

**MONDAY, FEBRUARY 4, 2019**

**3:19 P.M.**

ACTING SPEAKER CRUZ: 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 members in the Pledge of Allegiance.

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

A quorum being present, the Clerk will read the Journal of Friday, February 1st.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, I move

to dispense with the further reading of the Journal of Friday, February 1st and ask that the same stand approved.

ACTING SPEAKER CRUZ: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Madam Speaker. As you know, we've been starting each Session with an opportunity to quote from some great person who either lives in our country or anywhere else in the world. Today as we begin to celebrate the history of African-Americans in America, I'd like to do a quote from the great B.B. King. As most people know, he's a great blues musician, but I think this one is very appropriate today, Madam Speaker. The quote is "The beautiful thing about learning is that nobody can take it away from you", that's B.B. King. Now, I'm sure when he said it, there was some music around him, but it's a powerful statement, and it's also very true.

We -- members should also be aware, Madam Speaker, that Calendar No. 24 is on our main -- is on our desk -- a Calendar with 24 bills on it is on our desks, and we're going to start today, Madam Speaker, with Calendar No. 11, which is on page 4, after there are any introductions and/or housekeeping. And then we're also going to be having several Committee meetings, as well, Madam Speaker: Ways and Means and Rules and perhaps even Health. We will be calling all of these Committees from the floor; in fact, Ways and Means is already meeting as we speak, and our principal work of

the day will come from Calendar A, as well as bills that are on consent. And at some point, we may actually have Insurance and Banks, Madam Speaker.

If there are any introductions, I certainly do have one, but we can maybe go there, Madam Speaker.

ACTING SPEAKER CRUZ: Mr. Cusick for an introduction.

MR. CUSICK: Thank you, Madam Speaker. I rise for a purpose of an introduction. Today, we have the honor of being joined by members of the Boy Scouts of America for their annual Lobby Day, and they're also here -- they're also here because later today at the end of Session, we will be taking up a resolution marking their Founder's Day which is on February 22nd. But, Madam Speaker, all of us in this Chamber are supporters of the Boy Scouts of America. We all have troops in our districts. Many of us, including myself, have been members of the Boy Scouts. And this organization has been great in shaping not only my life and where I am today, but many of us in this Chamber. And they do so much for our community and they do -- the Boy Scouts of America.

Today, we are joined by young men and young women, for the first time, and it's important that we honor them here today because they're not only our future leaders, but they're leading now, Madam Speaker. They are very active in their communities, our communities all over the State of New York. And so with that, Madam Speaker, I would like you to please join us in welcoming the

Boy Scouts of America today and offering them the privileges of the House. Thank you so much. Oh, I'm sorry, Madam Speaker, I do want to introduce the CEO of the Greater New York Councils, Ethan Draddy, and CEO of Theodore Roosevelt Council, Chis Coscia, and the many troop leaders who are here today and parents who are here today with our Scouts. Thank you, Madam Speaker.

ACTING SPEAKER CRUZ: Thank you, Mr. Cusick. On behalf of Mr. Cusick, the Speaker and all the members, we welcome these distinguished guests to the Chamber, extend the privileges of the floor and hope you enjoy the proceedings. Thank you for joining us.

(Applause)

Mr. Friend for an introduction.

MR. FRIEND: Thank you, Madam Speaker. It is my honor to introduce some members from Reality Check Youth Advocates from Chemung, Schuyler and Steuben Counties. On behalf of Assemblyman Palmesano and myself, I would like to introduce Trinity Ford from Corning, New York; Emma Pack from Elmira, New York; Amber Updike from Watkins Glen; and Savannah Ayers from Watkins Glen. They're up here today talking about tobacco and nicotine, its effects on youth, the way that the industry currently tries to monopolize youth by packaging their products to look like candy and making us all aware of the devastating effects that that has on -- on youth. And would you please introduce them and recognize them and give them all the cordialities of the floor. Thank you.

ACTING SPEAKER CRUZ: On behalf of Mr.

Friend, the Speaker and all the members, we welcome these distinguished guests to the Chamber, extend the privileges of the floor and hope you enjoy the proceedings. Thank you for joining us.

(Applause)

Mrs. Peoples-Stokes for an introduction.

