

MONDAY, MAY 16, 2022

2:28 P.M.

ACTING SPEAKER AUBRY: The House will come to order.

Before the Reverend Elia offers us a prayer, let us -- let us pause for a moment of silence as we keep in our thoughts the victims of the shooting in Buffalo, their families and those who responded to their physical and emotional needs. Let us contemplate a world where hatred and violence are not a daily occurrence. And I'm going to read to you a message sent to me by the Majority Leader. *With God we will get through this, too. Thanks for reaching out. I won't see you this week. Grieving with and for my people and my community.*

Reverend Elia.

REVEREND DONNA ELIA: Let us pray. Good and

gracious God, we come before You with gratitude, with our deepest longings and our profound lament. Pour out Your abundant blessings upon this Assembly as it continues to do important work toward the end of Session. Help the pace be measured and manageable in the rush toward the end. Give them wisdom and strengthen them with the good gifts of discernment, the ability to listen, with courage and with equanimity. Thank You for each one who has taken on the mantle of public service, whether they are elected legislators or staff. Pour out healing mercy upon all who are discouraged or ill or whose loved ones are in need of healing. Bless and keep all constituents who the members represent. May their voices be heard.

Our hearts are heavy this day with the violence and racism of yet another mass shooting. Comfort those who grieve, especially the family and friends of victims and our Majority Leader as she reaches out to them. Empower us all that we may not remain silent in the face of racism and hatred. Equip us to stand in the tragic gap, willing to continue to do the work of justice and unrelenting in our commitment to love until we create beloved community.

O, You, who make peace and justice in high places, bring peace with justice to us here and now. In Your holy name we ask it. Amen.

MEMBERS: Amen.

ACTING SPEAKER AUBRY: Visitors are invited to join the members in the Pledge of Allegiance.

(Whereupon, Acting Speaker Aubry led visitors and

members in the Pledge of Allegiance.)

A quorum being present, the Clerk will read the Journal of Sunday, May 15th.

MS. SOLAGES: Mr. Speaker?

ACTING SPEAKER AUBRY: Yes, ma'am? Ms. Solages.

MS. SOLAGES: Mr. Speaker, I move to dispense with the further reading of the Journal of Sunday, May 15th and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Ms. Solages.

MS. SOLAGES: Thank you, Mr. Speaker. I know we are all here with heavy hearts and we're moving forward with love and positivity, but the people's work must continue. And so with that, you know, I carry the tradition of our -- our great Majority Leader of reading a quote, and this quote is by -- was said by Nelson Mandela, which is, *No one is born hating each other -- another person because of the color of his skin or his background or his religion. People must learn to hate. And if they can learn to hate, they can be taught to love, for love comes more naturally to the human heart than its opposite.* Like I said, that from Mr. Nelson Mandela.

So with that, Mr. Speaker, may I have members' attention so that we can announce the schedule of the day. Members have on their desks the main Calendar and an A-Calendar. We also

have a debate list.

Mr. Speaker, I now move to advance the A-Calendar.

ACTING SPEAKER AUBRY: On a motion by Ms. Solages, the A-Calendar is advanced.

Ms. Solages.

MS. SOLAGES: Thank you. We will now begin our work today by taking up a resolution beginning on page 3. We will then take up the A-Calendar on consent. We also have to work off the debate list, which is nice and long, beginning with the following bills: Calendar No. 533 by Ms. Woerner; Calendar No. 558 by Mr. Cusick; and Calendar No. 575 by Ms. Fahy; and Calendar No. 584 by Mr. Zebrowski. I will announce any further floor activity as we proceed.

And with that as a general outline, if there is any other housekeeping now would be the appropriate time to do so.

ACTING SPEAKER AUBRY: No housekeeping, but we do have some special introductions and the first will be from Mr. Durso.

MR. DURSO: Thank you, Mr. Speaker. Today I'm joined by three very special people to me; my wife Dana Durso, who also serves as a Village Trustee in the Village of Massapequa Park where we live, and our daughters Nicole - please stand - and Taylor. If you could welcome them to the floor today and offer them all the cordialities that you always do, we would appreciate it and we thank everybody for having us today.

ACTING SPEAKER AUBRY: Certainly. On behalf

of Mr. Durso, your father, your husband, the Speaker and all the members, we welcome you here to the New York State Assembly. You are part of our family. You're always welcome here, and we hope that you will enjoy this time. And we really want to see more of you because he softens up an awful lot. You know, normally he's a little edgy. Now, you know, he looks like the puppy he really is. Thank you so very much. Happy to have you.

(Applause)

Mr. Anderson for the purposes of an introduction, sir.

MR. ANDERSON: Thank you, Mr. Speaker. I'd like you to extend the cordialities of the House this afternoon as I invite the Wallace family to the New York State Legislature. The Wallace family was impacted by senseless gun violence in my district. And folks have paid attention to the news and everything that's happening in the current moment as we're reeling for the families in Buffalo. This family experienced the loss of their 10-year-old baby boy due to senseless gun violence just around this time last year. And I brought them to the floor today so that we can acknowledge the importance of fighting back against gun violence, but also acknowledge the greatness of this family and the resiliency of this family in the face of what was such a traumatic experience for our City. So I would like to welcome Ms. Aretha Wallace, the mother of the late Justin Wallace; her daughter Takeshi Lilly-Pinnock; Ryan Pinnock and Alvin Joel. Please extend the cordialities of the House, the People's House, as we continue to fight back against gun violence in the backdrop of what

happened Saturday and to honor and acknowledging 10-year-old Justin Wallace from Edgemere, New York.

ACTING SPEAKER AUBRY: On behalf of Mr. Anderson, the Speaker and all the members, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. And our hearts for what you have gone through on a day like today and this weekend. We're so pleased you had the courage to come and join us and share this with us, and hope that your healing has continued because I'm sure it will take a long time, if ever. But please know that you're always welcome here and you will always be in our prayer. Thank you so very much for being here.

(Applause)

On page -- oh, Mr. Goodell for the purposes of an introduction, sir.

MR. GOODELL: Thank you, sir. It is my great pleasure to introduce Bobbie Cox, who is an attorney down in the Westchester County area. As you know, from time to time we raise constitutional issues here on the floor of the Assembly on what's going on both in legislation but also administratively. We are very thankful to be in the presence of Ms. Cox who not only takes these concerns seriously, but as that co-equal branch of -- of our government, the Judiciary, to review actions from time to time just to make sure we stay on the straight and narrow.

And so please welcome Bobbie Cox, an attorney who focuses on ensuring that we comply with due process and the

Constitutional requirements that we all consider so dear.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Goodell, the Speaker and all the members, Bobbie, we welcome you here to the New York State Assembly. Sounds like your influence has arrived before you did. But we are so happy to have you here. Know that you're always welcome, and of course as a barrister we'll give you a lot of work. Thank you so very much. Continue that.

(Applause)

Resolutions on page 3, the Clerk will read.

THE CLERK: Assembly Resolution No. 894, Rules at the request of Ms. Wallace.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 15-21, 2022 as Home Fire Sprinkler Awareness Week in the State of New York, in conjunction with the observance of National Home Fire Sprinkler Awareness Week.

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. 895, Rules at the request of Mr. Abbate.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 15-21, 2022 as Police Week in the State of New York.

ACTING SPEAKER AUBRY: Mr. Angelino on the resolution.

MR. ANGELINO: Thank you, Mr. Speaker. I would like to thank the -- the sponsor of this for bringing this forward and bringing it to everyone's attention. I don't want -- I'll be brief so we can get on to our business, but I don't want the brevity to be in any way construed as a lack of sincerity on my part as I talk about my brother and sister officers, some of whom have given their lives in the line of duty or have died from their duties as we see more and more of the World Trade Center officers being added to the Memorial Wall.

Police Week and Police Memorial Day Week, May 15th was started in 1962 by President Kennedy, and in that short time since 1962 within my lifetime over 23,000 names have been added to the Police Memorial Wall at the Justice -- Justice Park in Washington, D.C. I've been to that many years, many years in a row. I went down there and watched colleagues' names being etched into the granite there. And everybody here has heard me say repeatedly, it's not how these officers died that made them heroes, it's how they lived their lives. I have said that both here on the floor more than once, and the reason I use that is because that, too, is etched in stone under the guard of a statuesque lion at the Police Memorial.

So it's right and fitting that we do remember all these police officers who gave their lives in the service protecting all of us. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, Mr. Angelino.

On the resolution, all those in favor signify by saying

aye; opposed, no. The resolution is adopted.

THE CLERK: Assembly Resolution No. 896, Rules at the request of Mr. Brabenec.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 15-21, 2022 as Emergency Medical Services 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. 897, Rules at the request of Mr. Byrne.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim March 6, 2022 as Dentist's Day 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. 898, Rules at the request of Mr. Cymbrowitz.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2022 as Stroke Awareness Month in the State of New York.

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

THE CLERK: Assembly Resolution No. 899, Rules at the request of Mr. Epstein.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2022 as Lower East Side History Month in the State of New York.

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

THE CLERK: Assembly Resolution No. 900, Rules at the request of Mr. Cusick.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim September 4-10, 2022 as Duchenne Muscular Dystrophy 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. 901, Rules at the request of Mrs. Barrett.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim September 29-October 9, 2022 as Cider 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. 902, Rules

at the request of Ms. Hunter.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 2022 as Careers in Construction Month in the State of New York, in --

ACTING SPEAKER AUBRY: On the resolution --

THE CLERK: -- conjunction with the observance of National Careers in Construction Month.

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

THE CLERK: Assembly Resolution No. 903, Rules at the request of Mr. Brabenec.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim September 17-23, 2022 as Constitution 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.

We're on the A-Calendar. Page 3 on consent, Rules Report No. 169, the Clerk will read.

