

WEDNESDAY, FEBRUARY 5, 2020

10:50 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 4th.

Mrs. Peoples-Stokes.

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

dispense with the further reading of the Journal of Tuesday, February 4th and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker, for an opportunity to share a quote from a gentleman who actually had some patriots from his country in our Chambers on yesterday, Mr. Winston Churchill. He was a British politician and an Army officer and a writer. He served as the Prime Minister for the United Kingdom from 1940 to 1945, and then he led Britain to victory in the Second World War and again from 1951 to 1955. Mr. Speaker, Mr. Churchill is sharing with us today that, *A nation will find it very hard to look up to its leaders who keep their ears to the ground.* Thank you, Mr. Churchill.

Members should be aware that you have on your desk a calendar, and after there are any introductions and/or housekeeping, we will continue on consent where we left off yesterday on Calendar 385 which is on page 59. We will then continue to consent from that main Calendar beginning with Calendar No. 241. It's on page 42. There will, of course, be a need for a Majority Conference in the Speaker's Conference Room immediately following the conclusion of our work today on the floor, Mr. Speaker. And as always, we will consult with our colleagues on the other side to see what their needs may be.

That's the general outline of where we're going today, Mr. Speaker. If there are any introductions or housekeeping, now would be a great time.

ACTING SPEAKER AUBRY: Certainly. We have a bit of housekeeping.

On a motion by Mr. Manktelow, page 40, Calendar No. 231, Bill No. A.6089-A, amendments are received and adopted.

On a motion by Mr. Abbate, page 45, Calendar No. 257, Bill No. A.7133-A, bill is starred.

For the purposes of an introduction, Mr. Byrne.

MR. BYRNE: Thank you Mr. Speaker. It is my privilege to rise this -- this morning to introduce some family members that came up to visit the Assembly Chamber today. We have my parents who are not a stranger, they've been here before, Dan and Patricia Byrne. But they are bringing my -- my two beautiful nieces; my goddaughter, Ellie Spallina, six years old, who attends Primrose Elementary School in Somers, as well as my other niece, Annie Spallina, three years old, who attends The Seed Preschool in the great Town of Yorktown.

If you could please extend the privileges of the House and the courtesies of the floor I would greatly appreciate it. Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Byrne, the Speaker and all the members, we welcome you here to the New York State Assembly, extend to you the privileges of the

floor. Delighted that you have come again, the Byrne family, and you have brought these two little angels with you, and that, I'm sure, will brighten everybody's day. Thank you, and we hope you have a great day here in Albany.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, we can begin our work on page 3 with resolutions. Our colleague, Mr. Epstein, would like to speak on that and then we're going to go right into our page 59.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly Resolution No. 746, Mr. Epstein. Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim February 5th, 2020, as Students with Disabilities Advocacy Day in the State of New York.

ACTING SPEAKER AUBRY: Mr. Epstein on the resolution.

MR. EPSTEIN: Thank you, Mr. Speaker. I appreciate the moment to speak on this resolution. As people may know, this year is the 30th anniversary of the Americans with Disability [sic] Act. And today we have students all over New York State coming to Albany to talk about their issues and concerns of students with disabilities. Unfortunately, our history of employment and opportunities with students with disabilities has not been great. But there's an opportunity moving forward to assist students with

disabilities to think about their issues, to help them achieve the American Dream.

I rise in support of this resolution, and I hope my colleagues will vote in favor of it. Thank you very much.

ACTING SPEAKER AUBRY: Thank you, sir.

On the resolution, all those in favor signify by saying aye; opposed, nay. The resolution is adopted.

THE CLERK: Assembly Resolution No. 747, Mrs. Gunther. Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim Friday, February 7th, 2020, as Wear Red for Women Day 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.

Mr. Smullen.

(Pause)

Mr. Epstein for an introduction.

