

**MONDAY, JANUARY 24, 2022**

**3:03 P.M.**

ACTING SPEAKER AUBRY: The House will come to order.

In the absence of clergy, as we pause for a moment of silence, let us keep in our thoughts the New York City Police Officers involved in last City's shootings. We hope the recovery of Officer Wilbert Mora, and remember the sacrifice of Officer Jason Rivera. We also hold in our thoughts their families, friends, and colleagues.

(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 Saturday, January 22nd.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move that we dispense with the further reading of the Journal of Saturday, January the 22nd and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you so much, Mr. Speaker. I want to welcome all my colleagues back to our beautiful Chambers. Happy Monday. For the record, I did watch the game yesterday. I thought it was a great game, all four of them. Well, two of them that were great games, it was kind of the best football of the season. And while we didn't end up the winners of the game, we didn't really lose either because it was a great game. I want to end that little Bills tribute by a quote of Dr. King is, "The ultimate measure of a man is not where he stands in the moment of comfort and convenience, but where he stands at times of challenge and controversy." Again, Mr. Speaker, Reverend Dr. Martin Luther King ever sharing words with us today.

Colleagues, members should have on your desk a main Calendar. There are 19 new bills on it. After there's any housekeeping, Mr. Speaker, we're going to take up resolutions on page 3 and then we will take up a Rules change resolution, E493; that'll be

on debate, Mr. Speaker. Once we are completed with the Rules change, we will then consent new bills starting with Calendar No. 291 which is on page 4. That's pretty much where we going -- where we're going today, Mr. Speaker, that's the general outline. If you do have housekeeping, now would be a great time. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, Ms. Majority Leader, and we do have housekeeping.

On a motion by Mr. Braunstein, page 60, Calendar No. 36, Bill No. 355, amendments are received and adopted.

On a motion by Mr. Abinanti, page 25, Calendar No. 90, Bill No. 2045, amendments are received and adopted.

On a motion by Ms. Richardson, page 32, Calendar No. 124, Bill No. A3366-A, amendments are received and adopted.

On a motion by Ms. Hyndman, page 48, Calendar No. 210, Bill No. A6430-A, amendments are received and adopted.

Page 3, resolutions, the Clerk will read.

THE CLERK: Assembly Resolution No. 489, Paulin.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim January 23-29, 2022 as Certified Registered Nurse Anesthetist Week in the State of New York.

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

THE CLERK: Assembly Resolution No. 490, Mr. Magnarelli.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim January 23-29, 2022 as Enrolled Agent Week in the State of New York.

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

THE CLERK: Assembly Resolution No. 491, Ms. Rosenthal.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim January 24-28, 2022 as Data Vacancy -- Privacy Awareness Week in the State of New York.

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

THE CLERK: Assembly Resolution No. 492, Mr. Durso.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim January 2022 as Technology Month in the State of New York.

ACTING SPEAKER AUBRY: Mr. Durso on the resolution.

MR. DURSO: Thank you, Mr. Speaker, and thank you to this Body for recognizing January as Technology Month in the State of New York. Can you imagine our world without technology? Every day, technology changes our lives. Let's face it, technology is

in everything that we do, whether it's agriculture, health care, education, food service industry, security or construction. Because of technology, our lives have gotten better, and in so many ways. And technology has saved countless lives, and it will save so many more in the future.

But it is so important that we make more pathways into technology and the jobs that come with it to our young people. But we must also not forget that with all great innovations in technology, innovations like social media are great, but they can have a negative effect in our young people in society today. Let us not forget that social media follows those children home. Social media follows kids from home, from school; it's not a bully that you can leave at school and get away from. Things that kids put on social media will never go away and will follow them forever. We need to teach our young people that technology is wonderful, but used incorrectly can be a detriment. We need to teach our children and not to let the Internet and social media hurt them or raise them.

I thank this Body for letting me recognize that January is Technology Month in the State of New York, and thank you.

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

Rules Resolution No. 493, the Clerk will read.

THE CLERK: Assembly Resolution No. 493, Mrs.

Peoples-Stokes. Amending Section 6 of Rule V and Section 10 of Rule IV of the Assembly Rules, in relation to the consideration of bills.

ACTING SPEAKER AUBRY: An explanation is requested, Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. This resolution will provide for a one-time limit of 15 minutes per member on debate. It also allows each Leader of the House or their designee an additional one-time 15 minutes to speak on the bill. The total time to speak on each bill will be limited to five hours, four for debate and one for explanation of one's vote. The total time to speak on certain resolutions would be 30 minutes. Those would be the privileged and Calendar resolutions, Mr. Speaker. Members will be able to submit additional comments for official record on legislation. Such comments will be subject to the same rules as our decorum is on the floor. Messages of necessity will no longer be necessary to be approved by Rules Committee as it is in the Senate.

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

Mr. Ra.

MR. RA: Thank you, Mr. Speaker. Will the Majority Leader yield?

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes, will you yield?

MRS. PEOPLES-STOKES: Yes, of course, Mr.

Speaker.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes yields, sir.

MR. RA: Thank you. So a couple years ago when we adopted temporary rules related to the COVID emergency it was stated that going to the one 15-minute allowance to speak was for the purposes of keeping us on the floor less time, keeping everybody safe. So why are we making this permanent now?

MRS. PEOPLES-STOKES: The decision to change the rules again, Mr. Ra, is for there be an opportunity for us to spend as much time as possible getting the information out about the piece of legislation before us and using the remainder of that time to focus on getting the bill passed and getting the information out to our constituents.

MR. RA: Well, I would argue we're doing the opposite of that, but my -- my one other question with regard to this resolution, you said that the Leader on either side would have the opportunity to designate a second 15-minutes. The language of this says the Floor Leader of each Conference or his or her designee *may* be granted. Is it your intention that that extra 15 minutes is always given to either side?

MRS. PEOPLES-STOKES: Yes, sir.

MR. RA: Thank you.

MRS. PEOPLES-STOKES: If you ask for it, that

would be -- that is my intention, that's the intention of the rule change.

MR. RA: Thank you, Madam Majority Leader.

Mr. Speaker, on the resolution.

ACTING SPEAKER AUBRY: On the resolution, sir.

MR. RA: So, a couple years ago when we adopted these emergency rules, many of us on our side of the aisle were -- were pretty annoyed with them, but it was stated that they were being done because there was an emergency, we had to spend as little time as possible on the floor. And here we are almost two years later making that permanent. We used to be able to speak for 15 minutes, maybe ask questions of the sponsor, and then still have another 15 minutes to go on the bill. We're completely taking that away today.

And this is no small thing when you think about, you know, we have a budget process that's just getting underway. There are provisions in this proposed budget that modify the voter registration deadline, create a new independent ethics entity, provisions that overrule our local SUNY, in addition to tens of billions of dollars of education funding, tens of billions of dollars of health care funding during a pandemic. Just so you're aware, the proposed budget, Public Protection and General Government bill has 28 parts; the ELFA bill has 32 parts; the Health and Mental Hygiene bill has 43 parts; the TED bill, Transportation and Economic Development, has 58 parts; and the revenue bill has 31 parts and we are going to be expected to have one 15-minute period to take a bill which, as it



always is in the past, you -- come before us, the public having never seen it before until it's debated on this floor.

Now, the last few weeks one of the big topics of discussion Federally and even here have been voting rights, and we got lectured last week that because we were trying to comply with the provisions of our State Constitution and because we were not willing to go around what the voters of New York State decided last year, which was that they didn't want no-excuse absentee voting, that we were trying to prevent people from voting and the Majority was just trying to make it possible for people to vote. Well, what good is it for people to be able to vote if the representatives they elect come here and then get muzzled and aren't able to speak on their behalf?

So my question to anybody, because I'm not going to assume who's going to vote for this on the other side of the aisle, I'm sure the votes are there, but my question to any of my colleagues who are going to vote on it is what are you hiding by further stymying our debate in this House. Too often on budget bills and other pieces of legislation that come by means of message of necessity, which now we will no longer have to affirmatively accept, the way the public finds out what's in them is by questions being asked on this floor.

So this is no small thing. This is making permanent taking elected representatives and taking away their ability to ask questions and raise points on behalf of the people they represent. How do we continue to call ourselves the People's House if we shut out the people's representatives? So I urge everyone in this Chamber

to reject this rules change that will permanently change the deliberative nature of this House. It will change the way we do things and have done things for years and will make sure we never go back to the regular order of business that we had prior to the COVID pandemic. Make no mistake about it, it takes away the deliberative nature of this Body and it takes away our ability to represent our constituents. I will be voting in the negative and I urge my colleagues to do the same. Thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Walczyk.

MR. WALCZYK: Thank you, Mr. Speaker.

On the resolution.

ACTING SPEAKER AUBRY: On the resolution, sir.

MR. WALCZYK: In March of 2020 we passed a resolution that was similar to this, there's a key word that was different, and that was Assembly Resolution E854. The Speaker in a press release the day prior said, *During these extraordinary circumstances*. The same Majority Leader that brings this resolution before us today said in that same press release, *This resolution gives us the ability to adopt a new reality during this pandemic and future emergencies*. And when asked by my good colleague from Western New York here, the same Majority Leader on that resolution at the time when pressed through an open debate said, *Yes, the resolution specifically says temporary*. That was a lie. That was a lie. We voted

against it at the time. It wasn't about emergencies, it wasn't about extraordinary circumstances. It was about silencing the voice of the Republican. You want to continue to have people not have faith in our representative democracy and our republic? There's been a huge push about voting rights these days, right? Well, people will get really excited to get to the polls and vote for their representative that can't even swing up their microphone and because it wasn't their turn that day debate on the bill that mattered to them. You want to talk about disenfranchisement? Break the system, break our voice first, then the voice of the people truly won't matter. It's a strategy, I don't think it's going to bring any of us closer together, and it was based on a lie in the first place.

We're talking about reapportionment of districts and one person, one vote. What about the First Amendment? What kind of -- what does this communicate to the people of the State of New York when this Body doesn't even hold free debate and freedom of speech in their own House? What kind of example are we setting for our kids about what the First Amendment means in this society?