THE CLERK: Assembly No. A00286-A, Rules Report No. 169, Gunther, Steck, Jacobson, Braunstein, Cruz, Hevesi, Englebright, Fernandez, Brabenec, Griffin. An act to amend the Labor Law, in relation to the restrictions on consecutive hours of work for nurses.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00348-A, Rules Report No. 170, Braunstein, Fernandez, Gottfried, Cymbrowitz, Jacobson, Griffin, Reilly, J.M. Giglio, Tague, Ra, Seawright, Hevesi. An act to amend the Mental Hygiene Law, in relation to providing discharged patients with certain educational materials regarding substance use disorders and two doses of an opioid antagonist in a form approved for take-home use; to amend the Correction Law, in relation to providing previously-incarcerated individuals with certain educational materials regarding substance use disorders and two doses of an opioid antagonist in a form approved for take-home use upon discharge from incarceration; and to amend the Public Health Law, in relation to the provision of opioid antagonists for take-home use upon discharge from the hospital.

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

THE CLERK: Assembly No. A00642-C, Rules Report No. 171, Carroll, Colton, Dinowitz, Gottfried, Galef, Paulin, Lupardo, Reyes, Seawright, D. Rosenthal, Sillitti, Gallagher, González-Rojas, Simon, Frontus, Englebright, Lunsford, Solages, Cahill, Cruz, Sayegh, Jackson, Fernandez, Jean-Pierre, Rozic, Taylor, Jacobson, Mamdani, Epstein, Zinerman, Otis, L. Rosenthal, Thiele, Quart, Niou, Anderson, Burgos, Davila, Stirpe, Fahy, Abinanti, Kelles, Tapia, Gibbs, Forrest, De Los Santos, Glick, Kim, Dickens,

J.D. Rivera, Burdick, Meeks, Walker, Cunningham, Hyndman, Barrett, Aubry. An act to amend the Election Law, in relation to counting of affidavit ballots.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00655, Rules Report No. 172, L. Rosenthal. An act to amend paragraph 9 of subdivision a of Section 26-405 of the Administrative Code of the City of New York, relating to hearings regarding biennial maximum base rent adjustments.

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 A.655. 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. A00658-A, Rules Report No. 173, L. Rosenthal, Stirpe, Jacobson. An act to amend the Mental Hygiene Law, in relation to establishing the Problem Gambling Advisory Council.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 658-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. A00887-C, Rules Report No. 174, Paulin, Hunter, Galef, J.M. Giglio, McDonough, Simon, Quart, Gottfried, Bichotte Hermelyn, Abbate, Otis, J. Rivera, Fahy, Weprin, Niou, Seawright. An act to amend the General Business Law, in relation to human trafficking awareness and training for certain lodging facility employers.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01031, Rules Report No. 175, Zebrowski, Galef, Abinanti, Magnarelli, Weprin, McDonough, Lawler, McMahon. An act to amend the Uniform Justice Court Act, in relation to establishing minimum educational requirements f certain town and village justices.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01287-B, Rules

Report No. 176, Magnarelli, Hunter, Stirpe, Woerner, Conrad, Wallace, McMahon, Steck. An act to amend the Railroad Law, in relation to requiring certain trains and locomotives to have a crew size of not less than two persons; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01384, Rules Report No. 177, Carroll, Gottfried, Dickens, Lupardo, Reyes, J. Rivera, Anderson, Jackson, L. Rosenthal, Thiele. An act to amend the Public Service Law, in relation to adjustment of electric residential fixed charges.

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

THE CLERK: Assembly No. A01880-A, Rules Report No. 178, Dinowitz, Otis, Epstein, Burdick, Glick. An act relating to home health aides and nurse's aides to receive training in working with patients of diverse sexual orientations and gender identities or expressions.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03470-C, Rules Report No. 179, Gottfried, Epstein, Jacobson, Thiele, Simon, Seawright, Dinowitz, Benedetto, Sayegh, Reyes, Glick, Abinanti, Cruz, Paulin, Solages, L. Rosenthal, Gunther, Aubry, Galef, Steck, Niou, Weprin, Taylor, Jean-Pierre, Forrest, Mitaynes, Hevesi,

Lunsford, Braunstein, Mamdani, Zinerman, Kelles, McDonald, Cahill, González-Rojas, Bronson, Anderson, Griffin, Burdick, Durso, Clark, Vanel, Gibbs, Kim, Fahy, Fernandez, Ramos, Carroll, Davila, Jackson. An act to amend the Public Health Law, in relation to regulation of the billing of facility fees.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03582-A, Rules Report No. 180, Hunter. An act to amend Chapter 266 of the Laws of 1981 amending the Civil Practice Law and Rules relating to time limitations, in relation to permanently extending time limitations for certain actions.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 3582-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. A03714, Rules Report No. 181, L. Rosenthal. An act to amend the Real Property Law, in relation to requiring the disclosure of indoor mold history upon the

sale of certain real property.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03798-A, Rules Report No. 182, Cymbrowitz, Simon, Burdick. An act to amend the Private Housing Finance Law, in relation to establishing the Sustainable Affordable Housing Incentive Program.

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 3798-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. A04333, Rules Report No. 183, Abinanti. An act to amend the Election Law, in relation to additional days of voting as a result of emergencies.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05213, Rules Report No. 184, Walker. An act to amend the Correction Law, in relation to the definition of "direct relationship" for the purposes of Article 23-A of the Correction Law regarding the licensure and employment of

persons previously convicted of one or more criminal offenses.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05817-A, Rules Report No. 185, Hunter. An act to amend the Social Services Law, in relation to public notice of basic rights.

ACTING SPEAKER AUBRY: On a motion by Ms. Hunter, 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 90th day.

ACTING SPEAKER AUBRY: The Clerk will read the -- the Clerk will record the vote on Senate print 3178-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. A05897, Rules Report No. 186, Dinowitz, Galef, Gottfried. An act to amend the Public Service Law, in relation to the minimum requirements for a quorum.

ACTING SPEAKER AUBRY: Read the last section.

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

day.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 5897. 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. A06165-A, Rules Report No. 187, Epstein, Gallagher, Steck, Jackson, Galef. An act to amend the Real Property Law, in relation to enacting the Electric Vehicle Rights Act.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06210-B, Rules Report No. 188, Lavine. An act authorizing the North Shore Central School District to establish a Power Plant Tax Assessment Reserve Fund.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 6210-B. 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. A06231, Rules Report No. 189, Thiele, Norris, Barrett, Woerner, J.A. Giglio, J.D. Rivera, Kelles, Wallace, Smith, Gandolfo, Brabenec, Hunter, Steck. An act to amend the Real Property Law, in relation to manufactured home parks.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06378-C, Rules Report No. 190, DiPietro. An act to amend the Highway Law, in relation to designating a portion of the State highway system in the Town of Wales as the "Petty Officer Robert Segool Memorial Highway."

ACTING SPEAKER AUBRY: On a motion by Mr. DiPietro, 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 6549-B. 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. DiPietro.

MR. DIPIETRO: Thank you, Mr. Speaker. Just a quick. This -- Robert "Frenchie" Segool was a friend of mine. He passed away a few years ago. Never spoke much about the war in Vietnam until I went to his funeral, and on his casket overlayed with velvet, over 70 medals. He was the most decorated -- one of the most decorated, if not the most decorated veteran in the Vietnam War. An amazing individual. So I'm proud to stand and honor him and his family.

So I appreciate it. Thank you very much, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06727-A, Rules Report No. 191, Zebrowski, Abinanti, Carroll, B. Miller, Paulin, Thiele, McDonald, Seawright, Fahy. An act to amend the Education Law, in relation to physical therapist assistants.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 545th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 6727-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. A06945-A, Rules Report No. 192, Steck, Walsh. An act to amend the Mental Hygiene Law, in relation to establishing an addiction recovery supportive transportation services demonstration program.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 6945-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.)

Ms. Walsh.

MS. WALSH: Thank you, Mr. Speaker, to explain my vote. I'm very proud to be a cosponsor of this piece of legislation which amends the Mental Hygiene Law to require the Commissioner to develop an addiction recovery supportive transportation services demonstration program that will provide individuals receiving treatment from an inpatient, residential or outpatient treatment service

provider with the transportation necessary to participate in treatment and other essential activities. I -- I think that it's so important that when people are struggling with mental health issues that they get the help they need, and a big part about getting the help they need is to remove barriers of transportation so they can actually get to their appointments and get the help that they need.

So I know that this is something where the funding is going to have to be found to support this legislation, but I think this is a very worthy investment. I'm very happy to support it. Thank you.

ACTING SPEAKER AUBRY: Thank you. Ms. Walsh in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07347, Rules Report No. 193, Hevesi. An act to amend the Domestic Relations Law and the Social Services Law, in relation to the rights of non-marital parents in adoption, surrender and termination of parental rights proceedings in family court and surrogate's court; and to repeal subdivision 12 of Section 384-b of the Social Services Law relating thereto.

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

THE CLERK: Assembly No. A07404-A, Rules

Report No. 194, Steck. An act to authorize the New York State Energy Research and Development Authority to prepare a report on the establishment of a New York renewable energy laboratory.

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 7404-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.)

Mr. Lawler to explain his vote.

MR. LAWLER: Thank you, Mr. Speaker. Last week we had a hearing, and the very first witness was the President of NYSERDA. It was an absolute embarrassment, her inability to answer a very simple question about what the cost would be for the average New Yorker to retrofit their home and convert it from a natural gas home to an electric home. This bill is going to give authority for NYSERDA to prepare a report on the establishment of a New York renewable energy laboratory. I hope as part of that report the President of NYSERDA can figure out what it would cost the average New York homeowner to convert their home. Sixty percent of New Yorkers rely on natural gas currently. There have been reports and estimates that it would cost the average New Yorker \$35,000 to convert their home. This is critically important as we move forward

for New Yorkers to understand. Low-income New Yorkers, middle-class families, what it will cost to convert their home. And the fact that the President of NYSERDA didn't have an answer is shocking and it should alarm everyone in this Chamber and across the State of New York.

So I certainly hope as we authorize NYSERDA to actually do studies, prepare reports on costs, that they actually provide real answers to New Yorkers. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Lawler, and how do you vote? Mr. Lawler in the affirmative. Thank you, sir.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07425, Rules Report No. 195, Abbate. An act to amend the Estates, Powers and Trusts Law, in relation to creating an alternative method to compromising an award issued by the September 11th Victim Compensation Fund (VCF).

