361, and it's on page 59. Following that, Mr. Speaker, we'll go right to the -- the A-Calendar that was just advanced, and we'll go right to the Paulin bill which is A.712. In that order, Mr. Speaker.

ACTING SPEAKER LAVINE: Thanks, Mrs. Peoples-Stokes.

So it's page 59, Calendar No. 316.

The Clerk will read.

THE CLERK: Assembly No. A08172-B, Calendar No. 316, Santabarbara, Griffin, McDonald. An act to amend the Vehicle and Traffic Law, in relation to penalties for U-turn violations committed by operators of stretch limousines.

ACTING SPEAKER LAVINE: Mr. Santabarbara.

MR. SANTABARBARA: Thank you, Mr. Speaker. I rise to highlight the importance of the package of bills that we're

about to take up here today, start -- beginning with this one here.

There are nine other bills that we'll be considering following this one.

In 2018, we all remember the Schoharie limo crash where 20 people lost their lives, and that tragic -- tragic event left a scar on our communities. And limo safety has been an issue of concern ever since. That accident was actually deemed the worst transportation disaster in nearly a decade. In my district we had to say goodbye to mothers, fathers, sons and daughters, brothers and sisters and -- and dear friends. No one has carried the losses of that day more than the families that have lost loved ones, and some of those families are here today. They are going to be awaiting these bills to pass both the Senate and here in the Assembly, and hopefully they'll be signed into law when they hit the Governor's desk as soon as possible. It's a loss that many of us cannot even begin to imagine. As I said, that horrific event left a scar in our community, and the need for updating law -- the laws governing stretch limousines was very apparent both here in New York State and in Washington, D.C. That's why work on this important legislative package has continued here at the State Capitol on behalf of these families that have lost loved ones and for the safety of our communities. The package of bills we're taking up today are aimed at strengthening regulations, improving standards and ensuring the safety of passengers. As our community continues to mourn those lost in that unspeakable tragedy in 2018, it's important that we get this legislative package signed into law as soon as possible to prevent tragedies like this from happening again.

I want to take a moment to commend both the Assembly and Senate Transportation Committees who have been working together to get these important limo -- limousine safety measures ready for the start of our legislative Session. These bills are important to the families that have lost loved ones, and they're important to me. My heart is with them today and every day as they still struggle to face -- as they still struggle with the reality they've been forced to face. While nothing can ever ease the pain from our losses on that day, we look forward to seeing this legislation passed and signed into law.

ACTING SPEAKER LAVINE: Thank you, Mr. Santabarbara.

Mr. Smullen.

MR. SMULLEN: Thank you, Mr. Speaker. On these bills, I'd just like to commend my colleague, Mr. Santabarbara, as well as all of those, Mr. Tague and those who have put these bills together. I rise today, one, to stand up for my constituents who have suffered the grief of losing family members needlessly. The strengthening of our safety laws for limousines are long overdue, and we pray for the families of those victims of the Schoharie tragedy, many who are from my district. Common sense must prevail. Our laws and regulations need to prevent these types of tragedies from ever happening again, and these bills will reform the system so no one has to go through such terrible grief.

I urge all of my colleagues to help pass this

legislation, to urge our friends in the Senate to do so, and for the Governor to sign these measures into law. Mr. Speaker, thank you.

ACTING SPEAKER LAVINE: Thank you, Mr. Smullen.

Mr. Tague.

MR. TAGUE: Good afternoon, Mr. Speaker. First of all, I want to thank my colleague Angelo Santabarbara for working his tail off of putting these bills together. I also want to thank Chairman Magnarelli and Chairman Kennedy from both Transportation Committees from both Houses for working throughout the winter to get this package done. I just want to say thank you, Chairman. I truly appreciate it. And as many of you know, this accident took place less than two miles from my house, in my little quaint Village of Schoharie which has never been the same. So I ask you today when you vote for these bills, don't think of yourself. Don't think of how this is going to help you politically, but how this is going to add closure to those families that lost 20 loved ones. That's what this vote is about on this next -- next package of bills. Bipartisan bills to remember the lives of 20 people and in hopes, God hope, that nothing like this *ever* happens again not only in New York, but across America.

