

**TUESDAY, JANUARY 21, 2020**

**3:28 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 20th.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move

that we dispense with the further reading of the Journal of Monday, January the 20th and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. I'd like to welcome our colleagues and guests to the Chambers for our third week of our 243rd legislative Session. Today, I would like to start with a quote from Dr. Martin Luther King, given they we celebrated his birthday on yesterday. And this quote is: "Our lives begin to end the day we become silent about things that matter." Again, Mr. Speaker, that is from the Reverend Dr. Martin Luther King.

Colleagues should also note that you have a main Calendar on your desks. After there are any introductions and/or housekeeping, Mr. Speaker, we will take up resolutions on page 3. There are eight new bills that have been added to the Calendar. We will consent these new bills starting with Calendar No. 327 on page 4, and we will continue our consent from the main Calendar after that. After that on the main Calendar, we'll be going to Calendar No. 133 and that one is on page 27. Be advised, members of the Majority, that there will be a Majority Conference immediately following the close of today's Session, and I will check with Mr. Goodell to see if they have needs on the other side of the aisle.

With that, Mr. Speaker, that gives us a general outline

for our work today. If we can now get started, it would be greatly appreciated.

ACTING SPEAKER AUBRY: Certainly. Thank you, Mrs. Peoples-Stokes. We do have housekeeping.

At the request of Mr. Zebrowski, Calendar No. 88, Bill No. A01931, the bill is recommitted to the Committee on Codes.

At the request of Ms. Paulin, Calendar No. 92, Bill No. A02157-B, recommitted to the Committee on Codes.

On a request from Mr. Aubry, Calendar No. 295, Bill No. A07927, recommitted to the Committee on Corporations.

On request of Ms. Lifton, the following bill, Calendar No. 326, No. A08425 is recommitted to the Committee on Ways and Means.

And at the request of Mr. Magnarelli, Calendar No. 323, Bill No. A08302-A, the bill is recommitted to Codes.

On a motion by Ms. Reyes, page 59, Calendar No. 307, Bill No. A08070-A, amendments are received and adopted.

On a motion by Mr. Buchwald, page 6, Calendar No. 4, Bill No. A00119-A, the amendments are received and adopted.

On a motion by Mr. Lentol, page 18, Calendar No. 81, Bill No. A01656, amendments are received and adopted.

On a motion by Mr. Cahill, page 21, Calendar No. 96, Bill No. A02226-A, amendments are received and adopted.

On a motion by Mr. Pretlow, page 30, Calendar No. 146, Bill No. A03535-A, amendments are received and adopted.

On a -- on a motion by Ms. Jean-Pierre, page 37, Calendar No. 186, Bill No. A04849, amendments are received and adopted.

On a motion by Ms. Wright, page 44, Calendar No. 225, Bill No. A05976, amendments are received and adopted.

Resolutions on page 3, the Clerk will read.

THE CLERK: Assembly No. 678, Assembly Resolution, Ms. Paulin. Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim January 19-25, 2020, as Certified Registered Nurse Anesthetist Week in the State of New York.

ACTING SPEAKER AUBRY: On the resolution, all those in favor signify by saying aye; opposed, no. The resolution is adopted.

THE CLERK: Assembly Resolution No. 679, Ms. Lupardo. Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim January 2020, as Poverty Awareness Month in the State of New York.

ACTING SPEAKER AUBRY: On the resolution, all those in favor signify by saying aye; opposed, no. The resolution is adopted.

THE CLERK: Assembly Resolution No. 680, Mr. McDonald. Legislative Resolution memorializing Governor M. Cuomo to proclaim May 3-9, 2020, as Tardive Dyskinesia Awareness Week in the State of New York.

ACTING SPEAKER AUBRY: On the resolution, all those in favor signify by saying aye; opposed, no. The resolution is adopted.

Page 4 -- consent on page 4, Calendar [sic] No. 72, the Clerk will read.

THE CLERK: Assembly No. A00072, Calendar No. 327, Cahill, Cymbrowitz, Otis, Jacobson. An act to amend the Insurance Law, in relation to requiring the Superintendent of Financial Services to promulgate regulations which provide standardized definitions for commonly used terms and phrases in certain insurance policies.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00395, Calendar No. 328, Cahill, Jacobson. An act to amend the Insurance Law, in relation to personal and commercial lines insurance.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00661, Calendar No. 329, L. Rosenthal. An act to amend the Real Property Actions and Proceedings Law, in relation to grounds where no landlord-tenant relationship exists.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02145, Calendar No. 330, Joyner, Gottfried, Simon, Cook, Perry, Ortiz, Bichotte, Barron, D'Urso, Jaffee, Colton, Steck, Weprin, Walker. An act to amend the New York City Civil Court Act, in relation to requiring the Office of

Court Administration to promulgate certain housing court documents provided to parties in their native language.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05411, Calendar No. 331, Thiele. An act to amend the Indian Law, in relation to the State recognition and acknowledgement of the Montaukett Indians.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A08949, Calendar No. 332, Cusick. An act to amend the Navigation Law, in relation to exempting certain vessels from the compulsory State pilotage requirement.