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 7425. 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. A07426, Rules Report No. 196, Abbate. An act to amend the Estates, Powers and Trusts Law, in relation to allowing a duly-appointed personal representative of the estate of a victim of the September 11, 2001 terrorist attacks to file a claim with the September 11th Victim Compensation Fund.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7426. 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. A07699, Rules Report No. 197, Hunter, McDonald, Lupardo, Clark. An act to amend the Insurance Law, in relation to modifying certain interest rates for life insurance within the standard Nonforfeiture Law.

ACTING SPEAKER AUBRY: On a motion by Ms. Hunter, 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 6666. 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. A07746-A, Rules Report No. 198, Lupardo. An act to amend the Alcoholic Beverage Control Law, in relation to the definition of New York State labeled beer.

ACTING SPEAKER AUBRY: On a motion by Ms. Lupardo, 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 7655-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. A07748-A, Rules Report No. 199, Thiele, Cahill, Galef, Gottfried, Magnarelli, McDonough, Otis, Steck, Zebrowski, Paulin. An act to amend the Election Law, in relation to authorizing registration records of victims of sexual violence to be kept confidential in certain cases.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07832-A, Rules Report No. 200, Jones. An act to amend the Highway Law, in relation to designating a portion of the State highway system as the "Samuel Trombley Memorial Bridge."

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 Senate -- Assembly print 7832-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. A07882-A, Rules Report No. 201, Abinanti, Darling. An act to amend the Social

Services Law, the Abandoned Property Law, the Arts and Cultural Affairs Law, the Criminal Procedure Law, the Debtor and Creditor Law, the Domestic Relations Law, the Education Law, the Executive Law, the Family Court Act, the Insurance Law, the Judiciary Law, the Mental Hygiene Law, the Public Health Law, the Public Lands Law, the Private Housing Finance Law, the Real Property Actions and Proceedings Law, the Real Property Law, the Real Property Tax Law, the Tax Law, the Facilities Development Corporation Act and the Medical Care Facilities Finance Agency Act, in relation to replacing certain instances of the term "mentally retarded" or variations of such term with the term "developmentally disabled" or variations of such term.

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 7882-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. A07933-C, Rules Report No. 202, González-Rojas, Epstein, Hevesi, Bichotte Hermelyn,

Simon, O'Donnell, Burdick, Paulin, Glick, Seawright, Dickens, Sillitti, Gottfried, Gallagher, Zinerman, Taylor, Burgos, J.D. Rivera, Mamdani, Forrest, Galef, Carroll, Davila, Cruz, Niou, Bronson, Clark, Kelles, Kim. An act to amend the Election Law, in relation to including individuals who do not identify exclusively as a binary gender in eligibility for party positions.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A08102-A, Rules Report No. 203, Clark, Seawright. An act to amend the Criminal Procedure Law and the Family Court Act, in relation to requiring the court to order the search for and immediate seizure of certain firearms when a defendant willfully refuses to surrender such firearms.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A08299-A, Rules Report No. 204, Ra. An act to amend the Nassau County Civil Divisions Act, in relation to the Volunteer and Exempt Firemen's Benevolent Association of Westbury.

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 8299-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. A08419, Rules Report No. 205, Cymbrowitz. An act to amend the Mental Hygiene Law, in relation to requiring the Office of Addiction Services and Supports to develop training materials for healthcare providers and qualified health professionals to encourage implementation of the Screening, Brief Intervention and Referral to Treatment Program.

ACTING SPEAKER AUBRY: On a motion by Mr. Cymbrowitz, 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 345. 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. A08518, Rules Report No. 206, J.D. Rivera. An act to amend the Environmental Conservation Law and the State Law, in relation to the re-designation

of Squaw Island in Ontario County as Skenoh Island.

ACTING SPEAKER AUBRY: On a motion by Mr. Rivera, 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 7483. 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. A08572-A, Rules Report No. 207, Gunther, Sayegh. An act to amend the Public Health Law, in relation to personal caregiving visitors for general hospital patients.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 45th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote on A.8572-A. This 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. A08604, Rules Report No. 208, Forrest, Gottfried, Kelles, Solages, Anderson, Mitaynes, L. Rosenthal, Seawright, Vanel, Jackson, Tapia, Lunsford, Lucas, Lawler, Griffin, McDonald, Gunther, Mamdani, González-Rojas, De Los Santos, Burdick, Zinerman, Sillitti, Simon, Aubry, McMahon, Abinanti, Galef. An act to amend the Social Services Law, in relation to increasing access to non-invasive prenatal testing under Medicaid.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 8604. 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. A08610-A, Rules Report No. 209, Abinanti, Santabarbara, Dinowitz, González-Rojas, Aubry, Englebright, Gottfried, Simon, Hunter, Cahill, Cook, Sillitti, Otis, Sayegh. An act providing that a student enrolled in an

Individualized Education Program during certain school years may continue to receive educational services until the student completes the services pursuant to the Individualized Education Program or turns 23 years old, whichever is sooner; and to provide for the repeal of such provisions upon the 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 8610-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. A08617, Rules Report No. 210, Meeks, Clark, Lupardo. An act to amend the Insurance Law, in relation to authorizing life insurers to establish wellness programs.

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 8617. 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.)

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08810, Rules Report No. 211, Lavine. An act to amend Section 3 of Chapter 233 of the Laws of 2000, relating to authorizing the town boards of the Towns of Oyster Bay and North Hempstead, County of Nassau, to establish the Gold Coast Public Library District, in relation to the time limits for posting publication of notice of election and filing candidate petitions.

ACTING SPEAKER EICHENSTEIN: On a motion by Mr. Lavine, 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 EICHENSTEIN: The Clerk will record the vote on Assembly A.88 -- Senate print 7611. 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. A08822, Rules Report No. 212, Jacobson. An act to amend the Labor Law, in relation to including Stewart International Airport in the definition of covered airport location for the purposes of minimum wage rates.

ACTING SPEAKER EICHENSTEIN: The bill is laid aside.

THE CLERK: Assembly No. A08881-A, Rules Report No. 213, Wallace, Simon, Gallagher, Glick, Tapia, Galef, Griffin, McDonald, Magnarelli, Stirpe, Cahill, Seawright, O'Donnell, Gunther, Gottfried, Morinello, Stern, Jones, Lunsford, Zinerman, Fahy, Abinanti, L. Rosenthal. An act to amend the Public Health Law, in relation to establishing the Office of Hospice and Palliative Care Access and Quality.

ACTING SPEAKER EICHENSTEIN: Read the last section.

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

ACTING SPEAKER EICHENSTEIN: The Clerk will record the vote on Assembly print 8881-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.)

Mr. Morinello to explain his vote.

MR. MORINELLO: Thank you, Mr. Speaker. I

would like to commend the sponsor on this bill. Recently I had the experience with hospice for both an aunt and my mother. Both within the last two months. People do not seem to understand the importance of palliative care and hospice's ability to assist not only the families, but those experiencing end-of-life issues. Hospice is almost the support for the families. It helps you deal with it both during the time period of the illness, the preparation for end of life, but more importantly, hospice is there after the end of life to help you overcome the trauma of losing family members, parents and aunts. This bill will make hospice and palliative care readily available to more individuals because it will explain it to them. It will make them aware. And this particular bill is something that is drastically needed to assist those going through the trauma of loss of life for relatives and family. Also, hospice has the ability to help those that may still be cognizant of their illness but facing end of life, to help them prepare for a peaceful passing. And what's important about a peaceful passing is this: You don't suffer body trauma. You don't suffer the additional pain of going through facing end of life.

So this bill is very important. It's very important to all New Yorkers, and again, I commend the sponsor for sponsoring this particular bill. Thank you very much, Mr. Speaker.

ACTING SPEAKER EICHENSTEIN: Thank you.
Mr. Morinello in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08930, Rules Report No. 214, Woerner. An act to amend the Workers' Compensation Law, in relation to including coverage of treatment rendered by a massage therapist.

ACTING SPEAKER EICHENSTEIN: On a motion by Ms. Woerner, 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 30th day.

ACTING SPEAKER EICHENSTEIN: The Clerk will record the vote on Senate print 2138. 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. A09102, Rules Report No. 215, González-Rojas, Englebright, Gunther, L. Rosenthal, Hevesi, Gottfried, Seawright, Bronson, Clark, Taylor, Epstein, Simon, Glick, Dickens, Sillitti, Gibbs, De Los Santos, Niou, Kelles, Paulin, J. Rivera, Jean-Pierre, Davila. An act to require the Office of Mental

Health and the Department of Health to conduct a study on the disparate impacts regarding postpartum depression screening tests.

ACTING SPEAKER EICHENSTEIN: On a motion by Ms. González-Rojas, 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 EICHENSTEIN: The Clerk will record the vote on Senate print 7753. 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. A09128-A, Rules Report No. 216, Stern, Steck. An act to amend the Insurance Law, in relation to authorizing dividend-paying deferred income annuities.

ACTING SPEAKER EICHENSTEIN: On a motion by Mr. Stern, 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 EICHENSTEIN: The Clerk

will record the vote on Senate print 7744-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. A09154, Rules Report No. 217, Wallace. An act to amend the Public Authorities Law, in relation to contracts awarded by the Erie County Water Authority.

ACTING SPEAKER EICHENSTEIN: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EICHENSTEIN: The Clerk will record the vote on Assembly print 9154. 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. A09268-A, Rules Report No. 218, Burdick. An act to amend the Labor Law, in relation

to requiring that notice of initial determinations for unemployment benefits be provided.

ACTING SPEAKER EICHENSTEIN: On a motion by Mr. Burdick, 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 EICHENSTEIN: The Clerk will record the vote on Senate print 6828-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.)

Mr. Burdick to explain his vote.

MR. BURDICK: Thank you, Mr. Speaker. This is a very straightforward and simple bill to provide greater Department of Labor accountability on unemployment claims. It simply requires the Department of Labor to issue determinations of approval or denial within 30 days of receipt of a complete application. I think we all know that during the pandemic there was just a deluge of unemployment claims and so many of our constituents came to our offices to tell us their stories of waiting weeks and months to hear from the Department of Labor. And what this would do is simply require quicker determinations on the part of the Department of Labor and to impose those additional accountability on their part so that

claimants can get a response and the assistance that they need in a timely manner. I wish to thank the staff for working with me on the bill and to the Speaker for his support in bringing it to the floor.