Thank you very much, Mr. Speaker, and thanks again to the sponsor and the two Chairmans of the Transportation Committee.

ACTING SPEAKER LAVINE: Thank you, Mr.

Tague.

Read the last section.

THE CLERK: This act shall take effect in one year.

ACTING SPEAKER LAVINE: The Clerk will
record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 3 on the A -- A-Calendar, and that will be Rules
Report No. 1.

The Clerk will read.

THE CLERK: Assembly No. A00712-A, Rules
Report No. 1, Paulin, Santabarbara, Fahy, Ashby, M.G. Miller, Taylor,
Ortiz, Thiele, McDonald, Arroyo, Galef, Blake, Gottfried, Williams,
Cook, Cruz, Griffin, Walsh, McDonough, Mikulin, Fall, Lawrence,
Englebright. An act to amend the Vehicle and Traffic Law, in relation
to drug and alcohol testing for for-hire vehicle drivers.

ACTING SPEAKER LAVINE: Mr. Goodell.

MR. GOODELL: Thank you very much, Mr.
Speaker. Would the sponsor yield?

MS. PAULIN: I would be happy to.

MR. GOODELL: Thank you very much, Ms. Paulin.
First, of course, I think we're all in agreement in this Chamber that
nobody should be driving while under the influence of drugs, and

especially if you have many passengers. I mean, it just heightens the danger and the risk to everybody. Of course at the same token, when we pass laws we want to make sure we understand what we're prohibiting, and that those in the public who read the law, including defense attorneys and prosecutors, understand what we're prohibiting.

MS. PAULIN: Absolutely.

MR. GOODELL: And so I was hoping you could help me a little bit define some of this just to flesh it out, if you will.

MS. PAULIN: Sure.

MR. GOODELL: I note that on page 2 starting at the top, this legislation would make it illegal to, quote, "consume a drug, controlled substance, intoxicating liquor, regardless of its alcohol content, or be under the influence of an intoxicating liquor or drug within eight hours before going on duty." So my question is, the Vehicle and Traffic Law, of course, already makes it illegal to drive under the influence of drugs or alcohol. It has a presumption that you're under the influence if you're over .04 for a CDL or .08 for everyone else. Is it your intent and does this bill mean that the alcohol content if you're driving a limousine is below .04 or 0.00? I mean, when you say it's illegal to consume drug or alcohol, do you mean any of any amount?

MS. PAULIN: So -- so, first, I just want to point out that this language mirrors verbatim what we already have for bus drivers. It's identical. So we're just inserting limousine drivers to the exact same standard that we have already defined for a bus driver.

The definition of drug is defined in the Vehicle and Traffic Law, and it's defined as a series of different drugs that are in the Public Health Law. I don't have that definition in front of me, but I'm happy to provide it. And then as far as the level of influence of any drug, we say in the beginning of the bill that -- let's see -- in accordance with the provisions and requirements of Part 382 of Title 49 of the Code of Federal regulations on all drivers. And then if you look at -- that's a Federal reference, and if you look at that Federal reference and you turn to the drug and alcohol section, they have procedures and guidelines pretty much defined as -- you know, because it's hard. You know, I checked with my colleague behind me who is much more expert on drugs than you or I, and, you know, and -- and he was explaining to me that, you know, to some degree it's observation on the part of law enforcement, which, again, I will say that they have that experience with bus drivers already. But there are processes and procedures that are outlined in -- in 382 of the Federal law that help -- that would help and guide those same law enforcement officers.