I know we love quotes in this Body and I'd like to share a couple, Mr. Speaker, one from Thomas Jefferson, *Reason* --

ACTING SPEAKER AUBRY: Mr. Walczyk, if you would, please. Thank you.

MR. WALCZYK: A debate for another day.

ACTING SPEAKER AUBRY: I know it's hard.

MR. WALCZYK: *Reason and free inquiry are the*

*only effectual agents against error.* I'd agree with Mr. Jefferson, but another one: *But somewhere I read of the freedom of Assembly.* *Somewhere I read of the freedom of speech.* And that was Dr. Martin Luther King, Jr.

Thank you, Mr. Speaker, I will be voting no on this resolution. And to every member that's ever walked into this Chamber, been elected by someone in the State of New York, raised their right hand and swore an oath to the Constitution of this State and of the United States, I urge you to vote no, as well.

ACTING SPEAKER AUBRY: Mr. Tague.

MR. TAGUE: Thank you, Mr. Speaker.

On the resolution, sir.

ACTING SPEAKER AUBRY: On the resolution.

MR. TAGUE: First and foremost, I want to say that engaging in spirited debate and discussion is precisely what our constituents send us here to do. We are the voices of our people, speaking on behalf of individuals across the State, facing incredibly varied circumstances in their lives and communities, who otherwise would not be heard in a State whose politics are dominated by the interest of those living in urban and metropolitan communities. To speak at the length through the struggles they face and inform our peers of their expectations and experience is exactly what we were meant to gather here to do.

And this resolution's presence on the floor speaks volumes about what's been lost in our legislative process. Under one

party rule, the passage of bills has become all but predetermined and our legislative Sessions have been reduced to rubber stamping, self-congratulatory spectacles where we sneak past one another without the thoughtful consideration of each other's ideas. This deliberate Chamber has become a place to grandstand, not to debate, and this resolution will only further reduce the ability of our Legislature to meaningfully collaborate on legislation that affects all New Yorkers. We are a big State and in order to make its laws work for everyone who live here, we need to hear about how a bill will affect all of us, from business people in the City to farmers in Upstate New York. Crafting and passing legislation that is helpful and, more importantly, not harmful should never be a quick or simple process. By putting our proposals through the ringer of debate in this Chamber, we help bring the late, dangerous elements of legislation that could end up seriously affecting people's livelihoods if passed. And there have been too many times throughout this last decade already when rushed bills have come in with numerous consequences that were either unforeseen or not taken seriously.

With the impact these policies have on the lives of us -- of us all, the last thing we should be doing is working to stifle, stifle the voices of the people or the voices of the legislators representing regions that don't carry the political weight of others. As lawmakers, it should be our duty and our honor to say all we can say about how our laws will improve or jeopardize the well-being of all the people that we represent, and we should all honor that obligation

by rejecting this measure.

Mr. Speaker, my grandfather was a World War II Pearl Harbor survivor, Battle of the Bulge, and D-Day. He fought for that flag that stands above you to give all of us freedom and allow us to be representatives of the people. I represent 133,000 people and by taking time away from me during a debate infringes upon the rights of those people I represent. I, like the other 149 members of this legislation [sic] got elected to do a job for and by the people, that's what I intend to do. The people where I come from don't want to hear that my voice wasn't heard, they want to know why it wasn't.

So I ask all, all of you in this Chamber, Republican, Democrat, Independent, stand up for that flag, the freedom and the people that came before us. Insist on all of us having an equal time to debate the bills and to be able to represent the people that come from where we come from. God bless America. Vote no on this resolution.

MS. WALSH: Thank you, Mr. Speaker.

On the resolution.

ACTING SPEAKER AUBRY: On the resolution, ma'am.

MS. WALSH: So I would like to begin my -- my brief comments, because we have five minutes each, with a quote. The quote is, "Our lives begin to end the day we become silent about the things that matter." And that's Martin Luther King. This resolution offers permanent changes without justification. As Mr. Ra stated, some bills are complex, many bills are complex, omnibus.

Think of the budget bills, think of us trying to address budget bills with multiple parts to them, still warm off the printers when we're briefed on them and then asked to go in and we're going to have 15 minutes each to be able to try to address those budget bills, to a budget that's developed essentially in darkness. This is equivalent to doing away with the filibuster where all that argument is going on at the national level, this is -- that's what this is right here. This isn't Democracy. This is not an adequate representation of the people that we are all elected to represent.

The word *stifle* was used before. It stifles the principal opposition. We are 150 diverse members from 150 diverse districts. This will limit our ability to be the principal opposition. How many times have we stood here on our side of the aisle and argued about bills and then we come back and we see the chapter amendment, the chapter amendment that reflects the exact debate that we brought to the floor. We serve a purpose. We serve a purpose and this is going to really hurt our ability to do our job and to represent the people that put us here. It's offensive. This is the People's House, but this is not going to be the People's House or the Assembly Chamber, this is going to be an echo Chamber. There will be no differing opinions allowed.

You know, everybody talks about transparency, that's a bunch of lip service because this hurts transparency. This hurts this Body, this hurts our work, and this hurts the people that have elected us. I cannot believe that this is being offered on the floor today and I

hope, I hope that this will be voted down. I obviously will be not supporting it, and I do hope that no matter what letter is after your name that you think about what your goal is in this Assembly Chamber and you vote no against these changes.

ACTING SPEAKER AUBRY: Mr. Angelino.

MR. ANGELINO: Mr. Speaker, on the resolution.

ACTING SPEAKER AUBRY: On the resolution, sir.

MR. ANGELINO: Thank you. As little as five years ago, I had no idea, no intentions and actually no desire to even be a member of the Assembly. After the 2019 bail reform which coincided with my retirement as a police chief, the activity that happened in this room and across the building propelled me to this position, propelled me to this position ahead of four others who challenged me. And it was because I promised that I would be the voice of the people of the 122nd District. That district's enormous and I travel and speak to a lot of people, countless numbers of constituents I've made that promise that I would be their voice in Albany, and I have documented almost 30,000 miles traveling across that district.

There are times that I've spoken with constituents about concerns. They -- they read the legislation, they're worried about it and there have been times that their voice actually came out of my mouth on this floor and I echoed their concerns to colleagues during debate, or also when I was on the bill. There's been times when I sat on this floor looking across during debate, listening



intently, that I've learned a lot about the diversity of the 150 members and the thousands of people each one of us represents. I hope that there have been times that people have listened to me and learned about some of the things that take place in my rural area. But I know I have learned a lot and by stifling me, it's taking away that voice of the 133,000 people I represent. And it's -- it's just unfathomable that we're doing this.

I only learned about this a matter of minutes ago that we were changing these rules, and as I walked here and contemplated it, I realized the gravity of what we were doing. We're taking away the People's voice in the People's House and we're limiting the amount of transparency to my constituents by doing this. I don't know how many times I've listened to colleagues on my side of the aisle ask the questions on the other side of the aisle and having the people on the other side realize they may have erred when they were writing their legislation and, lo and behold, the next time around we find out there's been an amendment that includes the exact questions that my colleagues asked.

My -- by limiting my ability to ask questions is harmful to the 133,000 people I represent. I can't believe this is happening in the People's House and I would urge all of my colleagues in this room, in the People's House of the New York State Assembly, to vote no on this and join me in voting this down. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Byrne.

MR. BYRNE: Thank you, Mr. Speaker, to explain my vote. You know, just to go down memory lane, a couple years ago before this pandemic, before all these restrictions, before this temporary change in our rules on how we voted, I remember partnering with my colleagues on the other side of the aisle to have a robust debate to protect our safety in hospitals. My colleagues from Westchester stood up proudly, they used two rounds of 15 minutes to debate something fiercely, tirelessly to protect their district. It worked. That bill was amended, it didn't come back from the Senate. It worked because they were passionate and they were fighting for their district. That was your members. Those were Democrat members. This isn't just disenfranchising the Minority, it's disenfranchising the voice of every single member in this Chamber.

No member shall speak more than once on any bill or amendment. Our State's budget last year was \$212 billion, the Executive's proposed at \$216 billion. I've debated budgets. Last time I tried to go through in, like, a super fast motion just to go through the Health Budget, couldn't get to everything we wanted. A lot of important changes, things that affect our local county health departments, various charities that do God's work helping people with lesser needs. This is a transformational change to how the members of the Assembly will conduct their business and vote. It disenfranchises each and every member, Majority or Minority, the Speaker, Majority Leader, Minority Leader. It limits our voice, it limits our ability to do our job and because of it, millions of New

Yorkers will have their voice weakened.

I vote no and I ask all my colleagues and every colleague that has ever gone to 15 minutes and has been shut down and told to sit down, I think they have an obligation to vote no.

ACTING SPEAKER AUBRY: Mr. Reilly.

MR. REILLY: Thank you, Mr. Speaker.

On the resolution.

ACTING SPEAKER AUBRY: On the resolution, sir.

MR. REILLY: Rules, rules that probably have to be followed now in this Chamber. We have a lot of rules in this Chamber that we have to follow. There are rules in place when the State of the State was given by the Governor to ensure that you had your mask on. The Governor stood in this Chamber without a mask on to speak. It's just one example that I think we all have to take into account here.

If we're going to have rules, let's have an open discussion about them before they get presented. You know, the mask is killing me talking here, I'm following the rule. Every bit of my fiber wants to rip it off because my glasses are fogging up. But let's get on this resolution, what happens if I'm debating and then another colleague decides to debate and it refreshes my memory about something I forgot to bring up, or during another debate something comes up and it's a valid point to raise. We now miss that opportunity. The people of New York miss that opportunity. All our

constituents, regardless of whether they have an R, a D, an I, a C or nothing, we are failing them if we don't allow their voices to be heard. Because that's our job here. And all I could say is, how many times -- or the question is asked how many times have we actually had that much of a debate where we went into over five, six, seven hours? And the bill that we did do that on deserved to have the light shined on them. That's the problem here, that if we don't shine the light then we don't know if they're truly the right thing. And yes, it's a save in time, I have two minutes and 30 seconds left, I will yield them back. Thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Gandolfo.