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.)

Members, first vote of the day. If you are in your seats, please cast your ballot now. If you are in the sound of the voice, please come to the Chamber and cast your ballot. Thank you very much.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08956, Calendar No. 333, Lupardo. An act to amend the Tax Law and the Alcoholic

Beverage Control Law, in relation to exempting certain beer tastings from retail sales and compensating use taxes.

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.

Mr. Goodell for the purposes of a [sic] introduction.

MR. GOODELL: Thank you very much, Mr.

Speaker. It is my honor and pleasure to introduce three guests on behalf of Assemblyman David DiPietro. Joining us from Western New York are Rachel Francis, Gay Thompson and Cybal Robbins. These individuals have taken a keen interest in what we do. As home schoolers, it's a very interesting interplay between what they can do at home and how they interface with -- with the public school. And they bring that perspective and other perspectives to share with us today. So, if you wouldn't mind welcoming Rachel Francis, Gay Thompson and Cybal Robbins to our Chamber.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. DiPietro, the Speaker and all the members, we welcome you here to the New York State Assembly, extend to you the privileges of the floor, commend you on the work that you do, educating young

people. Hopefully that will be something that you continue to do and enjoy. And please, always, we welcome and come back soon. Thank you so very much.

(Applause)

The Clerk will read.

THE CLERK: Assembly No. A08977, Calendar No. 334, Lupardo, Stirpe, Mosley, Crouch. An act to amend the Agriculture and Markets Law and the Public Health Law, in relation to hemp, cannabinoid hemp, and hemp extract; and to repeal certain provisions of the Agriculture and Markets Law relating thereto.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 90th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Woerner to explain her vote.

MS. WOERNER: Thank you, Mr. Speaker, for allowing me to interrupt so that I might explain my vote. This is a -- this is a bill that's very important for the hemp industry generally and for the -- the growing CBD industry. But as I explained --

ACTING SPEAKER AUBRY: One minute, one minute. Please, gentlemen, ladies. Thank you.

Please proceed.

MS. WOERNER: Thank you. So, as I was saying,



this is a very important bill for the industry as a whole and one that the industry has been looking forward to. But as I expressed in the Committee meeting where we -- we talked -- we brought up this bill, I am very concerned with the retail licensing component of this. There are many small businesses that have developed to -- to sell our CBD products that are produced on farms and I am very concerned that as we switch to a licensed retail model, that that will end up being both a tax on small business and that we could see business interruptions as those licenses aren't processed in a timely manner.

I'm given to understand that these will be registrations, not licenses, and that will be a quicker process, but I remain concerned that -- that while this is an important bill for the industry, that it not be a tax on small business and that it not result in any business interruptions. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Ms. Woerner, thank you. And your vote is...

Ms. Woerner in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

We will continue consent on page 27, Calendar No. 133, the Clerk will read.

THE CLERK: Assembly No. A03275-B, Calendar No. 133, Epstein, Simon, Reyes, Taylor, Gottfried, Mosley, D'Urso, Cruz, Blake, M. G. Miller, Cook, Ortiz, Barron, Glick. An act to

direct the Department of Financial Services to study, evaluate and make recommendations concerning lending practices by financial institutions to landlords acquiring property that includes small business tenants and/or rent-regulated tenants.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03281-B, Calendar No. 134, Carroll, Vanel, Colton, Seawright, D'Urso, Gottfried, Mosley, Blake, Otis. An act to amend the Public Authorities Law, in relation to requiring the New York City Transit Authority Advisory Council to investigate, report and make recommendations on instructing the public on how to react when an individual falls on Authority facility tracks.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03318, Calendar No. 135, Zebrowski, Gottfried. An act to amend the General Business Law, in relation to authorizing the Attorney General to bring an action for violation of the prohibitions concerning unlawful selling practices and specifying damages awardable.

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.

Ms. Walsh for the purposes of a [sic] introduction.

MS. WALSH: Thank you, Mr. Speaker. I'm happy today to introduce people who are from both Assemblywoman Missy Miller's district and Mr. Buchwald's district this afternoon.