MRS. PEOPLES-STOKES: Thank you, Madam Speaker. It's an honor and a pleasure to introduce some guests that we have in the Chambers with us today. They are from -- they're leaders all around our State, Madam Speaker, from the Displaced Homemaker Program. We have - I believe they're standing; yes, they are - Kate Shanks-Booth, who is the Executive Director of Everywoman Opportunity Center, Displaced Homemakers from Tompkins County; Lisa Burman - Lisa's the Project Director at Israel Fresh Start Program; Iris Johnson is the Executive Director of Economic Opportunity Commission in Nassau County; Chari Jones is the Director of Employment Services at Schenectady Community Action Program; Mark Bennett is from the EOC of Nassau County; Stephanie Eghigian is the Executive Director of Women's Employment and Resource Center; Elizabeth Miller is from the Capital District Women's Employment; Alice Walsh from Westchester Project Transition.

Madam Speaker, this Displaced Homemaker Program provides employability skills that helps women become economically and personally self-sufficient so that they might be able to provide for

their families and lead more productive lives. Would you please welcome these outstanding citizens and guests to our Chambers.

ACTING SPEAKER CRUZ: On behalf of Mrs. Peoples-Stokes, Ms. Lifton, Ms. Fahy, Mr. Carroll and Ms. Buttenschon - I don't want to mispronounce your name - the Speaker and all the members, we welcome these distinguished guests to the Chamber, extend the privileges of the floor and hope you enjoy the proceedings. Thank you for joining us.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, I think we should reiterate that Ways and Means has been called. They are still awaiting some members to show up. So, if you're a member of the Ways and Means Committee and you're in the Chambers, please proceed to the Speaker's Conference Room.

ACTING SPEAKER CRUZ: Ways and Means in the Speaker's Conference Room.

MRS. PEOPLES-STOKES: So, if we can proceed to resolutions on page 3, Madam Speaker.

ACTING SPEAKER CRUZ: The Clerk will read.

THE CLERK: Assembly Resolution No. 65, Mr. Cusick. Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim February 2019 as Teen Dating Violence Awareness and Prevention Month in the State of New York.

ACTING SPEAKER CRUZ: On the resolution, all

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

THE CLERK: Assembly Resolution No. 66, Mr. Raia. Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim February 8, 2019 as P.S. I Love You Day in the State of New York.

ACTING SPEAKER CRUZ: Mr. LiPetri on the resolution.

MR. LIPETRI: Thank you, Madam Speaker. I just wanted to speak on this resolution today. I'm Mike LiPetri, one of the new Assemblymembers for portions of the South Shore of Long Island, including West Islip. I'm proud to co-sponsor this Resolution, alongside Assemblymember Andy Raia, who is also a fellow representative of the West Islip area.

I speak today also on behalf of Brooke DiPalma, who is a West Islip constituent and those who introduced P.S. I Love You Day. So, flashback with me if you will to Friday, April 23rd, 2010. It was a day when Brooke, a week after she just had her 14th birthday, she goes to school, is dropped off by her father. Takes her to middle school and before she leaves, he says, "I love you". She looks back at her father and she says "I love you back". Unbeknownst to her, hours later, despite the fact that her father, Joe, was somebody who was smiling, was involved in his community, was a loving man, hours after dropping off his daughter, Brooke, he committed suicide. She was devastated that day, as any daughter would be, and for her, she

wanted a day that would help those who are suffering from issues like depression and suicide, awareness to end bullying, to help those in need. And so those last three words that she said, "I love you", to her father, she created P.S. I Love You Day, which falls on the second Friday of every February -- every February, this February being February 8th, 2019. So, we ask that on this day, we ask all those to wear purple to remember and bring awareness to these issues of mental health, bring awareness to the issues of suicide and bullying, depression.

So, today, we want those who are listening, as well, to know that in this Assembly Chamber and the State of New York, Republicans, Democrats, doesn't matter. We want those listening from afar to know that we hear you and that we are here for you whenever you need us. And we want each and every one of you to know that whenever you need to reach out, to speak about these issues, it's important to bring them to light, not cast them in the shadow. To our communities, we want them to know on P.S. I Love You Day and every day thereafter that tragedies should not be the reason to bring togetherness, but rather togetherness should be the reason to prevent tragedies. I want to commemorate -- or, I want to commend Brooke on her courage and inspiration for bringing this day. I want to thank Assemblyman Andy -- Andy Raia for this, co-sponsorship of this resolution, and thank you everyone here. Thank you.

ACTING SPEAKER CRUZ: On the resolution, all



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

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, if you could call the Committee on Rules to the Speaker's Conference Room, the Committee on Rules.