MR. EPSTEIN: I -- I rise for an introduction. And as I just mentioned a few minutes ago, today is Student's Disability Advocacy Day [sic], and I have some constituents and students with disabilities who are here. I want to acknowledge one of my -- my important constituent, Ivan Alevante, who has been a leader in my community. Ivan, thank you for all you do. Also, students with disabilities who've been here for -- talking about the issues they have, students all over the State. I really appreciate you coming here and

thank you.

I would hope the courtesy of the floor you will welcome them today, Mr. Speaker.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Epstein, the Speaker and all the members, we welcome you here to the People's House, the New York State Assembly, extend to you the privileges of the floor. Our gratitude for the work that you're doing to assist those who sometimes cannot help themselves. I'm sure that is a rewarding process. We urge you to continue that great work and thank you again for coming here. Bye bye.

(Applause)

Mr. Smullen for an introduction.

MR. SMULLEN: Thank you, Mr. Speaker. I appreciate the opportunity to introduce a remarkable group of young women that are visiting us in the Capitol today. It's both an honor and a privilege for me to recognize the Poland High School Girls Varsity Soccer Team. This remarkable team compiled a perfect 23 and 0 record last fall on their way to beating Section 6 champion Avoca in an impressive 6-1 victory to secure the Class D State Championship. The team is accompanied by head coach Tom Basel, who has now led the Poland High School Girls Soccer Team to consecutive State Championships with an overall record of 41-0-1 over the last two years. I want to congratulate Tom and his expert coaching staff for their record of success and all of their hard work in developing this championship team. Equally important is the fact that the members of

the Poland High School Girls Soccer Team are not only champions on the pitch, but off it as well. Just before their final match, the team helped clean up their community which was hit hard by the devastating Halloween floods. What great character to help their neighbors in need. Head coach Basel and the outstanding athletes of the Poland High School Girls Soccer Team have clearly utilized dedication, determination and teamwork to provide lasting contributions to their community.

Mr. Speaker, I ask that you please welcome the team and extend to them the privileges of our House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Smullen, the Speaker and all the members, we welcome these extraordinary young ladies, athletes, scholars and human -- humanitarians to the New York State Assembly, extend to you the privileges of the floor. Hope that your winning and championship ways will continue on through your life and that you will make your community stronger and better every day. Thank you. And thank you, sir, for bringing them.

(Applause)

On consent, page 59, Calendar No. 385, the Clerk will read.

THE CLERK: Assembly No. A09132, Calendar No. 385, Paulin. An act to direct the Department of Health to convene a work [sic] on rare diseases and providing for the repeal of such provisions upon the expiration thereof; and to repeal Article 27-L of

the Public Health Law relating to establishing the Rare Disease Advisory Council.

ACTING SPEAKER AUBRY: On a motion by Ms. Paulin, the Senate bill is before the House. The Senate bill is advanced.

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.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker and my colleagues, this is the first vote of the third day of the fifth week of the 243rd Legislative Session. If you are in and around the Chambers, please cast your vote.

ACTING SPEAKER AUBRY: First vote of the day. Members, please cast your vote now. If you're in the sound of our voice, please come to the Chamber and cast your vote. Thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09133, Calendar No. 386, Richardson. An act to amend the Public Health Law, in relation to requiring the Commissioner of Health to develop and update information on possible complications from pregnancy that can

endanger the life or health of the newborn or the mother; and requiring hospitals offering maternity or women's wellness services to provide information concerning pregnancy complications; and to repeal certain provisions of the Public Health Law relating to providing information on possible complications from pregnancy.

ACTING SPEAKER AUBRY: On a motion by Ms. Richardson, the Senate bill is before the House. The Senate bill is advanced.

Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09134, Calendar No. 387, Lavine. An act to amend the Public Health Law, in relation to hospital domestic violence policies and procedures; and to amend a Chapter of the Laws of 2019 amending the Public Health Law relating to hospital domestic violence policies and procedures as proposed in legislative bills numbers S.3962-A and A.2850-A, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: Read the last section.

