

WEDNESDAY, FEBRUARY 12, 2020

11:47 A.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 Tuesday, February 11th.

Mrs. Peoples-Stokes.

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

dispense with the further reading of the Journal of Tuesday, February 11th and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. If I can have colleagues and guests in the Chamber's attention just for one second. I want to share a quote who is from none other than Matilda [sic] Hilda Thatcher, who was a British Stateswoman and served as Prime Minister of the United Kingdom from 1979 to 1990. Mr. Speaker, Mrs. Thatcher was born in 1925, the exact same year as my mom, and she left us in 2013. These are her words: "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 advise members that they have on their desks a main Calendar and a debate list. And after there are any introductions and/or housekeeping, we will continue our consent where we left off on yesterday with Calendar No. 289 which is on page 47. And we will also work for -- from the debate list. There is a need for a Majority Conference immediately following the conclusion of Session, and as always, Mr. Speaker, we will check with our colleagues on the other side of the aisle to determine their needs.

That's a general outline, Mr. Speaker. If there are any introductions or housekeeping, now would be a great time.

ACTING SPEAKER AUBRY: A few pieces of housekeeping.

On a motion by Ms. Rozic, page 38, Calendar No. 218, Bill No. A.5661, amendments are received and adopted.

On a motion by Ms. Woerner, page 50, Calendar No. 308, Bill No. A.8078-B, amendments are received and adopted.

For the purposes of an introduction, Mr. Tague.

MR. TAGUE: Thank you, Mr. Speaker. Preserving the past gives us a window into a world we can only imagine, and we are fortunate to have it in our own backyard. This monumental discovery of a 385 million-year-old prehistoric forest is a treasure trove of both valuable scientific data and a great tourist draw to our area. The Catskill Delta forest is a once-in-a-lifetime find. These fine folks that are here with me today are working to ensure that we preserve it for study and for the awe of future generations.

Later today, I hope that each and every one of you will join me in passing a resolution recognizing this 385-year-old [sic] prehistoric forest. Mr. Speaker, I ask you and my colleagues to please join me in welcoming Mr. John Coyne, Supervisor of the Town of Cairo in Greene County, and Mr. Pat Linger, Greene County Legislative Chair.

Mr. Speaker, please extend all the privileges and cordialities of the People's House to our fine guests. Thank you, sir.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Tague, 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 public service that you are providing to your communities, and especially for the work that you're doing to preserve this historic --

(Pause)

-- right. Thank you, that's what I meant. Thank you.

(Applause)

Mr. Schmitt.

MR. SCHMITT: Mr. Speaker, thank you for allowing me to interrupt today's proceedings to make an introduction from the wonderful 99th Assembly District. I'm proud to have retired EMT Captain Marty Byrnes and her family here. You guys want to stand up? A wonderful family from the Town of Highlands in Orange County. Captain retired this year after 20 years of service. She's joined by husband, Chris; her children, Aaron Falk, who is also a member of the Ambulance Corps, as well as his wife, Stacy; Ryan, who is the Assistant Chief for Fort Montgomery Fire Department; and we also have Nancy and several grandchildren, Marty's grandchildren are here. Marty retired January 10th of this year after 20 years as a volunteer member. She is a life member. She's responded with great passion, skill, commitment to over 2,600 calls in her nearly -- in her over two-decade tenure as an EMT. A true public servant and hero. She was responsible for over two decades for organizing the Town of Highlands Fall Foliage Festival, which is the main fundraiser and tourist activity in the Town during the fall. She has numerous awards

and accolades over her two decades of service, including being the 2009 Orange County EMT of the Year, the 2009 Regional Emergency Medical Services Council BLS Provider of the Year, which covers eight counties, and the 2009 New York State Volunteer Ambulance and Rescue Association Meritorious Service Award. Marty truly is the icon in the community. She has saved lives. She has made it easier for families to deal with tragedy. And anyone who knows her, anyone knows of her work, thinks of her service and her family's service with pride. And obviously they're sad to see her go, but her legacy will live on for generations not only in the emergency services community in my district, but for all the lives that she's touched.

I ask that you welcome her and her family to the floor and give her all the cordialities of this House for her dedication.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Schmitt, the Speaker and all the members, we welcome this extraordinary lady here to the New York State Assembly. We also welcome the family that supports you, and clearly, that must be important. We extend to you the privileges of the floor. We hope that your work will continue on into the future, but that you will enjoy a well-deserved rest. Thank you so very much.

(Applause)

Ms. Seawright for the purposes of an introduction.

MS. SEAWRIGHT: Thank you, Mr. Speaker, for allowing me to interrupt the proceedings for the purpose of an introduction. Today we have the Women [sic] Builders Council with

us in Albany. I'd like to recognize this organization. It works to promote women business in a male-dominated field. The Women [sic] Builders Council is the leading association representing women in the construction industry on several important fronts: Legislative advocacy, new business development and professional development with a special focus on leadership. With us today we have my dear friend, Sandra Wilkin, the co-founder of the Women's Business [sic] Council and the President and founder of Bradford Construction; Renee Sacks, Executive Director of the Women's Business [sic] Council; Krista Gobins-Wilson, Senior Vice President of the Council; and the Women [sic] Builders Council members, Penda Aiken, President of Penda Aiken, Inc.; Christine Boccia, Executive Manager of JD Traditional; Stephanie Burns, Vice President of Community and Citizenship of Turner Construction Company; Lorraine D'Angelo, President of LDA Compliance Consulting; Eileen Della Volle, Vice President of Business Development at KS Engineers; Felice Farber, Senior Director, Policy and External Affairs at the General Contractors Association of New York; Gloria Kemper, President of Recon Construction; Mala Popli, Vice President of Popli Design Group; Loryn Riggiola, a partner at Zetlin and De Chiara, LLP; and Elizabeth Weiss, President of AJ McNulty and Company, Inc.

