

**WEDNESDAY, MARCH 4, 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, March 3rd.

Mrs. Peoples-Stokes.

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

dispense with the further reading of the Journal of Tuesday, March the 3rd 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 members' and guests' in the Chambers attention for a moment, I would like to share a quote for today. This one comes from Malala Yousafzai. Many may know that a few years back -- I'm going to wait until people calm down right here, Mr. Speaker.

ACTING SPEAKER AUBRY: And I think you should.

Ladies and gentlemen, shh. Members will have their seats. Please be quiet on the side.

Proceed.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. Again, I want to say that this quote is coming from Malala Yousafzai. This young lady was shot in the head by the Taliban -- a Taliban gunman in 2012. She survived, and she -- in 2014 she won the Nobel Peace Prize. Why was she attacked and why did she win a prize? Because she was brave enough to stand up and say, *All little girls should be able to go to school*. Her quote for us today, Mr. Speaker, is, "We cannot succeed when half of us are held back. We call upon our sisters around the world to be brave, to embrace the strength from within themselves and realize their full potential." I

want to thank Miss Yousafzai for her words today because they are clearly appropriate.

Mr. Speaker, with that, I should remind colleagues that they have on their desks a main Calendar and a debate list. And then after there are any introductions and/or housekeeping, we will continue our consent at Calendar No. 441 which is on page 55, and we will also take up some bills off of the debate list. There is definitely a need for a Majority Conference at the conclusion of our floor work today. And as always, Mr. Speaker, we will talk with our colleagues to see what their needs are.

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

ACTING SPEAKER AUBRY: No housekeeping today, Mrs. Peoples-Stokes. However, Mr. Morinello for the purposes of an introduction.

MR. MORINELLO: Good morning.

ACTING SPEAKER AUBRY: Good morning.

MR. MORINELLO: I have two of my friends from back home, Cindy Davey, Maria Novak. Maria worked for a former Assemblymember before her retirement, so she's aware of the procedures. Cindy, fortunately or unfortunately, was my secretary and clerk when I was a judge and sitting on the bench. Everything I did, she told me what to do. She knew more about the law and more about procedure. And we all know good staff makes us all look good.

I would ask that they be afforded the courtesy of the

floor and all cordialities of the House. Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Morinello, the Speaker and all the members, we welcome these remarkable ladies here to the New York State Assembly, the People's House. We extend to you the privileges of the floor. And certainly, our thanks for your devotion to this institution, and in your case, your devotion to the judge. Thank you. I'm sure you kept him on the straight and narrow.

(Applause)

Mr. Brian Miller for an introduction.

MR. MILLER: Thank you, Mr. Speaker, for allowing me to rise to introduce my son Nicholas today. Nicholas is a student at Sauquoit Valley High School. He's a 10th-grader. And he wanted to come to see what Dad does here. You know, it's been three-and-a-half years and Dad's not home and he wanted to come see what we do and maybe pursue this career down the road.

But, Mr. Speaker, please extend the welcomes of the House and the cordialities to my son Nicholas.

ACTING SPEAKER AUBRY: Certainly. On behalf of your father, Nicholas, we welcome you here to the New York State Assembly. You're family, you always have the privileges of the floor. I'm sure you are very proud of your father, as it sounds like he's very proud of you. We hope that if you do pursue this line of work, that it is after he decides to retire. Don't take him out.

(Laughter)

Thank you so very much.

(Applause)

Mr. Palumbo for an introduction.

MR. PALUMBO: Thank you, Mr. Speaker, for allowing me to interrupt the proceedings for the purposes of a very special introduction. My good friend and predecessor in the -- in the beloved 2nd Assembly District, Dan Losquadro, who is now the Brookhaven Highway Superintendent. So I introduce him on behalf of everyone who has a little bit of Brookhaven; Assemblyman Thiele, Assemblyman Englebright, Assemblyman Smith, DeStefano, Garbarino and a few others that I may have missed.

Would you please extend the cordialities to our old friend Mr. Losquadro. Once a member, always a member.

ACTING SPEAKER AUBRY: You've said it perfectly, sir. Good to see you again. We -- on behalf of the Speaker and all the members, we welcome you back. You are a member for life because that's just the way we are, and you always have the privileges of the floor. I hope that you are enjoying your new career. Never retirement, always a new career. Thank you, and please come back and see us again. Thank you.

(Applause)

Mr. Daniel Stec.

MR. STEC: Thank you, Mr. Speaker. I rise to make an introduction today of about 40 eighth-grade students from my home school district, the school district that I went to and that my son goes

to, from Queensbury Middle School, and their teacher, Jeremy Williams, who made the drive down about an hour today to see the Capitol, see the Museum, get a tour of our -- our beautiful building and get a little glimpse of what a day in the life is in the State Legislature.