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

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. A09135, Calendar No. 388, Galef. An act to amend the Public Health Law, in relation to ordering services where the identified caregivers being unwilling or unable to give proper care.

ACTING SPEAKER AUBRY: The bill is laid aside.

We will take up page 42, Calendar No. 240.

The Clerk will read.

THE CLERK: Assembly No. A06650-A, Calendar No. 240, Seawright, Taylor. An act to amend the Labor Law, in relation to employee notification of contraceptive coverage.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06658-C, Calendar No. 241, Woerner, Walsh, Fahy, Williams, Reyes, Hunter, Gunther, Jean-Pierre, Simon, Jaffee, Galef, Hyndman, Solages, Davila, Buttenschon, Seawright, Dickens, Glick, McMahon, M.L. Miller, Niou, Blake, Simotas, Quart, D'Urso, Cusick, Ashby, Brabenec, Walczyk, Byrnes, Smullen, Friend, Montesano, Giglio, Crouch, Blankenbush, Stec, Lawrence, Manktelow, Hawley, Finch, Goodell,

Byrne, DiPietro, Morinello, Rozic, Arroyo, Lupardo, Romeo, Darling, Wright, Walker, Hevesi, Cook, Wallace, Weprin, L. Rosenthal, McDonald, Stirpe, Cruz. An act to amend the Domestic Relations Law and Family Court Act, in relation to establishing a living allowance for adults with developmental disabilities.

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. A06680, Calendar No. 242, Cusick. An act to amend the Public Service Law, in relation to powers of municipalities and State agencies.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06684, Calendar No. 243, Galef. An act to amend the Criminal Procedure Law, in relation to designating uniformed court officers in the Town of Ossining, County of Westchester, as peace officers.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06710-A, Calendar No. 244, Rozic, Crespo, Gottfried, Aubry, Barrett, Blake, Davila, Fahy, Jaffee, Mosley, Perry, L. Rosenthal, De La Rosa, Simon,

Weprin, Quart, DenDekker, Cruz, D'Urso, Colton, Ortiz, Dickens, Rivera, Sayegh, Hyndman, Cook, Glick, Reyes, Williams, McDonough, Abinanti, Wright, Fernandez, Darling, Jean-Pierre, Taylor, Ashby, Epstein, Arroyo. An act to amend the Correction Law, in relation to requiring the Department of Corrections and Community Supervision to place incarcerated parents at correctional institutions and facilities closest to their children's home.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06787-C, Calendar No. 245 has been amended.

Assembly No. A06867, Calendar No. 246, Mosley, Colton, Fernandez. An act to amend the Correction Law, in relation to allowing a telephone call prior to an inmate's transfer.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06884, Calendar No. 247, Cook, Ortiz, Zebrowski. An act to amend the General Business Law, in relation to requiring persons offering weight loss services to provide notice of certain risks.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A6909-B, Calendar No. 248, Weinstein, Jaffee, Colton, Galef, Abinanti, Zebrowski, O'Donnell, Fahy, Peoples-Stokes, L. Rosenthal, M.G. Miller, Dinowitz, Seawright, Glick, Weprin, Mosley, Taylor, Barron, Reyes, Ortiz. An act to amend the Civil Practice Law and Rules and the Judiciary Law, in relation to consumer credit transactions.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06983-B, Calendar No. 249, Gottfried, Paulin, Niou, Fahy, Hevesi, Sayegh, L. Rosenthal, Simotas, Kim, Quart, Epstein, Mosley, Aubry, Jaffee, D'Urso, Walker, Cruz, Steck, Perry, Dickens, Hunter, Arroyo, Crouch, Ortiz, Reyes, Cook, Simon, Darling, Walczyk, Rivera, Seawright, Lifton, Fernandez, Glick, Blake, O'Donnell, Carroll. An act to amend the Criminal Procedure Law, in relation to vacating convictions for offenses resulting from sex trafficking, labor trafficking and compelling prostitution.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06985-B, Calendar No. 250, Epstein, Ortiz, Santabarbara, Jacobson, D'Urso, Hunter, Blake, Barron, Simon, Gottfried, L. Rosenthal, Seawright, Magnarelli, Glick, Mosley, Cook, Reyes. An act to amend the Civil Practice Law and Rules, in relation to requiring a certificate of merit in proceedings to recover possession of real property.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06986-A, Calendar No. 251, Solages. An act to amend the Public Health Law, in relation to requiring the Department of Health of the State of New York to conduct a study of the effects of racial and ethnic disparities on breastfeeding rates and prepare and submit a report to the Governor and the Legislature.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06987-A, Calendar No. 252, Solages. An act to amend the Public Health Law, in relation to requiring the Department of Health of the State of New York to conduct a study of the effects of racial and ethnic disparities on infant mortality and prepare and submit a report to the Governor and the Legislature.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06994-A, Calendar No. 253, Reilly, Cusick, Fall, Malliotakis. An act directing the Port