Thank you, Mr. Speaker.

ACTING SPEAKER EICHENSTEIN: Thank you.

Mr. Burdick in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09290, Rules Report No. 219, Forrest, Gottfried, Epstein, Simon, González-Rojas, Seawright, Glick, Vanel, Reyes, Jackson, Lucas, Davila, Aubry, Gibbs, Mitaynes. An act to amend the Social Services Law, in relation to requiring adult care facilities to include certain demographic information in certain records maintained by the facility.

ACTING SPEAKER EICHENSTEIN: Read the last section.

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

ACTING SPEAKER EICHENSTEIN: The Clerk will record the vote on Assembly print 9290. 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. A09307-A, Rules Report No. 220, Griffin, Solages. An act to amend the General Municipal Law and the Public Authorities Law, in relation to county-wide shared services panels.

ACTING SPEAKER EICHENSTEIN: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EICHENSTEIN: The Clerk will record the vote on Assembly print 9307-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.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09344-A, Rules Report No. 221, Steck. An act to amend the Mental Hygiene Law, in relation to providing outreach services to make certain stakeholders aware of the Independent Substance Use Disorder and Mental Health Ombudsman Program.

ACTING SPEAKER EICHENSTEIN: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EICHENSTEIN: The Clerk will record the vote on Assembly print 9344. 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. A09370-A, Rules Report No. 222, Zebrowski, Brabenec, Lawler. An act to amend the Highway Law, in relation to designating a portion of the State highway system in Rockland County as the "Firefighter Jared Lloyd Memorial Highway."

ACTING SPEAKER EICHENSTEIN: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EICHENSTEIN: The Clerk will record the vote on Assembly print 9370-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. A09372, Rules Report No. 223, Abbate. An act to amend Chapter 695 of the Laws of 1994 amending the Civil Service Law relating to injunctive relief in improper practice cases, in relation to making such provisions permanent.

ACTING SPEAKER EICHENSTEIN: On a motion by Mr. Abbate, 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 EICHENSTEIN: The Clerk will record the vote on Senate print 8282. 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. A09382-A, Rules Report No. 224, Lavine. An act to amend the Highway Law, in relation to designating a portion of the State highway system in the County of Nassau as the "Police Officer Daniel J. Greer Memorial

Bridge."

ACTING SPEAKER EICHENSTEIN: Read the last section.

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

ACTING SPEAKER EICHENSTEIN: The Clerk will record the vote on Assembly print 9382-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.)

Mr. Lavine to explain his vote.

MR. LAVINE: Thank you, Mr. Speaker. This bill passed unanimously in Transportation and in Ways and Means and in Rules, and it will designate a bridge on the Long Island Expressway in Plainview as the "Daniel J -- "Police Officer Daniel J. Greer Memorial Bridge." Daniel Greer was killed performing his duties in December of 1979, December 16th of 1979, when he was hit by a drunk driver who then fled and who was subsequently apprehended. Officer Greer gave his all, gave his life, in service to our community of Nassau County and the State of New York. He left behind a grieving wife and two little children. He was posthumously awarded the Purple Heart. We can only hope that what we do here today in passing this bill will give some measure of comfort to his family and his colleagues.

Thank you all for voting for this bill, and rest in

peace, Officer Greer. Thank you.

ACTING SPEAKER EICHENSTEIN: Thank you.

Mr. Lavine in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09393, Rules Report No. 225, Peoples-Stokes. An act to amend the Racing, Pari-Mutuel Wagering and Breeding Law, in relation to prohibiting regional off-track betting corporations from providing items of value exceeding \$15 to certain associates of the corporation.

ACTING SPEAKER EICHENSTEIN: The bill is laid aside.

THE CLERK: Assembly No. A09394, Rules Report No. 226, Peoples-Stokes. An act to amend the Racing, Wagering -- Pari-Mutuel Wagering and Breeding Law, in relation to prohibiting off-track betting corporation vehicles from being used as take-home vehicles.

ACTING SPEAKER EICHENSTEIN: The bill is laid aside.

THE CLERK: Assembly No. A09397-A, Rules Report No. 227, Gottfried. An act to amend the Correction Law and the Social Services Law, in relation to the enrollment of incarcerated individuals in the Medical Assistance for Needy Persons Program.

ACTING SPEAKER EICHENSTEIN: The bill is

laid aside.

THE CLERK: Assembly No. A09423-A, Rules Report No. 228, Peoples-Stokes. An act to amend the Education Law, in relation to reducing the signature requirement for petitions for candidates for the School Board of the City of Buffalo.

ACTING SPEAKER EICHENSTEIN: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EICHENSTEIN: The Clerk will record the vote on Assembly print 9423-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. A09469, Rules Report No. 229, Abinanti. An act to amend Chapter 504 of the Laws of 2016, amending the Tax Law relating to authorizing the Town of Greenburgh to adopt a local law to impose a hotel/motel occupancy tax for hotels not located in a village; authorizing specified villages in the Towns of Greenburgh and Mount Pleasant to adopt local laws to impose a hotel/motel occupancy tax in such villages, in relation to extending the effectiveness thereof.

ACTING SPEAKER EICHENSTEIN: Home Rule message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EICHENSTEIN: The Clerk will record the vote on Assembly print 9469. 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.)

Ms. Solages.

MS. SOLAGES: Thank you, Mr. Speaker. Can you please note Assemblyman Stirpe and Buttenschon in the negative?

ACTING SPEAKER EICHENSTEIN: So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09474-B, Rules Report No. 230, Darling, Griffin. An act to amend the Public Authorities Law, in relation to membership on the Nassau Health Care Corporation Board.

ACTING SPEAKER EICHENSTEIN: The bill is laid aside.

THE CLERK: Assembly No. A09493-A, Rules Report No. 231, Stern, Thiele, Englebright, Ramos, J.A. Giglio,

Gandolfo, McDonough, Solages, Griffin, Sillitti, Lavine, Burdick, Morinello, Jones, Hevesi. An act to amend the Banking Law and the Executive Law, in relation to certain notices and services upon application for a mortgage guaranteed under the "Servicemen's Readjustment Act of 1944"; and providing for the repeal of certain provisions upon expiration thereof.

ACTING SPEAKER EICHENSTEIN: Read the last section.

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

ACTING SPEAKER EICHENSTEIN: The Clerk will record the vote on Assembly print 9493-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. A09494, Rules Report No. 232, Solages. An act to amend the Nassau County Civil Divisions Act, in relation to the purpose and membership of the Valley Stream Volunteer and Exempt Firemen's Benevolent Association and the use of foreign fire insurance premium taxes by such Association.

ACTING SPEAKER EICHENSTEIN: Read the last

section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EICHENSTEIN: The Clerk will record the vote on Assembly print 9494. 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. A09529, Rules Report No. 233, Ramos, Weprin. An act in relation to authorizing the assessor of the Town of Islip, County of Suffolk, to accept from the Iglesia de Jesucristo Palabra Miel Santiago Atitlan Long Island NY an application for exemption from real property taxes.

ACTING SPEAKER EICHENSTEIN: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EICHENSTEIN: The Clerk will record the vote on Assembly print 9529. 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. A09612, Rules Report No. 234, Burdick. An act to amend Chapter 506 of the Laws of 2016 amending the Tax Law relating to the imposition of an occupancy tax in the Town of North Castle, in relation to extending the effectiveness thereof.

ACTING SPEAKER EICHENSTEIN: Home Rule message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EICHENSTEIN: The Clerk will record the vote on Assembly print 9612. 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.)

Ms. Solages.

MS. SOLAGES: Mr. Speaker, can you please record my colleagues in the negative, Mr. Barnwell, Mr. Stirpe and Ms. McMahon?

ACTING SPEAKER EICHENSTEIN: So noted.

MS. SOLAGES: Thank you.

ACTING SPEAKER EICHENSTEIN: Are there any

other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09625, Rules Report No. 235, Jacobson. An act to amend the Tax Law, in relation to authorizing the City of Newburgh to impose a hotel and motel tax; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER EICHENSTEIN: Home Rule message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EICHENSTEIN: The Clerk will record the vote on Assembly print 9625. 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.)

Ms. Solages.

MS. SOLAGES: I have additional names for these people to be recorded in the negative. Assemblymember McMahon and Buttenschon.

ACTING SPEAKER EICHENSTEIN: So noted.

MS. SOLAGES: Thank you.

ACTING SPEAKER EICHENSTEIN: Mr. Goodell.

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

record my colleagues Mr. Reilly and Mr. Tannousis in the negative.

Thank you, sir.

ACTING SPEAKER EICHENSTEIN: So noted.

ACTING SPEAKER AUBRY: Ms. Solages.

MS. SOLAGES: I have additional names to be recorded in the negative.

ACTING SPEAKER AUBRY: Please.

MS. SOLAGES: Assemblymembers Barnwell and Stirpe.

ACTING SPEAKER AUBRY: Thank you so much.
So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09628, Rules Report No. 236, Burdick. An act to amend the Real Property Law, in relation to allowing acknowledgements and proofs by any officer in active service of the Armed Forces authorized to act as a notary.

ACTING SPEAKER AUBRY: On a motion by Mr. Burdick, 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 4784-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.)

Mr. Burdick to explain his vote.

MR. BURDICK: Thank you, Mr. Speaker. We all try to be responsive to the needs of members of our Armed Services and that's what we tried to do as well, especially as a member of the Veterans' Committee. This bill came about due to an incident involving a member of the Armed Services stationed overseas who ran into a brick wall when attempting to have a power of attorney notarized on base. Senator Shelly Mayer asked me to carry this bill here in the Assembly, and she explains, *In the process of trying to sell her deceased mother's home, our office was contacted by a brother serving overseas and sister that had received a power of attorney from him that was rejected. The power of attorney was needed so the sister could sign the deed. A member of the United States Army, the brother, went through the notary service provided on base. The power of attorney was rejected because the officer who notarized it did not have the rank of Second Lieutenant or higher as required under New York -- New York law. However, under Federal law any officer authorized to act as a notary, regardless of rank, may notarize the power of attorney.* This bill simply conforms New York law to what's permitted under Federal law. We all know that there's grief enough as it is when there's a -- the death of a loved one and we certainly want to ease that burden, and this eases it just a bit for those

serving overseas.