So if you wouldn't mind, I'd appreciate it if you'd give them the cordialities of the House and -- and your great introductions -- or your welcome, please.

ACTING SPEAKER AUBRY: Certainly. On behalf of Daniel Stec -- or Assemblyman, and I gather, an alumni of the Queensbury school, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. This is the People's House. We hope that you will enjoy the proceedings and enjoy your trip to Albany, and know that you're always welcome to come back. We look forward to seeing you again. Thank you so very much.

(Applause)

Mr. Goodell.

MR. GOODELL: Thank you very much, Mr. Speaker, for allowing me to interrupt. It is my great honor and privilege to introduce a number of our highway superintendents from Chautauqua County who made the about a 12-hour roundtrip to come up here to Albany. And these highway superintendents, along with our town highway superintendents from all across the State do an absolutely incredible job with the resources that they have locally, as

well as what we provide them, in maintaining roads and bridges. And my county has a thousand square miles, and it's somewhat hilly. So you can imagine the number of culverts and bridges and miles that are maintained in an incredible manner, especially when we have difficult weather conditions.

And so it is my great honor to welcome these highway superintendents, as well as other superintendents from around the State, to New York State. Thank you very much.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Goodell, the Speaker and all the members, gentlemen, we welcome you here to the New York State Assembly. We extend to you the privileges of the floor. Let me only say that your orange is a hallmark here. When we see orange we always know who's here. And so, it is a brand that you have stamped in our minds as well as the importance of the work that you do. Please know that you're always welcome here, and have a great day. Thank you.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. If we can begin our work with resolutions on page 3, and immediately following that if we could go to page 55 and start with Calendar No. 441.

ACTING SPEAKER AUBRY: Thank you.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly Resolution No. 824, Mr. Magnarelli. Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim January 27-February 2, 2020, as Enrolled Agent Week in the State of New York.

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

THE CLERK: Assembly Resolution No. 825, Ms. Rosenthal. Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim March 2020, as Problem Gambling Awareness Month in the State of New York.

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

THE CLERK: Assembly Resolution No. 826, Ms. Solages. Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim March 2020, as Athletic Training Month in the State of New York.

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

THE CLERK: Assembly Resolution No. 827, Mrs. Barrett. Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim March 1-7, 2020, as School Social Worker Week



in the State of New York.

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

Page 55, Calendar No. 441, the Clerk will read.

THE CLERK: Assembly No. A09130, Calendar No. 441, Pretlow. An act to amend the General Municipal Law, in relation to requiring a New York State legend on all bell jar tickets sold in New York State.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A09140, Calendar No. 442, Abinanti, Weprin, Jean-Pierre. An act to amend the Banking Law, in relation to requiring financial institutions to notify a customer prior to charging a fee based on account inactivity.

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

The bill is laid aside.

THE CLERK: Assembly No. A09523, Calendar No. 443, Gottfried. An act to amend the Public Health Law, in relation to definitions and conforming changes pertaining to anatomical gifts; and to amend a chapter of the Laws of 2019 amending the Public Health Law relating to anatomical gifts, as proposed in legislative bills numbers S.6000-A and A.7800-A, in relation to making technical corrections thereto.

ACTING SPEAKER AUBRY: On a motion by Mr. Gottfried, 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: Thank you, Mr. Speaker. Just to remind colleagues in and around the Chambers, this is our first vote of the third day of the eighth week of the 243rd Legislative Session. If you are in and around the Chambers, please cast your vote. First vote of the day.

ACTING SPEAKER AUBRY: First vote of the day, members. Please cast your vote. If you are in your chair, please do that now. If you are in the sound of our voice, please come to Chambers 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. A09591, Calendar No. 444, Jaffee, Thiele. An act to amend the Indian Law, in relation to requiring the Department of State to promulgate rules and regulations providing for the recognition of Indian tribes as Indian Nations.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A09645, Calendar No. 44 -- 445, Hunter, D'Urso. An act to amend Chapter 266 of the Laws of 1981 amending the Civil Practice Law and Rules relating to time limitations, in relation to extending time limitations for certain actions.

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. A09742, Calendar No. 446, Barrett. An act to amend the Agriculture and Markets Law, in relation to the use of pesticides to protect livestock and farm property against Asian longhorned ticks.

ACTING SPEAKER AUBRY: On a motion by Mrs. Barrett, 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.)