Mr. Speaker, I ask that you extend to them the cordialities of the House. Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Seawright, the Speaker and all the members, we welcome these

extraordinary businesswomen here to the New York State Assembly. We extend to you the privileges of the floor. We thank you for the work that you're doing to create a new society, and not only to build one for women of all kinds in this State, but also to break down the barriers that we know you have faced. Continue that great work. We wish you success in the future. Thank you so much.

(Applause)

Mrs. Peoples-Stokes for an introduction.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker, for an opportunity to interrupt our proceedings to introduce to some and present to others the County Executive, the County of Erie. So on behalf of myself, Member McMahon, Member Schimminger, Member Ryan, Member Wallace and Member Burke, if you could please welcome Mark Poloncarz to our Chambers and give him the cordialities of the floor.

ACTING SPEAKER AUBRY: Certainly. On behalf of Assemblymember Peoples, the entire Erie delegation, sir, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Certainly, our congratulations on the work that you're doing in Erie County. We wish you much success in that, and always know that you are welcome here in the People's House. Thank you so very much.

(Applause)

Mr. Cahill for the purposes of an introduction.

MR. CAHILL: Thank you, Mr. Speaker. It is my

great honor and privilege today to introduce, once again, to the members of this Body a former member of this Body. Someone who over two million New Yorkers thought should lead the State. Someone who got the majority vote in over 40 counties in New York State to lead this State, and who is many people's second-favorite Assemblyman from the district we have both represented. I do know that he came in second a couple of times, but I also know that when it comes to this House, he gets 100 percent of the vote and he comes in first. And I would ask you to welcome former member Marcus Molinaro, County Executive of Dutchess County.

(Applause)

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Cahill, the Speaker and all the members, Marcus, welcome back. You are a former member, you are always welcome here, always have the privileges of the floor. And it's always good to see you no matter what Mr. Cahill says.

(Laughter)

Thank you so very much.

(Applause)

Resolutions on page 3.

The Clerk will read.

THE CLERK: Assembly Resolution No. 761, Mr. Fall. Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim February, 2020, as African Diaspora 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.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if we can start on page 47 with Calendar No. 289 by Mr. Zebrowski.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly No. A07796, Calendar No. 289, Zebrowski, Weprin. An act to amend the Banking Law, in relation to the definition of "servicing" by student loan servicers.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect October 9, 2020.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, this is our first vote of the third day of the sixth week of the 243rd Legislative Session. Members in and around the Chambers, please vote. First vote of the day.

ACTING SPEAKER AUBRY: First vote of the day, members. Please come to the Chamber and vote. If you're in your seats, please vote now.

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. A07815-B, Calendar No. 290, Hevesi, Jaffee, Epstein, Aubry, Lifton, Reyes, Rozic, Ortiz, Williams, Crespo, Simon, De La Rosa, Pretlow, Mosley, Arroyo, Colton, Gottfried, Simotas, Frontus, Dickens, Barron, Blake, Jean-Pierre, Fahy, Sayegh, L. Rosenthal, Fernandez, Glick, Pichardo, Paulin. An act to amend the Social Services Law, the Executive Law and the Public Health Law, in relation to providing for supports and services for unaccompanied minors with no lawful immigration status.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07821, Calendar No. 291, Zebrowski, Jaffee. An act authorizing the Commissioner of General Services to transfer and convey certain unappropriated State land to Rockland Recovery Homes, Inc.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07901, Calendar No. 292, Cahill. An act to amend the Insurance Law, in relation to using driving history as a rating or underwriting factor for private passenger motor vehicle insurance.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07915-A, Calendar No. 293, Magnarelli, D'Urso, Palmesano. An act to amend the Public

Health Law and the Environmental Conservation Law, in relation to allowing Donate Life registration when applying for or renewing a hunting, fishing or trapping license.

ACTING SPEAKER AUBRY: Read the last section.

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

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. A07919, Calendar No. 294, LiPetri. An act in relation to authorizing the Good Samaritan Hospital Medical Center to file an application for a real property tax exemption.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07933, Calendar No. 296, O'Donnell, Abinanti, Englebright, Otis, Lifton, Galef, Glick, Weprin, Epstein, Steck, Gottfried, Reyes, Ortiz, D'Urso, Griffin, Jacobson, Colton, Carroll, Seawright, Braunstein. An act to amend the Environmental Conservation Law, in relation to prohibiting the use of drilling fluids, brine, and flowback water from wells, pools or fields on any highway.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07936-A, Calendar

No. 297, Arroyo, Blake, Reyes, M.G. Miller, D'Urso, Gottfried, Rivera, Cruz, Glick. An act to amend the State Finance Law, in relation to prohibiting State contracts with vendors that forbid employees from litigating discrimination of harassment claims.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. 298 -- I'm sorry, Assembly No. A07937, Calendar No. 298, Walker, Blake. An act to amend the Correction Law, in relation to the definition of "direct relationship" for the purposes of Article 23-A of the Correction Law regarding the licensure and employment of persons previously convicted of one or more criminal offenses.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07959-A, Calendar No. 299, Darling. An act to amend the Family Court Act, in relation to execution of warrants in juvenile delinquency cases when family courts are closed.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 60th 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. A07970, Calendar No. 300, Frontus, Buchwald. An act to amend the Family Court Act, in relation to video recording of interrogations of juveniles in juvenile delinquency proceedings in family court.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07981-A, Calendar No. 301, Walker. An act to amend the Criminal Procedure Law, in relation to issuance of appearance tickets to adolescent offenders pending appearances before youth parts of superior courts of criminal jurisdiction.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07982, Calendar No. 302, Taylor. An act to amend the Criminal Procedure Law, in relation to notification to, and engagement of, parents in proceedings involving 16- and 17-year-old defendants in youth parts in superior courts.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A08021, Calendar No. 303, Jaffee. An act to amend the Family Court Act, in relation to sealing and expungement of records in persons in need of supervision cases in the family court.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A08023, Calendar No. 304, Williams. An act to amend the Executive Law, in relation to domestic violence-related activity of the New York State Office for the Prevention of Domestic Violence and adding a member to the

Advisory Council; and to repeal certain provisions of such law relating thereto.