MR. GANDOLFO: Thank you, Mr. Speaker.

On the resolution, please.

ACTING SPEAKER AUBRY: On the resolution, sir.

MR. GANDOLFO: There are 150 members of this House, each duly-elected to come here and speak for roughly 130,000 New Yorkers about the issues that matter to them, because every single thing we do here impacts the lives of millions of New Yorkers whether you're rich, poor, middle-class, no matter what your race is. Everything done here deserves to be thoroughly discussed. We should be discussing these issues more, not less. This is the Legislature that brought bail reform, which has been a total disaster for our State. We passed budgets that include billions of dollars for illegal immigrants.

Why are we limiting debate? It's because you do not want the opposition shining the light on what's going on in the Capitol of New York.

So instead of tapping the debate time at 15 minutes per person, four hours total, we should encourage a more lively, productive discussion. How can any member of this Body go home to their constituents and when asked, *Why didn't you bring up this point on that bill, or why didn't you say something*, and your response is then, *Well, I wasn't allowed to speak, you know, too many people had spoken before me, sorry. The Majority just wanted to ram through their agenda*. And that's what we're doing here today, Mr. Speaker. I'm voting no on this and I encourage every single member of this Chamber who cares about Democracy and representative Democracy to do the same. Thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Lawler.

MR. LAWLER: Thank you, Mr. Speaker. And I do want to recognize your comments at the beginning of today's Session. I appreciate that, but the fact that this is the most important issue today that we're debating is a joke. It's an embarrassment and this Body should be ashamed of itself.

We are all elected in our own right. I wasn't elected by the Speaker or the Majority Leader. I was elected by the constituents who I represent. With all due respect to our Legislative Leaders, you were elected to your positions by us, by this Body. We

are not here to do your bidding, we are here on behalf of our constituents and to do their bidding.

We talk all the time about the need for transparency. This isn't transparent. These rules are an absolute joke. Rule VIII of the New York State Assembly exempts us from FOIL. The fact that we are limiting debate and trying to silence opposition, and to my colleagues on the left, let's be very clear, this isn't just about silencing the Minority. This is about silencing opposition within your own party. All of you progressives, self-invented Socialists, be very clear, this is very much aimed at you, too. And it's -- it's wrong. This is not how we should be governing. So many times I've heard in this Chamber, colleagues on the other side say, *We'll go through the Committee process*. Well, the dirty little joke is there is no Committee process. It's nothing more than a rubber stamp. The hysteria that ensues when somebody votes against a bill in Committee is laughable. Last year we overrode a vote in the Education Committee when the Chairman tried to stifle a bill that would require the Holocaust to be taught in our schools. Give me a break. We are the loyal opposition, there's no question about that, and part of our job is to point out the problems with legislation. If that was a true Committee process, okay, I could accept maybe some limitation on debate, but there isn't. This is our opportunity as individual members to raise concern, to raise issues that matter to our constituents.

I said when I ran for office that I would be up here every day debating these bills, debating these issues, that I will be a

voice for my district. It's a 2-1 Democratic district. You know why I got elected? Because my predecessor was a potted plant, that's why. And I said I would not do that. I don't care if I get redistricted into New Jersey. I don't care if I'm only here one term. I will be proud of the fact that I stood up and spoke out against the nonsense that comes out of this Chamber. Now, I voted with the Speaker 83 percent of the time last year, 83 percent as a Republican. It was one of the highest in my Conference. But on the 17 percent that I disagreed with him, it mattered to debate those bills. It mattered to point out the problems.

So I say to all of my colleagues, left or right, this is your one opportunity, your one opportunity to speak up and to have your voice heard for your constituents, not for your Legislative Leaders, not for your political party, but for the people who put you here and who are paying your salary. And I'll just leave you with this: Could you imagine the outrage on the pages of *The New York Times* or on Twitter if this was done in the State of Georgia? Or the State of Texas? Or the State of Florida? I guarantee you if I looked at the Twitter feeds of every one of my colleagues on the left, they would be screaming at the top of their lungs. So you know what? Do it for your own constituents and your own State instead of worrying about what they're doing in Georgia, worry about what we're doing here. Vote no.

ACTING SPEAKER AUBRY: Mr. Smullen.

MR. SMULLEN: Thank you, Mr. Speaker. Will the member from the 141st Assembly District please yield for a few questions? Madam Majority Leader?

MRS. PEOPLES-STOKES: Of course I will.

MR. SMULLEN: Thank you very much, I really appreciate it. The dialog to me is very important. Representing the 118th Assembly District, which is the Mohawk Valley and the Western part of the Adirondacks, the largest Assembly district in New York State by square miles, but the same amount of people. And my voice ought to be heard on behalf of my people in this Assembly. And I think it's really important that we discuss a couple, and I know I've only got a few minutes here because we've got five minutes for resolutions, but the -- the clause in the resolution that says when two-thirds of the members present authorize it, more time can be -- can be allotted. Is that people that's two-thirds present is on the floor so if we all voted two-thirds, there's more Republicans here than Democrats, would that carry the vote on the floor?

MRS. PEOPLES-STOKES: So the resolution before us today to change the rules will allow for each Leader to decide, that would be the Leaders on the floor, Mr. Goodell and myself, if someone needs an additional 15 minutes, they would be allowed that.

MR. SMULLEN: But the two-thirds provisions I think is -- is important because that's how we would get our colleagues on both sides of the aisle to get to that two-thirds number to be able to do it. Is that just members present or can they be present -- I know now you have to be here in person to speak, will that be the process going forward?

MRS. PEOPLES-STOKES: Sir, the resolution before



us today is literally allowing for members to have an additional 15 minutes should that decision be made by the leadership.

MR. SMULLEN: Okay, thank you very much.

MRS. PEOPLES-STOKES: You're very welcome.

MR. SMULLEN: Because my -- my concern here is how this is going to work on budget bills that are often brought under messages of necessity, and those bills, as one of my colleagues has mentioned, are often not provided until they are actually brought out onto the floor. And then the list of questions that we want brought out, and many of these things in the budget are -- are policy provisions which don't really have anything to do with budgeting, but they're -- they're policy that's brought through, you know, in the middle of the night sort of thing and it's really hard to make our -- our People's position known when there's only 15 minutes and we're doing these repetitive bills. Because the way I'm reading this, five hours and we're going to go ahead and go through a form of cloture to limit the debate. And just -- Mr. Speaker, on the resolution, so I may -- may finish.

ACTING SPEAKER AUBRY: On the resolution, sir.

MR. SMULLEN: Cloture, or closure, informally a guillotine, is a motion or process in parliamentary procedure aimed at bringing debate to a quick end. The cloture procedure originated in the French National Assembly, that was during the French Revolution when they were actually guillotine -- guillotining people, from whom the name was taken. It's French for *the act of terminating something*

and it was introduced into England in the Parliament in the U.K. to overcome the obstructionism of the Irish Parliamentary Party and was made permanent in 1887, and from there it came to our United States Senate where we know the term.

Well, we've never had cloture before here in the limiting of the debate in this Body, and I think overall that has been a good thing. Looking at the -- our Committee system, how we bring bills out, how we do chapter amendments, about how we make things better for our constituents, in my case on the Environmental Conservation Committee, chapter amendments are very important, Committee process is important, but the floor debate is where you can actually get the Governor's ear to perhaps take a second look at a bill. And if we're going to go ahead and we're going to reduce it and we're going to limit it to five hours, that's going to pressurize, particularly during the budget season, our process here in the Assembly. And it's going to cause not only a lot of internal consternation, whether it's from the Republicans or from the progressives or whomever, but it's going to cause a lot, a lot of confusion amongst the people.

ACTING SPEAKER AUBRY: Ms. Walker, why do you rise?

MS. WALKER: Will the gentleman yield for a few questions?

MR. SMULLEN: Most certainly, Ms. Walker.  
Thank you.

MS. WALKER: Thank you. I appreciate hearing

your history lessons (inaudible/mic not on) -- with respect -- I appreciate your history with respect to cloture. But there's another history with respect to legislative proceedings which involves filibuster. And the definition that I read for filibuster is it's a political procedure in which one or more members of a legislative Body prolongs debate on proposed legislation so as to delay or entirely prevent its passage. It is sometimes referred to as talking a bill to death and it is characterized as a form of obstruction in a Legislature or other decision-making Body. Are you aware --

MR. SMULLEN: Most certainly.

ACTING SPEAKER AUBRY: Ms. Walker, you -- you -- you used his last time to ask the question.

MS. WALKER: I'm sorry, sir.

MR. SMULLEN: You filibustered me.

(Laughter)

ACTING SPEAKER AUBRY: You just eliminated his opportunity.

(Laughter)

MR. SMULLEN: Mr. Speaker, may I sum up, please?

ACTING SPEAKER AUBRY: Please sum.

MR. SMULLEN: I thank you for the question because what we're trying to not do is to go into filibustering. If you give us enough time to -- to bring the -- the issues out, to make things better, then we won't have to go to the tactics of what happens in, say,

like the United States Senate with the filibuster and all the negative consequences that go along with it.

So what I'm asking is that my colleagues everywhere in the Body, we agree that we assemble, we're all equal as a -- one of 150 members on the floor and that we get, with freedom of speech, we get to represent our people in all these issues of the day that are brought before us. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Salka.

MR. SALKA: Thank you, Mr. Speaker.

On the resolution.

You know, it's protocol here when we open up Session to say a prayer, or to bow our heads. Sometimes we'll listen to clergy that's here, many times without so it's up to us to be able to contemplate in our minds why we're here. And I always ask the great -- the Great One, I call Him, to give me the guidance to have a proper vote, to have the wisdom to be able to make the right decisions in the best interests of the 130,000 people I represent.

So invariably, I always ask myself why are we here. We're obviously here to represent those people. We're obviously here to be a conduit. We're here to be, as elected representatives, their voice in this great Chambers. Now, I understand that unlimited debate is something that's possible -- not possible, obviously not just for the sake of time, but essentially what this does is this is what I call a modified gag order. This is not allowing representatives who have

been elected by the majority of their voters in their district to represent their voices in this Chamber. And this is contrary to why we're here.

