

MONDAY, MAY 20, 2019

3:03 P.M.

ACTING SPEAKER AUBRY: The House will come to order.

Pastor Guerschom Joseph will offer a prayer.

PASTOR GUERSCHOM JOSEPH: We thank You for every individual who behind the scenes has prepared us for this day, from the janitor all the way to administrative assistant. I thank You for each and every one of the elected officials who are here who will discuss, cross-pollinate ideas, and even vehemently argue with the purpose of making this great State of New York to stay great. I ask You that You provide them with wisdom, compassion and courage to do what they need to do. Amen, Amen, and Amen.

MEMBERS: Amen.

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 Sunday, May 19th.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move to dispense with the further reading of the Journal of Sunday, May the 19th and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples --

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker, for an opportunity to share a quote with our colleagues, guests and staff that's in the Chambers [sic]. Yesterday, as you know, was May the 19th, was actually the birthday of Malcolm X, so we'll be quoting from Malcolm today. He said, "Every defeat, every heartache, every loss contains its own seed. It's our lesson on how to improve the performance for the next time." Again, Mr. Speaker, that is by Malcolm X. He was born in Omaha, Nebraska. I understand he did live some time in New York City, in your district, as well as in Member Dickens' district.

So, with that, Mr. Speaker, members should be aware they have on their desk a main Calendar with 48 new bills, beginning with Calendar No. 316. And then after any introductions and/or

housekeeping, we will take up resolutions on page 3, including one by Ms. Solages in commemoration of Haitian Unity Day. We will begin our consent of new bills on page 4, and we will also take up some bills on debate, as well. Members should know and -- but let me remind you again that there will be a need for a Democratic Conference after we're done with Session today. And we will, of course, confer with our colleagues on the other side to see what their needs are, as well.

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

ACTING SPEAKER AUBRY: Certainly.

Housekeeping first, Mrs. Peoples-Stokes.

On a motion by Ms. Simotas, page 23, Calendar No. 176, Bill No. A01047, amendments are received and adopted.

For the purposes of a [sic] introduction, Ms. Jaffee.

MS. JAFFEE: Thank you, Mr. Speaker. It is a great honor to join my colleagues to support the Haitian Unity Day Resolution. Again, this year celebrating this wonderful day and the history of the Haitian people and to recognize the countless contributions the Haitian diaspora to New York State, the United States and the world. New York State is fortunate to have such a vibrant group of people who day in and day out work hard to make better -- a better life for themselves and their children, while contributing to our local communities, to our economy and to our country. Our diversity is what makes us great. And I am particularly proud to represent a district, one of the largest Haitian-American

communities in this country.

I would like to recognize some key members from my district who traveled to celebrate with us today. First, of course, I want to acknowledge Pastor Guerschom Joseph, who did -- who provided with us with the invocation today; Trustee Eudson Francois from the Village of Spring Valley; Michele Paraison from the Haitian-American Nurses Association; Morel Leroi (phonetic), also from the Haitian-American Nurses Association; members of the St. Joseph Church are here today; members of Sinai Seventh-Day Adventist Church, and representatives from the Marquis Home Care Organization. Thank you all for joining us today.

And, Mr. Speaker, will you please recognize, acknowledge and -- and welcome our guests.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Jaffee, the Speaker and all the members, Reverend Joseph, thank you so much for being with us here. We extend to you the privileges of the floor and our thanks for coming and sharing that prayer with us. Please be well and travel home safe. Thank you.

REVEREND JOSEPH: Thank you.

(Applause)

ACTING SPEAKER AUBRY: And for the delegation Ms. Jaffee has introduced, we extend the privileges of the floor to you on behalf of the Speaker and all the members. Please know that you are always welcome here and thank you for joining us on this day. We hope you enjoy the trip and enjoy the special

recognition. Thank you so very much.

(Applause)

Mrs. Peoples-Stokes for a [sic] introduction.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. Today as you know -- may know, the League of Women Voters has -- is having their annual Students Inside Albany Conference. There are some 60 high school students shadowing Assembly members in the Chambers [sic]. If they could all stand.

Mr. Speaker, they hail from all over the -- the State of New York. We're really grateful for the League of Women Voters and their organizing and bringing these young people to spend time with our colleagues and in our Chambers [sic]. And so, if you would give them the cordialities of the House, extend to them the courtesies of the floor and welcome them to be here, we would greatly appreciate it. Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mrs. Peoples-Stokes, the Speaker, all the members that you have shared, we extend to you all the privileges of the floor. Thank you so very much. You have been great shadows, if I'm made to understand, and I'm sure in life you will be not a shadow, but a firm fixture for the betterment of this State and your communities. Thank you so very much. Continue the great work that you're doing.

(Applause)

Mr. Tague.

MR. TAGUE: Thank you, Mr. Speaker. I rise to

introduce Anna VanRoy from the Saugerties Central School. Anna, please rise. She's from Ulster County and she's graduating this year in June. Anna is going to Hudson Valley Community College to study criminal justice. And, Mr. Speaker, I think you'll appreciate this, Anna is a basketball star that's going on a full scholarship. So, I would ask you and the rest of the members to please join me in welcoming Anna VanRoy, and please offer her all the privileges of the House, sir.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Tague, the Speaker and all the members, Anna, we welcome you here to the New York State Assembly, extend to you the privileges of the floor, so happy that you are going to Hudson Valley, a very close school, a school we're very familiar with, and I'm sure you're going to bring them fame both in academics and in basketball. We have a game tomorrow night. If you're around, we could probably use you.

(Laughter)

Thank you so very much. Welcome to have you.

(Applause)

SPEAKER HEASTIE: Mr. Vanel for an introdu -- introduction.

MR. VANEL: Thank you, Mr. Speaker. Today we're proud to be here because it is Haitian Unity Day. Today in New York State, we're recognizing the -- the accomplishments and contributions of Haitian-Americans across New York State, from -- from the tip of

-- of Brooklyn all the way up to Buffalo. We are -- we have been blessed to be joined by a number of Haitian-Americans from across the State, from organizations such as HAUP, the Haitian-American Nurses Association, Marquis Home Care Spring Valley -- Spring Valley Trustee with Eudson Francois. We have members from 1199. We have Miss New York here. We have Dr. Eddy Saint Paul from the Haitian Studies Institute. We have Mary Saint-Cyr, the painter and artist, and a number of different folks. We also have with us here, we have the Haitian Consulate Gandy Thomas. But today we especially recognize the contribution from a great -- a great Haitian-American leader here who is the Commissioner of the New York City Department of Finance, Jacques Jiha.

So, Mr. Speaker, would you please welcome the cordialities of all the -- of the House to -- to -- to this, please.

SPEAKER HEASTIE: Thank you. On behalf of myself, Mr. Vanel, the Haitian Delegation, members, we -- we welcome this wonderful Haitian community here to Albany. We offer you all the cordialities of the floor. As I said earlier in my comments, of all the Caribbean nations which my family is a part of one of the Caribbean nations, the Haitian -- the Country of Haiti was the first Caribbean nation to become independent. So, they were leaders. And I look forward to the growing participation of the Haitian community not only here in government, but all across the State. And I -- I wanted to come and -- and give special mention as Clyde talked about one special individual, which is Dr. Jacques Jiha, who happened to be

my boss when I was in the New York City Comptroller's Office. And I mentioned that when I was in the Budget Office, I was the only person at that point who had not had an advanced degree. And I had said, well, either I get M.B.A., I go to law school -- thank God I didn't go to law school --

(Laughter)

Or -- or get my -- get my M.B.A. But -- but working with Jacques and his influence and his having a mastery of economics I think really helped push me in that direction. So, I wanted to come here and thank him for being a wonderful boss, never firing me, never having to discipline me, but being a great mentor and influence to me when I decided to get my M. B.A. in finance. So, again, welcome, and thank you for being here with us in Albany.