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. A08025, Calendar No. 305, Buttenschon. An act to amend the Alcoholic Beverage Control Law, in relation to temporary manufacturing permits; and to repeal certain provisions of such law relating thereto.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A08061, Calendar No. 306, Williams. An act to amend the State Finance Law, in relation to requiring State contractors submit a statement on human trafficking.

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.

THE CLERK: Assembly No. A08070-B, Calendar No. 307, Reyes, Ortiz, Blake, Rivera, De La Rosa, Colton, Fernandez, Gottfried, McDonough, Glick, Richardson, Rozic, D'Urso, Fall, Griffin, Cruz, Hevesi. An act to amend the Executive Law, in relation to enacting the "Hate Crimes Analysis and Review Act."

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.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. If we could continue our work now on page 41, Calendar No. 232 by Mr. Mosley, and it is on debate. So, members can prepare themselves to have a seat.

ACTING SPEAKER AUBRY: Certainly. Please settle down. Members, staff.

The Clerk will read.

THE CLERK: Assembly No. A06163, Calendar No.

232, Mosley, Galef, Griffin, Reyes, Buchwald, Dinowitz, Zebrowski, Cook, Gottfried, Jaffee. An act to amend the Vehicle and Traffic Law, in relation to mandatory seat belt use.

ACTING SPEAKER AUBRY: An explanation is requested, Mr. Mosley.

MR. MOSLEY: Thank you, Mr. Speaker. This bill would amend the Vehicle and Traffic Laws that require the use of seat belts by all passengers 16 years or older riding in any seating position in a motor vehicle. Currently, our laws only apply to those who are 16 -- well, less than 16 years of age, but this would now require that all passengers 16 years and older and under to be in a seat belt -- in a seated position whether in the front seat or back seat, to be in a seat belt.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

ACTING SPEAKER AUBRY: Mr. Mosley, will you yield?

MR. MOSLEY: Yes.

ACTING SPEAKER AUBRY: Mr. Mosley yields.

MR. GOODELL: Thank you, Mr. Mosley. I think you mentioned this. Currently, if you're 16 years or over and you're in the front of a car, you have to wear a seat belt, correct?

MR. MOSLEY: Correct.

MR. GOODELL: Actually, if you're age 8 or over

you have to wear a seat belt regardless where you are, correct?

MR. MOSLEY: Correct.

MR. GOODELL: As you are aware, there are some vehicles that are completely exempt from even a requirement for a seat, such as a farm vehicle.

MR. MOSLEY: Correct.

MR. GOODELL: Does this exempt farm vehicles from the requirement for a seat belt?

MR. MOSLEY: Yes, it does.

MR. GOODELL: And how -- where in the language does it exempt farm vehicles from the requirement for a seat belt?

MR. MOSLEY: Well, I think the only time you're required to have a seat belt is when there is a seat with a belt.

MR. GOODELL: But this says no person shall be a passenger, correct?

MR. MOSLEY: Correct.

MR. GOODELL: Is there any reference to Section 1222 that relates to agricultural vehicles?

MR. MOSLEY: No, but what I've been able to research is that those individuals who are primarily on private properties which are not accessible to the public, this -- this Vehicle and Traffic Law would not apply to them.

MR. GOODELL: One other question. Who gets a ticket? It's the passenger that gets a ticket?

MR. MOSLEY: Well, if you're under 16 and you

cannot lawfully drive, you -- you will not be -- the driver will get the ticket. If you're 16 and older and technically you're lawfully in a position to be able to drive in New York -- in New York State, you will get the -- that 16-year-old will get the ticket or citation.

MR. GOODELL: And that would then be created under the Raise the Age legislation that we passed a few years ago?

MR. MOSLEY: No.

MR. GOODELL: So, where would --

MR. MOSLEY: It's just a citation.

MR. GOODELL: I see. Thank you, Mr. Mosley.

On the bill, sir.

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

MR. GOODELL: While it may not be common in New York City, in Upstate agricultural areas it is fairly common practice for those working on a farm where they go between fields, to ride in the back of a pickup truck. And if you are repairing fence lines, for example, or doing other work, you put your tools in the back of the pickup truck, everyone piles in. That is expressly recognized and acknowledged under the Vehicle and Traffic Law as long as the distance is five miles or less. Unfortunately, this bill does not by its terms exclude the provisions of Section 1222. And so -- well, I mean it would create a real inconvenience for all of our farmers who historically and traditionally have, for very practical reasons, ridden in the back of a pickup truck for short distances in order to accomplish

agricultural work. The solution is very simple, and the solution is to simply add an exclusion under this language. That hasn't been done, and for that reason I and all others who want to help our farmers continue to operate efficiently will have problems with this amendment. I do commend the sponsor for his concern over safety, and -- and I appreciate that, and I hope that we can in the future accommodate both desires.

