

**MONDAY, JANUARY 10, 2022**

**2:59 P.M.**

ACTING SPEAKER AUBRY: The House will come to order.

The Reverend Richard Griffiths will offer a prayer.

REVEREND RICHARD GRIFFITHS: Good afternoon. And what a privilege it is to be a part of this convening today and open this time of critical dialogue and legislation with an invocation of prayer. Will you please bow your heads with me as we look to the Lord in prayer. Let us pray. The Bible says enter His gates with thanksgiving and His courts with praise. Give thanks to Him and praise His name. This is the day that the Lord has made and we will rejoice and be glad in it. Thank You, Lord God, for the miracle of today and breathing the breath of life into our lungs. Thank You for these legislators who are here today as representatives and

advocates chosen by Your people. Thank You for their commitments to impassion for Your beloved. We thank You for the residents of New York and this State's great and rich diversity. We're aware, Lord, of how You've called Your people to unity in light of our diversity and we pray that the matters at hand today will transcend partisanship and emphasize humanity. We pray for hearts of unity and postures of peace. Not a false or contrived peace, but a true shalom that comes from You and is accessible to us. We pray that justice, mercy and compassion would be the priorities that would saturate this convening and its discussions. Lord, we pray that Your kingdom, the kingdom of God, would be their benchmark. We pray for humility and patience, and also decisiveness for those things that are both urgent and important. Help Your people today who carry this great responsibility. Give them Your wisdom to listen and discern the immediate and long-term effects of each issue and decision. You remind us in scripture that if anyone lacks wisdom that they can call to You for it and You will give it to them generously without finding fault. So, today I come against apathy and indifference but pray for a servant's heart in this Assembly. Hearts that are more interested in caring than being correct. I bring before You each representative, their support staff and their families, and pray that You would bless them and overshadow them with Your presence and love. And Lord, we won't fail to bring before You the victims and families of the devastating fire on 181st Street. In this time of great confusion, heartbreak and grief, please honor Your word and walk with them

through this valley of death. Would You comfort them in this time and overwhelm with a sense of your abiding presence. Provide for them in abundance and dispense Your grace to them. Now to the king eternal, immortal, invisible and the only God, the honor and glory forever and ever. Amen.

ACTING SPEAKER AUBRY: Amen. Thank you, Reverend Griffiths.

Before the Pledge, let us take a pause for a moment of silence as we keep in mind those thoughts those who were killed and injured in yesterday's Bronx apartment fire. Let us keep them in our prayers as victims and their families, and may the memory of those lost always with be with us.

(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 Friday, January 7th.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move to dispense with the further reading of the Journal of January -- March -- January the 7th and that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir. At this moment I would certainly like to welcome our colleagues back into the Chambers, and I want thank you for your cooperation and patience with our Sergeant-at-Arms and keeping us at a good number of members, representative of our both sides of our aisles. Always a great honor to see you all.

I do want to share this quote today, Mr. Speaker. This one's from Audra Lorde. Ms. Lorde was an amazing American writer, a feminist, a womanist, a librarian and a civil rights activist. Her words for us today, *It is not our differences that divide us, it's our inability to recognize, accept and celebrate those differences.* Again, I want to thank the late Ms. Lorde for her so timely words. Always timely.

Mr. Speaker, the members should be aware that we -- our schedule for today is that there is a main Calendar on your desk and that this Calendar represents the bills that passed the Assembly last year but not the Senate, as well as those bills that died on the Calendar. Members also have on their desk an A-Calendar. Mr. Speaker, at this time I would like to ask you to advance the A-Calendar.

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

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: So, today we're actually

going to formally introduce our new colleague -- Chamber member, Yudelka Tapia. She's of the 86th Assembly District. We will also take up the A-Calendar, which will be our priority work for today. So with that as a general outline, Mr. Speaker, are there any introductions or housekeeping?

ACTING SPEAKER AUBRY: We do have some housekeeping.