(Applause)

ACTING SPEAKER AUBRY: Mr. McDonald for the purposes of a [sic] introduction.

MR. MCDONALD: Thank you, Mr. Speaker. As you know, May is Cystic Fibrosis Awareness Month and we'll be passing a resolution from our colleague, Mr. Jones, shortly after introductions. But we have guests in the House, I'd like to ask them to stand and introduce themselves -- excuse me, I'll introduce them, actually. We have Emily McHale, who is a CF advocate and parent of her son, Kellen, who's age two, who lives with CF. We have Brock Lape, who's also an advocate and parent to Cecelia, age seven, who lives with CF; Janet Schuster, who is an advocate and a grandmother

to Graham, age two. And we also have from Albany Medical Center, Case Managers John Nash and Francine Gransbury, who are with us today.

Every May, Cystic Fibrosis community comes together to celebrate CF Awareness Month. As we know, Cystic Fibrosis is a life-threatening genetic disease that affects the lungs and makes it extraordinarily difficult to carry out the simple function of breathing. This disease affects more than 30,000 children and adults in the United States, and 70,000 people worldwide. Although the lungs are often the focus of the disease, CF affects people in multiple ways, and many other concerns may develop. The type and severity of CF symptoms can differ widely from person to person and, therefore, their treatment plans require individual -- individualized tailored plans. While there still is no cure for CF, advancements in treatment have made it possible for those with the disease to live much longer than ever before; however, they live under the risk of infection and health problems due to CF.

It is Cystic Fibrosis Awareness Month. Mr. Speaker, if you could please welcome these individuals to the Chamber to celebrate the progress that has been made and to build on to hope for the future. Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. McDonald, Mr. Jones, 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. Thank you so much for sharing with

us. Thank you for the work that you're doing both for those in your family, for the professionals that work with you, for Albany Med, which we hold high as a premier medical institution here in this area. We hope you continue that work. We hope you continue to know that you are always welcome here. Thank you so very much.

(Applause)

Mr. Schmitt for an introduction.

MR. SCHMITT: Thank you, Mr. Speaker. In a few moments, we'll be taking up a resolution recognizing May as Stop the Bleed Month, but I wanted to take a few minutes to introduce some of our guests related to that resolution today. I have Andrew Tarasoff and his mother and brother here from the New Windsor Volunteer Ambulance Corps, who also serves as the New York State Coordinator for National Stop the Bleed Month; Becky Ann - you guys can stand up - Becky-Ann Sears is the Injury Prevention Coordinator Trauma Program Assistant at Bassett Medical Center; Tom Moran, who's Trauma Education Injury Prevention and Outreach Coordinator for Albany Med; Babette Grey, who's Executive Director of the New York Chapter of the American College of Surgeons; Dr. James Satterfield is General Surgeon, Governor of Brooklyn Long Island Chapter of the American College of Surgeons; Dr. Roberto Hardo, a surgical resident; Dr. Stephan Martone, trauma surgeon at Albany Med, and Dr. Daniel Ahn is a plastic surgeon at NYU Langone Great Neck Medical. If you could please extend to them the privileges of the floor as they await their resolution, I would certainly

appreciate it.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Schmitt, the Speaker and all the members, we extend to you the privileges of the floor. Thank you for coming here. We hope that this trip will be great, and our thanks for the work that you do as medical professionals to help those in need. Continue that great work. Thank you.

(Applause)

Ms. McMahon.

MS. MCMAHON: Thank you, Mr. Speaker. I rise to make a very special introduction. My daughter, Sara Marcus --

ACTING SPEAKER AUBRY: Shh. Ladies and gentlemen, please.

MS. MCMAHON: Okay.

ACTING SPEAKER AUBRY: Proceed.

MS. MCMAHON: Thank you, Mr. Speaker. I rise to introduce a very special guest. My daughter, Sarah Marcus, is with us today. She was unable to be here at the beginning of Session when the new members were introduced. And when I heard that she was driving through the Albany area, I insisted that she come in today and get introduced. So, Sarah is my middle daughter, she's a graduate of Middlebury College where she played on the Women's Basketball Team. And she is currently midway through Masters in Social Work Program at the University of Pennsylvania. I am extremely proud of her. I don't get to see her very often, so I'm delighted she's here and I

ask you to welcome her and afford her the cordialities of the House.

ACTING SPEAKER AUBRY: Certainly. On behalf of your mother, the Speaker and all the members, we welcome you here to the New York State Assembly. As family, you are always welcome here. We extend to you the privileges of the floor. Our congratulations on continuing your academic achievements. Great to hear that you're playing basketball. The WNBA just starting, so I know I watch. Thank you so very much for being here, and understand how proud your mother is, look at that face, how proud your mother is of having you here. You're so welcome. Thank you so much.

(Applause)

Ms. Linda Rosenthal.

MS. ROSENTHAL: Thank you, Mr. Speaker. I rise to acknowledge and introduce some guests who are up here from my district. Their names are Brian Owens, Managing Partner; Todd Mitgang, Managing Partner; Jason Steinthal; Managing Partner; Yordanka Evgenieva, Manager; Elizabeth Rushing, Events Coordinator; and Zach McCoy, General Manager. They all come from Crave Fishbar in my district and they came up today to Albany to talk about how we need to recycle oysters. And what they do is they recycle the oysters that are consumed in their restaurant. They give them to the Billion Oyster Project, which then puts them in the Hudson where they -- one oyster can filter 50 gallons of water.

So, I'm so thankful they got a chance to come up

here, give a taste of what they offer in their -- in their establishment, and try to do some good for the environment while they're at it. So, Mr. Speaker, would you please give them the cordialities of the floor.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Rosenthal, the Speaker and all the members, we welcome these distinguished business people and environmentalists here to the New York State Assembly, extend to you the privileges of the floor. Thank you for coming up. I know many people were pleased to share with you some of your wares. I'm from New Orleans, so oysters and I go back, way, way back. Thank you so very much. So happy to have you.

(Applause)

On a motion by Mr. Zebrowski, page 21, Calendar No. 139, Bill No. A04421-A, amendments are received and adopted.

We will now go to resolutions on page 3. The Clerk will read.

THE CLERK: Assembly Resolution No. 415, Ms. Solages.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim May 20th, 2019, as Haitian Unity Day in the State of New York, in conjunction with the observance of Haitian Heritage Month.

ACTING SPEAKER AUBRY: On the resolution, Ms. Solages.

MS. SOLAGES: *Bonswa tout moun.* Greetings,

everyone, my colleagues and Mr. Speaker. Today, we recognize Haitian Unity Day within the month of Haitian Heritage Month. Just this Saturday, we celebrated Haitian Flag Day, which commemorates the Haitian flag and, as always, every year we bring up many constituents from different areas, from Long Island to Rockland County to Brooklyn, all over, to come and celebrate our Haitian culture. And so, every year it gets bigger and better, and this year we did a new spin on it. Anyone notice my outfit?

(Laughter)

We decided that we wanted to dress in our cultural attire. And so you'll see the fabulous four women, and Clyde, are wearing a nice cultural dress to commemorate our Haitian culture, me and our Assemblywomen, was styled by Kimberly Charles from Phoenix Refined, which is New York City's only masquerade camp. So, I want to give her a shout-out for doing this nice head tie, otherwise I would not be able to do it.

But, like I said, every year it gets bigger and better. But with that, we also have many more challenges. As, you know, policies are dictating and hurting our immigrant communities, we have to stand up and make sure that we -- we push back against policies that hurt our families, that separates our families. As you know, black immigrants are more likely to be deported, they have less access to legal services. And so, we need to ensure that our Haitian community is protected. And we are doing that with so many pieces of legislation.