Thank you, sir.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Mosley to explain his vote.

(Pause)

We will rescind the roll call. Mr. Manktelow on -- has questions on the bill.

MR. MANKTELOW: Yes, Mr. Speaker. Will the sponsor yield?

ACTING SPEAKER AUBRY: Will you yield, Mr. Mosley?

MR. MOSLEY: Yes, I will.

MR. MANKTELOW: Thank you. Just -- just a couple questions back to the farm part of it.

MR. MOSLEY: Right.

MR. MANKTELOW: So, farm machinery nowadays, in a lot of the machinery they have buddy seats next to the seat in the tractor or in the spare or in the combine. So in that situation, when we're going down the road, how do we handle that part of it?

MR. MOSLEY: If -- if in the manufacturing of the vehicle, if there is a required seat belt upon purchase, then it is to be -- it -- it has to be used. Now, if there isn't and if there's a buddy seat, obviously, that's another situation in terms of just the mere practicality of why would you want to be on the road without a seat belt, in a buddy seat. But if it's manufactured with a seat belt, it's going to be required to be used. If there is none, then obviously you're exempt from having to use the seat belt because there's no seat belt to be used.

MR. MANKTELOW: All right. So, is it possible to add an exemption in there, as Assemblyman Goodell said, for -- for ag?

MR. MOSLEY: Well, it's already law. It's under the Vehicle and Traffic -- Transportation Law, I think Section 336. 383, where that is so noted.

MR. MANKTELOW: It's already in there?

MR. MOSLEY: Yes.

MR. MANKTELOW: And one -- one last question, then, back to the farm industry part of it. Just going out onto the road, sometimes you may have two or three of your children with you, as

farmers work long hours. Some of the older machinery do not have seat belts. Is that going to be a retroactive thing?

MR. MOSLEY: Are you talking -- is -- is it a car, is it a -- is it a tractor, is it --

MR. MANKTELOW: So -- so today, in today's agricultural world, you have sprayers, you have combines, you have tractors that can go 30, 32 miles an hour down the road now. And in some of those products, in some of those equipment, there are seat belts in some of those. Some of those there are not. So I guess the question is, if I had my granddaughter with me, I'm in the tractor going down the road 30 miles an hour and there's no seat belts in there, are we going to be required to put a seat belt in there down the road, or -- or is that going to be exempt from this?

MR. MOSLEY: If it's in a vehicle that is to be made to be used on farmland and you're on the highway and you're on the road going 30 miles an hour, one of the -- the practicality of it all, contextually speaking, I would hope to think that everybody would be strapped up. But if this is a vehicle that has no -- has no safe -- has no safety harness or seat belt, it is not required to -- to have one under this law.

MR. MANKTELOW: So -- so what I'm hearing, then, is in a tractor that's -- was manufactured some years ago that does not have a seat belt in it, that's going to be okay to take that tractor down the road with a -- with my granddaughter in it and we would be fine and not be illegal, correct?

MR. MOSLEY: If it was never required to at manufacturing to have one. So you won't have to go to the manufacturer get it retrofitted for a new seat belt under this law.

MR. MANKTELOW: Okay. Thank you for allowing me -- for the questions. Thank you.

MR. MOSLEY: You're welcome. Thank you.

MR. MANKTELOW: Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Mosley now on the bill.

MR. MOSLEY: Thank you, Mr. Speaker. On the bill. Ever since 1985, we have lost a combined number of individuals to vehicle deaths and fatalities well over 15,000 since 1985. On average, New York State loses between 28 to 29 individuals to vehicle fatalities for people who have not used seat belts in the back seat, whether they are above age 16 or below 16. Whether they killed themselves, they kill others, their passenger, the driver or even pedestrians as they might be used as -- as they might become a projectile in some of these accidents. You're eight times more likely to be -- to suffer serious bodily injury if you do not buckle up, regardless of your age. This is commonsense legislation. I understand the issue of farm vehicles. I see them as I drive throughout Central New York. People who might have unfortunately lost their licenses and use these vehicles to transport themselves from Point A to Point B, but ultimately understanding that this piece of legislation, I believe and I know, will save hundreds of lives, and over the years, thousands

of lives of individuals. As a father of two children, the first thing I do is tell my children, *Make sure you buckle up*, understanding that I don't want them to become a fatality if we're in an accident, regardless of how far we're traveling.

So I want to again thank the advocates. I want to thank AAA, I want to thank my colleague in the Senate, Senator Carlucci, for championing this bill in the -- in the upper House, and I look forward to passing this bill, and looking forward to it getting passed in the Senate and going before the Governor and signed into law. I believe that this law indirectly -- will directly save lives that would've been lost in absence of this piece of legislation.

Thank you, Mr. Speaker. I vote in the affirmative.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Byrne to explain his vote.

MR. BYRNE: Thank you, Mr. Speaker. I rise to commend the sponsor of this legislation. As someone that worked and volunteered as a firefighter and EMT for many years in my district, I've had the misfortune of going to a lot of calls that ended in fatalities on the Taconic State Parkway, on Route 301 in -- in Putnam County.

Seat belts save lives, and this is a really good step in

direction, and I'm proud to vote in favor of it. Thank you.

ACTING SPEAKER AUBRY: Mr. Byrne in the affirmative.

Mrs. Galef to explain her vote.