ACTING SPEAKER CRUZ: Committee on Rules to the Speaker's Conference Room.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: And then we can go back to our Calendar, Madam Speaker, and starting with Calendar Nos. 11, 12 and 13.

ACTING SPEAKER CRUZ: The Clerk will read.

THE CLERK: Assembly No. A00111, Calendar No. 11, Buchwald, Santabarbara, D'Urso, Zebrowski, Paulin, Niou, Vanel, Wright, Galef, Seawright, Blake, Montesano, Crouch, Simon, Rivera, Gottfried, Lawrence, Cahill, Davila, Glick, Fahy. An act to amend the Election Law, in relation to publishing local campaign contribution limits.

ACTING SPEAKER CRUZ: Read the last section.

THE CLERK: This act shall take effect December, 20 -- December 15th, sorry.

ACTING SPEAKER CRUZ: The Clerk will record the vote.

(The Clerk recorded the vote.)

MRS. PEOPLES-STOKES: Colleagues, this is the first vote of today. If we could all proceed to the Chambers, if you're in and around hearing my voice, please come into the Chambers and cast your first vote of today. Thank you in advance for doing so.

ACTING SPEAKER CRUZ: First vote of the day, ladies and gentlemen.

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00202, Calendar No. 12, Cahill, Abinanti, Dilan, Taylor, D'Urso. An act to amend the Election Law, in relation to special ballots for Board of Elections employees.

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, if you're in your seats, please 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 you could please call the Health Committee to the Speaker's Conference Room. Health Committee to the Speaker's Conference Room.

ACTING SPEAKER AUBRY: Health Committee, Speaker's Conference Room. Please go immediately.

The Clerk will read.

THE CLERK: Assembly No. A00460, Calendar No. 13, Paulin, Barrett, Gottfried, Fahy, Ryan, Weprin, Carroll. An act to amend the Domestic Relations Law, in relation to adoption by a petitioner where such petitioner's parentage is legally-recognized.

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: -- Calendar and bring it forward so we might go into debate right away.

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

Read -- the Clerk will read.

(Pause)

THE CLERK: Assembly No. A02572, Rules Report No. 29, Englebright, D'Urso, Thiele, Otis, Raia, Ortiz, Aubry, Glick, Dinowitz, Braunstein, Galef, Jaffee, Santabarbara, Zebrowski, Lavine, Jean-Pierre, Colton, Cahill, Arroyo, Wright, Gottfried, Simon, Pichardo, Rivera, Mosley, Williams, L. Rosenthal, Abinanti, Lifton, Fahy, Weprin, Steck, Hyndman, Seawright, Buchwald, Stern, Carroll, Solages, Hunter, Peoples-Stokes, Epstein, Quart, Lupardo, De La Rosa, Barrett, Rodriguez. An act to amend the Environmental Conservation Law and the Transportation Corporations Law, in relation to prohibiting State authorizations related to certain offshore oil and natural gas production.

ACTING SPEAKER AUBRY: Mr. Englebright, a [sic] explanation is requested. Thank you.

MR. ENGLEBRIGHT: Thank you, Mr. Speaker. This legislation follows our hearing of last year and we passed this, of course, last year in a very similar forum and what it basically intends to do is protect our coastline from the problems that are associated with oil and gas exploration and development. And the bill before us is very similar, although not exactly the same. We think it's slightly improved from the one that we passed here unanimously last year, or nearly unanimously.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

ACTING SPEAKER AUBRY: Will you yield, Mr.

Englebright?

MR. ENGLEBRIGHT: I yield.

ACTING SPEAKER AUBRY: The sponsor yields.

MR. GOODELL: Thank you very much, Mr.

Englebright. If I understand this bill, it does a number of things. First, it bars the State of New York from authorizing any oil --

ACTING SPEAKER AUBRY: One minute, Mr.

Goodell, I'm sorry to interrupt. We are on debate. I'd appreciate it if we had less conversation in the back. Gentlemen, ladies. If you're staff, please have a seat and listen.

Proceed, sir.

MR. GOODELL: I guess we need to be more entertaining to get everyone's attention, Mr. Englebright.

MR. ENGLEBRIGHT: Let's go to work on that.

MR. GOODELL: I understand this bill really has two components; one component prohibits the State of New York from issuing any permits to allow oil or gas exploration in any offshore property under the control of the State of New York; that's one component that looks like it's on the bottom of page 2. And the second component, as I understand it, would be to ban the construction of any line or pipe that supports facilities or infrastructure associated with the exploration, development or production of oil or natural gas in Federal waters located in the North Atlantic Planning Area. And am I correct, the North Atlantic Planning Area includes all the Continental Shelf off from a number of states, not just New York?