And so we rise today in unisance [sic] to tell the Haitian-American community that we stand firm and we're united; to tell our TPS holders that we are here to protect you, and you are New Yorkers just like everyone else. And we stand united as one to celebrate all cultures, because New York is the melting pot and it is great because we are diverse. So, thank you, Mr. Speaker, and I appreciate the opportunity.

ACTING SPEAKER AUBRY: Ms. Bichotte on the resolution.

Shh. Ladies and gentlemen.

MS. BICHOTTE: Thank you, Mr. Speaker, for allowing me to speak on the resolution. Today is Haitian Unity Day. What does it mean for Haitian Unity today? It's a day in Albany to recognize the people of Haitian descent and contributions to the State of New York and all over the world, and to recognize the history of Haitians -- of Haiti and the Haitian people as revolutionists who has fought for years for justice and freedom and, along the way, making Haiti the first black republic in 1804.

It wasn't a movement for Haitians only. It was a movement -- and it wasn't a movement only by Haitians. Let it be known that this slave abolition movement has paved the way to free other countries in the Americas, including the Caribbean Islands, South America and parts of the United States. Let it, too, be known that this movement was not fought and led alongside by only Haitians, Toussaint Louverture, Jean-Jacques Dessalines, Pétion, but we also

had Jamaican-born Dutty Boukman and Grenadian-born Henry Christophe, to name a few. It is with that unity, that spirit, we defeated the French, one of the most powerful, powerful force known in history, led by Napoleon. Our Founding Fathers, like Jean-Jacques Dessalines, required black liberty so much that he invited the American black slaves to become free in Haiti.

We want to -- we want to continue undoing in concrete and tangible ways of centuries of trivialization of Haiti history and contributions to the world. *L'Union Fait La Force* is the motto of our Haitian flag. Unity, strength and reclaiming Haitian history. I want to give a note to my fellow Haitian-Americans. We have come a long way. We have been beaten up in this country; we're spat at, we're called names, and we could not reveal who we were. We were afraid to say that we were Haitians. And after decades of building pride, of getting our communities together, teaching our kids our language and our history, why we should be proud to be Haitian.

There was a continuous movement of Haitian pride and unity that was formed within the Haitian community and all over. Do not let anybody tell you it's not okay to be Haitian. Do not let anybody tell you that you are being too Haitian when you're being prideful. Don't listen to people when they're saying you're fighting too hard for a marginalized community, a community that's been called s-hole, a community that has been called fourth world country, stigmatized with being the creator of AIDS or being threatened of ripping and stripping their temporary protective status from them after

being victims of a horrifying earthquake that left thousands and thousands of Haitians, famine and -- and with no housing and with no government stability.

Also, fighting for language access when we fight for election reform. Who are those to tell us not to help our community? Who are those to tell us that we are too Haitian? When we love ourselves, we love others just as much, or even more. And for all the people of Haiti and the communities and the doctors and educators who have contributed to our community, should not -- we should not denounce our heritage.

And now, we are five Haitian-American Assembly strong in the New York State Assembly. In addition to that, we just made history. We are now two Haitian-American strong in the New York City Council: New elected Councilwoman Farah Louis in the 45th District, a heart of Little Haiti.

So, to my non-Haitian brothers and sisters who really appreciate us, I want to say thank you. Thank you for your unity. Thank you for loving us. Thank you for helping us. Thank you for fighting with us. Thank you for telling our rich stor -- history. Thank you for reminding us how beautiful we are. And thank you for letting us know that we, too, are human. And lastly, I want to thank Assemblymember Ellen Jaffee who is not Haitian, but created Haitian Unity Day. Thank you for carrying the Unity spirit. *L'Union Fait La Force. Merci.*

ACTING SPEAKER AUBRY: Mr. Barron on the

resolution.

Ladies and gentlemen, shh. I don't know what's going on under the eave there, but we don't need meetings at this time, they can go outside the Chamber.

Proceed, Mr. Barron.

MR. BARRON: To my Haitian brothers and sisters, I say *Sak pasé*. And I believe that the spirit of the Haitian revolutionaries are with us today. And as my colleague mentioned, we, as Africans, who were in America at the time of Haiti's liberation movement, we were enslaved and inspired by Haiti. Inspired so much so that in 1811, in Louisiana, enslaved Africans rose up, and their goal was to march all the way to New Orleans, take over New Orleans, and have the second independent African nation in that hemisphere. And why did they do that? Because of Boukman. Because of Dessalines. Because of Henri Christophe. Because of all those Haitian revolutionaries who inspired us. So, on this day I want to encourage my Haitian brothers and sisters, don't get comfortable in America. Don't get comfortable. Bring that same revolutionary spirit that happened in 1804 in 2019, because it's needed.

I also want to say to France and to America, shame on you. You owe Haiti reparations. America owes Haiti reparations. In 1915, the Marines occupied Haiti. America is talking about somebody interfering in their election, America put forth a dictator in Haiti, Papa Doc and Baby Doc Duvalier, to control the economy of Haiti, and even though there were a lot of battles there. So it's

hypocrisy to say now that you're concerned with somebody interfering in your elections when you've done that throughout the history of Haiti, even as far as supporting the colonization of Haiti. America, pay your debt to Haiti. Pay your debt to Haiti, France. France has the nerve to say that Haiti should pay them reparations, which is occurring now.

So, we say to our Haitian brothers and sisters that we are you and you are us. We are one. We are one African people. Dr. John Henrik Clarke said it best, *We're not who we are based upon where the boats dropped us off. We're who we are based upon where the boats picked us up from.* And they picked us all up from Africa. And you became Haitian. And others became Jamaican and Trinidadian. And some of you say you're Americans. I don't say that. But anyway, some of you say that. We are an African people spread throughout the diaspora. And Haiti, Haiti was the country, the movement, the spirit that inspired all of us to be free. And as my colleague said, you even defeated the mighty Napoleon. Everybody thought he was invincible. Well, he got whipped by the Haitian revolutionaries.

So, on this day, let us all remember, Haiti is not a poor country, Haiti is a rich country. Rich in minerals, rich in natural resources, rich in culture, rich in spirit, and they're exploited by way of imperialism and capitalism. Greed is what creates poverty in Haiti. America, pay your debt.

And on this day, I proudly say that we all embrace the

spirit of the Haitian revolutionaries. And on this day, all of our Haitian brothers and sisters, bring that same revolutionary spirit to the 21st Century because we still have work to do, the job is not done. And for you, I say *Forward ever and backward never*. Long live the people of Haiti. Long live the Haitian Revolution.

ACTING SPEAKER AUBRY: Ms. Jean-Pierre.

MS. JEAN-PIERRE: Thank you, Mr. Speaker, for allowing me to speak in support of the resolution proclaiming Haitian Unity Day in the State of New York. As a daughter of Haitian immigrants, I have always -- I have always beamed with pride each year when we take up this resolution in the midst of celebrating Haitian Heritage Month, especially as our Haitian-American Caucus continues to grow right here in this Legislature.

I would also like to welcome Commissioner Jacques Jiha to the Assembly floor, who is certainly no stranger to the People's House, as well as my beloved constituents who've made the trek from Long Island this morning, this afternoon, and various groups from Long Island such as Stand up for Poverty, the North Amityville Senior Center in Hauppauge. And thank you to the Haiti -- to Haiti's Consulate, Gandy Thomas, for years of service of the Haitian-American community and for joining us here today.

And it's so important to continue to recognizing [sic] the contributions that Haitians have made here in this great country. Haitians fought alongside George Washington in the Revolutionary War, and Haiti has always been a symbol of hope and liberation for

black people in the -- in the Americas. The United States has and should continue to serve as a beacon of hope for the Haitian community. More than 50,000 Haitians have made America their home following the tragic --

Mr. Speaker, can we get some...

Thank you.