On a motion by Mr. Gottfried, page 6, Calendar No. 20, Bill No. A.289-B, the amendments are received and adopted.

On a motion by Mr. Gottfried, page 6, Calendar No. 21, Assembly print 299-A, the amendments are received and adopted.

On a motion by Mr. Cahill, page 17, Calendar No. 72, Bill A.1393, amendments are received and adopted.

On a motion by Mr. Sayegh, page 27, Calendar No. 123, Bill No. A.3318, amendments are received and adopted.

On a motion by Ms. Galef, page 27, Calendar No. 127, Bill No. 3491-A, the amendments are received and adopted.

On a motion by Mr. Stern, page 55, Calendar No. 273, Bill A.7728, amendments are received and adopted.

At the request of Ms. Weinstein, Calendar No. 282, bill A.7943 is recommitted back to the Committee on Ways and Means.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker, for the opportunity to, on behalf of Speaker Carl Heastie,

introduce Reverend Richard Griffiths, Lead Pastor of the Bronx Bethany Church of Nazarene, who delivered the most eloquent prayer for our opening today. Reverend -- the Reverend Griffith holds a Bachelor's Degree in Marketing from Binghamton University and a Master's in the New Testament Biblical Literature from Alliance Theological Seminary. He is currently completing a doctoral program at Nazarene Theological Seminary. I've been told that the Reverend Griffith is a sports enthusiast, a composer and a musician. He is married to the quick-witted and charming wife and partner in ministry, Yanique. They have two children, Seth and Hannah.

Mr. Speaker, I ask that you would welcome the Reverend Griffiths to our Chambers and offer him the cordialities of the House.

ACTING SPEAKER AUBRY: Certainly. On behalf of the Speaker and all the members, Reverend Griffith, we thank you so very much for joining us this morning and blessing us with a prayer. We hope that you have enjoyed your time with us, and we certainly have enjoyed you. We hope there will be a time when you can come and physically be with us and enjoy the cordialities of the House. Thank you so very much.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. It is now my pleasure to introduce our newest colleague, Assemblymember Yudelka Tapia.

Stand up.

(Applause)

She represents the 86th Assembly District which consists of the neighborhoods of University Heights, Morris Heights, Mount Eden, Kingsbridge, Tremont and Fordham in the Bronx. Yudelka is -- has been shattering a glass ceiling. She is the first woman to represent the 86th Assembly District. Assemblymember Tapia was born in the Dominican Republic and attended O&M University in Santo Domingo. She served as president of the Union [sic], a national organization that organized and educates women. Assemblymember Tapia later obtained her Master's Degree in Urban Policy and Leadership from Hunter College. For 23 years, Ms. Tapia has worked as a senior auditor for the New York City Comptroller's Office. She has been deeply involved in her community, serving as a PTA president at Roosevelt High School and as an Executive Committee Member for Local 1407 DC 37. Since immigrating to the West Bronx over 30 years ago, Assemblymember Tapia has made the community her home. Together with her husband, Nicholas Cordero, they have raised four sons, all who have been educated in New York City public schools.

Mr. Speaker and my colleagues, please join me in welcoming our newest member Tapia -- Member -- Assemblymember Tapia.

(Applause)

ACTING SPEAKER AUBRY: Assemblywoman,

this will be the smallest crowd that has ever, I believe, welcomed somebody into the Assembly. Normally it's full, everybody would stand up and give you a full-bloated welcome. We'll probably make up for that some other time. However, you will remember that I always tell members this is probably the only time we'll all stand up and cheer for you. So, enjoy that opportunity. Thank you so very much and welcome.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: (Inaudible) move to our A-Calendar.

ACTING SPEAKER AUBRY: Thank you, Mrs. Peoples-Stokes.

The Clerk will read.

THE CLERK: Assembly No. A08587, Rules Report No. 1, Redistricting. An act to amend the State Law, in relation to creation of congressional districts; and to repeal Article 7 of such law relating thereto.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote. This is a party vote. Any member who wishes to be recorded as an exception to their Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.