Thanks very much. I vote in the affirmative.

ACTING SPEAKER AUBRY: Mr. Burdick in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09643, Rules Report No. 237, Gunther. An act to amend the Judiciary -- Judiciary Law, in relation to stenographers appointed by the Orange County District Attorney.

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 9643. 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. A09716-A, Rules Report No. 238, Galef. An act to amend the Agriculture and Markets Law, in relation to alternate generated power source at retail gasoline outlets.

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 9716-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. A09722, Rules Report No. 239, Reyes, Lupardo. An act to amend the Public Health Law, in relation to providing for the automatic rescheduling of certain compounds, mixtures or preparations.

ACTING SPEAKER AUBRY: On a motion by Ms. Reyes, 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 8618. 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.

On the debate list, page 34, Rules Report No. 553
[sic], the Clerk will read.

THE CLERK: Assembly No. A04649, Calendar No.
533, Woerner. An act to amend the Executive Law, in relation to
giving preference to accredited law enforcement agencies when
awarding grant funds.

ACTING SPEAKER AUBRY: An explanation is
requested, Ms. Woerner.

MS. WOERNER: Thank you, Mr. Speaker. This bill
provides a -- ensures that there's a preference for accredited law
enforcement agencies in the awarding of grant funds in competitive
grants.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

ACTING SPEAKER AUBRY: Ms. Woerner, will
you yield?

MS. WOERNER: Absolutely.

ACTING SPEAKER AUBRY: The sponsor yields.

MR. GOODELL: Thank you very much, Ms.
Woerner. What kind of grants are we talking about?

MS. WOERNER: So, there are a limited number of

grants that are available to law enforcement agencies. Some of them are distributed by formula and some are competitive. Some of the competitive ones have to do with -- let's see here. Excuse me. Crimes Against Revenue Program is a competitive one. The burden grants, motor vehicle theft and insurance fraud prevention, those are competitive grants as well.

MR. GOODELL: Do you have a sense of which departments generally are accredited and which aren't or an idea of how many are accredited and how many are not?

MS. WOERNER: There's an -- there's an extraordinarily long list of accredited agencies. Online it goes on for something like 24 screens. We have many, many accredited agencies in New York State. The ones who are not accredited, we're hoping that this bill will provide them with a little bit of encouragement to seek accreditation.

MR. GOODELL: Do you have any idea of whether the accredited agencies tend to be the larger police agencies as opposed to smaller agencies?

MS. WOERNER: I would answer the question slightly differently insofar as I think the ones that are unaccredited tend to be smaller than the ones -- but that's -- there is a mix. There are both large and small agencies which are accredited.

MR. GOODELL: Are any of these grant funds intended to assist agencies to become accredited?

MS. WOERNER: There are no grant programs

available through DCJS that assist in seeking accreditation.

MR. GOODELL: Thank you very much. I appreciate your insights.

MS. WOERNER: But maybe there should be grant programs to --

MR. GOODELL: Yes. Thank you. Thank you.

On the bill.

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

MR. GOODELL: I -- I very much appreciate the sponsor's desire to encourage police agencies to become accredited. I think that's a worthwhile goal. And what those agencies that have gone through that process have found is that it required them to review all their training, their policy manuals, their approaches, all of which leads to overall better policing. So I fully support the sponsor's desire to increase the number of police agencies that go through that process. My concern is that those agencies that have gone through the process of becoming accredited generally are the larger, better-funded agencies. And those who have not gone through the process of becoming accredited tend to be the smaller agencies with less funding. And so in an effort to encourage more agencies to become accredited, this bill excludes the ability for the smaller, less-funded agencies to get competitive grants. Or -- or more accurately, gives those who are accredited a preference. And so I really wish that we weren't holding back funding or putting smaller police agencies who might need the

funding the most at a disadvantage over those that are likely to be larger and better funded.

So while I -- I certainly support the objective of encouraging accreditation, I would prefer that the method be for us in the State to provide funding to help those smaller, less-funded agencies to become accredited rather than give them a disadvantage, if you will, for any funding that's otherwise available.

Thank you, sir, and again, thank you to my sponsor -- the sponsor for answering these questions.

ACTING SPEAKER AUBRY: Thank you.

Mr. Angelino.

MR. ANGELINO: Thank you, Mr. Speaker.

On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. ANGELINO: Echoing my colleague's statements, this -- this bill should actually be just the opposite. Speaking as somebody who's been there, done that, it takes a lot of work and effort, and I had a dedicate one police sergeant to the accreditation process who literally had to come out of the duty schedule. And we were able to manage his absence, but the effort that goes into the accreditation process, they should be encouraging these small agencies by awarding them grants to even just cover the overtime for the amount of time-off patrol that the -- an officer is going to take on this. I encourage every law enforcement agency to become accredited. It definitely helps and it helps with the insurance

for the agency, the liability insurance. But this -- this is actually just the opposite of what I would have needed when I went through the process.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

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 4649. 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, sir. The Republican Conference is generally opposed to this for the reasons mentioned by my Republican colleague. But those who support this bill are certainly encouraged to vote yes on the floor or contact the Minority Leader's Office.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Ms. Solages.

MS. SOLAGES: I would like to remind my colleagues that this is a Party vote. Majority members will be recorded in the affirmative. If there are any exceptions I ask members

to contact the Majority Leader's Office with the number previously provided and I'll announce their name. Thank you.

ACTING SPEAKER AUBRY: Thank you, ma'am.

(The Clerk recorded the vote.)

Ms. Woerner to explain her vote.

MS. WOERNER: Thank you, Mr. Speaker. I would like to thank the Speaker for bringing -- for allowing me to bring this bill forward. But I would also like to thank the Sheriff of Washington County who is an active member of the accreditation team that works with the agencies for bringing forward this idea of creating an incentive for agencies to seek accreditation. The law enforcement agencies that work as part of the Accreditation Council, they know how challenging it is to -- to reach the accreditation levels and to -- and to become reaccredited every five years. It is clearly a commitment. Let's be clear. There are no grant programs, and perhaps there should be in the State, to assist in the -- in the efforts. But this bill just provides a mechanism for encouraging -- rather than mandating, but encouraging -- agencies to take the step of seeking accreditation.

So with that, Mr. Speaker, I vote in the affirmative.

ACTING SPEAKER AUBRY: Ms. Woerner in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 35, Rules Report [sic] No. 558, the Clerk will read.

THE CLERK: Assembly No. A09121, Calendar No. 558, Cusick, Simon, Wallace. An act to amend the Social Services Law, in relation to establishing an emergency heating energy assistance program benefit.

ACTING SPEAKER AUBRY: Mr. Cusick, an explanation has been requested, sir.

MR. CUSICK: Yes, Mr. Speaker. This bill would require the Office of Temporary and Disability Assistance to establish a Statewide program to provide emergency home energy assistance program benefits to eligible households when such households are threatened with shutoff or an energy emergency due to nonpayment. The main difference between this bill and the current program that is in place is that the program establishes within regulation -- the program that is established in regulations currently, the --- it is -- is it allows an individual to be eligible for emergency HEAP prior to having their shutoff. So this bill would allow someone to be eligible prior to shutoff, the current regulations, the power would be shut off to be eligible.

ACTING SPEAKER AUBRY: Mr. Simpson.

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

ACTING SPEAKER AUBRY: Mr. Cusick, will you yield, sir?

MR. CUSICK: Absolutely.

ACTING SPEAKER AUBRY: Mr. Cusick yields to you, sir.

MR. SIMPSON: Thank you, Mr. Cusick. So, under the -- I heard you say under the -- the HEAP -- regular HEAP program --

ACTING SPEAKER AUBRY: Mr. Simpson, pull that mic up for us. Yeah, there we go.

MR. SIMPSON: Under the current HEAP program somebody is not -- eligibility is at the time of shut off rather than seven days prior?

MR. CUSICK: The current emergency HEAP program, that's what the rule is. Not -- not regular HEAP.

MR. SIMPSON: Okay. The emergency HEAP program is going to allow somebody to go more than 60 days in arrears?

MR. CUSICK: No. No. That --

MR. SIMPSON: Well, I mean it says the legislation includes service arrears more than 60 days and monetary threshold in excess of \$300; am I correct?

MR. CUSICK: The difference is is that this bill, you would have to show that you have 60 days of arrears and more than 300 -- more than 300 in -- in past bills, in arrears.

MR. SIMPSON: So why would we go 60 days? I mean, wouldn't it be better to identify somebody even sooner than 60

days or to be \$300 in arrears?

MR. CUSICK: To -- to -- are you suggesting identifying somebody that is less than 60 days?

MR. SIMPSON: Well, it seems like this because another provision in this is it allows for multiple awards of this.

MR. CUSICK: I'm sorry, I couldn't hear you. I don't know --

MR. SIMPSON: Under this new legislation it allows multiple awards of HEAP. It could.

MR. CUSICK: Well, they have to qualify for HEAP first and then they would have to meet the requirements of the emergency HEAP after they've qualified for the HEAP threshold for their household. So then when they reach that threshold for their household for HEAP, then they would qualify for emergency HEAP based on the -- the qualifications for the new -- the new bill.

MR. SIMPSON: And it's not just one time. They can -- they can't receive it for subsequent months.

MR. CUSICK: Technically, if there is Federal funding available left in it they could do it more than once.

MR. SIMPSON: How much funding is available?

MR. CUSICK: But that would be up to OTDA, correct? And the district. The district, I'm sorry.

MR. SIMPSON: The amount of money that's available is up to the district?

MR. CUSICK: No, no. The -- the -- if they get

another reward -- award.

MR. SIMPSON: So how much money is available for this program?

MR. CUSICK: Five hundred million was appropriated and then an additional 17 million. And that was due to the Federal -- Federal block grant.

MR. SIMPSON: So that was an increase from prior years?

MR. CUSICK: I -- I would think that yes, it was an increase.

MR. SIMPSON: So by creating this program, do we have an idea how many people are going to qualify for this and how far that 500 million is going to go?

MR. CUSICK: So -- so, the emergency HEAP program already exists, so there is a way to figure how many people qualify for it. We're just -- we're just changing how they qualify, right? Because right now they have to qualify by having their power shut off. We're changing the -- the wording with the -- they don't have to have their power shut off in order to qualify and then OTDA would, based on these -- these criteria that we have in the bill, they would figure out who would qualify for this new program.