The United States has and should continue to serve as a beacon of hope for the Haitian community. More than 50,000 Haitians have made America their home following the tragic earthquake in 2010. Haitian-Americans are our families, our neighbors, our small businesses, our owner -- small business owners, and they continue to enrich our nation and our State each day. I'm proud to co-sponsor today's resolution and I thank my colleague, Member Solages, as well as Mr. Speaker for allowing us to recognize it here today. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Ms. Frontus.

MS. FRONTUS: Thank you, Mr. Speaker. It's an honor for me to stand this afternoon and speak on this resolution to recognize May 20th as Haitian Unity Day. Today, my colleagues and I stand not just to recognize May as Haitian Heritage Month, not just to recognize May 18th as Haitian Flag Day, but overall the significant contributions that Haitians have made to the State of New York; indeed, I am proud to be the latest Haitian-American to be elected to the New York State Assembly.

Mr. Speaker, there are some 200,000 Haitians living in the great State of New York, and almost one million Haitians living in the entire United States of America. The experience of Haitians in these United States has been one which is bittersweet. We have made contributions in all sectors of society, including the arts, medicine, law, academics, politics and government; however, Haitians have always been stigmatized, mistreated, belittled and called names like backwards, while also being blamed for the AIDS epidemic.

Despite all this, you will discover that Haitians have always been a proud people and tenacious, resilient. We celebrate our history as the first independent black republic in the Americas and the second to gain our freedom right after the United States. Because of this, our flag is a sign of anti-racism. It is a sign of anti-oppression. Our flag is a symbol of freedom, equality and liberation, one of revolution for people of African descent. The flag signifies the destruction and the collapse of chattel slavery as we know it. In honor of this great history of resilience, in honor of this great history of self-determination, I am proud to welcome so many distinguished Haitian-American guests visiting us in the Chambers [sic] today. Welcome to Albany and welcome to the New York State Assembly. (Speaking foreign language).

Ms. Weinstein on the resolution.

MS. WEINSTEIN: Yes, thank you, Mr. Speaker. I want to join with my colleagues in memor -- in asking the Governor to declare today Haitian Unity Day. I'm blessed to have a very diverse

community. We have a lot of Haitian -- Haitian-Americans, as well as other Caribbeans in my community, as well as a large Jewish population and others, and we have -- I'm so proud of all of my constituents. And what we have been able to do in our -- in our community is work together, and the Haitian community working with the Jewish community and the long history of the Haitians and Jews working together from the time that the Israelis came to the aid during the earthquake, to earlier times when the nation of Haiti was able to save some Jews from -- from the Nazis.

So it is wonderful today that we celebrate Haitian Unity Day and realize that we in the State recognize some of the problems that our Haitian brothers and sisters who live here in the United States and in New York are facing with the uncertainty of the continuation of TPS. As part of our budget this year, we included a substantial amount of funds for HAUP -- Haitians unite -- united for -- Haitian-Americans United For Progress to be able to assist the Haitian-Americans in our community who need help with immigration and have questions about their TPS status so they -- we -- we know the importance of these individuals as part of our greater New York family and I'm, again, happy to join in support of this resolution.

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. 416, Mr.

Ra.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim May 20th, 2019, as Transatlantic Flight Day in the State of New York.

ACTING SPEAKER AUBRY: On the resolution, all those in favor signify by saying aye; nay. The resolution is adopted.

THE CLERK: Assembly Resolution No. 417, Mrs. Gunther.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim May 19-21, 2019, as the 84th Annual 4-H Capital Days 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. 418, Mr. Jones.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim May 2019, as Cystic Fibrosis 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. 419, Mrs. Barrett.

Legislative Resolution memorializing Governor

Andrew M. Cuomo to proclaim May 2019, as Military Appreciation Month in the State of New York, in conjunction with the observance of National Military Appreciation Month.

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. 420, Mr. Schmitt.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim May 2019, as Stop the Bleed Month in the State of New York.

ACTING SPEAKER AUBRY: Mr. Schmitt on the resolution.

MR. SCHMITT: Thank you, Mr. Speaker. I'm proud to introduce this resolution today, first time the State Legislature has taken up a Stop the Bleed resolution. The Stop the Bleed initiative was started in 2015 to increase BCon, also known as Bleeding Control Training, as hemorrhage is the leading cause of preventable death in pre-hospital environments. It is important to stop blood loss as quickly as possible as a person can die from blood loss within five minutes. Twenty percent of people who have died from traumatic injuries could have survived with quick bleeding control. Thirty-five percent of pre-hospital deaths are due to blood loss, and 80 percent of victims in a mass casualty event are transported to the hospital by members of the public.

These alarming statistics show how important it is to connect bleeding control instructors with interested citizens and raise awareness about the serious health conditions and instances where this might be necessary to save lives. So, I'm glad we brought bipartisan attention to this issue and I certainly encourage everyone to help raise awareness for the need of this training. And this general knowledge is something in the military that we're trained on from the offset, but it's becoming more and more important for everyday citizens, just like CPR training, AED training, we also need to know how to stop this -- stop the bleed. Thank you, Mr. -- Mr. Speaker.

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

Mr. Manktelow for an introduction.

MR. MANKTELOW: Thank you, Mr. Speaker.

Today I rise for the purpose of an introduction. On behalf of myself and Assemblyman Gary Finch, back from our home district we'd like to welcome the -- the children and the family members from the Village of Cayuga and the County of Cayuga. These are young students that attend the St. John Paul II Academy, a private school in the Catholic tradition. It's our pleasure to have them here in the Capitol to see the Assembly in action and I ask that you give them the privileges of the floor.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Manktelow, Mr. Finch, the Speaker and all the members, we

welcome you new young students here to the New York State Assembly. We extend to you all the privileges of the floor. Thank you for coming and sharing this day with us. Hope that you will have found our proceedings interesting, hope that you will get home very safe. And to the adults that have accompanied you, thank you for taking care of your children. Thank you so very much.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if we could now go to page 4 on the main Calendar, starting with Calendar No. 3-1-6, 316.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly No. A00225, Calendar No. 316, Paulin, Cook, Zebrowski, McDonough, L. Rosenthal, Abinanti, Seawright. An act to amend the General Business Law, in relation to the registration and regulation of pet groomers.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00446, Calendar No. 317, Stirpe. An act to amend the Labor Law, in relation to the calculation of weekly employment insurance benefits for workers who are partially unemployed; and repealing certain provisions of such law relating thereto.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00484, Calendar No. 318, L. Rosenthal. An act to amend the Public Health Law, in relation

to informational materials concerning menstrual disorders.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 120th day.

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 today, so if colleagues could -- are in and around the Chambers [sic], if they could come and cast their vote with some speed, we'd greatly appreciate it. First vote of today.

ACTING SPEAKER AUBRY: First vote of the day, members. If you are in your seats, please vote now. If you are in the sound of our voice, please come to the Chamber and vote. Thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00505, Calendar No. 319, Lifton. An act to amend the General Municipal Law, in relation to insurance reserve funds of certain school districts.

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. A00568, Calendar No. 320, Paulin, Gunther, L. Rosenthal, Jaffee, Englebright, Gottfried, Woerner, Fahy, Rodriguez, Galef, Lifton, Lupardo, McDonough, Perry. An act to amend the Public Health Law and the Insurance Law, in relation to premium reduction for obstetric practitioners who complete a risk management strategies course.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 365th 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. A00882, Calendar No. 321, Wright, Weprin, Crespo, Jaffee, O'Donnell, Simon, Cook, Ortiz, De La Rosa, Blake, Richardson, Aubry. An act to amend the Correction Law, in relation to significant programmatic accomplishment for limited credit time allowances for certain inmates.

ACTING SPEAKER AUBRY: On a motion by Ms. Wright, 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.