MRS. GALEF: To explain my vote. I was just thinking that I don't know what year we adopted seat belts. Probably in the 1960s, 1970s, and I can imagine the Assemblymembers sitting here at that point probably being very stressed because it was the first time that seat belts were going to be introduced. And I remember how people in our districts -- not my district then, but people complained about having to wear seat belts. And now I don't get those complaints anymore. People are very supportive of wearing seat belts because they know it saves lives. And if we don't have people in the back seat of the car with seat belts, they're just going to fling themselves, potentially, in an accident into the people in the front seat. And so, you know, it's hurting everybody when people don't buckle up. And, you know, we've done it over a course of time. Wear seat belts in the front seat, then we did young children, then we did rear passenger-facing seats for under two years old. So we're just making progress. Now we're going to say you're just -- when you're in a car you have to wear a seat belt. And as one of my colleagues said, this is just for safety of all of us, whether you're in that car or you're somewhere else.

And I applaud the sponsor of the bill. He did an excellent job. Thank you.

ACTING SPEAKER AUBRY: Mrs. Galef in the affirmative.

MR. TAGUE: Thank you, Mr. Speaker. First, I do want to commend the sponsor. I understand what he's doing here, but this is another example of legislation of "one glove fits all." And it -- this doesn't work everywhere. And we've talked about this before, the disparity of our Upstate rural farmers. And because of that, I cannot vote for this bill today. If there were an amendment made to this bill that took care of our farmers and what -- and -- and the way of life in rural Upstate New York then I would fully sponsor it. But for those reasons, I vote no.

ACTING SPEAKER AUBRY: Mr. Tague in the negative.

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, if we can continue our work to -- on page 54 [sic], Calendar No. 325. It's by Mr. Ryan, it is on debate as well.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly No. A08349, Calendar No. 325, Ryan, Englebright, Reyes, Zebrowski, Ortiz, Gottfried, Abinanti, L. Rosenthal, Hevesi, Thiele, Paulin, Glick, Rodriguez, Stern, Woerner, Magnarelli, Cusick, Rozic, Simotas, Epstein, Burke,

McMahon, O'Donnell, Quart, Sayegh, Wallace, Weprin, Carroll, Griffin, Kim, Santabarbara, Fahy, Frontus, M.G. Miller, McDonald, Mosley, Otis, Solages, Cook, Jacobson, Vanel, Dinowitz, D. Rosenthal, Hunter, Jaffee, Simon, Barrett, D'Urso, Nolan, Steck, Ra, DenDekker, Seawright, Galef, Barnwell, Niou, Schmitt, Ashby, Gunther, Fernandez, Rivera, Colton, Dickens, Lifton, Barron, Hyndman. An act to amend the Environmental Conservation Law, in relation to the protection of certain streams.

ACTING SPEAKER AUBRY: An explanation is requested, Mr. Ryan.

MR. RYAN: Thank you, Mr. Speaker. This bill would change the Environmental Conservation Law and will reclassify Class C waterways for the purposes of protection. Class C waterways are regularly used by people for boating, fishing and other activities, but are not -- are not currently afforded the protection that is provided to otherwise -- other waterways classified as streams. Because of this, these streams are subjected to ecological damage and we're hoping to increase the protections for those streams.

ACTING SPEAKER AUBRY: Mr. Palmesano.

MR. PALMESANO: Yes, Mr. Speaker. Will the sponsor yield for some questions?

ACTING SPEAKER AUBRY: Will you yield, Mr. Ryan?

MR. RYAN: I certainly will.

ACTING SPEAKER AUBRY: The sponsor yields.

MR. PALMESANO: Thank you, Sean. I know we talked a little bit about -- I wanted to talk to you about this bill a little bit before and --

MR. RYAN: Sure.

MR. PALMESANO: -- I -- I have to ask you. In -- in developing this bill, have you had any conversation with our highway superintendents from towns and counties about the impact that this legislation will have on them and their operations from a -- from a -- from an operational perspective and from a cost perspective?

MR. RYAN: Yeah. I talked to folks from my county about -- about this bill. The BDPW, Soil and Water, and we spoke of this and I didn't hear any specific concerns back.

MR. PALMESANO: All right. So you've spoken to highway superintendents, soil and water conservation districts. How about our farmers?

MR. RYAN: I haven't spoken to any farmers.

MR. PALMESANO: How about our -- our utilities that have to do utility work, routine utility work and infrastructure work?

MR. RYAN: I've had many conversations with the utility industry on this bill.

MR. PALMESANO: Okay. And how about like on forest management practices and timber practices? Anyone there?

MR. RYAN: No. No one from the timber field.

MR. PALMESANO: Well, we -- we've received a

number of memos that have brought up concerns, memos of operation [sic]. The County Highway Superintendents Association, for one --

MR. RYAN: Sure.

MR. PALMESANO: And let me just -- let me just specifically mention one thing that they mentioned in their -- in their memo. When you have these types of possible delays, by having these permits that it can take longer. I mean all these organizations are concerned about the delays because the -- the longer the time it's going to take to -- to make these permits, the cost impact, delaying that. Like for example, the Highway Superintendents cited very easily, *The delays in this project and costs that can come along with it can turn -- can take a simple \$90,000 culvert operation replacement and turn it into a \$1 million bridge project very easily because of the operations and the costs.*

MR. RYAN: So your highway superintendents should be happy to hear that under Chapter 150501 of the current laws, they're offered a big protection, and that if C comes into the classification, those protections would travel with this. So right now most counties, highway superintendents, they already have a contract with DEC on these streams. So, you know, there -- there's broad exemptions for highways, for public corporations. For emergencies, there's -- there's exemptions. I remember back when Irene happened. We rebuilt bridges all over the Adirondack Park system, but we did it through the emergency provisions, which didn't slow anything -- anything down.

