

TUESDAY, MARCH 15, 2022

11:33 A.M.

ACTING SPEAKER AUBRY: The House will come to order.

In the absence of clergy, let us pause for a moment of silence.

(Whereupon, a moment of silence was observed.)

Members are invited -- guests 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 Monday, March 14th.

Mrs. Peoples-Stokes.

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

dispense with the further reading of the Journal of Monday, March the 14th and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir.

Colleagues, I'd like to share a quote with you today. This one is from Charles Hamilton Houston. Charles was a prominent African-American lawyer. He was a dean at the Harvard University Law School and NAACP's first special counsel. He transitioned way back in 1950, but his words today are very appropriate as they were when he said them. I hope that we can get past it but right now we're still here. These words say: *The race problem in the United States is the type of unpleasant problem which we would rather do without, but which refuses to be buried.* We still have time to bury it, I hope we'll eagerly work on it, Mr. Speaker.

Colleagues should also be mindful that you do have on your desk a main Calendar and you also have a debate list. After housekeeping we will take up resolutions on page 3. We may have colleagues who desire to speak. We will then consent new bills beginning with Calendar No. 464 which is on page 45. Colleagues should also be mindful that the Speaker has announced today's schedule of Joint Budget Subcommittees and we should be -- remember that they are going to start today at 1:00.

So, Mr. Speaker, if there are any additional floor

activities that need to be announced, I will advise. However, that is a general outline of where we're going to go today. And if you have any housekeeping or introductions now would be an appropriate time.

ACTING SPEAKER AUBRY: I do believe --

MRS. PEOPLES-STOKES: Thank you, sir.

ACTING SPEAKER AUBRY: We will do housekeeping later, but I do believe we have introductions.

Mr. Gandolfo.

MR. GANDOLFO: Thank you, Mr. Speaker. We're joined in the Chamber today by my son Leonard Gandolfo and my wife Natalia Gandolfo. She's back there hiding. So Lenny's very happy for his first day of Session and I hope you'll extend all the privileges of the floor to him.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Gandolfo, your father, and to your wife we welcome you here to the New York State Assembly. We extend the privileges of the floor. You are more than welcome. We believe in beautiful babies; obviously this family produces beautiful babies. Thank you so very much for sharing, both of you coming -- sharing with your husband and your father this opportunity. We hope you're as proud of him as we are. Thank you so very much.

(Applause)

Mrs. Peoples-Stokes for an introduction.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker, for the opportunity to interrupt our proceedings for an

introduction. I'd like to introduce a -- a new friend. His name is Damian Fagon. Damian is a board member with the New York State Cannabis Growers and Processors Association. And he's a -- the Venture director at Hope -- the Hope Program in South Bronx. He's also an adjunct professor at Medgar Evers College.

Would you please welcome Mr. Fagon to our Chambers, sir?

ACTING SPEAKER AUBRY: Certainly. On behalf of Mrs. Peoples-Stokes, the Speaker and all the members, we welcome you here to the New York State Assembly. We extend to you the privileges of the floor, commend you on your accomplishments and the work that you're doing. Hope that you will continue that work and continue to make this a better state. You are always welcome here. Please know that whenever you come back we'll be happy to have you. Thank you so very much.

(Applause)

Page 3, Calendar -- Assembly No. 645, the Clerk will read.

THE CLERK: Assembly Resolution No. 645, Mr. Santabarbara.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim February 20-26, 2022 as Engineers 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. 647, Ms. Giglio.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim March 18, 2022 as Recycling Day in the State of New York in conjunction with the observance of World Cycling [sic] Day.

ACTING SPEAKER AUBRY: Ms. Giglio on the resolution.

MS. GIGLIO: Thank you, Mr. Speaker. So, in full accord with its longstanding traditions, this Legislative Body is justly proud to memorialize World Recycling Day on March 18, 2022 in the State of New York. World Recycling Day will be celebrated at a recycling and upcycling event hosted by the Tesla Science Center at Wardencllyffe in Shoreham, New York. The Tesla Science Center at Wardencllyffe was founded to restore historic Wardencllyffe site and open a Tesla Museum and Science Center. Through generous contributions from businesses, community leaders and the People's Republic of Serbia where Nikola Tesla was born, the Wardencllyffe property was purchased in 2013 and volunteers began cleanup efforts. Volunteers have collected 178,510 pounds or 89.26 tons of metal for the restoration of Wardencllyffe, Nikola Tesla's only remaining lab, in 2018. It was added to the National Register of Historic Places by the Department of the Interior. Recycling helps to prevent pollution, reduces the need to harvest new raw materials, saves energy, reduces

greenhouse gas emissions, saves money, reduces the amount of waste that ends up in landfills and allows products to be used to their fullest extent.