THE CLERK: Assembly No. A00916, Calendar No. 322, Peoples-Stokes, Perry, Glick, Bronson, Weprin, Gottfried. An act to amend Correction Law, in relation to Human Immunodeficiency Virus (HIV) prevention.

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.)

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you very much, Mr. Speaker. This bill came up before the House in the past and would apply to all the local jails. It has since been amended to apply just to State institutions. And I appreciate the amendment so that we're not

imposing an unfunded mandate on our local correctional facilities and for that reason, I'll be supporting the bill. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Goodell in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A01092, Calendar No. 323, Lifton, Titus, Cahill, Cook, Dinowitz, Gottfried, Ortiz, Paulin, Rivera, Benedetto, Englebright, Cusick, Colton, Bronson, Perry, Simon, Mosley, Seawright, Steck, Williams, Abbate, Abinanti, Galef, Glick, Hyndman, Jaffee, Lupardo, O'Donnell, Peoples-Stokes. An act to amend the Civil Rights Law, in relation to waiving the State's Sovereign Immunity to claims under the Americans with Disabilities Act of 1990, the Fair Labor Standards Act of 1938, the Age Discrimination in Employment Act of 1967, and the Family and Medical Leave Act.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01112, Calendar No. 322, Jaffee. An act in relation to authorizing Hatzoloh EMS, Inc. of Monsey to file an application for a real property tax exemption.

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. A01564, Calendar No. 325, Peoples-Stokes, L. Rosenthal, Gottfried, Titus, Perry, Otis, Colton, Galef, Mosley, Hunter, Thiele, Lupardo, Dinowitz, Carroll, Quart, Hyndman, Ortiz, Steck, Abinanti, De La Rosa, Seawright, Taylor, Jones, Paulin, Stirpe, Arroyo, Glick, Bronson. An act to amend the Environmental Conservation Law, in relation to establishing a permanent Environmental Justice Advisory Group and an Environmental Justice Interagency Coordinating Council.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01565, Calendar No. 326, Galef, Peoples-Stokes, Paulin, Dinowitz, Arroyo, Jaffee, Weprin, Abinanti, Simon, Ortiz, Niou, Steck, Wright, Mosley, Kolb, Giglio, Ashby, Cahill, Colton, De La Rosa, Finch, Gottfried, Lentol, McDonough, B. Miller, M.L. Miller, Thiele. An act to amend Election Law, in relation to including e-mail addresses in voter registration data.

ACTING SPEAKER AUBRY: Read the -- read the last section.

THE CLERK: This act shall take effect on the 365th day.

ACTING SPEAKER AUBRY: The Clerk will record

the vote.

(The Clerk recorded the vote.)

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

(The Clerk announced the results.)

The bill is passed.

Mr. Goodell.

MR. GOODELL: Thank you very much, Mr. Speaker, for allowing me to interrupt on behalf of Assemblyman David DiPietro, we have a great group of 4-Hers from Erie and Wyoming County. And, as you know, the 4-H Program is a great agricultural program, it teaches a lot of -- teaches a lot of responsibility and respect and a -- a lot of character building in the 4-H Program. They're here in Albany today to celebrate the 84th Annual New York State Capital Days. I am here to assure you that none of them are yet 84, so apparently they didn't bring any charter members.

(Laughter)

But joining us are Holly Niefergold, Amelia Hinstrub (phonetic), Tammi Kron, Roxanne Dueppengiesser, Abigail Johnson, Katie Fisher and David Zywiczyński. If you would extend the cordialities of the House to this fine young group, I would certainly appreciate it.

ACTING SPEAKER PICHARDO: Certainly, Mr. Goodell. On behalf of Mr. DiPietro, 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, thank you for this -- for your leadership on this important issue of agriculture. More importantly, keep coming back. Eighty-four years or not, keep coming back. You are always welcome. Thank you so much for you advocacy.

(Applause)

The Clerk will read.

THE CLERK: Assembly No. A01605-A, Calendar No. 327, Paulin, Jones. An act to amend the Not-For-Profit Corporation Law and the Town Law, in relation to the abandonment of cemeteries.

ACTING SPEAKER PICHARDO: 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 PICHARDO: 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, on behalf of our colleagues Ellen Jaffee and Mr. Eichenstein, there are some lovely ladies in the Chambers [sic] above you from the Avir Yaakov

Girls' School from Spring Valley, New York. Mr. Speaker, on behalf of our colleagues, could you please welcome these outstanding young ladies to our Chambers [sic] and offer them the cordialities of the floor.

ACTING SPEAKER PICHARDO: Certainly. On behalf of Ms. Jaffee and Mr. Eichenstein, the Speaker and all the members, hello. We welcome you here to the New York State Assembly. We extend to you the privileges of the floor. I hope you're having a good time watching the proceedings this afternoon, and you're always welcome to come back whenever you'd like to come back. Thank you so very much.

(Applause)

The Clerk will read.

THE CLERK: Assembly No. A01606, Calendar No. 328, Hunter, Englebright, Colton, Cook, D'Urso, Hyndman, Weprin, Blake. An act to amend the General Municipal Law and the Public Authorities Law, in relation to including the incorporation of resource conservation, energy efficiency, green technologies, and alternative and renewable energy measures in a project into a uniform tax exemption policy.

ACTING SPEAKER PICHARDO: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER PICHARDO: 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. A01877, Calendar No. 329, Zebrowski. An act to authorize the Assessor of the Town of Haverstraw, County of Rockland, to accept from Hi Tor Animal Care Center, Inc. an application for exemption from real property taxes.

ACTING SPEAKER PICHARDO: On a motion by Mr. Zebrowski, 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 PICHARDO: 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 will read.

THE CLERK: Assembly No. A02218-A, Calendar No. 330, Abinanti. An act to amend Chapter 504 of the Laws of 2016, amending the Tax Law relating to authorizing the Town of Greenburgh to adopt a local law to impose a hotel/motel occupancy tax for hotels not located in a village; authorizing specified villages in the Towns of Greenburgh and Mount Pleasant to adopt local laws to

impose a hotel/motel occupancy tax in such villages, in relation to extending the effectiveness thereof.

ACTING SPEAKER PICHARDO: Home Rule message is at the desk and the bill is laid aside.

THE CLERK: Assembly No. A02225-A, Calendar No. 331, Cahill. An act to amend Executive Law, in relation to including the Sawkill Creek in Ulster County within the definition of "inland waterways" for the purposes of waterfront revitalization.

ACTING SPEAKER PICHARDO: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER PICHARDO: 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.

THE CLERK: Assembly No. A02326-A, Calendar No. 332, Dinowitz, M.G. Miller, Colton, Otis, Seawright, Simon, Williams, Ortiz, Joyner, Cook, D'Urso, Crespo, Niou, Magnarelli, Abinanti, Blake, Barron, Braunstein, Englebright, Hyndman, Perry, Weinstein. An act to amend the Elder Law, in relation to creating and distributing a drug guide for senior consumers.

ACTING SPEAKER AUBRY. On a motion by Mr.

Dinowitz, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

THE CLERK: This act shall take effect September 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. A02345, Calendar No. 333, Solages, Norris, Morinello, Gottfried, Arroyo, Williams, Glick, Dickens, D'Urso, Jaffee, Crespo, Hyndman, Barron, Lavine, L. Rosenthal, Blake, Rivera, Seawright, Cook, Epstein, Simon. An act to amend the Social Services Law, in relation to lactation counseling services.