MR. GOODELL: Now, one of the provisions that you put in - it's on line 3 on page 2 - makes a reference about consuming drugs or alcohol within eight hours of driving. Is it thus a defense if you say you consumed drugs or alcohol nine hours before you drove? And the reason I raise this is because one of the drugs that's listed both under the Federal controlled substances and under the Public Health Law, which, as you know, was incorporated into the VLT [sic], is marihuana, and marihuana can stay in your system for

three or four weeks. So is it the intent of this bill that you can raise as a defense that you had marihuana in your system but you smoked it more than eight hours, or is that not a defense?

MS. PAULIN: I would imagine that it would -- it will be raised. I will also -- I would also imagine that on the other side there would be testimony to the effect of, you know, if it was marihuana, how much would be left. You know, if it was a different substance, how much would be left. So, do I think that it will be raised? I do. Because if you are being challenged on drug consumption and you -- you -- you will use any defense you can. But that is already what we have in the law, again, for bus drivers. And, you know, we are accustomed to those kinds of challenges and I do believe that, you know, if the impairment is of such a level, the testimony on the other side will, you know, will -- will dictate.

MR. GOODELL: Okay. I -- I found it interesting that you provide that if a company has reason to believe that one of their drivers does not meet these criteria, has the appearance of being drugged or under the influence of alcohol, they can have their suspension. The vehicle, the registration can be suspended, right? But you then go on to say on page 3 that if a registration is suspended, they cannot sell the vehicle or transfer it to anyone else. Why do we want to ban the sale to a third-party if this was suspended?

(Pause)

MS. PAULIN: I see. So, it's -- if you go to line 16 it says that such -- well, in 15 it says that *such registration or renewal*

will have the effect of defeating the purposes of this section, which --
 which means that --

(Pause)

Oh, I see. So -- so what this will do is prevent them from reregistering it to a spouse or a business partner so they can essentially get around the -- the law. So it stops -- it stops it, really, for that goal. I mean, it's, you know, because probably more often than not, you know, if that certain vehicle is registered to -- you know, we saw in the tragedy before us they were claiming that it's -- this one's responsible and that one's responsible. So you wouldn't want that vehicle to merely stay in control of that same operator, so-to-speak, by allowing them to transfer it to someone within that same framework.

MR. GOODELL: So the real thrust of that is to prevent a sale or transfer to a related party?

MS. PAULIN: Yes.

MR. GOODELL: Okay. Thank you for those clarifying remarks.

On the bill, sir.

ACTING SPEAKER LAVINE: Yes, Mr. Goodell.

On the bill.

MR. GOODELL: I think everyone in this room supports the intent of this legislation. I would suggest that we revisit some of the technical language on a couple of issues which we can do subsequently. First, I don't think it should be a defense to any action

challenging the ability of the driver of a limo that the limo driver consumed the drug or alcohol more than eight hours ago. And I don't see why it's relevant when you consumed the drugs or alcohol. The real question is, *Were you under the influence while you were driving?* And so this is an unusual provision which says it's illegal to consume drugs or alcohol within eight hours. It's a lot better just to say, *You cannot be under the influence.* And of course this then also raises the interesting question about some of the drugs which we cannot accurately test as to their impact on your ability to drive, such as marihuana, which stays in our system for a long time. So I want everyone to be aware that when we talk about deregulating marihuana and we talk about marihuana for medical purposes, this bill would say if you're a limo driver you can't be taking medical marihuana and lawfully drive a limo in New York State. And the third thing I think we should focus on if we go forward is taking a look at the definition of drug. Because as my colleague correctly pointed out, it's a cross-reference in the VLT [sic] to the Public Health Law, but that list of drugs which goes on page after page does not include a lot of our psychotropic drugs or antidepressant drugs or antipsychotic drugs which can also impact on your ability to drive. And last, it would be great, I think, if we tighten up the language in the future to make it clear that if you violate this, we have not confiscated all your vehicles by re -- removing your registration and prohibiting you from selling. We are only restricting your ability to sell to a related party, which is a little bit narrower.