MR. ENGLEBRIGHT: It includes New York. It is the Northeastern Continental Shelf.

MR. GOODELL: So that also includes, then, Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut and New Jersey?

MR. ENGLEBRIGHT: It would include those states, as well.

MR. GOODELL: So this bill, if I understand it correctly, would say to the State of New York that we will not allow a pipeline that transports natural gas or oil that's produced on the Continental Shelf all from the State of Maine --

MR. ENGLEBRIGHT: No.

MR. GOODELL: -- to cross New York?

MR. ENGLEBRIGHT: No, it doesn't speak to the State of Maine at all, and even in New York waters, it would only address new pipes, just to be clear. I don't have an inventory of what pipes may already exist, but to the best of my knowledge no oil or gas wells have been drilled off of our Continental Shelf.

MR. GOODELL: But if -- if there were oil and gas exploration off that long list of states I mentioned, this would ban the construction of a new pipe if that new pipe carried any oil or natural gas from that Federal land off from another state; is that correct?

MR. ENGLEBRIGHT: No.

MR. GOODELL: Then what does it do?

MR. ENGLEBRIGHT: It does not involve other

states at all. This is a law just for New York and its' coastal waters within the jurisdiction of our generally three-mile-wide band of jurisdiction off of our coastline.

MR. GOODELL: Well, I'm looking at page 3, line 7, and doesn't that ban the construction of any line of pipe that supports facilities or infrastructure associated with exploration, development or production of oil or natural gas in Federal waters located in the North Atlantic Planning Area?

MR. ENGLEBRIGHT: Yes.

MR. GOODELL: And doesn't the North Atlantic Planning Area include the Continental Shelf off of Maine, New Hampshire, Vermont, Massachusetts and New Jersey?

MR. ENGLEBRIGHT: Yes.

MR. GOODELL: And so doesn't that language then prohibit the construction of any line of pipe that supports facilities or infrastructures associated with exploration, development or production of oil or natural gas in Federal waters located not only off New York, but anywhere else in the North Atlantic Planning Area?

MR. ENGLEBRIGHT: This is for new pipe and new pipelines only.

MR. GOODELL: Right, and it would apply to any oil or gas produced in the North Atlantic Planning Area, correct?

MR. ENGLEBRIGHT: If our State waters are involved, it may cross over in that regard.

MR. GOODELL: But the actual language

specifically says, quote, "Located in the North Atlantic Planning Area". Is that --

MR. ENGLEBRIGHT: It says that.

MR. GOODELL: Was it your intent to limit it to the North Atlantic Planning Area adjacent to New York only?

MR. ENGLEBRIGHT: Let me be clear.

MR. GOODELL: Okay, that would be helpful.

MR. ENGLEBRIGHT: Former Secretary Ryan Zinke last year thought that it was a terrific idea to open all of our Continental Shelf, except for the State of Florida, for oil and gas exploration. This was done without hearings, without notification; it was just thought to be a terrific idea. Nevertheless, we held a hearing and determined through that hearing that, in fact, not one speaker in almost ten hours of testimony spoke in favor of that idea.

So, the reference here that involves the North Atlantic Planning Area is because the source of this proposal is a Federal source that involves the entire Continental Shelf of the United States, with the exception of the State of the Florida. We're not attempting to reach into the State of Maine any more than we're trying to reach into the State, through this measure, the State of California. We are pointing out that the Planning Area that New York's waters are within is -- is the North Atlantic Region, about 270 million acres. We don't have jurisdiction in most of those 270 million acres, but within the context of the overarching plan that was proposed by former Secretary of Interior Ryan Zinke, we are staking out our objection for



New York waters.

MR. GOODELL: Now this ban, as you pointed out, the construction of new lines of pipe designed to support that offshore development, does this in any way prevent the transportation of oil or natural gas from such offshore development using existing pipes?

MR. ENGLEBRIGHT: No.

MR. GOODELL: And so, it would be, under this law, allowable for an oil and gas pipeline to apply for new pipelines, as long as it wasn't a direct correlation to any offshore development?

MR. ENGLEBRIGHT: I am not acquainted with any existing production-sourced pipes or pipelines, so your question, while intellectually interesting, may be moot.