First, I'd like to talk a little bit about the Goodwin family from Ms. Miller's district. They are an amazing family from Oceanside, a town in her district. They are the Goodwin's: Maggie, Craig, William and Grandma. The Goodwin's suffered an unimaginable loss in 2017 when their daughter, Emma-Méabh, was born still. They researched stillbirth and found that there were many other families who had endured the same loss. They have dedicated themselves to helping others going through this and to help ease some of the pain that is involved when a family suffers such a loss. Things like getting a birth certificate or a death certificate or the unexpected costs of a funeral all are obstacles adding to the pain of the loss of their baby.

The Goodwin's found a wonderful organization called Star Legacy which was founded by the Cohan family, who was from Mr. Buchwald's district, who I believe are also here today. And the Goodwin's have joined with them to help educate the medical and public about stillbirth and to raise funds for research to try and help prevent it. They have taken their tragedy and have committed to helping countless others. Please welcome them and extend the cordialities of the House, Mr. Speaker.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Buchwald, Ms. Miller, the Speaker and all the members, we welcome you here to the New York State Assembly. We extend to you the privileges of the floor. And to you extraordinary both families who have decided to walk with the angels as opposed to despair, thank you so very much for what you do for others who are -- so that they may not suffer the tragedies that you have. God bless you and you are always welcome here. Thank you.

(Applause)

The Clerk will read.

THE CLERK: Assembly No. A03326-A, Calendar No. 136, Cymbrowitz. An act to amend the Alcoholic Beverage Control Law, in relation to notification requirements for a seven day license to sell liquor at retail for consumption off the premises.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03337, Calendar No. No. 137, Dinowitz, Gottfried, Seawright, Stirpe, Bronson. An act to amend the Civil Practice Law and Rules, in relation to grounds for vacating an arbitration award on the basis of partiality of the arbitrator.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03345, Calendar No. 138, Englebright, Montesano, Solages. An act to amend the Personal Property Law, in relation to prohibiting certain provisions in retail lease agreements.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03349, Calendar No. 139, Englebright, Abinanti, Kim. An act to amend the General Business Law, in relation to personal information restrictions for public records.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 90th 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.

(Pause)

The Clerk will read.

THE CLERK: Assembly No. A03385-A, Calendar No. 140, Dickens, Santabarbara, Fall, Seawright. An act to amend the Public Officers Law, in relation to the accessibility of public hearings and meetings.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03400-A, Calendar No. 141, Gunther. An act to amend the Vehicle and Traffic Law, in relation to the solicitation of donations on State highways.

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. A03402, Calendar No. 142, Gunther, Cahill, Zebrowski, Gottfried, Simon, Mosley, Montesano, M. G. Miller, Jaffee, Colton, Dickens. An act to amend the Mental Hygiene Law, in relation to liability for the payment of fees for services rendered by the Department of Mental Hygiene.

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.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: We have both. We will first take up the housekeeping.

On a request by Mr. Santabarbara, page -- Calendar No. 219, Bill No. A05774-B, the bill is recommitted to the Committee on Codes.

Also at the request of Mr. Santabarbara, Calendar No. 315, Bill No. A08171-B, is recommitted to the Committee on Codes.

On a motion by Ms. Linda Rosenthal, page 6, Calendar No. 6, Bill No. A00168-A, amendments are received and adopted.

On a motion by Ms. Paulin, page 7, Calendar No. 16, Bill No. 30 -- A00361-A, amendments are received and adopted.

On a motion by Mr. Gottfried, page 18, Calendar No. 77, Bill No. A01526-A, amendments are received and adopted.

On a motion by Ms. Linda Rosenthal, page 19, Calendar No. 87, Bill No. A01920, amendments are received and adopted.

On a motion by Ms. Rosenthal, page 38, Calendar No. 190, Bill No. A04943, amendments are received and adopted.

On a motion by Mr. Palmesano, page 61, Calendar No. 320, Bill No. A08222, amendments are received and adopted.

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. 682-685 were unanimously approved.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if you could call on Mr. Otis for an announcement.

ACTING SPEAKER AUBRY: Mr. Otis for the purposes of a [sic] announcement.

MR. OTIS: Good evening. At the conclusion of Session, there will be an immediate meeting of the Democratic Conference in the Speaker's Conference Room.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move that the Assembly stand adjourned until 2:00 p.m. Wednesday, January the 22nd, tomorrow being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 4:27 p.m., the Assembly stood adjourned until Wednesday, January 22nd at 2:00 p.m., Wednesday being a Session day.)