And I guess the question is this, to why? Are we making these Chambers safer? I don't think so. Are we making these Chambers more efficient? I'd have to say no. Are we here really representing the people of the State of New York by limiting the amount of discussion, the amount of robust debate, what this Democracy is based on, the exchange of ideas, free speech guaranteed by the First Amendment. Are we really pertaining to those true values? Are we really adhering to those true values? And I'd have to say no. As we get into complicated issues like health care and education and infrastructure, to limit the amount of time that can be debated on those very, very important issues is just plain wrong. It's counterproductive and it's contrary to what this Body stands for.

Now, America didn't take five minutes to form, it didn't take 15 minutes to form, it didn't take 30 minutes to form. It took hundreds of years to develop this Democracy and essentially what we're trying to do here with this resolution is we're trying to undermine that time that's needed to debate the issues that are so important to maintaining the quality of that Democracy, to make sure that this country remains free, that we have robust dialog, that representatives from both sides of the aisle can look at each other, most of the time before the pandemic, obviously, but we can look at each other and we can really figure the best way to take care of the best interests of the people of the State of New York.

I will be voting against this resolution because this resolution flies in the face of a free Democracy. It flies in the face of free speech, and it flies in the face of why we're here as a Body to debate an issue, debate the issues and to make sure we do what's in the best interests of the people of the State of New York. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Ms. Miller.

MS. MILLER: Thank you, Mr. Speaker.

On the resolution.

ACTING SPEAKER AUBRY: On the resolution, ma'am.

MS. MILLER: You know, when I was younger I was taught a basic principal, treat others the way you would want them to treat you. And can I ask you honestly, if you're truly honest with yourself, if our roles were reversed for just this day for this rule, would you want this imposed on you? We were elected to represent all of our constituents, all of them, despite whatever party they're from. Limiting our only ability to disagree with certain legislation is silencing the voices of the New York State residents.

I have to say, you know, I'm watching this on Zoom. A lot of our members, I can see while we're debating this, we don't even have the respect of many of your attention. They're not even interested in what we're saying debating this rules change. They're talking on the phone, they're talking to other people. This is not

Democracy. Shame on the Majority. I am -- I am deeply disappointed. You're silencing New York State residents.

ACTING SPEAKER AUBRY: Mr. Lemondes.

MR. LEMONDES: Thank you, Mr. Speaker.

On the resolution.

ACTING SPEAKER AUBRY: On the resolution, sir.

MR. LEMONDES: Thank you very much. I, like so many of my colleagues, am worried about this. I -- I think it's a -- it's a chilling affect, it's an attack on inherent rights. It's a rule change, of course, but not one that benefits any citizen of New York State. I specifically believe it's an infringement on the First Amendment. And for the 133,000 people that I represent, they don't want me stifled. I am their voice in this House, and they want to make sure that their voice is heard.

This stifles free debate. And in order to solve problems, no matter whether it's a simple problem or a complex problem, you have to be able to listen. That requires respect. And then from that, you have free debates. And then hopefully after that, you can land on a good solution, or the best one for the most amount of people. Without the ability to interact, we can't solve problems on the -- for the benefit of our constituents in an optimal way. I will vote no on this because I believe it's an infringement on the First Amendment. I believe it stifles the professional interaction which we were all elected to perform and that the people's voice need to be

heard -- people's voices need to be heard through us. They cannot with this legislation. For that reason, I will vote no and I ask every single colleague to consider the same and vote no with me. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mr. Durso.

MR. DURSO: Thank you, Mr. Speaker.

On the resolution.

ACTING SPEAKER AUBRY: On the resolution, sir.

MR. DURSO: Mr. Speaker, on this resolution I have five minutes to speak. I promise you I will not take up all that time. Also on -- normally, we have two 15-minute time periods to speak. I can guarantee you right now I would never use that whole 30 minutes, that's just me, but I have the option to do it. I have the option to have the voices heard of my constituents. This is the People's House. It's pretty quiet, there's not many people in here right now, including our own legislators. Now, they're on Zoom, they're in their offices because we're limited in the amount of people that we can have in this room at one time. Up in the rafters, there's no one here. Out in the hallways, in the LOB, there's -- nobody's here, nobody's voices right now due to COVID are being heard. So our constituents come to us with their issues, with their problems, with their concerns. And we are their voices here in the Legislature. And to limit our voices for our constituents is a problem.



I was elected to this office by my constituents, like everybody else here, doesn't matter what letter comes after your name, to represent them and their needs no matter what party they are, but by silencing us, by silencing any member in this Legislature, you are silencing all the people that we all represent. Limiting our time from 30 minutes to 15 minutes may not seem like a big deal to a lot and again, like I said, I promise you, Mr. Speaker, I'll more than likely never use that 30 minutes, but it's there in case. It's there in case there is a bill that we are so passionate about, a bill that affects our area, affects our constituents, affects the people that we care about. Those are the people that elected us to represent them. I was elected by 130,000 people. Not every single person that voted for me was a Republican. I represent every single person in my district the same and I do with pride, but by limiting our voices, you are limiting the voices of the people that we represent. I don't think that anyone here should vote yes for that. You're voting yes to limit the voices of all our constituents in this Body. So I ask everyone to vote no. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Ms. Byrnes.

MS. BYRNES: Thank you, Mr. Speaker. May I be heard on the resolution?

ACTING SPEAKER AUBRY: Speak on the resolution, ma'am.

MS. BYRNES: Thank you. I appreciate the

opportunity. I don't think he's here now, but I know Mr. Heastie was here earlier, I wish he had stayed and was still in the room. In this Body, the Democrats outnumber the Republicans 107 to 43. We have no ability to stop a bill once it gets to the floor. But, it's been pointed out before, we can at least raise important issues. We can raise concerns and a lot of those bear fruit when the Governor's office makes decisions whether or not to sign a bill or veto a bill. So there is purpose.

I tell my constituents if they're electing me, even though I cannot affect policy in this State because I will be their voice. I'll be the voice for my region in Upstate New York State. I will be their voice. And I represent over 30,000 registered Democrats. We all represent about 133,000 people, men, women, and children. Many of my constituents are Democrats and they sent me here also to be their voice for our region, which may have dramatically different issues for Republicans and Democrats than it does in other places in the State. But they were united in sending me here. If this resolution passes, this will no longer be the People's House. Silencing opposition and silencing and limiting debate is the antithesis to Democracy.

ACTING SPEAKER AUBRY: Thank you.

Mr. Manktelow.

MR. MANKTELOW: Thank you, Mr. Speaker.

Would the Madam Floor Leader yield for a couple questions, please?

ACTING SPEAKER AUBRY: Madam Majority

Leader, will you yield?

MRS. PEOPLES-STOKES: Yes, I will, Mr. Speaker.

ACTING SPEAKER AUBRY: The Majority Leader yields, sir.

MR. MANKTELOW: Thank you Mr. Speaker, and thank you, Madam. Good to see you here and my condolences on the Buffalo Bills not --

MRS. PEOPLES-STOKES: No condolences necessary, it was a great game.

MR. MANKTELOW: So one of the questions that I've been -- we have listened to already is there are 150 members on this floor. If we're only allowed four hours of debate and each one of those members takes 15 minutes, who chooses the 16 members that are going to debate?

MRS. PEOPLES-STOKES: I think that would be up to the individual member if they choose to debate.

MR. MANKTELOW: So is it -- is it going to be done on who pushes the button first?

MRS. PEOPLES-STOKES: Again, that would be up to the member if they choose to debate. As a matter of fact, I want to say that most of your colleagues who have been debating the resolution before us today have not even used the five minutes that's allotted to them.

MR. MANKTELOW: No, no; I understand that.

MRS. PEOPLES-STOKES: Okay.

MR. MANKTELOW: But thank you. But on some of the bills that we've discussed in this -- in this Chambers, the vaccine bill, the Reproductive Health Act, all those bills, could you imagine only 16 members being able to debate?

MRS. PEOPLES-STOKES: Sometimes that's all it takes, colleague.

MR. MANKTELOW: I'm sorry?

MRS. PEOPLES-STOKES: Sometimes that's all it takes and our respective colleagues can -- can notice that and see that and choose not to insist on having 15 minutes or five minutes or three minutes. I mean, I'll honestly say I represent 130,000 people, too, and a lot of them watch this all the time and they want to know why is it taking everybody so long to say the same thing over and over again? And I said it's about debate and it's important, and I feel that it's important, but sometimes it's about debate and sometimes it's about grandstanding.

MR. MANKTELOW: Okay.

MRS. PEOPLES-STOKES: I'd rather stay on the debate.

MR. MANKTELOW: All right. Thank you, Madam Floor Leader.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. MANKTELOW: As the Madam Leader just stated, sometimes we hear it over and over and over and over on this

floor, especially during debates. But I can tell you what, that's where I learn, that's where a lot of us learn. I have learned so much about the word *discrimination*. I have learned so much about communities of color. So if this goes through and the residents in my district, as well as every district, how are we going to stifle those minority residents? How is it fathomable that on this floor we talk about the voices need to be heard, we talk about the right that they have to vote. They have a right to be heard here through their elected official. I don't care what part of the State you're from, I don't care what minority we're looking at. They have a right to be heard. And for everything I have heard here for the last four years about representation and about helping members of minorities, of communities of color, in my district we're going to take that away because if I don't have the opportunity to debate and let people know what's important to -- that these members know it was important to those individuals back in my district, how is that fair?

I just -- this is -- I don't understand this. And as I said, I have learned so much. When we vote here, it's not just about the members of our district, it's about all of them, whether it's the ones that are sitting at these chairs, the ones up in front of the Speaker's podium, the staff in the back, when we vote, we vote for each one of you. When we speak, we speak for each one of you as well. Do you want your voices to be heard or not? This is what this bill will do. How on Earth is this a good thing? How on Earth will this help all of New York move forward? How will we ever compete in the world?

How will we be the Empire State again?

So I'm asking all members, I'm not going to talk about aisles, please think about this, please vote no. This is not a good bill. And thank you for the time, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Giglio.