MR. GOODELL: I see. As you know, the State of New York is in openly hostile for new pipeline construction which has resulted, apparently, in a natural gas shortage in the -- in the Con Ed service area, and Con Ed, as you know, recently announced that they would not connect any new natural gas connections in Westchester County because of a storage of pipeline capacity. Would this bill exacerbate that situation?

MR. ENGLEBRIGHT: You're -- again, I'm not acquainted with any existing pipelines that are associated with oil or gas exploration or new wells within New York waters, or even nearby. To the best of my knowledge, the Continental Shelf in the entire 270 million acres that we've been discussing does not contain even one well. We can talk about the geology of that area, if you like, but to the

best my knowledge, the potential reserves have not yet been tapped.

MR. GOODELL: Thank you very much, Mr. Englebright. I appreciate your comments.

On the bill, sir.

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

MR. GOODELL: This is an interesting piece of legislation because as the sponsor correctly noted, there is no current oil and gas exploration in the Continental Shelf. And so, this bill prohibits the construction of a pipeline to services non-existing oil and gas exploration. So, there's no immediacy, certainly, and no direct need at this moment.

But it's also interesting because what this bill does by its plain language is it states that you cannot construct a pipeline across New York if that pipeline carries or is intended to carry oil or natural gas that was obtained from the Continental Shelf. Now, when our country was formed - granted, it was before my time - but in the State -- in the Federal Constitution there's a Commerce Clause and when the 13 independent states got together and they formed this union that we call United States, the Commerce Clause created a prohibition on any state to implement regulations or laws that impacted or banned the interstate transportation of goods.

We are in a trade free zone, if you will, within the United States when it comes to goods and products that are transported from one jurisdiction or one State to another jurisdiction

or another state, as long as the products themselves are lawful. This bill says that natural gas can cross New York State in a new pipeline only if it comes from a source other than the Continental Shelf. And so, this -- this bill attempts to ban the construction of pipelines based not on the content, but where that material comes from.

As a result, I don't think you can come up with a clear example of a violation of the United States Commerce Clause and while I absolutely appreciate my colleague's concern over offshore drilling, and I certainly share his desire to ensure that any type of exploration meets the highest environmental standards, this is a Federal issue that must, by law, be dealt with by Congress and it cannot be dealt with on a State basis, in violation of the United States Constitution's Commerce Clause. For that reason, I will be opposing it, but thank you very much, Mr. Speaker, and thank you to my colleague.

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.)

Mr. Englebright to explain his vote.

MR. ENGLEBRIGHT: Thank you, Mr. Speaker. Our largest industry in New York and, especially in coastal New York, is tourism. Oil and gas exploration is incompatible with tourism. We've seen the kinds of mistakes that have occurred in other

parts of the world where oil and gas exploration near recreation areas and near active fisheries has occurred. We don't want those kinds of chaos to descend upon our economy or -- or our State.

With respect to what happens in the jurisdictional tug-of-war between Federal and State, I would just simply like to point out that we have made every effort to avoid tripping over the Interstate Commerce Clause. We think we have avoided that concern, notwithstanding some of the comments that we heard earlier. The reality is that we do have the ability to regulate, indeed, even under some Federal statutes, a requirement to regulate and determine coastal consistency regarding activities taking place within New York waters.

Within the context of the best interest of the people of New York and the best interest of the environment of New York, I urge my colleagues to vote yes, and I will be voting yes.

ACTING SPEAKER AUBRY: Mr. Englebright in the affirmative.

Mr. Thiele to explain his vote.

MR. THIELE: Thank you, Mr. Speaker. I also rise to explain my vote on this particular bill. And not only is tourism a major economic driver for Long Island, but we also have a very viable commercial fishing industry on Long Island; not just the commercial fishing industry, but also recreational fishing industry. And the proposal for offshore drilling is incompatible with those industries.

The Federal proposal is inconsistent not just with our economy, but also with our environment, one of these two things

where the environment and the economy intersect. And we -- I was one of those legislators who sat in on the public hearing and I think I was there for most of those ten hours. This was one of those cases where regardless of your political persuasion, whether you were a -- a Republican Congressman that day or a town supervisor, or a county legislator, Republicans, Democrats, Independents all opposed this proposal. And New York State should be doing its best to thwart this proposal. Yes, there's a Commerce Clause, but those powers not given to the Federal government are retained by the State and protecting our environment, protecting our water quality, protecting our communities is part of that authority. This is a great piece of legislation and I'll be voting in the affirmative.