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, for the opportunity to interrupt our proceedings to ask you to welcome a group of scholar fourth-graders from Schenectady on behalf of Mr. Steck and Mr. Santabarbara. These are fourth-grade students from W.C. King Elementary School in Schenectady, New York. If you could please welcome them and give them the cordialities of the floor, we would appreciate it.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Phillip Steck, Mr. Santabarbara, the Speaker and all the members, we welcome this extraordinary fourth-grade class. You've been very patient. We thank you for it. We extend to you the privileges of the floor. We hope that you will have a great day. And can you say "Good morning" to us this morning?

GROUP: Good morning.

ACTING SPEAKER AUBRY: A little louder.

GROUP: Good morning!

ACTING SPEAKER AUBRY: I love it. Thank you so very much. You're welcome.

(Applause)

Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker, for

allowing me to interrupt the proceedings for an introduction. On behalf of Assemblyman Karl Brabenec, it is my great honor to introduce to you Major General Mark Palzer, who is the Commanding General of the 99th Army Readiness Group. Also with us are U.S. Army Reserve Ambassadors from New York State, Honorable Michael Burman, Gary Port, Robert Kasulse, Colonel Tracy Simmons and Colonel Branch. Also joining us are John Buckheit, who's involved with the West Point Association of Graduates, and he's a general counsel. It's a small "g." We don't actually suit him as a general counsel for Mr. Brabenec.

So if you would welcome these distinguished guests to our Chamber and extend the privileges of the floor. Thank you so much, sir.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Brabenec, 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 service that you have provided and are providing this country. We hope that you will all do well, be safe. And remember, you are always welcome here. Please come back. Thank you so very much.

(Applause)

The Clerk will read.

THE CLERK: Assembly No. A09743, Calendar No. 447, Fahy. An act to amend the Energy Law, in relation to requiring an annual report on appliance and equipment energy efficiency

standards and resulting energy and utility bill savings.

ACTING SPEAKER AUBRY: On a motion by Ms. Fahy, 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.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mr. Goodell for the purposes of an introduction.

MR. GOODELL: Thank you very much, sir. We're honored here today to have a number of honored guests on behalf of Kevin Byrne. We have with us Russell Goff, of the Patterson Highway Department; Michael Simone, Carmel Highway Department; Tony Squicciarini - I'm more comfortable with Swedish names - he's with Gorman Brothers; David Keith, Putnam County; Taylor Robinson with Absolute Auctions; Tommy Feighery from Putnam County; Fred Pena, who is the Commissioner of Putnam County. All great public servants here enjoying our legislative proceedings and sharing their expertise with us.

If you could welcome them to the Chamber, we'd certainly appreciate it on behalf of Mr. Byrnes [sic] and myself. Thank you, sir.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Byrnes [sic], Mr. Goodell, the Speaker and all the members, we welcome you here to the New York State Assembly. We extend to you the privileges of the floor. We hope that your trip here today will be beneficial. We appreciate the work that you do out in our communities. Continue that great job, and we will be as helpful as we possibly can. Thank you, and continue your great work. Thank you.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if we can move our attention to our debate list, we're going to go to Calendar No. 186 by Ms. Jean-Pierre and Calendar No. 204 by Ms. -- Ms. Lupardo on consent.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly No. A04849-A, Calendar No. 186, Jean-Pierre, Hunter, Hyndman, Lavine, Ortiz, Dickens, Niou, Simon, Englebright, Palumbo, Smith, Mikulin, Williams, Taylor, Fernandez, Mosley, Ramos, Arroyo, D'Urso, Cook, Lawrence, Finch, Peoples-Stokes, Richardson, Dilan. An act to amend the Tax Law, in relation to exempting certain distributions from eligible retirement plans for income tax purposes.

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. A05390-B, Calendar No. 204, Lupardo, Jones. An act to amend the Vehicle and Traffic Law, in relation to the operation of a three-wheeled vehicle.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: Fine resolutions here, Mrs. Peoples-Stokes. We will take them up with one vote.

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

(Whereupon, Assembly Resolution Nos. 828-830 were unanimously adopted.)



Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, could you call on Mr. Otis for the purposes of an announcement?

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

MR. OTIS: Following the conclusion of Session, we will have a Democratic Conference where members of that Conference can spend some more time together. Speaker's Conference Room. Thank you.

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

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: I now move that the Assembly stand adjourned until Thursday, March the 5th, tomorrow being a Legislative day, and that we will reconvene on March the 10th at 2:00 p.m., Tuesday being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 11:45 a.m., the House stood adjourned until Thursday, March 5th, that being a Legislative day, and to reconvene on Monday, March 10th at 2:00 p.m., that being a Session day.)