MR. PALMESANO: Well, I think -- I think the concern out there is operation, because I know they -- these groups have worked with DEC in the past but now they asked -- now they asked for this additional permit which is going to have even more requirements, you're going to put more workload on DEC. We know that DEC doesn't automatically get those permits done in a timely matter because of challenges they have. So if you do that on bridge projects, a culvert project could turn those in. That could delay. Our soil and water conservation districts, I heard from our soil and water conservation districts in my area that do great work in stream-based stabilization. They're -- they're concerned this is going to put them out of business, which will hurt the operations in those counties. Our farmers being able to -- to deal with, you know, clearing waterways and being able to protect their crops during a seasonal operation. If they have to wait six to nine months for a permit to come through, that might be too late for them.

MR. RYAN: It's hard for me to imagine an example where the agricultural exemption that's currently afforded that will travel down to the C permits would impact farmers. So right now under the current law, farmers are allowed to drive mechanized vehicles across streambeds, farmers are allowed to drive livestock across streambeds. Farmers are allowed to withdraw water for irrigation purposes from -- from streams with -- with no permits. And that exemption would remain the same. So for day-to-day operations, nothing should be different. But they will be granted some element of

protections from people upstream from them. So under the current law, if a farmer is dependent on a Class C stream for their irrigation, if the neighbor one mile up the stream decides to alter the course of that stream and divert it away from that farmer, that farmer would have no protection. We've seen these things happen. Recently in Western New York there was a stream that went through a -- a golf course, and they decided they wanted to have a water hazard. So they moved the stream around and put a pond in. No permits necessary because it's a Class C. A few years later they decided they wanted to have another water hazard, so they moved the stream around again to create the second pond. But once they were done with that second pond, guess what happened to the stream at the outflow? No more water came out of that stream. So anyone who is downstream and was using that water either for public drinking water, for agricultural irrigation, that stream was cut off for them, and no permit was necessary to do that. So these protections that we're going to provide in this bill, will, in many circumstances, protect farmers and their right to access streams, especially if they're dependent on those streams for irrigation purposes.

MR. PALMESANO: Mr. Speaker, will the sponsor continue to yield?

MR. RYAN: Yes.

MR. PALMESANO: Thank you, Sean. The other area I know we talked a little bit about, you said you had some conversations with utilities and the operations they have to do. Isn't

there any concern because you're talking about routine -- I'm not just talking about emergency work when there's a storm, but routine work they might have to do on infrastructure purposes, if we got -- we have to go through this permit process, which we know takes time, delays, there's -- you know, some projections are saying six to nine months to a year to get a permit. Isn't that the work they need to do to make sure -- sure the reliability of the grid and their -- their services so the electricity and utilities are delivered and reliable for the ratepayers? And if there's more delays, that's going to add more cost, and that cost would be borne by the ratepayer, which we know already have some of the highest utility costs in the country. So, aren't there any -- aren't there any concerns with this and not looking for carve-outs? I know you said there were exemptions for -- supposedly for soil and water, for highways, for --

MR. RYAN: Well, the exemptions are already there. If you look at -- at Chapter 15, those exemptions are there for soil and water, which is a public corporation. They're there for any highway superintendent who, of course, operates under a municipality. And as for -- for the large utilities, those utilities already go through the permitting process each and every time they -- they do work. So, you know, in my area of the State, if a utility provider is doing any sort of stream clearance, anything to do with driving lines through, they already have these permits. They have an open contract with DEC. So it would -- it would just add on to that open contract. One contract, mind you. Not one for each and every stream. They would

just add these -- these streams on. And, you know, they would be, in fact, prohibited, a corporation, from coming in and bulldozing a bank. Right now they could come in and bulldozer a bank in a stream, muddy that water, make a downstream flood problem with -- with no permits. So this would just add one more layer of protection that's already afforded to the A and the B streams. You know, remember, the C streams, they're recreational streams. They can -- you can fish out of those streams. They just recommend no contact with it, so it's not something you're going to go swimming in. But we want to make sure these streams stay healthy, so we don't want to, you know, grant an exemption to a utility company who is going to in-fill a stream that the community fishes on. So we don't want to give anyone that sort of authority in -- in New York State. And we're happy to report that the Class C streams have been getting cleaner and cleaner throughout the years as we've stopped doing a lot of pollutant discharges in New York State. So these streams that at one point could only support fish if fish were stocked into it, they're -- they're starting to support fish themselves. And I would ask you to consider one more thing on this. Over 11 million New Yorkers get their drinking waters from public systems and reservoirs supplied by Class C streams. So right now, if your town's reservoir system is connected to Class C streams, there are no protections. So any landowner could come in and fill up a stream that is the drinking water that goes to a reservoir. They could fill that in with -- with no permits. So we're offering some simple protections with a good carve-out for municipalities, corporations like soil and

water, and agricultural. And I'll add on, too; this doesn't affect if you have a SPDES permit to discharge. SPDES permit, it doesn't -- doesn't matter if it's A, B or C, you just have to go through the same permit. They would have had to go through a permit before, they'll have to go through a permit now. So, you know, by and large, the beneficiaries of this are going to be New Yorkers who enjoy clean water.

MR. PALMESANO: Well, Sean, if I may, I know when we were talking because this came up really kind of quick, and I know you said -- you offered graciously that you'd be willing to sit down and talk --

MR. RYAN: Sure.

MR. PALMESANO: -- to these groups who've expressed concerns. So, would you be willing to sit down -- because some of the information that we're getting is a little different. It's a little conflicting. So would you be willing to sit down with our highway superintendents? Would you be willing to sit down with our soil and water conservation districts? Would you be willing to sit down with our farmers and Farm Bureau? Would you even be willing to sit down with the utilities just to make sure --

MR. RYAN: Yes.