ACTING SPEAKER AUBRY: Mr. Thiele in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

The Insurance Committee will meet in the Speaker's Conference Room immediately. Please proceed there.

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

MR. GOODELL: Thank you very much, Mr. Speaker. It is my great pleasure to introduce to all of us here Assemblyman Doug Smith's wife, Elizabeth, and his very young, I think, five-month-old daughter, Sophie. And so, if you hear any

crying in the back of the room, it is because Sophie is concerned about our future oil and gas production and all these other issues that we discussed, or it may be that she's just hungry. But in any event, would you extend the warmest greetings to Elizabeth Smith and our own colleague, Doug Smith's daughter, Sophie Smith.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Goodell, the Speaker and all the members, Mr. and Mrs. Smith and Sophie, we welcome you here to the New York State Assembly. As a part of this family, you always have the privileges of the floor. We are so delighted to have you here, certainly your husband is shining and beaming as he should, and you have a beautiful daughter. Thank you and God bless you both. Thank you so very much.

(Applause)

We are returning to the A-Calendar -- the main Calendar, Rules Report No. 745.

The Clerk will read.

THE CLERK: Assembly No. A00745, Calendar No. 14, Aubry. 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 laid aside.

THE CLERK: Assembly No. A00746, Calendar No. 15, Lentol. 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 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. A00748, Calendar No. 16, Cook, Lentol, Zebrowski, Gottfried, Williams, Taylor, Mosley, Weprin. An act to amend the County Law, in relation to assignment of counsel.

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. A00795, Calendar No. 17, Abinanti. An act to amend the Surrogate's Court Procedure Act, in relation to the granting of letters of administration and letters of administration with will annexed.

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.

Banks Committee will meet in the Speaker's Conference Room immediately. Mr. Zebrowski will be there to guide you. Thank you.

The Clerk will read.

THE CLERK: Assembly No. A00976, Calendar No. 18, Gottfried, Lupardo, Colton. An act to amend Part B of Chapter 57 of the Laws of 2018, amending the Public Health Law and other laws relating to registration of licensed home care services agencies, in relation to the moratorium on the processing and approval of 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.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)



The bill is passed.

THE CLERK: Assembly No. A01024, Calendar No. 19, L. Rosenthal. An act to amend the Public Health Law, in relation to authorizing certain law enforcement officers and firefighters to possess and administer epinephrine by use of an epinephrine auto-injector device.

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.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, we have one last bill that we need to get to on today, it's Calendar No. 29 by Mr. Englebright.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly No. A02571, Calendar No. 29, Englebright, L. Rosenthal, Carroll, D'Urso. An act to amend the Environmental Conservation Law, in relation to the taking of menhaden.

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.)

Mr. Englebright to explain his vote.

MR. ENGLEBRIGHT: Thank you. I appreciate that, Mr. Speaker. I just want to briefly explain what menhaden is. It is a food fish, that is to say a fish 10 to 12 inches long that schools in great accumulations of its -- of its same species, swims in our near shore waters in great numbers and is utilized by whales, dolphins, bluefish; in fact, any of the carnivorous fishes with mouths large enough to get around them feed on this fish. It is fundamentally important to the larger fishery, all of the fishing industries, and what this bill would do is protect our -- our menhaden, which has come back from being nearly commercially extinct in prior years from having to suffer that -- that fate once again.

This bill is a very good bill for the economy of our coastal zone. It is a very good bill for making sure that we don't lose the whales that are now near shore again feeding on these fish which, in turn, stimulates tourists. It is my strong recommendation to support the preservation of menhaden by limiting the overly-efficient fishing methods that can bring it, again, to near commercial extinction. I vote aye.

ACTING SPEAKER AUBRY: Mr. Englebright 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, could you call on Mr. Otis for an announcement.

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

MR. OTIS: Thank you. I'd like to announce that there'll be an immediate meeting of the Democratic Conference following the conclusion of Session. Thank you.

ACTING SPEAKER AUBRY: Democratic Conference immediately following Session.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: We have numerous fine resolutions which we can 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 No. 62 and Nos. 67-72 were unanimously approved.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: I now move that the Assembly stand adjourned until 10:30, Tuesday, February the 5th,

tomorrow being a Session day.

ACTING SPEAKER AUBRY: The Assembly will stand adjourned.

(Whereupon, at 4:59 p.m., the Assembly stood adjourned until Tuesday, February 5th at 10:30 a.m., Tuesday being a Session day.)