MR. SIMPSON: But it seems to, and I'm not sure if you agree, that this would sort of incentivize that you go two months or at least built up arrears of 300 -- \$300.

MR. CUSICK: I think that -- I think that happens

with the old way, and -- and I think that we're trying to stop that from happening. I -- I do believe that this -- this bill will allow seniors on a fixed income or seniors who are having a hard time to pay their energy bills a -- a -- a more secure way of qualifying for the emergency HEAP.

MR. SIMPSON: So, another question with this program. Do we do any kind of education outreach to try to bring people into, you know, a monthly budget plan with the electrical company?

MR. CUSICK: That's not addressed in this bill, but that's certainly something that the utilities and the -- I know utilities do that with their own programs and that is something that could be addressed in a -- in a different bill.

MR. SIMPSON: Yeah. I think it's important that maybe we do that, include it with this type of benefit and try to prevent these instances where people fall behind and accrue these amounts of money.

MR. CUSICK: There is a system in place now where you can dial 2-1-1 and you can figure out if you are in -- if you are in trouble with that.

MR. SIMPSON: Okay. All right. Well, thank you, Mr. Cusick.

MR. CUSICK: Absolutely. Thank you, Mr. Simpson.

MR. SIMPSON: Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Goodell.

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

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

MR. CUSICK: Yes, sir.

MR. GOODELL: Thank you, Mr. Cusick. Is there any additional appropriation associated with this bill?

MR. CUSICK: Other than the 500 million and the 17 million, that's the appropriation at this time.

MR. GOODELL: Now, the current system allocates HEAP between regular HEAP that everyone who meets certain income criteria is eligible for, and emergency HEAP, right?

MR. CUSICK: Yes, sir.

MR. GOODELL: And the allocation differs by county; is that correct?

MR. CUSICK: Yes.

MR. GOODELL: Is there any leftover money at the end of the year or do they allocate it all?

MR. CUSICK: We believe they allocate it all.

MR. GOODELL: I see. And I think you mentioned to my colleague this eliminates the requirement that there actually be a notice of termination as long as the bill is more than 60 days late or more than 300-and-some dollars?

MR. CUSICK: Yes.

MR. GOODELL: Okay. Thank you, sir.

On the bill.

MR. CUSICK: Thank you.

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

MR. GOODELL: I want to -- I think all of us share the objective that we want to encourage people who are on public assistance to move out of public assistance, to become self-sufficient. To no longer live in a constant state of crisis. What's ironic is so often in New York State we actually pay people to do destructive things. We actually pay people extra money to destroy their credit rating. And here's how it works. We tell those who are in public assistance, *If you pay your bill on time*, which is what we all think they should do, what we all try to do -- *If you pay your bill on time we'll give you regular HEAP. But you won't be eligible for that second tranche, if you will, that second category of emergency HEAP unless you don't pay your bill on time.* Think about that. We're saying to all of our residents here, *We will only give you a fraction of your home energy assistance if you pay your bill on time like you should. And we'll give you the rest of the money only if you don't pay on time.* So what's this bill do? Under current law we only provide you with one emergency HEAP payment if you're facing a termination. That's the current law. What's this bill do? This bill says, *You don't need a termination notice and we'll keep paying emergency HEAP as often as you want.*

Now, there's a catch. In order to qualify for the supplemental emergency HEAP you have to run up your bill because if your bill is less than \$300 you're not eligible. So here we talk day in and day out about the need for conservation, right? But we say to the people who are on welfare, Hey, if you run up your bill over \$300, boom, we'll give you emergency HEAP as often as you want. As often as you need it. Now, this compounds the issue by the fact that there's no additional appropriation. So the more we spend on emergency HEAP for those who we are paying not to pay their bills on time, the less money there's available for those who are acting in a responsible manner because there's less money for regular HEAP. So what this bill purports to do is to eliminate over time or reduce over time the regular Home Energy Assistance Program for those who pay their bills on time and replace it with more funding for those who don't pay their bills on time. Isn't that exactly the wrong message we want to convey? So what is the right message? It's real simple. What we ought to be doing is saying, You get emergency HEAP once and then you must sign up for balanced billing. Why? Because we know if you're on balanced billing your utility charge is the same every month. You don't get hit with a huge utility bill you can't pay in the winter. We reduce the likelihood you will be -- be in arrears. We help you budget and we help you build your credit.

About 30 years ago my county tried to provide budget counseling to those who were on public assistance. And we had these high-quality, well-meaning budget counselors meeting with

our individuals on public assistance and they told them, *You should pay your bills on time.* And you know what they said? They said, *Does it say "stupid" across my forehead? Because if I follow your budget advice and I pay my bill on time I lose all my emergency HEAP.* I don't know about you, but I can't afford to lose that. And this bill makes it worse and for that reason I recommend against it.

Thank you, sir.

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 9121. 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, sir. The Republican Conference is generally opposed to this legislation. Those who support it can certainly vote in favor here on the floor or by calling the Minority Leader's Office.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Ms. Solages.

MS. SOLAGES: Thank you, Mr. Speaker. This is a Party vote. Majority members will be recorded in the affirmative. If

there's any exceptions I ask members to call the Majority Leader's Office and we will make sure to note their name and record it in the negative. And thank you.

ACTING SPEAKER AUBRY: Thank you.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 36, Calendar No. 575, the Clerk will read.

THE CLERK: Assembly No. A09659, Calendar No. 575, Fahy, Sayegh. An act to amend the Banking Law, in relation to requiring a written notification of overdraft fees charged to certain account holders.

ACTING SPEAKER AUBRY: Mr. Lalor.

MR. LALOR: Thank you, Mr. Speaker. Will the sponsor yield for a couple of questions?

ACTING SPEAKER AUBRY: Ms. Fahy, will you yield? Ms. Fahy is on Zoom.

MS. FAHY: Yeah, sorry. Home with COVID but feeling perfectly fine. Thank you. Happy to yield. Sorry, hard to do this remote.

MR. LALOR: So, this bill is a requirement on State-chartered financial institutions, banks and credit unions, and it requires them to give notification on overdraft fees. Is that a good summary of the bill?

MS. FAHY: Yes.

MR. LALOR: Would this apply to Federally-chartered banks and credit unions?

MS. FAHY: No, but certainly we would hope that they would consider this.

MR. LALOR: Would this burden on State-chartered financial institutions, disadvantage them against Federal -- Federally-chartered banking institutions who do not have to comply with this?

MS. FAHY: That is certainly not the intent. This bill -- as you know, we are facing -- across the country we're facing over 12 billion a year in overdraft fees which averages out to over \$24 per transaction in fees. So, given how overwhelming a problem this has become, this is a way to give folks further notification, a summary. Sometimes these are joint accounts, as I myself have with my husband, and it -- it is a way to really try to notify, put the dates and the amounts and give better information to customers in hopes that they will negotiate those fees as well as give a direct telephone number and contact. So it is intended to be helpful, certainly not to bias or -- or in any way harm the -- the State -- the State-run banks. I'm sorry, State-chartered banks. Forgive me.

MR. LALOR: And your bill requires this information to go out every 180 days, so basically twice -- twice a year. Is this redundant given that most -- most banks send out a statement monthly? So is this 12 months plus an additional two notifications?

MS. FAHY: Remember, this is only for those who

have overdraft fees. Only -- and again, while we recognize it's a serious problem, it is still just a percentage of, you know, the millions of folks who have bank accounts. So it is -- it is only those who are facing overdraft fees. And -- and, yes, this would require but there's nothing to preclude a bank from including this with their monthly statement every six months to add in this additional piece. And certainly, I know more and more banks are doing things electronically as well, so that's a -- it's another way. Again, this -- this really is in an effort to try to stop the bleeding, if you will, with the -- the cost of overdraft fees and really help educate consumers and bring them to the table to address this. We want more people being banked, not more underbanked communities and individuals.

MR. LALOR: And in New York State we have some very big State-chartered branches and institutions and we have some much smaller State-charted banks and credit unions. Are you concerned that the -- the bigger institutions can absorb this burden in a way that the smaller banking institutions cannot and, therefore, the smaller banking institutions are prejudiced by this?

MS. FAHY: I am very sensitive to the -- the significant difference between those that are in the trillions and billions of dollars versus those that are the -- the community banks in my neighborhood and probably yours. And so that -- but we think that this one, again, as -- as you yourself just mentioned, they are sending out monthly statements as it is, and this is something that can be included twice a year to give that over -- that over -- that overview of

what -- what their six months looks like. And sometimes if -- if things get lost in the mail or lost with however many individuals may be on that account, it -- it's just another chance to say, *You may have one overdraft fee or ten*. Often, as you know, if you're -- if you're -- if you're using your account a lot you may not realize that one has come -- one overdraft may be compounded with multiple ones in a very short period of time. So again, we see this as useful and not -- not as burdensome. It really is to try to make sure that small banks in particular are not continuing to suffer under this multi-billion-dollar overdraft fee cost to Americans.

MR. LALOR: Is it multi-billion dollars in New York State?

MS. FAHY: I'm sorry?

MR. LALOR: Is it multi-billion dollars in New York State or that's national?

MS. FAHY: No. As I said at the beginning it is -- it is a national figure. The 12 billion is a national figure, as I mentioned earlier, and we don't have the breakout on what that is in New York. But as you know, when we have those types of numbers and we are considered to be the banking capital of the country, I assume we -- our general population, you know, you could extrapolate from that.

MR. LALOR: Right. It would be significantly less because we're only a portion of the country.

MS. FAHY: Of course.

MR. LALOR: And this bill would only affect the

portion of the financial institutions in the State, the State-chartered versus the Federal-chartered. But I appreciate your answer to that question.

There is a federal regulation as part of the Consumer Financial Protection Bureau that requires notification of overdraft fees. So wouldn't this be duplicitous and redundant?