So with those hopefully positive suggestions, I will be voting for this bill and look forward to us tightening that language as we go forward. Thank you, Mr. Speaker, and thank you to my colleague.

ACTING SPEAKER LAVINE: Thank you, Mr. Goodell.

Read the last section.

THE CLERK: This act shall take effect on the 120th day.

ACTING SPEAKER LAVINE: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A01316-C, Rules Report No. 2, Paulin, Santabarbara, Fahy, McDonald, Thiele, Arroyo, Galef, D'Urso, Blake, Gottfried, Cook, Griffin, McDonough, Lawrence, Steck, Englebright. An act to establish the Stretch Limousine Safety Task Force; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER LAVINE: Read the last section.

THE CLERK: This act shall take effect on the 30th day.

ACTING SPEAKER LAVINE: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08214-B, Rules Report No. 3, Santabarbara, Ashby, McDonald. An act to amend the Transportation Law, in relation to requiring the Commissioner of Transportation to establish methods of reporting safety issues with stretch limousines.

ACTING SPEAKER LAVINE: Read the last section.

THE CLERK: This act shall take effect in one year.

ACTING SPEAKER LAVINE: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08474-A, Rules Report No. 4, Santabarbara, Tague, McDonald. An act to amend the Transportation Law and the Vehicle and Traffic Law, in relation to stretch limousine safety requirements and changing the class of license required to operate stretch limousines.

ACTING SPEAKER LAVINE: Read the last section.

THE CLERK: This act shall take effect in one year.

ACTING SPEAKER LAVINE: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08990, Rules Report No. 5, Magnarelli. An act to amend the Vehicle and Traffic Law, in relation to safety belt requirements for taxis and livery vehicles.

ACTING SPEAKER LAVINE: Mr. Goodell.

MR. GOODELL: An explanation, please.

ACTING SPEAKER LAVINE: An explanation is requested.

Mr. Magnarelli.

MR. MAGNARELLI: Yes. This bill would require taxi and livery passengers 16 years or older to use seat belts in all seating positions. Taxi and livery drivers would be prohibited from operating the taxi or livery unless passengers between the ages of 8 and 15 are restrained by seat belts.

ACTING SPEAKER LAVINE: Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker. Would the sponsor yield?

ACTING SPEAKER LAVINE: Will the sponsor yield?

MR. MAGNARELLI: Yes.

ACTING SPEAKER LAVINE: Mr. Magnarelli yields.

MR. GOODELL: Thank you very much, Mr. Magnarelli. I just wanted to make sure if this bill is adopted what it -- how it fits in with current law and what it means. Now, am I correct if you're a child between 0 and 4 there's no obligation if you're in a limo or livery to be in any restraint at all?

MR. MAGNARELLI: That's correct.

MR. GOODELL: And then if you're between the ages of 4 and 8 and this is adopted, you would be required to wear the seat belt or the driver would be prohibited from proceeding, correct?

MR. MAGNARELLI: No, 4 and 8. No, over 8.

MR. GOODELL: I'm sorry, 8 to 16.

MR. MAGNARELLI: Yes.

MR. GOODELL: So 4 to 8, the individual is under an obligation to be restrained, but the livery operator or the limo operator could operate even if they weren't, correct?

MR. MAGNARELLI: No. There's no requirement from basically 0 to 8. Yes -- or 0 to 7.

MR. GOODELL: Okay. So we have 0 to 4, no obligation to be restrained at all. Four to 8 -- from age 4 to 8, the person has to be restrained but there's no prohibition applying to the

operator of the vehicle, correct?

MR. MAGNARELLI: I'm losing you again. But I think from 4 to 7 there's no obligation there either.

MR. GOODELL: Okay. And if the child is between the age of 8 and 16 --

MR. MAGNARELLI: Yes.

MR. GOODELL: -- this bill would say that no person shall operate the taxi or livery unless that person is actually belted, correct?

MR. MAGNARELLI: Correct.