Authority of New York to study the alignment of the Outerbridge Crossing, in order to widen the bridge and increase the flow of traffic.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07011-B, Calendar No. 254, Darling. An act to authorize the Assessor of the County of Nassau to accept an application for exemption from real property taxes from Iglesia Long Island Para Cristo, Inc., for a certain parcel in the Town of Hempstead.

ACTING SPEAKER DENDEKKER: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER DENDEKKER: 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. A07097, Calendar No. 255, Stern. An act to amend the Insurance Law, in relation to standards for prompt investigation and settlement of claims arising from states of emergency.

ACTING SPEAKER DENDEKKER: The bill is laid aside.

THE CLERK: Assembly No. A07118, Calendar No. 256, Benedetto, D'Urso, Colton. An act to amend the Education Law, in relation to insurance reserve funds.

ACTING SPEAKER DENDEKKER: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER DENDEKKER: 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. A07133-A, Calendar No. 257 has been starred.

Assembly No. A07169, Calendar No. 258, Glick, Jaffee, Simon, Blake, De La Rosa, Englebright, Rozic, Ortiz, Cruz, Williams, Epstein, Reyes, Gottfried, M.G. Miller, Joyner, Ramos, Fall, Fernandez, Crespo, Weprin, Griffin. An act to amend the Executive Law, in relation to equal pay disclosure with respect to State contracts.

ACTING SPEAKER DENDEKKER: The bill is laid aside.

THE CLERK: Assembly No. A07172-A, Calendar No. 259, Gunther, Gottfried, Bronson. An act to amend the Public Health Law, in relation to orders not to resuscitate; and to repeal Article 29-B of the Public Health Law relating to orders not to resuscitate for the residents of mental hygiene facilities.

ACTING SPEAKER DENDEKKER: Read the last section.

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

ACTING SPEAKER DENDEKKER: The Clerk will record the vote.

(The Clerk recorded the vote.)

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

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: No housekeeping, Mrs. Peoples-Stokes, but several fine resolutions which we will take up with one vote.

On the resolutions, all those in favor signify by saying

aye; opposed, no. The resolutions are adopted.

(Whereupon, Assembly Resolution Nos. 748 and 749 were unanimously adopted.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if you can call on Mr. Dilan for an announcement, please.

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

MR. DILAN: Thank you, Mr. Speaker. There will be an immediate Democratic Conference in the Speaker's Conference Room following the conclusion of Session.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I now move that the Assembly stand adjourned until Thursday, February the 6th, tomorrow being a Legislative day, and that we will reconvene at 2:00 p.m., February 10th, Monday being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 11:46 a.m., the Assembly stood adjourned until Thursday, February 6th, Thursday being a Legislative day, and to reconvene on Monday, February 10th at 2:00 p.m., that being a Session day.)