MR. GOODELL: Thank you, Mr. Speaker. The Republican Conference certainly appreciates the efforts of the Redistricting Committee, but at this point most of our members will be voting no. So the Republican Caucus is in the negative. We do have members who are supporting this legislation and I urge them to contact our Leader's Office so we can properly record their vote.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The work of the Commission is always appreciated. It's always good when you have your citizens assisting you in your legislative responsibility. However, I would like to remind my colleagues that this is a party vote and that the Majority members will be recorded in the negative. If there are any exceptions, folks should feel free to have contact my office and your vote will be properly recorded.

(The Clerk recorded the vote.)

ACTING SPEAKER AUBRY: Mr. Ra to explain his vote.

MR. RA: Thank you, Mr. Speaker. I'm glad to see the red buttons work on both sides of the aisle. I vote no.

(Laughter)

ACTING SPEAKER AUBRY: Mr. Ra in the negative.

(Pause)

Just a reminder to members who are over in the LOB, if you want to speak -- if you'd like to speak on the bill at hand you must come and be physically present in order to do that. We're not encouraging you, we're just reminding you.

(Pause)

Mr. Goodell.

MR. GOODELL: Thank you, sir. It's unusual for me to be on my own --

(Laughter)

-- but I'm comfortable there. And -- and I'm thankful that the following colleagues are also voting in the affirmative: Mr. Ashby, Mr. Lawler and Mr. Palmesano.

Thank you, sir.

ACTING SPEAKER AUBRY: So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is lost.

THE CLERK: Assembly No. A08588, Rules Report No. 2, Redistricting. An act to amend the State Law, in relation to establishing Assembly and Senate districts; and to repeal Article 8 of such law relating thereto.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record

the vote on 8588. This is a party vote. Any member who wishes to be recorded as an exception to their Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided. And if you wish to speak on the bill you must be here in the Chamber.

Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker. The Republican Conference is generally opposed to this, although there may be members that want to support it. Those members who would like to support it are encouraged to call the Minority Leader's Office so we can make sure we record your vote properly. And as you mentioned in the last vote, if there's someone who wishes to speak or explain their vote, they should come to the -- the Chamber.

Thank you, sir.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. This, again, is a party vote in the negative. We're encouraging colleagues to -- if they would like to vote in the affirmative, to please come to the Chambers, cast that vote. Otherwise, Mr. Speaker, this will be a party vote in the negative. However, folks can also call my -- call the Majority Leader's Office and we will be happy to properly record their vote. Party vote in the negative.

(The Clerk recorded the vote.)

ACTING SPEAKER AUBRY: Thank you, Mrs.

Peoples-Stokes.

Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker. I ask that the -- this roll call vote be withdrawn and this bill be laid aside.

Thank you, sir.

MRS. PEOPLES-STOKES: Mr. Speaker, could you please bring us back to Rules Report No. 2, Assembly Bill 5888 [sic]?

ACTING SPEAKER AUBRY: Rules Report No. 2, the Clerk will read.

THE CLERK: Assembly No. A08588, Rules Report No. 2, Redistricting. An act to amend the State Law, in relation to establishing Assembly and Senate districts; and to repeal Article 8 of such law relating thereto.

ACTING SPEAKER AUBRY: Mr. Schmitt.

MR. SCHMITT: Thank you. Would the sponsor yield for a short question?

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

MR. ZEBROWSKI: I yield, Mr. Speaker.

MR. SCHMITT: Thank you. I was wondering, if the opportunity presents itself where the Legislature rejects two series of maps through the constitutional process and then, therefore, is enabled to draw the lines outside of the Commission, do you anticipate this Chamber following all of the currently prescribed State Law and State constitutional process for redistricting?

MR. ZEBROWSKI: Yeah, I think that's safe to say. I don't really want to engage in that hypothetical because I think it's the hope that the Redistricting Commission will get back to work if all four of these bills are -- are not approved. But certainly, I think I'm comfortable to say in that hypothetical all appropriate laws will be followed.