MR. GOODELL: And if they're over age 16, there's an obligation on the individual to buckle up, but no restriction on the ability of the driver to drive. Is that correct?

MR. MAGNARELLI: Correct.

MR. GOODELL: So just so we're clear, 0 to 4, no obligation to have any restraint.

MR. MAGNARELLI: Yes.

MR. GOODELL: Four to 8, there's an obligation on the individual to buckle up, but not a restriction on the driver to operate. Eight to 16, the driver cannot operate unless everyone's actually buckled up. Over 16, they must be restrained. It's a personal obligation but the driver can operate even if you're not.

MR. MAGNARELLI: I think I agree with everything except your 4 to 8.

MR. GOODELL: So my question is, why don't we

have the same standard for all the age categories? Why do we have a 4 to 8, 8 to 16, 16 on? Why don't we have the same requirement that everyone has to buckle up and it's a personal responsibility and not a responsibility of the driver? Or alternatively, that the driver can't drive at all.

MR. MAGNARELLI: I -- I -- first of all, everybody has to -- we want everyone to buckle up. Okay? Everyone. The personal liability goes with someone who is basically 16 and older who is basically being treated as an adult. Anyone below 16 is being treated as not being an adult. And it's on the -- it's the responsibility of the driver to make sure that his -- his or her passengers are restrained properly.

MR. GOODELL: Okay. Thank you very much.

On the bill, sir.

ACTING SPEAKER LAVINE: On the bill, Mr. Goodell.

MR. GOODELL: The interesting thing about this bill is the first section makes it a responsibility of the individual to buckle up. And I believe in personal responsibility. It's certainly something I support. Starting on line 7 it -- it makes it illegal for the operator to actually operate the vehicle if some passengers are not buckled up. But that only applies to passengers who are between the ages of 8 and 16, which creates some practical issues in the field because not all eight-year-olds, nine-year-olds, ten-year-olds carry identification. And not everyone knows what age kids are when they climb into the cab or

the Uber or the livery or the limo or whatever. I would just suggest that maybe a simpler approach would be to require everyone to take personal responsibility to buckle up rather than impose personal liability on the driver for a class of individuals who typically don't have any ID.

With that as a friendly suggestion, I still think overall I agree with my colleague that if more people buckle up we're going to have fewer deaths on the highway. Thank you, sir.

ACTING SPEAKER LAVINE: Thank you, Mr. Goodell.

Read the last section.

THE CLERK: This act shall take effect November 1st.

ACTING SPEAKER LAVINE: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Pichardo to explain his vote.

MR. PICHARDO: Thank you, Mr. Speaker, for allowing me to explain my vote. First of all, I want to take this opportunity to thank the sponsor of this very important legislation. Safety first should always and is always the priority of the People's House. And again, I want to thank the sponsor and all my colleagues who are putting forward legislation to making sure that our families here in the State of New York are safer. I will be supporting this legislation, although there are some technical concerns that I have and

some of my colleagues have on this issue. For example, in the City of New York, you are obligated to take a passenger and not refuse a passenger if they come into your cab, but if a cab -- if a passenger age of 16 or older refuses to put on the seat belt, the driver themselves who are held liable and responsible for that passenger, they're stuck in a really terrible place. So I hope to work with my sponsor and -- with my colleague, the sponsor, and I want to thank his leadership in making sure that we pass this legislation and I hope to work with him to deal with these technical issues that exist in this bill.

But with that being said, Mr. Speaker, I will be voting in the affirmative.

ACTING SPEAKER LAVINE: Thank you, Mr. Pichardo.

Ms. Reyes.

MS. REYES: Thank you, Mr. Speaker, for allowing me to explain my vote. I believe this is a noble and necessary piece of legislation. I think it is important that we always address the safety of passengers and the people in our community. I represent a community where I have a lot of taxi and livery drivers, and they have expressed their very -- their concerns with the language in this -- in this legislation being too broad. And I will be supporting this legislation because I believe safety is important, but ultimately, the burden should not be placed on a driver for decisions that a passenger makes or parents of children who refuse to wear seat belts. Ultimately, it is the parent's responsibility to ensure the safety of their children, and it

should not -- that burden should not be placed on drivers.