MR. PALMESANO: -- we can answer some of those questions and concerns moving forward? Because I think that's a concern. And let me be clear: No one's not looking for carte blanche and not protecting our streams and water.

MR. RYAN: Right.

MR. PALMESANO: We want to do that. I just think there's protections in place that are -- that these groups work within, to -- to follow and if you're looking to tighten up. But I just hope you can assure, again, that you'd be willing to sit down again with our highway superintendents, our -- our soil and water conservation districts, our farmers, our Farm Bureau and our utilities, because the work is -- they're all about providing service to the -- to the ratepayer, to the -- to the farmer. So if you're willing to do that, I would appreciate that.

MR. RYAN: I'm 100 percent willing to do that.

MR. PALMESANO: Thank you.

MR. RYAN: I'm willing to continue conversations on that.

MR. PALMESANO: Thank you, I appreciate it.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. PALMESANO: Yes, Mr. Speaker. I appreciate the intentions of my -- my friend and my -- and the sponsor. I believe he's well-intended with this bill. You know, this came up kind of quick, but I heard from a lot of different organizations; county highway superintendents, a memorandum in opposition, Farm Bureau memorandum in opposition. Empire State Forest Product Association memorandum in opposition. Our utilities are concerned on the ability to do the work they have to do to protect the ratepayer, to ensure the

delivery of quality, reliable energy grid. And I think one -- one area in particular I'm very concerned about that was brought up over and over again, at least, we do a lot of work in this House when it comes to local infrastructure. We -- we have a fight every year about protecting the CHIPS program. I know we do it -- we do it -- both sides of the aisle to try to push that to support our local infrastructure. We know the money they get right now is not nearly enough. Believe me, there's concern being raised by our local municipalities which say exemptions are great, but they don't -- at least what I'm hearing, they're concerned about it, that it's going to have a negative impact on them. We're, again, talking about -- one of the examples they gave was talking about a 90,000 bridge -- culvert project could turn into a \$1 million costly program, a bridge, with delays. And that -- that would certainly eat into that CHIPS funding. That would certainly eat into that winter recovery funding, but that's not in the budget that the Governor didn't put in there. That's going to eat into that PAVE-NY or BRIDGE NY funding. That's not -- that's going to be a -- a strain on our property taxpayers. So I just hope the sponsor -- I believe his intentions are in the right place. I -- I hope he's willing to sit down, as he said here, to make sure, whether it's changes or tweaks, whatever you have to do to make sure those protections are in there for our local governments, for our farmers. Our agriculture is our number one industry in the State. Our farmers have been taking it on the chin with farm labor costs and losing family farms. If we don't give them the ability to do their work they need to do, that's going to be devastating

to our family farms. Ninety-eight percent of the farms in New York State are family-owned farms. We need to protect them, not put more burdens and more challenges and costs on them. That's a concern that's been raised. And certainly, our soil and water conservation districts continue to do great work. They are -- they preserve the environment. They -- they help our environment with the work they do on stream-base stabilization and other storm water protection. They do great work in our communities. And when my soil and conservation district directors call me and says, *This will put us out of business*, that's a legitimate concern I have to bring to this Body. That's a legitimate concern I have to bring to the sponsor of this legislation. So I'm encouraged that he's talking about talking to these groups. Because sometimes we pass legislation and we don't want -- no one wants to talk to anyone anymore. So I'm encouraged -- thank you, Mr. Ryan, for your willingness to sit down with these groups. I would love to help facilitate that and talk to you further. I think that -- that says a lot about your willingness to listen. And hopefully not just listen, but take the action that's necessary to fix this, where the problems are going to be identified, because these are the problems that were brought to my attention.

So, Mr. Speaker and my colleagues, for these reasons -- no one is saying we shouldn't protect our waterways. But I think the concerns that have been brought up need to be addressed. And when you get those types of concerns brought forth by, like I said, our local highway superintendents, our farmers, our soil and water conservation

districts. Even our utilities. I know sometimes "the utilities" is the big bad word in this House, but they're responsible for protecting the grid and making sure there's reliable utility service to our customers in rural areas, in the cities. Especially where the streams go through. We need to make sure they're a part of this. They need to be a partner and part of this dialogue. There's a lot that can be done. Hopefully, we take the time, and I -- and I trust the sponsor and his word that he's going to do this. I've known him, so I believe him. But hopefully, we can have those meetings, and if we can identify where there's problems, fix them before it becomes devastating and costly. Because that's the last thing we need on our -- our taxpayers, on our municipalities, especially when our municipalities are already at assault by the Administration with things like the Medicaid program. Not funding our local infrastructure at the level that it needs to be funded. Cutting out winter recovery. Cutting into those budgets I think is a dangerous thing. And I just hope we can have this discussion. So, really, my -- Mr. Speaker and my colleagues, I know the intentions are well-intended. I just -- I'm just very fearful of the negative impacts. The unintended consequences of this legislation could be far-reaching. So if we don't have those conversations to address those fixes, I'm concerned.

So for that reason, I will be voting in the negative on this bill to send a message that we need to have those conversations going further and I would encourage my colleagues to do the same. If you care about your local highway superintendents, your local

municipalities, if you care about your farmers, if you care about the work our soil and water conservation districts, making sure that our -- our -- our customer -- our people have reliable utility services, then I would urge you to vote no against this bill. Let's start over. Let's go back to the drawing board. I don't want to come back and tweak. I'd rather do it right the first time. But I appreciate the sponsor's intention. I appreciate his time and I appreciate your time. Thank you, Mr. Speaker. I will be voting in the negative and I encourage my colleagues to do the same. Thank you.