MR. SCHMITT: As they're currently written today?

MR. ZEBROWSKI: As are all laws that are on the books.

MR. SCHMITT: Okay. And then, are you familiar with all of us members received the correspondence from the New York City Unity Map Coalition regarding the votes today? Are you -- were you aware of that letter?

MR. ZEBROWSKI: I'm not aware of any letters.

MR. SCHMITT: From the New York City Map Coalition, that was not part of what was presented, per se, to you?

MR. ZEBROWSKI: So -- so obviously I didn't -- I'm not on the legislative -- you know, the Independent Redistricting Commission, so I'm not familiar with any letters they received and --

MR. SCHMITT: I -- I would just -- this was sent to all of us Assemblymembers. I just wondered if you haven't received that letter.

MR. ZEBROWSKI: I have -- I don't have any letters here on my desk. But if a letter was sent to my office, at some point I would be sure to read it.

MR. SCHMITT: And on that same regard, that letter was sent to all members of the Legislature including the leadership. Would that possibly be considered in the ongoing legislative portion of redistricting? That input. Will they be taking public input? Not the IRC, but through this current legislative process.

MR. ZEBROWSKI: I don't -- I don't think that's germane to -- to this debate right now. Before this House is the -- well, currently legislative plan A.8588. And you can check on their website, they submitted all their data and all the things that they took into consideration to submit the maps to us, and each individual member will now be casting an eye or a nay for those maps. If we get to a -- a future debate, at that point I'll be happy to debate anything related to -- that's germane to that process at that point. But I don't really want to engage in any hypotheticals at this point because what's before the House is this.

MR. SCHMITT: Okay. And I will just clarify that there's a letter regarding this vote that we're taking now and asking for this vote to be brought up. But I appreciate you engaging in the few questions and appreciate the time on this matter. Thank you, Mr. Speaker. I have no further questions.

MR. ZEBROWSKI: Thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record

the vote on 8588. This is a party vote. Any member who wishes to be recorded as an exception to their Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided. If you wish to speak, you must come and physically be present in the Chamber.

Mr. Goodell.

MR. GOODELL: Thank you, sir. And thank you for accommodating our members on questions. The Republican Conference is generally in the negative. Those who want to vote in the affirmative should please contact the Minority Leader's Office so we can record their vote correctly.

Thank you, sir.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. Colleagues should be aware that this a party vote in the negative. Those desiring to vote in the affirmative for this one, they should feel free to contact the Majority Leader's Office and your vote will be properly recorded.

(The Clerk recorded the vote.)

ACTING SPEAKER AUBRY: Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, sir. Actually, I'm going to explain somebody else's vote. We've had a little -- a few technical challenges, as you know, pulling this together, and Mr. Lawler is participating remotely. This would be Michael Lawler,

because he's not feeling well. But he did text me the following message, so if I may: This past November, voters overwhelmingly rejected the attempt by the Majority to limit the authority of the Independent Redistricting Commission. In other words, they, the voters, want the Commission to do the job it is tasked to do with respect to the 2014 constitutional amendment, and to produce fair, independent and bipartisan maps for Congress, State Senate -- State Senate and State Assembly. While Mr. Lawler is disappointed that the Commission did not produce agreed-upon maps this go-around, he is imploring the Commission to get back to work and produce bipartisan maps over the next two weeks so that we, as a legislative Body, can adopt these maps. Clearly, when you look at the different versions of the maps there was agreement in number -- in numerous districts, and with a little more time and effort Mr. Lawler believes the Commission could produce and find a compromise and produce fair and independent maps. Mr. Lawler supports the process and is hopeful the Commission will fulfill its mission. This Body should be encouraging that process, not discouraging the process. The mere unanimous rejection of these maps by the Majority raises doubts about the intention of this Body when it comes to redistricting and leads one to believe the Majority has every intention of drawing maps itself. Simply put, the voters do not want the Legislature to draw the maps. That much is clear by their votes in 2014 and again in 2021.