ACTING SPEAKER AUBRY: On a motion by Ms. Solages, the Senate bill is before the House. The Senate bill is advanced. 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. A02432, Calendar No. 334, Fahy, Barrett, Ortiz, Magnarelli, Gottfried, Englebright, Thiele, Simon, D'Urso, Glick, Lupardo, Jaffee, Zebrowski, Santabarbara, Colton, Cahill, Galef, Mosley, Arroyo, Seawright, Pichardo, Lifton, Dinowitz, Vanel, Stirpe, L. Rosenthal, Steck, Abinanti, Richardson, Wright, Wallace, O'Donnell, Taylor, Niou, Quart, Carroll, De La Rosa, Crouch. An act to amend the Public Service Law and the State Finance Law, in relation to instituting Internet service neutrality.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02484, Calendar No. 335, Weprin, McDonald. An act to amend the Correction Law and the Penal Law, in relation to establishing merit time allowance credits and certain administrative privileges credits for local correctional facilities.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02493, Calendar No. 336, Lavine, Lifton. An act to amend the Tax Law, in relation to providing a tax credit for universal visitability; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02688, Calendar No. 337, L. Rosenthal. An act to amend the Public Authorities Law, in relation to requiring public notice prior to certain transportation facility closures.

ACTING SPEAKER AUBRY: On a motion by Ms. Rosenthal, 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.

THE CLERK: Assembly No. A03076, Calendar No. 338, Gottfried, Dinowitz, Galef, Paulin, L. Rosenthal, Colton, Jaffee, Abinanti, D'Urso, Lifton. An act to amend the Public Health Law and the Insurance Law, in relation to the definition of clinical peer reviewer.

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. Montesano to explain his vote.

MR. MONTESANO: Thank you, Mr. Speaker. I just want to thank the sponsor for this bill. You know in my -- in my profession as an attorney, many times I've had clients who've been

subjected to independent medical exams, no-fault exams and many other different types of exams by physicians who are examining them for issues, and that physician has no expertise or certification whatsoever in that area that the person is experiencing and suffering from, and that physician then writes a report that has a negative impact on the patient. So, this is a very necessary and important bill and I'll be supporting it and I ask my colleagues to do the same. Thank you.

ACTING SPEAKER AUBRY: Mr. Montesano in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03629, Calendar No. 339, Schimminger, D'Urso. An act to amend the General Municipal Law, in relation to permitting the Kenmore-Town of Tonawanda Union Free School District to establish an insurance reserve fund.

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. A04268, Calendar No. 340, Hevesi, L. Rosenthal, Jean-Pierre, Abinanti, Blake, Joyner, Simon, Barron, Gunther, Crespo, Wright, Williams, Jaffee, Lupardo, B. Miller, D'Urso, Solages, Rivera, Seawright, Davila, Fahy, Morinello, Cook, Walsh. An act to amend the Social Services Law, in relation to mandating training of direct care workers in adverse childhood experiences (ACEs).

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.

THE CLERK: Assembly No. A04310, Calendar No. 341, Aubry. An act to amend the Correction Law and the Public Health Law, in relation to birth certificates for inmates.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A04312, Calendar No. 342, Thiele. An act to amend the Economic Development Law, in relation to the operation of entrepreneurship assistance centers.

ACTING SPEAKER AUBRY: On a motion by Mr. Thiele, 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: Mr. Speaker, if we could return to Calendar No. 339 for a -- a re-vote. There was a technical problem at the desk. If we could do that one first. And then, Mr. Speaker, we have several tax-related bills that we would like to approve. There are at least six of them, but it is critical that members stay in the Chambers [sic] and in their seats. So, after we do 339, Mr. Speaker, if we could go to Calendar No. 330 by Mr. Abinanti; Calendar No. 353 by Mr. Norris; Calendar No. 354, Mr. Otis; Calendar No. 355, Mr. Crouch; No. 356, Mr. Pretlow; No. 261, Ms. Lupardo and No. 294, Mr. Stec. In that order, Mr. Speaker. Thank you.

ACTING SPEAKER AUBRY: Thank you.

The Clerk will read.

THE CLERK: Assembly No. A03629, Calendar No. 339, Schimminger. An act to amend the General Municipal Law, in relation to permitting the Kenmore-Town of Tonawanda Union Free

School District to establish an insurance reserve fund.

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.

Page 6, Calendar No. 330, the Clerk will read.

THE CLERK: Assembly No. A02218-A, Calendar No. 330, Abinanti. An act to amend Chapter 504 of the Laws of 2016, amending the Tax Law relating to authorizing the Town of Greenburgh to adopt a local law to impose a hotel/motel occupancy tax for hotels not located in a village; authorizing specified villages in the Towns of Greenburgh and Mount Pleasant to adopt local laws to impose a hotel/motel occupancy tax in such villages, in relation to extending the effectiveness thereof.

ACTING SPEAKER AUBRY: Home rule is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I'd like to interrupt the proceedings to introduce some guests who are here with our colleague, Judy Griffin. They are public servants extraordinaire. I believe they're right here. Mr. Speaker, we have Tricia Shields, she's the Secretary/Treasurer for the South Hempstead Fire District; Paul Cartier, he's the President of the Association of Fire Districts in Nassau County; Don Corkery, he's the Vice President of the Association -- of the New York State Association of Fire Districts; and John Cannon is the Commissioner of Halesite, New York.

Mr. Speaker, if you could welcome these fine public servants to our Chambers [sic].

ACTING SPEAKER AUBRY: Certainly. On behalf of Mrs. Peoples-Stokes, Ms. Griffin, the Speaker and all the members, we welcome you here to the New York State Assembly, extend to you the privileges of the floor, hope that you will enjoy our proceedings. Happy that you've been able to join us and congratulations on great public service that you provide. Thank you so very much.

(Applause)

The Clerk will read.

THE CLERK: Assembly No. A06537, Calendar No. 353, Norris, Hawley. An act to amend the Tax Law, in relation to authorizing an occupancy tax in the Village of Medina.

ACTING SPEAKER AUBRY: Home rule message is at the desk. 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. A06542, Calendar No. 354, Otis. An act to amend Chapter 508 of the Laws of 2016, amending the Tax Law relating to the imposition of an occupancy tax in the Village of Mamaroneck, in relation to extending the expiration thereof.

ACTING SPEAKER AUBRY: Home rule message is at the desk. 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. A06548, Calendar No. 355, Crouch. An act to amend Tax Law, in relation to authorizing the

County of Chenango to establish hotel and motel taxes.

ACTING SPEAKER AUBRY: Home rule message is at the desk. 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. A06694, Calendar No. 356, Pretlow. An act to amend Tax Law and Chapter 535 of the Laws of 1987, amending the Tax Law relating to the City of Yonkers personal income tax surcharge, in relation to extending the expiration date of the personal income tax surcharge.

ACTING SPEAKER AUBRY: Home rule message is at the desk. 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. A06546, Calendar No.

261, Lupardo, Crouch, Friend. An act to amend the County Law and the Tax Law, in relation to authorizing the County of Broome to impose an additional surcharge to pay for the costs associated with updating the telecommunication equipment and telephone services needed to provide an enhanced 9-1-1 emergency telephone system to serve such county; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER AUBRY: Home rule message is at the desk. 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.

MR. GOODELL: Thank you -- thank you, Mr. Speaker. It's my honor to introduce to the Chamber on behalf of Assemblyman Dan Stec, his wife, Hilary Stec. So, there are Hilary's that are held in our good standing within our Caucus for sure.

ACTING SPEAKER AUBRY: Oooh. Oooh. Oooh.

(Laughter)

MR. GOODELL: She's a great resident of the State of New York, Human Resources Manager, worked for Mills

Entertainment. She met Mr. Stec while at college and they've been married for 28 years.

(Applause)

I'm not quite sure what that applause means.

(Laughter)

But they have a son, Peter, and if you wouldn't mind welcoming Hilary Stec who came here just to see the very next bill pass that her husband is sponsoring. Thank you, sir.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Goodell, the Speaker and all the members, Ms. Stec, we appreciate that you're here. You are family so you always have the privileges of the floor. We're so happy that you can join us today. Certainly I know it wasn't planned to be here when he passes the bill, couldn't be, I couldn't believe that. And maybe, since I hear you're in entertainment, you might offer Mr. Goodell a comic contract so that we can keep laughing more than just here. Thank you so very much, we're happy to have you.