ACTING SPEAKER AUBRY: Mr. Daniel Stec.

MR. STEC: Thank you, Mr. Speaker.

On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. STEC: Very briefly, I want to commend my colleague for his remarks that he just made. And I -- I share his concerns. I also share his compliments to the sponsor. I think the sponsor is well-intended here; however, like the former colleague that just debated this bill, I, too, have heard from a lot of local government in my district, soil and water conservation districts, National Grid. Farmers are very concerned with the added layer of the difficulty that this will create on what were previously already expensive projects or -- or processes like transmission line work that could add dozens of permits because of newly-classified waterways. So I am encouraged by what I heard on debate that the sponsor is willing to work with these groups and take further input. But as my colleague before me

said, I, too, will be voting in the negative and encourage our colleagues to do likewise until we make sure that we've heard from all the stakeholders, their wisdom and their experience so that we -- we get it right the first time.

So I'll be in the negative. Thank you.

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.)

Mr. Ryan to explain his vote.

MR. RYAN: Thank you, Mr. Speaker. I rise to explain my vote. We all know that New York State's a -- we're a State full of streams, rivers, oceans, bays, the Great Lakes. We are blessed with an abundance of fresh water resources throughout the State. And this bill will offer further protections to ensure that we maintain our -- our fresh water streams and also to protect our drinking water. The bill -- the bill was specifically designed to limit the burdens on any municipalities. It offers broad exemptions. And I thank the Environmental Conservation Chair, Steve Englebright, for his support on this and for his staff as we were going through this complicated exercise.

With that, I withdraw my request to explain my vote and I vote in the affirmative.

ACTING SPEAKER AUBRY: Mr. Ryan in the affirmative.

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 do have resolutions. There is a privileged resolution by Mr. Santabarbara which we will take up once it's up on the board.

The Clerk will read the title of the resolution.

THE CLERK: Assembly Resolution No. 762, Mr. Santabarbara. Legislative Resolution celebrating the life and accomplishments of Kirk Douglas, Hollywood icon, noted philanthropist and devoted family man.

ACTING SPEAKER AUBRY: Mr. Santabarbara on the resolution.

MR. SANTABARBARA: Thank you, Mr. Speaker. I'm honored to sponsor this resolution recognizing the life and accomplishments of one of Amsterdam's finest, Kirk Douglas. I was very saddened to hear of his loss at the age of 103. Kirk Douglas, perhaps the City of Amsterdam's most famous native son and a brilliant actor. It is a great loss not only for the State of New York, but the entire country. The City of Amsterdam is in Montgomery -- in

the Montgomery County portion of my district where Kirk Douglas was born to Jewish immigrants and rose from humble beginnings to become one of Hollywood's most beloved icons. He was raised in what is known as Amsterdam's East End. Throughout his childhood and teenage years he worked more than 40 jobs to supplement his father's income. His family's home on Eagle Street still stands there today, where he -- where we recently installed an historical marker where he grew up. It reads "Kirk Douglas, Film Legend. Born December 9, 1916 to immigrant parents, living at 46 Eagle Street. Rose from poverty to appear in more than 90 films in Hollywood." It reminds of his humble beginnings where he rose from poverty to become an award-winning actor starring in more than 90 films, as I just said. Classics -- classics such as *Spartacus*, *Young Man with a Horn* and *Champion*. Films that bring the Amsterdam community a special sense of pride, knowing that he started his great career on the stage at Amsterdam's -- Amsterdam High School. After graduating college he was awarded a scholarship at the American Academy of Dramatic Arts in New York City, making his first Broadway appearance in the 1941 musical *Spring Again*. During World War II he also served as a communication officer on an anti-submarine craft in the Pacific Theater until he was discharged after being injured in an explosion. He began his storied film career in 1946 and earned his first Oscar nomination three years later for his role as a boxer, Midge Kelly, in *Champion*. He received a Golden -- Golden Globe Award for Best Actor in a Drama in 1957 for his performance in *Lust of Life*.

And he was presented with an honorary Academy Award in 1996 for 50 years of creative and moral -- and moral force in the motion picture community. In 1981 he received the Presidential Medal of Freedom, the highest civilian award in the United States.

Kirk Douglas and his beloved wife, Anne, founded the Douglas Foundation and were an -- were an incredibly generous couple, donating to educational institutions, medical facilities and a number of non-profit organizations.

There are no better words to describe the impact Kirk Douglas left on the world better than his son, Michael Douglas, who wrote, *His father's life was well-lived, and he leaves a legacy of film that will endure for generations to come, and a history as a renowned philanthropist who worked to aid the public and bring peace to the planet.*

So today I'm honored to sponsor this resolution recognizing his life and his accomplishments, his immeasurable contributions to Hollywood's Golden Age, and his Amsterdam roots will always be remembered. May he rest in peace. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

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

We have numerous other fine resolutions. We will take them up on -- with one vote.

On the resolutions, all those in favor signify by saying

aye; opposed, no. The resolutions are adopted.

(Whereupon, Assembly Resolution Nos. 763 and 764 were unanimously adopted.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, would you please call on Mr. Otis for an announcement?

ACTING SPEAKER AUBRY: Mr. Otis for the purposes of an announcement.

MR. OTIS: I hope members of the Democratic Conference will join us for a conference in the Speaker's Conference Room immediately following the conclusion of Session.

ACTING SPEAKER AUBRY: Democratic Conference, Speaker's Conference Room immediately following Session.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move that the Assembly stand adjourned until 10:00 a.m., Thursday, February the 13th, tomorrow being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 1:54 p.m., the House stood adjourned until Thursday, February 13th at 10:00 a.m., that being a Session day.)