And thank you for allowing me to put Mr. Michael Lawler's comments on the record. Thank you, sir.



ACTING SPEAKER AUBRY: Thank you. Thank Mr. Lawler for his thoughts, and our wishes that he is feeling better soon.

Mr. Goodell.

MR. GOODELL: Thank you, sir. Please record the following colleagues in the affirmative: Mr. Ashby, Mr. Michael Lawler and Mr. Palmesano.

Thank you, sir.

ACTING SPEAKER AUBRY: So noted. Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if you could please record our colleague Ms. Zinerman as a yes.

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

(The Clerk announced the results.)

The bill is lost.

The Clerk will read.

THE CLERK: Assembly No. A08589, Rules Report No. 3, Redistricting. An act to amend the State Law, in relation to establishing Assembly and Senate districts; and to repeal Article 8 of such law relating thereto.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record

the vote on Assembly print 8589. This is a party vote. Any member who wishes to be recorded as an exception to their Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided. And if you wish to speak on the bill you must come to the Chamber.

Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker. The Republican Conference is generally opposed to this bill. Those who wish to support it are encouraged to call the Minority Leader's Office so we can record your vote correctly. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. Our Majority colleagues will generally be voting in the negative on this one. However, should colleagues desire to be an affirmative, they should contact the Majority Leader's Office. We'll be pleased to record your vote.

ACTING SPEAKER AUBRY: Thank you, Mrs. Peoples-Stokes.

(The Clerk recorded the vote.)

Mr. Goodell.

MR. GOODELL: Thank you, sir. To explain my vote. I -- I was very pleased the old maps that were produced by the Independent Redistricting Commission kept my particular district in the State of New York and didn't move me to Ohio. Although I would

point out that the capital of Ohio is closer to me than Albany, I still am proud to be a New Yorker. Joining me in the affirmative on this bill are my colleagues, Mr. Ashby, Mr. Michael Lawler, Mr. McDonough, Mr. Palmesano and Mr. Simpson.

Thank you, sir.

ACTING SPEAKER AUBRY: So noted. Thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is lost.

The Clerk will read.

THE CLERK: Assembly No. A08590, Rules Report No. 4, Redistricting. An act to amend the State Law in relation to the creation of congressional districts; and to repeal Article 7 of such law relating thereto.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 8590. This is a party vote. Any member who wishes to be recorded as an exception to their Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided. And as before, if you need to or feel that you need to speak on this bill you must come to the floor and be present.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed, although there will be some members who support this. I recommend that anyone who wants to vote in the affirmative contact the Minority Leader's Office so we can properly record their vote.

Thank you, sir.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker and colleagues, this vote will be generally be in the negative on this one. However, if there are colleagues who would like to vote in support of it they are welcome to call the Majority Leader's Office and your vote will be properly recorded.

ACTING SPEAKER AUBRY: Thank you so very much.

(The Clerk recorded the vote.)

Mr. Goodell.

MR. GOODELL: Thank you, sir. To explain my vote and announce the Republican votes. Both maps have the congressional district for the Southern Tier maintaining essential identity along the Southern Tier, and I think that's very positive for that particular congressional district and that's why I voted in favor. Joining me on this particular bill and voting yes are Mr. Ashby, Mr. Michael Lawler, Mr. McDonough, Mr. Palmesano and Mr. Simpson.

Thank you, sir.

ACTING SPEAKER AUBRY: So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is lost.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: No, Mrs. Peoples-Stokes, I don't believe that we do.

MRS. PEOPLES-STOKES: Then, Mr. Speaker, I move that we stand adjourned and that we reconvene at 1:00 p.m. Tuesday, January 11th, tomorrow being a Session day.

ACTING SPEAKER AUBRY: The House stands adjourned.

(Whereupon, at 4:03 p.m., the Assembly stood adjourned until Tuesday, January 11th at 1:00 p.m., Tuesday being a Session day.)