So I want to thank the Governor and thank the Legislative Body for proclaiming March 18th as Recycling Day in the State of New York. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

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

THE CLERK: Assembly Resolution No. 648, Ms. Joyner.

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

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

Page 45, Calendar No. 464, the Clerk will read.

THE CLERK: Assembly No. A00797, Calendar No. 464, Zebrowski, Seawright. An act to amend the Public Service Law, in relation to requiring the Public Service Commission to develop a formula for the calculation of a residential water cost index; requiring each water-works corporation and municipal water system serving 1,000 customers or more to calculate and submit to the Public Service Commission its residential water cost index; and requiring the Public

Service Commission to publish a report on the residential water cost index of each applicable water-works corporation and municipal water system.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00843-A, Calendar No. 465, Paulin, Magnarelli, Lupardo, Galef. An act to amend the Executive Law, in relation to information on State boards.

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

Read the last section.

THE CLERK: This act shall take effect April 1st, 2023.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 8145. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A02377, Calendar No. 466, Aubry, Weprin, Perry, Cruz, Jackson, Forrest, Darling, Zinerman, Simon, Epstein, Seawright. An act to amend the Judiciary Law, in relation to removing the lifetime ban on jury duty for convicted felons

who have completed their sentencing.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03037-A, Calendar No. 467, Rosenthal, Jackson, Bichotte-Hermelyn. An act to amend the State Technology Law, in relation to requiring State websites to use gender-neutral terminology.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A04069, Calendar No. 468, Thiele, Walker, Griffin, Seawright. An act to amend the Indian Law, in relation to the State recognition and acknowledgement of the Montaukett Indians.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 4069. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04591-A, Calendar No. 469, Dinowitz, Gottfried. An act to amend the Public Health Law, in relation to providing for the remote conduct of witnessing healthcare proxies.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 4591-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05061, Calendar No. 470, Dinowitz, Englebright, J. Rivera, Fahy, Galef, Perry. An act to amend the Public Health Law, in relation to prohibiting smoking in certain outdoor areas.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 5061. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Goodell.

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

record my colleagues Mr. DiPietro, Mr. Reilly, Mr. Tague and Mr. Tannousis in the negative.

ACTING SPEAKER AUBRY: So noted.

MR. GOODELL: Also, please record my colleague Mr. Brabenec in the negative.

ACTING SPEAKER AUBRY: So noted. Thank you.

MR. GOODELL: Thank you, sir.

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05913-A, Calendar No. 471, Lavine. An act to amend the Executive Law, in relation to establishing a Statewide campaign for the acceptance, inclusion, tolerance and understanding of diversity.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06977-A, Calendar No. 472, Davila, Weprin, Jacobson, Burdick. An act to amend the Correction Law, in relation to integrating community supervision programs into an individual's employment, educational or vocational training schedule.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record

the vote on Assembly print 6977-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07132-A, Calendar No. 473, Reyes. An act to amend the Executive Law, in relation to providing language translation services to accommodate census self-reporting.

ACTING SPEAKER AUBRY: On a motion by Ms. Reyes, the Senate bill is before the House. The Senate bill is advanced and the bill is laid aside.

THE CLERK: Assembly No. A07244-A, Calendar No. 474, Joyner, Fahy, Sillitti, O'Donnell, Burgos, Gottfried, Jean-Pierre, Davila, Jacobson. An act to amend the Labor Law, in relation to establishing criteria for the use of automated employment decision tools.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07808-A, Calendar No. 475, Simon, Burdick, Stern, Lupardo, Englebright, Zinerman, Seawright, DeStefano, Abbate, Salka, Galef, Kelles, González-Rojas, Tague, Magnarelli, Santabarbara. An act relating to providing public

awareness of COVID-19 programs and resources; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7808-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08260-A, Calendar No. 476, Weprin, O'Donnell. An act to amend the Correction Law, in relation to the removal of incarcerated individuals diagnosed with mental illness to a residential mental health treatment unit.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 8260-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08713, Calendar No. 477, McDonald. An act to amend the Insurance Law, in relation to the satisfaction of requirements for an explanation of benefits for certain pharmaceutical claims; and to amend a chapter of the Laws of 2021 amending the Insurance Law relating to requiring insurers to provide insureds or subscribers with an explanation of pharmaceutical benefits relating to claims under certain accident and health insurance policies, as proposed in legislative bills numbers S.7075 and A.3516, in relation to the effectiveness thereof.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 7692. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08895-A, Calendar No. 478, Paulin. An act to amend Chapter 566 of the Laws of 2019, authorizing the Commissioner of General Services to transfer and convey certain State land to the City of New Rochelle, in relation to extending the authority of the Commissioner of General Services to transfer and convey certain lands to the City of New Rochelle.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 8895-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08902, Calendar No. 479, Weprin, O'Donnell, Aubry, Walker. An act to amend the Correction Law, in relation to certificates of relief from disabilities.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A08934-A, Calendar