MR. GIGLIO: Thank you, Mr. Speaker.

On the resolution.

ACTING SPEAKER AUBRY: On the resolution, sir.

MR. GIGLIO: Thank you again. You know, I have been a here a long time now and every time I walk over from the LOB into the Capitol and these Chambers, I think about the people that have come before us and how we got to where we are now. And we like to talk in this Chamber a lot about how New York was a leader and that we led the way in the nation. And a lot of that history is true. So as I sit here today and listen to this -- this debate, I ask myself where are we going and why? And I really can't come up with a good answer. Because the people that came before us made tough decisions on this floor debating them. The people that occupy these Chambers, that occupy these seats are the people that make the future and it's very important to them.

So those that have came before us created all of this, this great New York State. And I wonder to myself, why would we change it that much? It gets tedious in here, no doubt; no doubt it gets

very tedious sometimes and you wonder, again, I don't understand why somebody would bring up this kind of rule, but I also know it's not a good rule because what we learn on these floors -- when I walk into these Chambers, a lot of times I haven't made decisions about the bills that we're going to be -- be before us. I make them after I hear the debate and they make good judgment. Sometimes I make them after the Majority Leader closes with some wisdom, or somebody else closes, or when the Speaker comes out and we open Session and we open it with all that hope. I don't want to lose any of that. I want to stand on the shoulders of the people that came before us. I want those now to work very hard for those who come after us and stand on our shoulders and we can be proud of the work that happens here in these Chambers. And I am proud of it and I am proud to serve and I am proud to sit in this seat. And I ask for everybody that comes from now on and that comes after us, they get the same opportunity that I have been God given and thankful to have.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Miller.

MR. MILLER: Thank you, Mr. Speaker.

On the resolution.

ACTING SPEAKER AUBRY: On the resolution,  
sir.

MR. MILLER: I have sat here and I have listened to this debate for an hour or so right now. And I think one thing that's

been said, my colleague to my right who just said it, I'm going to say it a little different way. I'm one member who is one of 150 who represents 19.2 million people, and we're making decisions for 19.2 million people here in this Chambers. And I don't care how long it takes for us to debate a bill, talk about a bill, argue about a bill, those 19.2 million people deserve every moment we can give them.

I'm just going to use my engineer background for a little while here. You know, when I first came to Albany, somebody asked me what I did. I told them I was an engineer. They said, *You're not going to fit very well here*. Well, I think I fit very well here and I'm very proud of being an engineer, and I'm extremely proud of being an Assemblymember. But the first thing we do is a root cause analysis. Okay, so our root cause is one round of 15 minute debate and can't do that with another 15 minute debate. That's an issue. And then we're going to come up with a corrective action plan. So we start asking ourselves some questions: What are we here for if not to debate and discuss crucial legislation? It takes time and we need to give each piece of legislation as much time as we can.

This is how we all come together, to debate and discussion. Learning takes place through informed debate and discussion which leads to a deeper understanding of these vast topics. New York is incredibly diverse, from urban, rural, a healthy, long debate is crucial to get both sides listening to one another and get all the viewpoints, facts and information to make informed decisions.

I represent the 101st Assembly District, and it's



probably one of the longest districts in New York State, if not the most diverse. I go from New Hartford, New York which is in the Mohawk Valley up by Utica all the way to Orangetown. Now, all that way, I go through many, many regions and we talk -- and we have different issues. I sit here when we're here in this Chambers or if I'm home virtually and I listen to every debate that takes place. And I listen to the points that are made and the questions that are -- that are asked and answered. We need to give those 19.2 million people their just due on this floor. And I urge everyone to vote against this resolution.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Ashby.

MR. ASHBY: Thank you, Mr. Speaker. Will the Majority Leader yield?

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes, will you yield?

MRS. PEOPLES-STOKES: Yes, Mr. Speaker, it would be my pleasure.

MR. ASHBY: Thank you. Madam Majority Leader, would you say that some of the debates that we have in here can yield some positive changes to the legislation that's best?

MRS. PEOPLES-STOKES: Yes; yeah, I do.

MR. ASHBY: Would you say that limiting debate could also limit positive changes to the legislation that is passed here?

MRS. PEOPLES-STOKES: No, I would not agree with that. I notice that many of the same pieces of legislation that we pass on regular basis year after year, or however much after the Senate gets done an hour or two, and they debate, too. So sometimes debate is necessary to be extensive, but I don't think this will be necessary to debates more extensive than 15 minutes per person.

MR. ASHBY: So just thinking back to the limitations that we've seen during COVID and during the many changes that this Chamber has seen during that time and our ability to debate that's been limited, and the number of bills that have been brought up that's been limited, and our ability to speak that's been limited, you don't think that there's any possibility that things have been lost on the people of New York because of these limitations?

MRS. PEOPLES-STOKES: Actually again, sir, I don't believe that there's been anything lost at all. I think probably once these rules were put into effect there was not TV time like it is now, there's not social media time like it is now. There was not A/V equipment sitting in and around our Chambers. There was not access to independent and individual radio and TV in the Capitol that members have the availability to use on a regular basis to communicate with their constituency. So you know, I think, you know what, sometimes times change and it's important that we move with those times to allow us to get through the same number of pieces of legislation that we can get through during the course of a year that will provide added value to the constituency that we all serve.

MR. ASHBY: And those measures are so important that they need to be made permanent, not like some of the other changes that we've seen over the last year or so during this pandemic where they've had sunset clauses and, you know, we're now making it permanents changes to here. I just -- I -- I think of all the things that have happened and the talk of overreach on both sides of the aisle, right, past administrations what they've done, and how something like that seems to resemble that type of overreach. It seems to resemble that type of attitude where, *We may not be interested in what you have to say, we're just going to try and push this through.*

MRS. PEOPLES-STOKES: Well, that's the furthest thing from my mindset, colleague. I am interested in what you have to say.

MR. ASHBY: Well, I -- I appreciate that. I also think of all the Bills fans last night, right, you being one of them, myself being one of them, who would have been grateful for an opportunity to reply, but they weren't able to, were they? I think they called it sudden death, right, and it seems to resemble a little bit what's going on here in terms of how we're limiting debate and limiting the ability of things to come through, would you -- could you see the similarity there?

MRS. PEOPLES-STOKES: Actually, they did have an overtime, but that time frame, as well, and rules, whoever makes the first score, the game is over.

MR. ASHBY: And that's just a football game,

Madam Majority Leader, we're talking about the State of New York.

MRS. PEOPLES-STOKES: It's just a game which we all enjoyed, and I'm not suggesting that, you know, anybody should be feeling bad here today, but I will say that I have been called a liar today, our former colleague has been called a potted plant, and this is all in the interest of debate? This is not debate in many cases. This is exactly what we go through on a regular basis, it's grandstanding.

MR. ASHBY: I don't think I'm grandstanding here, Madam Majority Leader. I appreciate you taking the time to answer my questions and for the debate.

Mr. Speaker, on the bill briefly.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. ASHBY: Mr. Speaker, I -- I know that the comparison of a football game versus what we do here in New York State may not be the best comparison, but I know that there's a lot of Bills fans out there hurting right now who may be able to connect with that. But I think we have to take this seriously in what we're looking at doing here in New York State and what we've all gone through over the last couple of years of how we've all been limited in our capacity in one way or another, and now again. Not just us here in the Chamber are we going to be limited, we are going to be limiting our constituents, at least the ones who are choosing to stay here in the State of New York. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Gallahan.

MR. GALLAHAN: Thank you, Mr. Speaker.

On the resolution.

ACTING SPEAKER AUBRY: On the resolution, sir.

MR. GALLAHAN: Thank you. I was elected in November of 2020 to represent the 133,000 constituents of mine in the 131st District, as 149 other members were also elected at that same time. Coming here from a background of many years in sales, 11 years as a -- as a town supervisor, it was always important to me to surround myself with people that were smarter than me so that they could get the job done so that I didn't have to work so hard. That's what business does. And part of that is letting your constituents or your -- your -- your -- your reports know what's going on.

So I came down here, I had the furthest thing from knowing what was going on because I never knew what was going on until I came here and had to ask my -- my colleagues here what was going on because nothing was ever told ahead of time, and I'll give you an example. A few Fridays ago, a few months ago I was entertaining at my home and -- and one of my constituents that was there came up to me on her cell phone and said, *Jeff, what's this?* I said, *Oh, that's a mask mandate from our Governor, our transparent Governor.* I didn't know anything about it. And it happened on this -- on this resolution today. I knew nothing about this until I walked in the building this morning. I'm not a little guy, but you could have

knocked me over with a feather.

If this resolution were to pass, there's a distinct possibility that I might not get an opportunity to debate a bill or a resolution with the time restraints that are proposed. This would preclude 133,000 constituents in my district from having their voices heard. They wouldn't be represented on that bill or that resolution, as well as many other districts, not just mine. This -- is this what you call representation? Absolutely not. You know what it's called? A gag order. All views and concerns should be heard. All Assemblymembers should have the opportunity to debate on this floor. Apparently, many members of the Assembly Body, they don't care about residents or opinions or views are, either positive or negative pertaining to these issues at hand.

Mr. Speaker, I'm in the negative on this resolution as in my opinion, all Assemblymembers and their constituents should have the opportunity to be heard on all bills and resolutions here in the Assembly Chamber. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Mr. Brown.

MR. BROWN: Thank you, Mr. Speaker.

On the resolution.

ACTING SPEAKER AUBRY: On the resolution, sir.

MR. BROWN: Mr. Speaker, today I rise on behalf of the 130,000 constituents from Long Island who have every right, just

like every other member of this House, has a right to be heard. Now, I've only been in office for a little over a year but I can tell you that I have not seen many bills that have even come close to the limit. My understanding is the SAFE Act, medical marihuana, and the marihuana bill that we debated last year were the only ones that came close. But the ability for people to rise and speak out, I -- to use the word, Mr. Speaker, I'm offended. I'm offended because I know for a fact that the Leader of our Conference was never, ever spoken to about this rule change until it was proposed. Was there ever an opportunity for compromise? Was there ever an opportunity for a discussion? No, none. This is one-party rule run amuck. This is about power. There is absolutely no justification, and the justification I heard earlier about the filibuster rules is nonsense. The filibuster rules of the United States Senate don't even come close to here. Every member has a right to vote, no member has the ability to stop a vote in this Chamber, the People's Chamber. But yet, that's the explanation we heard. Everyone has equal time for equal votes. One hundred and fifty people have a right to stand up and speak for 15 minutes and an equal right if they want to speak for an additional 15 minutes. This will have a chilling effect, this is designed to have a chilling effect, this is to stifle debate and nothing more.