I will be supporting this legis -- this legislation, but I, again, just like my colleagues, look forward to working with the sponsor in tweaking some of the concerns in this bill. Thank you.

ACTING SPEAKER LAVINE: Thank you, Ms. Reyes.

Ms. De La Rosa.

MS. DE LA ROSA: Thank you, Mr. Speaker, for allowing me to explain my vote. I'm going to echo the sentiments of my colleagues who represent communities where the for-hire livery industry has existed, was born, and we have seen how that industry has changed. They have adopted to a lot of the safety protocols and standards that have been put before them. And while safety is of utmost concern for us and our constituents, I want to echo the sentiments that we hope for a broader clarity on this legislation and possibly some technical changes to ensure that the liability is not placed on the driver and does not put the driver in a conflict situation where a passenger refuses to put on a seat belt because they cannot deny the ride in New York City.

And so with that, I vote in the affirmative. Thank you.

ACTING SPEAKER LAVINE: Thanks, Ms. De La Rosa.

Ms. Joyner.

MS. JOYNER: Yes, thank you, Mr. Speaker. I also

want to echo the sentiments and the concerns that were raised previously by my colleagues. I also represent a large number of livery and cab drivers, and the language right now does raise some concerns. I am hopeful that these issues will be addressed and resolved soon.

And in the spirit of safety, I will also be voting in the affirmative. Thank you.

ACTING SPEAKER LAVINE: Thank you, Ms. Joyner.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09056, Rules Report No. 6, Magnarelli. An act to amend the Transportation Law, in relation to allowing the Commissioner of Transportation to impound or immobilize stretch limousines in certain situations.

ACTING SPEAKER LAVINE: Read the last section.

THE CLERK: This act shall take effect in one year.

ACTING SPEAKER LAVINE: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09057, Rules Report

No. 7, Paulin, McDonald. An act to amend the Vehicle and Traffic Law, in relation to the installation of safety belts in stretch limousines, and the posting of notice therein.

ACTING SPEAKER LAVINE: Read the last section.

THE CLERK: This act shall take effect January 1st, 2021.

ACTING SPEAKER LAVINE: The Clerk will record the vote.

(The Clerk recorded the vote.)

ACTING SPEAKER AUBRY: Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09058, Rules Report No. 8, Santabarbara, McDonald. An act to amend the Vehicle and Traffic Law, in relation to requiring stretch limousines to use commercial global positioning system technology.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 30th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09059, Rules Report No. 9, Santabarbara, McDonald. An act to amend the Vehicle and Traffic Law and the Transportation Law, in relation to motor carriers of stretch limousines.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 180th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, do we have any further housekeeping or resolutions?

ACTING SPEAKER AUBRY: We certainly do have both housekeeping and resolutions.

On a motion by Mr. Carroll, page 26, Calendar No. 134, Bill No. A.3281-A, amendments are received and adopted.

On behalf of Mr. Bronson, Assembly bill recalled from the Senate.

The Clerk will read the title of the bill.

THE CLERK: An act to amend the Vehicle and Traffic Law.

ACTING SPEAKER AUBRY: Motion to reconsider the vote by which the bill passed the House.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is starred.

We have numerous fine resolutions which we will take up with one vote.

On the resolutions, all those in favor signify by saying aye; opposed, no. The resolutions are adopted.

(Whereupon, Assembly Resolution Nos. 665-671 were unanimously adopted.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I now move that the Assembly stand adjourned until 10:00 a.m., Wednesday, January the 15th, tomorrow being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 2:48 p.m., the House stood adjourned until Wednesday, January 15th at 10:00 a.m., that being a Session day.)