(Applause)

The Clerk will read.

THE CLERK: Assembly No. A04474, Calendar No. 294, D. Stec, Woerner. An act to amend the Tax Law, in relation to authorizing the County of Washington to impose an additional mortgage recording tax.

ACTING SPEAKER AUBRY: Home rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if we can go to page 14, it's Rules Report No. 16, on debate, by Mr. Abinanti.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly No. A00763-A, Rules Report No. 16, Abinanti, Mosley, Galef, Jaffee, Gottfried, Blake, Richardson, Colton, Rivera, Buchwald, Weprin, Seawright, Simotas, Burke, Cruz, Frontus, Griffin, Jacobson, McMahon, Pichardo, Reyes, Sayegh, Steck, Stern, Buttenschon, D. Rosenthal, Fernandez, Dinowitz, Glick, Lawrence, Ramos, Walker. An act to amend the Penal Law and the Criminal Procedure Law, in relation to establishing crimes relating to the criminal possession or manufacture of undetectable firearms, rifles or shotguns.

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

An explanation is requested, Mr. Abinanti.

Shh. We are on debate, ladies and gentlemen.

MR. ABINANTI: Thank you, Mr. Speaker. This bill will amend the Penal Law to make it illegal to manufacture, sale -- sell or possess a -- an undetectable firearm or any major component of an undetectable firearm, or any major component which is undetectable.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

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

MR. ABINANTI: Yes, Mr. Speaker.

ACTING SPEAKER AUBRY: The sponsor yields.

MR. GOODELL: I note that this bill cross-references 18 U.S.C. Section 922(p). I assume that's the Federal Undetectable Firearms Act?

MR. ABINANTI: Yes, it is.

MR. GOODELL: And does this bill have any criteria that is different than the Federal Undetectable Firearms Act?

MR. ABINANTI: The bill is designed to mirror the Federal law.

MR. GOODELL: Well, if it's already illegal under Federal law, and has been, I think, for 30 years, why do we need a State law?

MR. ABINANTI: Two reasons: First of all, we want to allow our law enforcement officials to enforce a similar policy; and

secondly, we can't count on the Federal government to consistently renew the Federal law. There was a -- a period of time when the law lapsed and after several months it was finally renewed, but there was a period of time when there was no law in place. So, we want a permanent law in the State of New York to assist our law enforcement officials function and carry out their duties.

MR. GOODELL: But the Federal law is currently in effect and will be effect -- in effect, if I'm not mistaken, until 2023; is that correct?

MR. ABINANTI: Yes.

MR. GOODELL: So, we're not in any immediate danger of the Federal law expiring.

MR. ABINANTI: No, but we do want to make sure that our law enforcement officials can protect the people of the State of New York.

MR. GOODELL: Of course you would be disappointed if I didn't ask you a Constitutional question.

MR. ABINANTI: Yes, I would.

(Laughter)

MR. GOODELL: So, looking at your bill, since it tracks, mirrors the Federal statute, not surprisingly, it actually says this bans undetectable firearms as defined by Federal statute, correct?

MR. ABINANTI: Correct.

MR. GOODELL: So, doesn't that conflict with Article III, Section 16 of the State Constitution, which prohibits us

from incorporating another law by reference?

MR. ABINANTI: Funny you should ask. I asked the same question of staff, and our legal scholars said that this language has been held to be acceptable under the New York State Constitution. In addition, this is kind of a -- a belt and suspenders approach. We also define the prohibited activities in a way that is similar to the Federal government. So, we refer to the Federal statute, but we also repeat some of the language in our statute.

MR. GOODELL: Now, Article III of our State Constitution makes it reasonably clear, I think, that only the Legislature can enact laws, and we have a process for it, of course, you know, and I don't need to review civics lessons, but here we are evaluating the law. But when we pass a law that says we're banning weapons as defined by Federal law, aren't we then leaving it up to the Federal government to decide what we ban or don't ban?

MR. ABINANTI: I would suggest --

MR. GOODELL: I mean, just using your example -- I apologize, but using your example, if this section expires, or they amend this section, will that have the effect, then, of automatically amending our law even though we as a Legislature didn't vote on it?

MR. ABINANTI: No. What we do is we refer to the security exemplar, which is the way the Federal government measures the device that we call a metal detector, and that's the definition that we are using. So, if the Federal government were to repeal its statute, it would be my belief that the definition that is now contained in the

statute of the security exemplar would continue forward for the purposes of our defining what the security exemplar is for the metal detector. So, we're not saying our statute is the same as the Federal, we're just picking up a piece of the Federal statute for the purposes of defining the security exemplar.

MR. GOODELL: Now, as you know, of course, in order to have a valid and effective Penal Law sanction, you have to -- the law itself has to be very clear so that a defendant would know, with reasonable certainty, that their activity violates the law. And, of course, the courts are more strict, if you will, the stronger the penalty.

ACTING SPEAKER AUBRY: Your colleague is debating a bill. I would think you would give him the respect of being quiet.

MR. GOODELL: My concern, and perhaps you would address it, is this bill says that a weapon is illegal if -- if it's subject to the types of detection devices commonly used at airports, and that commonly used equipment, doesn't that generate an image that adequately displays the gun? So, can you tell me what's meant by "commonly used?" Is -- is the defendant expected to take a survey to see what percent of airport equipment would detect this gun? Because airport equipment is constantly being updated, of course, and the larger airport equipment is a lot more sophisticated than some of the rural airports.

MR. ABINANTI: Um, I bet you the same question was posed to Representative Hughes from New Jersey when the

Federal government used the exact same language. It was our intent to mirror the Federal statute so there would be no confusion, no disagreement as to what was legal and what wasn't legal. So, we used the same language that the Feds have used for the last, as you said, 25 years. It doesn't seem to have caused any confusion on the Federal level. We're hopeful that there won't be any confusion on the State level.

MR. GOODELL: And can you give us some advice, since Senator Hughes is not here to answer questions, what's meant by "commonly used" --

MR. ABINANTI: I think -- I think he's a Congressman.

MR. GOODELL: Congressman, yes. What's meant by "commonly used?"

MR. ABINANTI: I will leave that to the courts to determine, and to the history and the legislative history in Congress if it does become an issue. As I said, we've had 25 years, as you yourself noted, 25 years of experience with this on the Federal level. So, we're just trying to make sure that our local law enforcement officials can enforce the same standards that the Feds have used for the last 25 years.

MR. GOODELL: Well, as you can appreciate, Congressional legislative history is irrelevant when we're adopting State laws, we look to State legislative history. So, my question again is, for the purposes of the legislative history for this proposed State

bill, and I understand it does nothing more than what the Feds already do but --

MR. ABINANTI: Right.

MR. GOODELL: -- for the purpose of the State law, what's meant by "commonly used at airports?" Does that mean more than 10 percent of the airports or half the airports? I mean, what's meant by "commonly used?"

MR. ABINANTI: I think those words are English words that speak for themselves. And I can't speak for a court as to how they would interpret them if they're ever challenged.

MR. GOODELL: And what's meant by "adequately displayed?"

MR. ABINANTI: I think that's the same thing. I think that will be left to a challenge if there is one, but I -- but I -- you know, every one of these statutes has to be interpreted. Again, there's a history of 25 years on the Federal level that the State courts could look to to get guidance if -- if they believe that the statute is not clear on its face. I think it's clear on its face.

MR. GOODELL: Thank you, Mr. Abinanti.

On the bill, sir.