No. 480, Sayegh. An act to amend the Public Officer's Law, in relation to correcting gendered language.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A09038, Calendar No. 481, Abinanti. An act to amend Part Q of Chapter 59 of the Laws of 2016, amending the Mental Hygiene Law relating to the closure or transfer of a State-operated individualized residential alternative, in relation to the effectiveness thereof.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 7617. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09159-A, Calendar No. 482, Paulin, Seawright. An act to amend the Criminal Procedure Law, in relation to the former crime of loitering for the purpose of engaging in prostitution offense and expunging criminal records for

persons previously convicted of such crime.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A09175, Calendar No. 482 -- 83, excuse me -- Griffin, Seawright. An act to amend the Real Property Law, in relation to requiring real estate brokers to institute standardized operating procedures for the prerequisites prospective homebuyers shall meet prior to receiving any services; and to amend a chapter of the Laws of 2021 amending the Real Property Law relating to requiring the Secretary of State to promulgate regulations requiring real estate brokers to institute standardized operating procedures for the prerequisites prospective homebuyers shall meet prior to receiving any services, as proposed in legislative bills numbers S.2131-A and A.6186, in relation to the effectiveness thereof.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the print -- the Clerk will record the vote on Assembly print 70 -- Senate print 7729. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09179, Calendar No. 484, Gunther, Weprin, Colton, Burdick. An act to amend the Correction Law, in relation to providing information regarding Medicare Part B coverage to certain individuals.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 9179. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09276, Calendar No. 485, Paulin, Jacobson. An act to amend the County Law and the Municipal Home Rule Law, in relation to websites maintained by a county.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A09277, Calendar No. 486, Steck. An act to amend the Executive Law, in relation to establishing the chief disability officer; and to repeal Article 19-E of the Executive Law relating to the Office of the Advocate for People

with Developmental Disabilities.

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

Read the last section.

THE CLERK: This act shall take effect April 1, 2022.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 8288. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09284-A, Calendar No. 487, Glick. An act to amend the Insurance Law, in relation to prohibiting insurers from excluding, limiting, restricting or reducing coverage on a homeowners' insurance policy based on the breed of dog owned.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A09285, Calendar No. 488, Tapia. An act to amend the Public Service Law, in relation to fiber-based services being provided to tenants.

ACTING SPEAKER AUBRY: On a motion by Ms.

Tapia, the Senate bill is before the House. The Senate bill is advanced.

Read the last section.

THE CLERK: This act shall take effect on the 60th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 7766. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

And Ms. Tapia, your first bill. An auspicious start. You get a two-House bill going to the Governor's desk. Not bad. Some say that this is the best day you'll ever have here, but I doubt that. I think you'll have many more good days.

(Applause)

The Clerk will read.

THE CLERK: Assembly No. A09402, Calendar No. 489, Paulin, Seawright. An act to amend the Public Service Law, in relation to complaint procedures and retaining billing records for a certain period of time.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A09403, Calendar No.

490, Paulin, Seawright. An act to amend the Public Authorities Law, in relation to the electronic submission and public posting of bids for the New York State Thruway Authority construction, reconstruction and improvement contracts.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 9403. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09409, Calendar No. 491, Paulin, Seawright. An act to amend the Religious Corporations Law, in relation to electronic meetings conducted partially or solely by means of electronic communication; and repealing certain provisions of such law relating thereto.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on 9409. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09410, Calendar No. 492, Paulin, Seawright. An act to amend Chapter 154 of the Laws of 1921 relating to the Port Authority of New York and New Jersey, in relation to information concerning services for human trafficking victims in Port Authority bus terminals.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 60th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 9410. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: We have housekeeping and resolutions, Mrs. Peoples-Stokes.

On a motion by Ms. Solages, page 23, Calendar No. 170, Bill No. 5458, amendments are received and adopted.

Numerous fine resolutions, we will take with one vote.

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

(Whereupon, Assembly Resolution Nos. 649-660 were unanimously adopted.)

MRS. PEOPLES-STOKES: Mr. Speaker, I move that the Assembly stand adjourned until Wednesday, March the 16th, tomorrow being a Legislative day, and that we reconvene at 2:00 p.m. on March the 30 -- the 21st, Monday being a Session day.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 12:22 p.m., the Assembly stood adjourned until Wednesday, March 16th, Wednesday being a Legislative day, and to reconvene on Monday, March 21st at 2:00 p.m., that being a Session day.)