I want to bring to your attention to all the members of this House that may not be aware, but I appear often in front of public forums and our own State, Department of State, the Governor herself and the Secretary of State has promulgated rules for public hearings,

and the rules say there's no limit on the amount of debate. There is, however, limits on speakers to speak for two to three minutes, but there's no overriding rule on the amount of time. And the reason for that is because in the discourse is where compromise comes in. In the discourse between people, rational people, there is an exchange of ideas, the mutual exchange of ideas.

I'm going to read you the definition of the Marketplace of Ideas if I can find it on my phone, and it says, *The Marketplace of Ideas: The concept that within a society different (inaudible) can freely compete with one another in an open, transparent, public discourse instead of being censored by the government or some part of society.* If that doesn't apply here, Mr. Speaker, I don't know what does. There's 19 million New Yorkers, 19 million people who need to be heard and many times, my understanding in the short time I've been here and during the debate, we bring up very good ideas, ideas that the Governor listens to that are made in a form of amendments to bills that are later taken up by this House, and the bills are of truth. And that's the whole point of the exercise. This resolution before us today is un-American, it's authoritarian, and it's undemocratic. It's a joke and I vote no. Thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Simpson.

MR. SIMPSON: Thank you, Mr. Speaker.

On the resolution.



ACTING SPEAKER AUBRY: On the resolution, sir.

MR. SIMPSON: The merits of working in the spirit of cooperation and collaboration is borne out of the idea that when we come together and share with one another a diverse set of ideas on a given subject, we will find common ground solutions that better represent us all. What is disheartening to me the most about this resolution is not that this significantly deflates that very spirit, it is that this resolution is a second step in deflating the spirit of civil discourse here in the State of New York. What began as a temporary measure is now being made permanent under the guise of having more time to get more information to our constituents.

I come from a district who just last week, one of the counties added an additional monthly county board meeting specifically for more debate and more discussion, more transparency; quite the opposite of what we're going to do today. I think they have it right, more debate, more discussion leads to better decisions, better decisions for the New Yorkers that we represent. I have the unfortunate distinction of not ever being able to represent my district in a non-COVID atmosphere. This resolution will make elements of the COVID-era governing permanent, not because it is what the voters have asked for, but because of what? This resolution has a deafening tone to it and I emphatically implore all of you to vote this down. Thank you, Mr. Speaker.

ACTING SPEAKER WOERNER: Thank you, Mr.

Simpson.

Ms. Giglio.

MS. GIGLIO: Thank you, Madam Speaker. Will the sponsor yield?

ACTING SPEAKER WOERNER: Does the sponsor yield?

MRS. PEOPLES-STOKES: Yes, I would like that.

MS. GIGLIO: Thank you. So how will the 16 people that will be able to speak within those four hours be chosen?

MRS. PEOPLES-STOKES: I'm sorry, could you repeat that?

MS. GIGLIO: How -- so there's four speakers an hour for four hours, 16 people plus the two Floor Leaders. How will those people be chosen to speak in a debate?

MRS. PEOPLES-STOKES: In the similar process that we use now, colleague. You push your button, your name goes on a list and you get an opportunity to speak.

MS. GIGLIO: So with the limited number of people that can be in the Chamber, how -- are we going to keep people outside that may have to rush in? Is it going to be like a game show where you have to rush in, everybody has to rush in and press their button first so they get to, you know, speak?

MRS. PEOPLES-STOKES: No, I think our colleagues are pretty good at keeping up with the Calendar and realizing when something is on the floor that they'd like to make

comments on, and they can come on the floor and do so.

MS. GIGLIO: I feel sorry for Wayne, he's got a tough job as it is and this just seems like it's going to be a little bit crazy in trying to figure out who is going to speak on what bill. But I thank you for answering my questions.

MRS. PEOPLES-STOKES: You're very welcome. By the way, Wayne has a lot of experience, he's used to a tough job, he can do it.

MS. GIGLIO: So I understand that we want to move bills along and I understand that sometimes debate can take some time and we feel that some people grandstand, but that's their right as an elected official, to speak on behalf of their constituents. We -- we debate very few bills in a Session and I just don't understand why we always start late and we always leave early, and then it comes to the last month or the last two months of Session and everybody's running around crazy. And it just doesn't make sense to me that we always start late and we always leave early. If we want to debate more bills, we should be doing our jobs and we should be in the Chamber doing it.

Sometimes you can't get answers from the sponsor. I mean, I'm new at this and I -- I listen to what everybody says and some sponsors of bills are very good at running around the circles without actually answering the questions and I think it's very helpful when my colleagues pick up on that and may follow up with a question to where they can get the answer for me if I'm not able to get

the answer that I'm looking for, or that I need to really understand what's happening. And I learn from listening so I -- I appreciate the debates and sometimes I change my decision on bills and vote with the Majority because I listen to the debate and I take everything into consideration. We have different challenges and unique districts and every bill that's passed applies to a district in a different way. So we need to get the answers for our constituents so we can bring it back to them and say, you know, we -- we need to get the answers, we need to know how it's going to affect the people in our districts.

I debated a bill and when I said I wanted to debate, the floor speaker said -- the Floor Leader said, *Why do you want to debate this bill, this bill has passed unanimously since 2014 every single year.* And by the time I got done debating the bill, many of the membership on both sides voted against the bill. Debate is important, it really is and it really -- it brings things out that somebody may have not looked at it in that particular way.

There's a lot of talk right now about voter suppression and I really feel that this is suppressing my right to speak as an elected official, suppressing my right to speak on behalf of my constituents. And we talk about filibuster, you know, the Federal government couldn't stop the filibuster without the votes, they didn't have the votes and in my opinion, this is a way of getting around Democracy by changing the rules. I vote no and I ask my colleagues to do the same. This is sending a message to all of us that they really don't want to hear what you have to say and I just think it's wrong. Thank you.

ACTING SPEAKER WOERNER: Thank you, Ms. Giglio.

Mr. McDonough.

You need to unmute, Mr. McDonough.

You're still muted.

Mr. McDonough, sir, could you unmute your Zoom?

There we go.

MR. MCDONOUGH: Can you hear me now?

ACTING SPEAKER WOERNER: We can, sir, thank you.

MR. MCDONOUGH: I'm sorry. They weren't allowing me to unmute for a moment there.

Thank you, Madam Speaker. I'd like to talk about the resolution, please.

ACTING SPEAKER WOERNER: On the resolution, sir.

MR. MCDONOUGH: Okay, thank you. And would the Majority Leader please yield for a question?

MRS. PEOPLES-STOKES: Yes, of course.

ACTING SPEAKER WOERNER: The Majority Leader yields.

MR. MCDONOUGH: Thank you, Madam Leader. I'm curious. I'm not there because of COVID so I'm doing this by Zoom, but I have watched every Session every day that I'm not there and I'm very curious because I've been here 20 years in the Assembly

and I've never seen a debate where not one person in the Majority has spoken. And I think that's rather unusual and it raises the question have they been instructed or recommended not to speak on this bill? I can't believe that over 100 members of the Assembly, two-thirds of the Assembly, nobody has an opinion to speak out on this bill other than yourself and I'm curious, was there any instruction to these people not to talk on this bill?

MRS. PEOPLES-STOKES: Sir, that's not an instruction that I or Speaker Heastie would give to our colleagues. That is their decision and, by the way, they still have time to weigh in.

MR. MCDONOUGH: Well, I thank you. I've never seen that before. Thank you.

Madam Speaker, on the resolution.

ACTING SPEAKER WOERNER: On the resolution.

MR. MCDONOUGH: I will echo all of the things that my colleagues in the Minority have spoken about, and I won't repeat them all, but this is a very, very unusual day. And as I said, I've been here 20 years and I've never seen it happen this way. So it strikes to me that this was something told to them originally or none of them have the courage to speak out about the bill. But Madam Speaker, I am opposed to this bill and I join my colleagues, and I also ask all of the people in the Chamber to think twice about this and vote no. Thank you very much.

ACTING SPEAKER WOERNER: Thank you, Mr. McDonough.

Mr. Smith.

MR. SMITH: Thank you, Madam Speaker. I rise today -- oh, on the resolution.

ACTING SPEAKER WOERNER: On the resolution, sir.

MR. SMITH: Thank you. I rise today to express my deep concerns about this proposed rules change, this resolution. As a member of the People's House, I'm very concerned that this would limit just by design the ability for all 150 members to speak on issues that are important to the people that they were elected to represent, over 20 million New Yorkers as of the last Census. And I find it ironic and interesting because it's almost an inverse relationship because the issues that are the most significant, the most controversial are issues where members on both sides of the aisle would like to express either support or opposition, concerns, questions, and I think that that's the type of relationship that we've always had in this Chamber, a very cordial discussion. It's something I admire when I bring back home to my district is that when we debate on issues that are important to New Yorkers in this Chamber, we do so on the issue. We never make it personal and we, you know, we make efforts to stay on topic and with respect to that. I've never seen any effort to filibuster with a coordinated effort where hours and hours and hours were spent just trying to wind down time. You know, under the math, it could be numerous if every member on both sides of the aisle decided to speak on something, but I don't think there's any evidence

of that at least in the last ten years where I've either been a member or involved with this legislative Body.

So I think that this is something that is a really moot point on that end. So the question is if this rules change is needed, then that's simply to silence debate on controversial topics. So I think as a member and all of us as members of the People's House, we really have to consider that.