MS. FAHY: This is a summary. So you're correct that there are other requirements, but this is a summary to put people on notice every six months that, you know, *Well, yes, you may have received let's say five overdraft notices in the last six months. This may give you the summary of -- that you owe, that your account is short \$100-plus.* As -- as I just mentioned earlier, this can really begin to add up. The intent is that there'll be a phone number and contact info. We're doing more and more banking remotely, so this -- this is an effort to try to make sure it is summarized as well as a reminder. I think it's -- it's good business, not intended to be unfair. We would hope that the nationally-chartered ones or Federally-chartered ones would also comply with this but as mentioned earlier, they're not -- they're not obligated.

MR. LALOR: Thank you for that.

One final question. At -- at what point does the accountholder or the customer have a responsibility to keep track of his or her banking and the -- the amount of overdraft fees and the fact that there are -- there is an overdraft? What -- what's the responsibility of the customer?

MS. FAHY: We would want the customer to be absolutely responsible. Otherwise, they may be at risk of losing their account, right? I as the new Chair of the Banking Committee we want more people being banked. We want to serve -- we want to expand the use of our banking and financial institutions, not -- not less. But we also need to be as consumer-friendly as possible and make sure when so much junk mail comes into the -- is out there these days sometimes it's hard to sort through. So I think reminders and I think being as open and as transparent as possible on these I think it is -- we see this as consumer-friendly to try to get them into the table before they are at risk of having their account shut down. But yes, of course the -- of course the individual, the -- the person who has the account is -- is fully responsible.

MR. LALOR: Thank you.

On the bill, Mr. Speaker.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. LALOR: This bill seems like a solution in search of a problem. It is a bill that could have some unintended consequences that may not hinder our bigger banking institutions, but the smaller banking institutions, especially credit unions in underserved areas, which is something we always want to encourage, who are not as financially stable. This will require them to commit resources, both human resources and financial resources to this bill. And ultimately it -- it is up to the accountholder to know when they have enough money in their account so they don't go into an overdraft

status. And they're getting enough reminders. There's Federal notification, a monthly notification with the -- the monthly statement, and I don't think this bill is going to do too much other than potentially hurt smaller banking institutions.

For those reasons I encourage my colleagues to vote in the negative. Thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

Read the last section.

THE CLERK: This act shall take effect on January 1, 2023.

ACTING SPEAKER AUBRY: The Clerk will read the -- the Clerk will record the vote on Assembly print 9659. 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, sir. The Republican Conference is generally opposed to this legislation for the reasons mentioned by my colleague. Those who support it are certainly free to vote in favor on the floor or by contacting the Minority Leader's Office.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Ms. Solages.

MS. SOLAGES: Thank you. The Majority members

will be recorded in the affirmative. If there are any Majority members that want to vote in the negative, I encourage them to call the Majority Lead -- Leader's Office at the number previously provided and I will announce their names accordingly.

ACTING SPEAKER AUBRY: Thank you.

(The Clerk recorded the vote.)

Ms. Fahy to explain her vote.

MS. FAHY: Thank you. Thank you, Mr. Speaker. I rise to explain my vote on this bill that I sponsor. This, again, is intended to be consumer-friendly at a time when nationally - the best numbers we have are national ones - we have over \$12 billion just in 2020, just in one year, in overdraft fees that are costing -- costing the average individual \$24 per transaction. So this is holding back, in my view, low-income households, families and workers who may live paycheck to paycheck. And since so many individuals now are banking remotely it's often hard to keep track of your banking services and possibly problems if there are overdraft fees. I routinely check my spam folder and am often surprised at what ends up in there. I should also note that while we want the banks to share these summaries every six months, a summary of what overdraft fees an individual may have, we are also allowing them to do that via e-mail. But the idea is to help educate the consumer, to help bring them in and to give them the ability to negotiate these fees. So this is not intended to bias or hurt small or -- or State or community-charted banks. This really is intended to help consumers address overdraft fees that they

may have and -- and to -- to bring them to the table, if you will.

With that, Mr. Speaker, I vote in the affirmative.

Thank you.

ACTING SPEAKER AUBRY: Ms. Fahy in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 36, Calendar No. 584, the Clerk will read.

THE CLERK: Assembly No. A09961 Calendar No. 584, Zebrowski. An act to amend the Public Service Law, in relation to clarifying how non-billing information regarding the delivery of water is disclosed to residents of cooperatives, condominiums or multi-family dwellings.

ACTING SPEAKER AUBRY: An explanation is requested, Mr. Zebrowski.

MR. ZEBROWSKI: Thank you, Mr. Speaker. This bill cleans up a bill that was chaptered last year by providing more explicit direction to the Public Service Commission to carry out the intent of the original law. That law was Chapter 191 of 2021. Essentially, Mr. Speaker, this bill seeks to allow sub-metered customers of a master meter to get certain non-billing information. There's not that many of these around the State, but certain condominium complexes - I have some in my district, one in particular, Mountainview Condominiums, which is hundreds of units -

they have no ability right now from private water companies to get non-billing information like boil water advisories and those types of things. And the original law or bill came to me from constituents that were concerned that they weren't getting this information. So there might be a water main break, there may be a recommendation that somebody not drink the water, boil the water. And in order to get that information they had to rely upon the water company giving the information to the master meter owner, which in this case was a condominium complex, a board of volunteers, and hoping that information trickles down to the unit owners. We had started the process of requesting that the water companies just provide this information, set up a system. My personal water company refused. We had attempted to work with the Public Service Commission. So we passed Chapter 191 of 2021. Unfortunately, the Public Service Commission took the language of that bill and I think misconstrued it and has interpreted -- interpreted that bill to allow what the current practice is, which is just to allow the water companies to put this information on their website. Now, to think that a person is going to wake up every morning and peruse the water company website to see if they have a boil water advisory I think is unrealistic. So we're proposing this bill here to clean up the language and to provide these constituents, wherever they may be situated in New York State, this vital information.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

the sponsor yield?

MR. ZEBROWSKI: Yes, Mr. Speaker, I yield.

ACTING SPEAKER AUBRY: Mr. Zebrowski yields.

MR. GOODELL: So, I have a -- just a practical question.

MR. ZEBROWSKI: Yes.

MR. GOODELL: So, if you have an apartment building, and you mentioned one that might have 100 apartments.

MR. ZEBROWSKI: Yeah.

MR. GOODELL: And it's got a master meter --

MR. ZEBROWSKI: Mm-hmm.

MR. GOODELL: -- so it's possible that it might not even be sub-metered, it might just say the water is included in the rent, correct?

MR. ZEBROWSKI: Yes.

MR. GOODELL: So, I understand how the owner of the building would know who all the tenants might be. But how would the utility company know all 100 residents? And those residents may change, right, from time to time. I mean, some of them are moving in, some are moving out. So how does a utility company know where to send the initial notice?

MR. ZEBROWSKI: So, they need to provide an option to the sub-metered customers, and that option would be the same option that they provide the current master customers. So if they

send out notices by text message or by e-mail or those things, you would have to provide that same option. So if the sub-metered customer did not avail themselves of -- of that option, then they wouldn't have to send out the notice. But if they did avail themselves -- so from a technological perspective the water company would have to figure out a way to list those customers under the master meter. So, just like a hypothetical, if they had meter 101 and that was the master meter, well they would just have -- and they send out a notice to 101, they would just have to figure out a way technologically to have under 101 a list of phone numbers or a list of e-mails so that when that notice or advisory, emergency advisory goes out, it goes to the e-mail on file for 1001 or the e-mail on file for 1001, however they do it, A, B, C, D or E. I think in this day and age they can certainly figure that out.

MR. GOODELL: My question really goes before that. I understand this bill says that the utility company shall give tenants the option of how they want to be contacted. I understand that. So my question really goes back on day one. Day one the utility company has a number of apartments, you mentioned they could have 100 different tenants in the apartment. How do they found out how to contact the tenants on day one? On day one all they would know we got this unit that's got 100 apartments in it. Do they just send out a letter that says, you know, *To the Resident of Apartment 1* or *Resident of Apartment 2*? I mean, they wouldn't necessarily know who's in any of the apartments, right?

MR. ZEBROWSKI: Yeah. So the bill has a second section of it. It requires that they send out a notice to all the residents in -- to the residents -- known residents identified in those cooperatives, condominiums or multi-family dwellings.

MR. GOODELL: Who identifies them?

MR. ZEBROWSKI: Well, these are multi-families, so --

MR. GOODELL: They could have up to 100 people, right?

MR. ZEBROWSKI: Yes, it could.

MR. GOODELL: So who identifies the name and address of the 100? I understand the address is pretty simple. It's -- it's going to be a street address for the -- for the apartment building, but who identifies the name of each tenant in the 100 units?

MR. ZEBROWSKI: Well, they wouldn't have the name yet, so they would merely send it out to those units. So depending upon what it is, you know, a condominium may have clusters, a big apartment building may have numbered, A, B, C or D. I think the water companies know what these complexes are right now, so they would just have to send it out. It wouldn't be identifiable because they wouldn't have those names yet. And they would just have to give those entities, those sub-metered customers the option. *Here's how you would register.*

MR. GOODELL: Now, this bill says on line 16 that they should do this periodically. What's that mean? Are we talking

monthly, quarterly, annually?

MR. ZEBROWSKI: Yeah, I think, you know, the definition of periodically is some regular interval. So that would be probably set up by the Public Service Commission.

MR. GOODELL: So you envision that would be a matter of regulation?

MR. ZEBROWSKI: Yeah, I -- I think so. I -- I don't -- I don't envision monthly, but maybe annually, biannually, something that makes sense.

MR. GOODELL: Okay. Thank you very much. I appreciate your comments.

MR. ZEBROWSKI: Thank you.

MR. GOODELL: On the bill, sir.

ACTING SPEAKER AUBRY: On the bill.

MR. GOODELL: I appreciate the objectives that my colleague has in making sure that non-billing information is provided to all the tenants where there's a master meter. It's a great objective. Many of the things that we discuss in this Legislature have great objectives. The challenge is on the practice, when you get out in the actual field. And so what we say when we pass a law that says to the water company, *You have to notify every tenant in a large apartment building*. There may be over 100 different tenants, but there's no way for the water company to know who they are. And hopefully those 100-apartment building complexes have security, so it's not like the utility company can send in a private investigator or -- or a utility staff

person. So it's a great idea but has some really serious implementation issues. And then the bill goes on to say that the notification shall be periodic. What's that mean? Monthly? Now, if you have an apartment building that's got 100 apartments, I mean, there's going to be people moving in and out every single month. So unless we expect the utility company to send out a letter that says, *To Whom It May Concern*, a resident somewhere in this building, there's 100 copies. You know, it's just not -- it's just -- I appreciate the concept but there's just issues on how this should be implemented.