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

MR. GOODELL: I appreciate my colleague's desire to ban undetectable guns, it's a -- it's an objective that was recognized by the U.S. Congress 30 years ago. And the bill that bans

undetectable guns on the Federal level has been continued until 2023. And as my colleague so accurately stated, this bill does nothing more than what the Federal government already does.

But whether we're looking at the Federal statute or this statute and, actually, we're only looking at this statute, when we develop a criminal law we ought to have standards that are reasonably clear for the average person so that somebody's not arrested for a felony, Class D felony, or a Class E felony without knowing that they violated the law. And the problem with this bill is the standard says is that devices that are "commonly used at airports," would not generate an image that adequately displays a firearm. What's meant by "commonly used?" Do you know? Would you know? And what's meant by "adequately displays?" None of us would know. None of us I don't think do know what's meant by "adequately displayed." But what we all know is that the technology in the security field is constantly being upgraded and improved. So what wasn't displayed five years ago can be easily displayed now, but we're trying to pass, or seeking to pass a bill that would make it a Class E felon if you didn't know what's commonly displayed or commonly used or adequately displayed.

And so, my colleagues, when we're talking about serious felonies, I think we need to be equally serious about providing clear and adequate guidance to avoid criminal prosecution by somebody who believes that what they're carrying would be adequately displayed on devices commonly used at airports. Thank

you.

ACTING SPEAKER AUBRY: Mr. Reilly.

MR. REILLY: Thank you, Mr. Speaker. Will the sponsor yield?

MR. ABINANTI: Yeah. Yes, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Abinanti yields, sir.

MR. REILLY: Thank you. So, under this legislation it would be a Class E felony?

MR. ABINANTI: Possession is a Class E felony; manufacture is a Class D felony.

MR. REILLY: Okay. So under Penal Law 265, if you possess a firearm with a defaced serial number at this moment, it's a Class D felony. That wouldn't be eligible for a desk appearance ticket, but a Class E felony with the prior legislation that we passed, it would be eligible for a D-A-T; is that correct?

MR. ABINANTI: That may be the case under the new statute.

MR. REILLY: Okay. So, one question I have is that if you have an undetectable firearm, chances are you're -- you're mostly -- you're probably using it for something in the lines of terrorism, maybe being a hit man or a hit woman, because we want to make sure we give everybody equal designation, the -- if they're using that intent, I think we should make sure that they're not given a D-A-T and they go through the system, through the criminal justice system,

and appear for arraignment, not given that desk appearance ticket. Is there any way that we can amend this bill to make sure that possessing it, because we know that that clear intent of having a firearm like that means that you probably have a nexus to something more severe, like terrorism. So, is there a possibility that we can amend that?

MR. ABINANTI: When we took a look at the current statute, we tried to match the other sections and the -- and the penalties and the class of -- yeah, there it is. We tried to match present Penal Law. And so, it appeared to fit in the way we set up the D and E felony. It's also comparable to the way the Federal government classifies it. That's why we came to the -- the bill as we have it. If you'd like to discuss afterwards perhaps increasing the penalties, I'd be glad to talk to you about it. But I think that's a different piece of legislation.

MR. REILLY: Well, the reason why I ask is because if we're treating an undetectable firearm less severely than a firearm that can be detected, but the serial number has been defaced because our technology has now increased, I think we're going down the wrong path. I think that it would be a good time to have that discussion now because we're going to be putting, as I've mentioned over the past few months that I've been here, what we do on paper here translates to the street much differently. And I would hope that we can have that discussion before we have to come back to it. I'm just worried that -- and, you know, please correct me if I'm wrong, but I would think that having an undetectable firearm is something that we

should be harsh on and making sure that we make sure that the penalty, or I should say the processing of the arrest, isn't just done in two hours and the person walks away and we don't have enough time for detectives to investigate, we don't have time to notify maybe the Joint Terrorism Task Force because it's a Class E felony.

MR. ABINANTI: I -- I think that was a question, but I appreciate your support for the concept of the bill.

MR. REILLY: It is -- it is a question, I'm sorry. Can we amend -- can we amend this legislation to ensure that the arrest is -- is processed the way it should be, because the gravity of having a [sic] undetectable firearm is really something that jeopardizes the public?

MR. ABINANTI: Like I said, I appreciate your support for the concept. Now we're just quibbling over what degree it should be. I think we have set up a -- a scheme that makes sense for the first time we put it into the statute. As I said, it's comparable to what the Feds do, it's also comparable to other parts of our Penal Law when we take a look at the different sections, how we treat each one. So, I -- I think it's more important that we pass it the way it is at this point and if for some reason we need to increase the penalties in the future, because we -- they find that, after experience that they're not sufficient, then I'd be glad to work with you to -- to make that amendment.

MR. REILLY: Thank you, sir.

On the bill, please.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. REILLY: See, that's my frustration, that we're going to rush something through and pass it or vote it down. This is something that I think if we actually took our time and got it right and made sure that we process it as the way it should be as a serious crime and have the investigation done to the point where we give law enforcement the opportunity to make sure that if there is a terrorist nexus involved, we don't let them out the door in two to three hours with a desk appearance ticket, because that's what we're going to do if we just make it a Class E felony, just like years ago when the Penal Law was amended for a firearm without a serial number when it was defaced, technology evolved and we made sure -- well, the prior legislators well before me made sure that they made it a D felony because it was more severe. We have the opportunity here today to say, listen, stop, let's get this right. Let's make it that D felony so that it can be processed and we can make sure that we truly protect public safety. Thank you.

ACTING SPEAKER AUBRY: Read -- 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.)

Mr. Abinanti to explain his vote.

MR. ABINANTI: Thank you, Mr. Speaker. First, I'd like to thank the -- the Speaker for bringing this bill forward and the Committee that worked on the bill. I'd also like to thank the staff who worked for a long time on this very simple, straightforward bill. They worked with the Senate to resolve some differences between the two bills and that's what's produced a -- a bill that was passed -- will be passed by both Houses.

This is a very simple bill. It basically says that a -- an undetectable firearm has no lawful purpose except to avoid detection and bring in a firearm to a place where it is otherwise prohibited. Very simple, very straightforward. We're passing this legislation today to empower our State and local law enforcement officials to better do their jobs and to protect the public. The issue that was raised by my colleague a moment ago is really just a bail issue. We've already dealt with that issue in the past, and I'm sure in the future we'll be reviewing how the bail reform that we passed is working and if there is a problem with the way this bill is being treated, we can deal with it at that time. But that's the appropriate time to discuss what the penalty should be. Right now, we have tried to match the requirements of this bill with the existing sections of the Penal Law. So, therefore, I urge an affirmative vote on this legislation.

ACTING SPEAKER AUBRY: Mr. Abinanti 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 please call on Mr. Otis for an announcement?

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

MR. OTIS: It is my pleasure to announce that there will be a Majority Conference in the Speaker's Conference Room upon the conclusion of Session this evening.

ACTING SPEAKER AUBRY: Democratic Conference immediately following Session.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: Certainly.

Housekeeping.

On behalf of Mr. Gottfried, Bill No. A03076, Assembly Bill recalled from the Senate. The Clerk will read the title of the bill.

THE CLERK: An act to amend the Public Health Law and the Insurance Law.

ACTING SPEAKER AUBRY: There is a motion to reconsider the vote by which the bill passed the House.

The Clerk will record the vote.

(The Clerk recorded the vote.)

The Clerk will announce the results.

(The Clerk announced the results.)

The bill is before the House and restored to its order on Third Reading.

Mrs. Peoples-Stokes, we have resolutions, we'll take them 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. 421-424 were unanimously approved.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I now move that the Assembly stand adjourned until 2:00 p.m. Tuesday, May the 21st, tomorrow being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 6:01 p.m., the Assembly stood adjourned until Tuesday, May 21st at 2:00 p.m., Tuesday being a Session day.)