The final comments I'll say, and my wife -- two things my wife says I'm very good at, number one is speaking about things and number two is -- she always tells me I have a very high tolerance for boring things so in that regard, joking aside, I think it's our responsibility to listen to every member. Part of our job is not just to speak out and to give a voice to our people, it's also to listen to one another and to form an advised opinion. So I take great pride and pleasure in listening to what my colleagues have to say on any number of topics, whether it be single-payer health care, the marihuana debate, the SAFE Act many areas ago, listening because even -- and especially if it's an opinion that I disagree with, I really want to hear where the person's coming from.

And I guess I will conclude my comments by saying over the last 200-plus years as a nation, we continue to represent and to be that more perfect union and at a time where there are many marginalized communities across the State, across the country, we strive, all of us in our own way to give a voice many times to those who do not have a voice. And by doing so, that has advanced this



American experiment and made our country a much better place. For that reason, I think we need more debate and not less so I will be voting no on this resolution and I would encourage my colleagues to do the same. Thank you.

ACTING SPEAKER WOERNER: Thank you, Mr. Smith.

Mr. Montesano.

MR. MONTESANO: Thank you, Madam Speaker. May I speak on the resolution?

ACTING SPEAKER WOERNER: On the resolution, sir.

MR. MONTESANO: Thank you. You know, I'm not going to repeat what many of the members have said so far tonight, I'll just echo their comments. This is my 12th year of being here and I know we've had some late nights, especially during the budget season, of debating bills. I remember times we went 22, 23 hours straight and were leaving here at 6:30, 7:00 in the morning when the day staff was walking in the building. So -- and I understand that frustration, you know, maybe with the other side of the aisle, maybe with the leadership, that this goes on. Last year we had a very contentious budget debate and it went back and forth, it was on both sides of the aisle because not everybody knows what's in those bills until the last minute. I remember sitting here 2:00 in the morning and another budget bill comes out this big, and that's the first time that our analysts and our Ways and Means people are getting to see that piece

of legislation, and everybody has to take a piece of it and sort through it so we can develop our questions.

Now, even in Committee, we've had many lively debates in Committee that have changed the minds of the people on the other side of the aisle, on the Majority side of the aisle. I debated a power of attorney bill once in Codes for 45 minutes straight and the members of the Majority side started looking at each other, because they didn't realize what I was pointing out was actually in that bill. And the Chairman who is now retired looked over his shoulder to his legal counsel to ask what I said if it was accurate or not and he was told yes, he immediately pulled the bill off the Calendar, and that's happened on more than one occasion because we get informed through debate of where there's something wrong with a bill, where there's an irregularity.

You know, I'll say from my side of the aisle, thanks to our staff we're very well-briefed and filled in about every bill that hits this floor. Maybe on the other side of the aisle you're not and it may be intentional or not intentional that you're not fully briefed, but you need to hear, as we go back and forth, what's in these bills because sometimes they're all not what people think they are. The way they're presented to you, you get one or two lines on the Calendar or the way that you get them in a Conference, that information is not always the same as what you think it is unless you flush out the bills. And some of these bills need to be flushed out on both sides. There were times I sat here, my colleague said before from Upstate, our

votes change while we're sitting here. I come in with the idea I'll be voting no on a bill and then when I listen to both sides of the aisle debate it, a piece of information comes out, I check it, my vote is changed; many a times I go up and many times I go in the negative. But for this House to take this position and say we're not going to allow this anymore, this further (inaudible), I just don't understand where you're going and how the Majority will vote for this and then go home to their constituents. It's the Majority side as well as our side, it's our jobs around this whole State to flush out the information on these bills. We all know on our side that you have the votes to pass anything you want. You don't really need us, we could be out of here for a month straight and you could pass any piece of legislation you want, both in the Committee and in this House with a rare exception, all right. It's just designed that way. You never let it happen, you never let a bill come to the floor without 76-plus votes. You don't want to count on us for any -- we know that. So our job is to bring to light where the deficiencies are in these bills, where the bad stuff is in these bills, and then sometimes we persuade you and I've seen -- it's a rarity, trust me, a rarity, that a bill gets pulled at the last minute because it can't get the votes.

The previous speaker of this House who I understand is no longer with us who passed earlier today, when he took his seat after he resigned being the Speaker, right over there in that corner, and debated one of his own party members on a bill, that bill died on the floor because he put out information about that bill the rest of the

members on that side of the aisle were not aware of. So that's the whole idea of the debate. So I realize, you know, we can sit here for hours and, you know, it was talked about filibuster, look, I'd be the first to tell you, you know, from sitting here all these years. There's times I want to bang my head on the table when these things go on and on and on. Trust me, I get it. I'm no fan of it, but it's the necessary job that we do. I used to have a member sitting behind me who was a dentist. I used to -- it was like getting a root canal from him without anesthesia with some of these bills that would go on.

So a lot of us know that that have been here long enough of how these things can carry on and I understand the frustration, but it's our job -- it's our job to flush out the information and if, you know, other members decide, you know, (inaudible) not caring what the piece of legislation says, that's their prerogative and they'll have to answer up for it later on to their constituents. But on the Minority side, it's our job to bring this stuff to light. And there is a lot of stuff that comes out on this floor that's superb, they're excellent ideas, and we jump right behind it. And I heard a colleague before, he said he votes 83 percent of the time with the Speaker, so do many of us because they're good bills, they're legitimate bills, we're proud to stand behind them, we're proud to support them.

But there are times that ideas come out that just don't make it and that we have to -- we have to speak about. And as, you know, sometimes it's distasteful, sometimes we don't want to hear about it, but, you know, it's that type of job that has to be done.

So I would ask you all today that no matter what you would explain to about why this is a good resolution and why you should be voting for it and why maybe you shouldn't be criticizing it, think of yourself as an individual, of why you're here, who you're answering to. Everybody in this House is educated. Everybody has degrees, many have professional degrees and education in law and in many other different fields. We've had many in the medical profession who sit in this room, so it's not that we're not an educated Legislature --

ACTING SPEAKER AUBRY: Mr. Montesano, would you wrap up, you've gone a little past your time.

MR. MONTESANO: I'm sorry, I apologize, I didn't hear the buzzer.

So I would just ask that, you know, we all think hard about this and I'll be voting in the negative and I ask all my colleagues to do the same. Thank you, Mr. Speaker, for the courtesy.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Schmitt.

You're now at a minus from Mr. Montesano's time --

MR. SCHMITT: Thank you, Mr. Speaker. Would the Majority Leader yield for a few questions, please?

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes, will you yield?

MRS. PEOPLES-STOKES: Of course I will, Mr. Speaker.

MR. SCHMITT: Thank you, Madam Majority Leader. Just for clarification, it would be four hours of traditional debate, correct, that would be the overall time limit, plus an additional one hour of explanation?

MRS. PEOPLES-STOKES: Yes, that would be right, sir.

MR. SCHMITT: Now, that additional hour would only be used for an explanation if -- there's no crossover between uses, is that -- would that be correct?

MRS. PEOPLES-STOKES: Yes. Traditionally, it's started by *to explain my vote*.

MR. SCHMITT: On the first person once that starts, okay. Is -- has this Chamber ever previously had an overall time limit restriction for individual bill debate?

MRS. PEOPLES-STOKES: Not that I'm aware of, sir. I debated a bill last year that took six-and-a-half hours.

MR. SCHMITT: I do remember that and a few others that went for -- for some time. What was the methodology or the source -- how did we come up with a four-hour/one-hour, what was the basis for that instead of three and two, or seven and one?

MRS. PEOPLES-STOKES: I think the basis generally is that that would be an appropriate amount of time to -- for members to raise questions and have them answered.

MR. SCHMITT: Based on an average of debate?

MRS. PEOPLES-STOKES: Based on the number of

members who serve in our Body and based on the number of members who serve in the Senate who get the same things done with less time.

MR. SCHMITT: Does the Senate currently have an overall time limit on debate per bill?

MRS. PEOPLES-STOKES: Yeah, they have two hours for an entire debate and this has been consistent, nothing has changed for them, and they have two minutes to explain their vote.

MR. SCHMITT: Now, my calculation is that the minimum amount of people who might possibly be able to debate would be 16 if the first 16 people came in and used the full 15 minutes. Is the process for counting this time going to be through the Speaker, or how will that be tracked, how much time has been (inaudible)?

MRS. PEOPLES-STOKES: So your question is for your opportunity to have spoke -- spoken already on a debate for 15 minutes, if you needed to have more time to do that, that would be a conversation for you and Mr. Barclay or Mr. --

MR. SCHMITT: Just to clarify. There's four hours overall that anyone can debate on either side. Who is it responsible for maintaining what -- when that starts or when that ends or when it's been reached?

MRS. PEOPLES-STOKES: Well, I think once we all understand the rules, we will be considerate of each other, and 85 of us would not want to use 15 minutes. As a matter of fact, I have mentioned this earlier on the floor, we have five minutes today to

debate this resolution and the vast majority of our colleagues have not used the entire five minutes.

MR. SCHMITT: The -- my other question is say we're nearing the end of the four hours and you, me, any member gets up for their chance, they get the chance to speak and there's only three minutes left in that overall four-hour period. How is that going to be adjudicated? Would they still be able to finish out their questioning time or would they lose their overall 15 minutes and just be kept to whenever the time limit is or will someone not be brought up if they use their full 15?

MRS. PEOPLES-STOKES: You probably just noticed it, the gentlemanly attitude of our Speaker when the last colleague was over his five minutes, he did not start sounding the gavel to have him sit down, he allowed him to complete and reminded him that he was at the time, the gentleman said okay and he finished up. And so I agree it's that kind of cordial conversation that we'll have amongst each other to follow the rules.

MR. SCHMITT: Thank you, Madam Leader, for answering some of these questions.

MRS. PEOPLES-STOKES: You're very welcome, sir.

MR. SCHMITT: Mr. Speaker, on the resolution.

ACTING SPEAKER AUBRY: On the resolution, sir.

MR. SCHMITT: Historically, our country has



benefitted and embraced vigorous and many times exhaustive debate from our very founding. I think that is something that we should keep in mind as we consider any resolution to limit the potential for members of either party to be able to fully embrace their Constitutional role as a member of the New York State Assembly. For that reason, I will be opposing this resolution when it is brought to a vote, and I appreciate your time this afternoon.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Palmesano.

MR. PALMESANO: Oh, I'm sorry.

ACTING SPEAKER AUBRY: There we go, I'm sorry.

MR. PALMESANO: Sorry, I didn't hear you.

You know, Mr. Speaker and my colleagues, I'm proud to serve in this Body, but this is a sad day for this institution. You know, last year we said this was going to be temporary because of COVID, because of safety reasons. But you clearly were not telling the truth, period. This is a stain on this institution. This is a black eye today. Simply put, you do not want accountability. You do not want transparency. You do not want to answer questions. With this action, you are silencing the voice -- the voice of members representing millions of New Yorkers across this State. You're limiting debate. You're limiting time for members to speak, you're limiting time overall; that's wrong. You're controlling the debate by controlling the time for members, limiting who can speak, basically restricting it to

about 16 people. And how is that fair when we're talking about controversial issues?

When I think about our budget process, we have a \$216 billion budget we're going to be dealing with and it impacts every New Yorker from our small businesses, our farmers, our manufacturers, our seniors, our veterans, our families, our children, our schools and you're deciding 15 minutes is enough and four hours is enough to debate in length on some of these things? Who are you to decide? Why are you afraid of accountability? You know, I know the Majority Leader mentioned about grandstanding with debate. Let me be clear, that's nonsense. During debate, we ask thoughtful, deliberate questions to get answers, to have transparency for the people we represent, and how these policies impact them, to point out problems in the legislation to hopefully make -- offer corrections and things to fix it. Last week we voted on voting rights issues and you talked incessantly about transparency and Democracy and how important it was, but it seems like you're only interested in transparency and Democracy when it fits your ideological interests, your narrative, and your talking points. Shame on you.

You control the process, you control the votes, we all know that. So why are you now afraid of debate? Why are you now afraid of accountability? To stand up and answer questions that defend bad policy, or good policy if it's from your perspective. You know, I don't use 15 minutes very often. I did it for the CLCPA to talk about the -- the impacts on affordability, reliability, our energy

policy, I did it on the farm labor bill to talk about the survival of our family farms which 98 percent of our farms are family-owned farms.

You know, we took a moment of silence earlier today for that -- two NYPD officers who were shot, one was killed, one hanging on for life, a discerning pattern of violence we're seeing around the State and this is your priority, to limit debate on important policies like criminal justice policies that are important to the safety of our citizens? You don't -- it's almost like you don't want to hold anyone accountable. Your policies certainly don't want to hold criminal -- criminals -- the violent criminals accountable and now you don't want to have accountability for yourself. (Inaudible) serious crimes. Silence. Just like there's silence here today. You simply don't want to answer tough, challenging questions on bad policy or defend the policies that you support and put out press releases on after.

A free and open debate is critical to provide transparency to the public, to -- critical to providing answers, critical to our Democracy and what our government is about, "We the People," and you have decided here today that the public doesn't have a right to know, you do not deserve to know. What you're doing here today is wrong and you know it.

And I said before, enacting this resolution is a stain and a black eye on this institution, period. And again, I have been so proud to serve here, but this day of January 24th is going to go down as a sad day for this legislative Body. You have made a clear

statement with your action here today to damage this institution forever and to tell the public that their voice and that the voice of their representatives does not matter, no matter what the issue is, no matter how far impacting it is or controversial it is. You're definitely disenfranchising New Yorker's voices by this action today. You are hurting our Democracy saying transparency doesn't matter and it isn't important. Shame on you. This is wrong. I vote no.

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker.

On the bill.

ACTING SPEAKER AUBRY: On the bill, sir -- on the resolution.

MR. GOODELL: Thank you, Mr. Speaker. There should be absolutely no misunderstanding at this point that this bill cuts the debate time for all the members in this Chamber in half, with two exceptions, and limits the total amount to just 16 legislators to use their full allotted time. What about the other 134 legislators? What about their rights to stand up and ask questions or express their opinions. And in reality, it's more than 134 because the total time is not measured by 15 minute increments, it's measured by the clock and so if there's a few minutes between each person being called, more than 135 of us, the vast majority of our members will have no opportunity on the floor of the Assembly to speak on behalf of their constituents. That is not open, transparent, welcoming government.

What are we afraid of? Are we afraid that we might

have to sit in this Chamber and listen to other colleagues, more than 16 of them at a time, are we afraid of that? Are we worried that there might be points that are brought up that might be embarrassing? What are we trying to hide? Why are we so focused on limiting public debate? Now, I understand that we deal with controversial issues all the time and that some of us might think that 15 minutes is a lot of time. And for a simple bill, it would be, but what about our budget bills? Everyone on the floor of this Legislature knows that the Article VII Budget Bills normally contain almost the entire legislative agenda of the Governor, which is why the Public Protection and General Government Budget has 28 separate parts. Or the Education, Labor and Family Assistance has 32 separate parts. Or what about the State Health and Mental Health that has 43 parts? So think about that, you have 15 minutes to debate a bill that has 43 separate statutory provisions, that gives you 20 seconds for each one of those sections.

And what are we afraid of? Surely all of us have time to listen to the -- and respect the comments of our colleagues, surely. Just three years ago we were all blessed with a 40 percent increase in salary, and for \$110,000 we don't have time to talk about any bill more than four hours? Really? What is it that prevents us from allowing more than 16 members to speak for 15 minutes? Why do we want to gag or silence the vast majority of members who travel here from every corner of the State and bring the concerns and interests and objectives of their constituents? In the past, we would have a legislative Calendar, we'd call it Open Meetings Law, or Open

Sunshine Week or something along those lines -- Sunshine Week. This is the opposite, isn't it? It's not about bringing sunshine in, it's about closing debate.

Now, what I find frustrating, and I'm sure it's frustration shared by all my colleagues on both sides of the aisle, is that while every business in the State of New York is allowed to be open, the public cannot go into the Legislative Office Building and meet with us. There's armed guards checking ID to make sure that no member of the public can meet with us in the Legislative Office. And there's armed guards making sure that no member of the public can come into these Chambers and meet with us. And now we're taking the next step by saying only a few members can speak on any bill. That's the wrong direction, I think. And so I urge all my colleagues to vote against this resolution. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. I realize that, you know, we have an important topic here before us. I do take exception to my colleagues who want to assume that this is somehow taking away their opportunity to speak to their public, to speak to their constituencies; I think just the opposite. I think what this allows us to do, there are a lot of our colleagues who have very important legislation that impacts them specifically and sometimes just their district that they'd like to see moved and because we have so many pieces of legislation before us and so many

discussions, sometimes we're not able to get to everything. I have been here when we were here until 5 and 6:00 in the morning. I'm one of the people who was still debating a bill for six-and-a-half almost seven hours. So it's not about not getting people an opportunity to communicate. It's about being more, if possible, expedient.

I mentioned this three times already today, I'm going to say it again because I think it's very informative. Everyone had five minutes today on this debate and honestly, only three people used the entire five minutes. So to suggest that we don't have enough time to debate a bill when we're all adults, we all know what the problems are when we come here, we all know the questions that we want to have asked and answered, I think we can get that done in five minutes. And so for the constituency that may be still listening to this debate, which sometimes when grandstanding, all of our decorum, because we don't call people names on this floor, but I've heard it three times today, for those who are still listening, to take this for sure. This is not about limiting public anything. This is about going to work for the People in the People's House, for the People, not just the people that I personally represent, but the people that my colleagues represent as well.

This will bring value to our process. This will not detract from it. And I know people want to make you feel that way because change is always a little difficult to deal with, but that doesn't mean it's not the right thing to do. This is the right thing to do, and I'm encouraging all of my colleagues, even those who think that we

somehow don't want you speaking, we do want you speaking, we need your voice, to vote yes on this resolution.

Thank you, Mr. Speaker.

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

The Clerk will record the vote on Resolution No. 493. This is a Party vote. Any member who wishes to be recorded as an exception to the 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 is generally opposed to this legislation. If there are any members who support it, they are encouraged to call the Minority Leader's Office and we will ensure that their vote is properly recorded. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you, sir.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: (Inaudible/mic not on) -- our colleagues that this is a Majority vote in favor of this legislation; however, should members decide to do otherwise they should feel free to contact the Majority Leader's Office and we will make sure their vote is properly recorded.

ACTING SPEAKER AUBRY: Thank you so very much.

(The Clerk recorded the vote.)



Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker. Please record my colleague, Mr. Brabenec, in the affirmative on this resolution.

ACTING SPEAKER AUBRY: So noted, thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The resolution is adopted.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Do you have any further housekeeping or resolutions?

ACTING SPEAKER AUBRY: We have one piece of housekeeping and numerous fine resolutions, we will take up the housekeeping first.

On a motion by Ms. Simon, page 26, Calendar No. 100, Bill No. A2251, the amendments are received and adopted.

We have numerous fine resolutions. On the resolutions, all those in favor signify by saying aye; opposed, no. The resolutions are adopted.

(Whereupon, Assembly Resolution Nos. 487-488 and 493-503 were unanimously approved.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, could you please call Mr. Goodell for the purposes of an announcement.

ACTING SPEAKER AUBRY: Certainly. Mr.

Goodell for the purposes of a announcement.

MR. GOODELL: Thank you, Mr. Speaker. I wanted to remind my Republican colleagues that we are having a budget briefing in 15 minutes, starting in 15 minutes. This is a Zoom budget meeting and briefing. Every member in the Republican Caucus can ask questions without limitation, but we do ask all of them to show respect. Thank you, sir.

ACTING SPEAKER AUBRY: Republican Conference after Session unfettered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. I would like to remind my Democratic colleagues that there will be an immediate Conference in hearing room. Members should make their ways there. And to my colleagues on the other side of the aisle, if you have any questions, you should feel free to ask me. I'll provide an answer if you've got an answer.

ACTING SPEAKER AUBRY: Democratic Conference immediately following Session, also unfettered. Thank you.

The Assembly stands adjourned.

(Whereupon, at 5:12 p.m., the Assembly stood adjourned.)