So, a great idea. Not sure how the utility company is supposed to do it. I didn't see any fines associated with it. So for those of my colleagues that like great ideas and want to have someone else figure it out, this is one you should vote for. If you think we should figure it out before we pass a law then this is probably one you should vote against.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 9961. 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.

Ms. Solages.

MS. SOLAGES: We will continue our work for the day with four bills: Rules Report No. 99 by Mr. Cahill, Rules Report No. 107 by Mr. Braunstein, Rules Report No. 119 -- excuse me, by Mr. Bronson -- and Rules Report No. 119 by Mr. Abinanti and Rules Report No. 125 by Mr. Thiele.

ACTING SPEAKER AUBRY: Page 5, Rules Report No. 99, the Clerk will read.

THE CLERK: Assembly No. A01208, Rules Report No. 99, Cahill, Jacobson, Colton. An act to amend the Insurance Law, in relation to establishing the Office of Insurance Consumer Advocate within the Department of Financial Services and describing its powers and duties.

ACTING SPEAKER AUBRY: An explanation is requested, Mr. Cahill.

MR. CAHILL: Thank you, Mr. Speaker. This bill would establish the Office of Insurance Consumer Advocate within the Department of Financial Services to review rate applications, participate and represent consumers in public hearings and review and recommend legislation relating to improving the insurance process for consumers.

ACTING SPEAKER AUBRY: Mr. Blankenbush.

MR. BLANKENBUSH: Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. BLANKENBUSH: Back in 1986 then Mario Cuomo had an advisory commission that looked at liability insurance and to have an advisory commission back then to look at the insurance industry. It -- it seems to me that the speaker relied heavily on that report when he wrote this -- this bill. That was 35 years ago. And it was a few decades before DFS was even created. DFS then, within the Department of DFS, has a Consumer Protection and Financial Enforcement Division already today in DFS. And let me read what the task of that Division is. I'll read it. The task is protecting and educating consumers, fighting consumer fraud, ensuring that regulated entities comply with New York and Federal law. Now, that's within DFS right now. But in addition to that, the New York State Office of Internal -- the Attorney General also has a Healthcare Bureau. That Healthcare Bureau is established to protect the rights of New York healthcare consumers. To me, this is adding another layer of bureaucracy which is already within the Department of Financial Services. This bill I think ignores the State agencies, departments and divisions that are already in existence that are responsible for protecting the interests of New York insurance consumers. This also again adds another layer of -- another layer of bureaucracy. I think that besides that, it could have unintended consequences such as unwanted delays and a possibility increase cost to the -- the consumers. Again, we are ignoring what's in place right now. We have this bill that would do a -- exactly, in my opinion, the same thing

that we have already in our State agencies.

Therefore, I believe that we should be voting no on this bill. I won't support the bill and I -- I recommend that we have a no vote. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

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 1206 [sic]. 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.

Ms. Solages. The woman -- the lady stood up first.

MS. SOLAGES: Okay. I'd like to remind my colleagues in the Majority that this is a Party vote and we will be recorded in the affirmative. If there are any exceptions I ask the Majority members to call the Majority Leader's Office and we will announce their name accordingly.

ACTING SPEAKER AUBRY: Thank you so much.

Mr. Goodell.

MR. GOODELL: It's always great to go after the Majority Leader, of course. The Republican Conference is generally opposed to this legislation for the reasons mentioned by my colleague. Those who wish to vote in favor can do so here on the floor or by

contacting our Leader.

Thank you, sir.

(The Clerk recorded the vote.)

ACTING SPEAKER AUBRY: Thank you both.

Mr. Cahill to explain his vote.

MR. CAHILL: Thank you, Mr. Speaker, to explain my vote. I fully respect the comments of the Ranking Member of the Insurance Committee about the Jones Commission meeting when he was a junior in high school to make these recommendations. But I would say that the recommendations, although they were carried out in part with a few bureaus, neither one of those bureaus are statutory. And neither one of those bureaus have the depth or the breadth that this Division would have. Neither one operates with a legislative mandate. This one does. You know, consumers in New York State who purchase insurance pay premiums, and those premiums eventually wind up paying for insurance companies to go before the regulators to actually increase rates. This levels the playing field a little bit. Not completely, but it provides the means by which someone will go before the Department of Financial Services with the purpose of keeping rates down, making sure consumer interests are represented, making sure that coverage is as broad as possibly can be as is reasonable under the law. So while I respect that it took a little while for this Legislature to catch up with the Jones Commission, I think it's about time. And it's about time that we stand up for consumers a little bit more before every State agency.

And with that, Mr. Speaker, I withdraw my request and vote in the affirmative.

ACTING SPEAKER AUBRY: Mr. Cahill in the affirmative.

Mr. Blankenbush to explain his vote.

MR. BLANKENBUSH: Thank you, Mr. Speaker. Maybe we should just make the agencies that are -- the consumer protection agencies that are in our State agencies now statutory instead of trying to make a new bureaucracy. I spent most of my adult life in the insurance industry and fighting for consumers, we -- that's what our -- that's what the agents do day in and day out. When you start talking about different levels of agencies and commissions, you want to be able to direct it to the people and you don't want to be passed around from one -- one division to another division. And that's what I'm saying, the financial services -- the DF -- the Division of Financial Services already has this protection in it. If statutory is the problem, why don't we make them -- that agency a statutory agency rather than coming together and creating a whole new line of bureaucracy. For me, as an agent who represents the consumer, it would be a lot easier for me to know who I'm directing my arguments to protect my clients which are the consumers of -- of insurance. So this just makes it a little bit more harder to figure out which way you would go when you're fighting for the consumer. Let's keep it as easy as possible and let's have one agency that's, you know, liable to do this. And we already have it and that's why I'm voting no.

Thank you.

ACTING SPEAKER AUBRY: Mr. Blankenbush in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 5, Rules Report No. 107, the Clerk will read.

THE CLERK: Senate No. S00774-B, Rules Report No. 107, Senator Hoylman (A02632-A, Bronson, O'Donnell, Seawright, Otis). An act to amend the Executive Law, in relation to requiring the collection of certain demographic information by certain State agencies, boards and commissions.

ACTING SPEAKER AUBRY: An explanation is requested, Mr. Bronson.

MR. BRONSON: Yes, Mr. Speaker. This bill would require every State agency, board or commission that currently collects demographic data to in addition now collect data regarding sexual orientation, gender identity or gender expression.

ACTING SPEAKER AUBRY: Ms. Walsh.

MS. WALSH: Thank you, Mr. Speaker. Will the sponsor yield for a few questions?

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

MR. BRONSON: Yes, I will, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Bronson yields.

MS. WALSH: Thank you very much. So, just a few questions. Under our current law there's a requirement that data is collected for ancestry and ethnic origin; is that correct?

MR. BRONSON: Under this section of law, yes.

MS. WALSH: Pardon me?

MR. BRONSON: Under this section of law, that is correct.

MS. WALSH: Okay, great. So, what this bill does, then, is it adds a new category for gathering data for sexual orientation and gender identity or expression; Is that correct?

MR. BRONSON: That's correct.

MS. WALSH: Now, as you break that down further to like -- to take a look at what those categories would be, am I correct that that would be LGBTQQI? Is -- is that the -- the categories that would be used?

MR. BRONSON: Yes.

MS. WALSH: Okay. Now, why -- why is it necessary to collect that kind of information? What's the reason for it?

MR. BRONSON: For the same reason that we collect other demographic information. It will help us understand who's being served by the programs and the services that the State currently provides. It will show us whether there was a need to increase the level of those programs or those services, and it will allow my community, the LGBTQ community, to be visible in the

eyes of the State when we're making decisions regarding policy as well as funding.

MS. WALSH: Very good. And I would just love it if my colleagues might just hype it down a little bit here so I can actually hear Mr. Bronson. Thank you very much. Appreciate it.

ACTING SPEAKER CUSICK: We ask that people quiet down. Take your seats.

MS. WALSH: Thank you, Mr. Speaker. Mr. Bronson, would the collection of this data be just prospective from passage of this legislation or would there will be any requirement that it would be retroactive as to individuals where ethnic origin or ancestral data had already been collected?

MR. BRONSON: Notwithstanding there are some agencies who are already collecting this data, the statute, if signed into law, would only require future collection.

MS. WALSH: Okay. Now, how -- do you know how many State agencies, boards and commissions that we have in the State that currently collect data regarding ancestry and ethnic origin?

MR. BRONSON: I do not.

MS. WALSH: Okay. After this data is collected, under this piece of legislation the -- it says in the bill that the information and the data shall be made available to the public with the exception of any personal identifying information. What would -- what would be -- that's not defined in the -- in the bill. What would personal identifying information include?

MR. BRONSON: Sure. It would be the other information that's on the forms that they're billing out. So it would be their name, there would be maybe their Social Security number, it could be their date of birth, it could be their address. This is about counting the numbers, it's not about getting personal information.

MS. WALSH: Okay, so just -- but as you said earlier, part of the reason for collecting this data at all is to identify -- my understanding it was not the sheer numbers of individuals who would identify as LGBTQQI, but also kind of where they are, right, so that resources could be directed to them. So if something like address is blocked out as personal identifying information, how -- how would that work, then, to provide data that would be beneficial to developing policy and (inaudible) funding would go?

MR. BRONSON: There is a significant difference with knowing that the gay man Harry Bronson lives at 895 Meigs Street in Rochester, New York versus Harry Bronson goes to a State agency in Monroe County or in the City of Rochester and is counted from that geographical area. So that -- I think that's the significance and the difference.

MS. WALSH: Okay, that's -- that's helpful. Now, would -- what would happen or what does happen if -- when this bill is passed that an individual is asked to answer this question, this new question? What if they refused to answer it?

MR. BRONSON: Just as an all demographic information that's collected, it's on a voluntary basis.

MS. WALSH: It is vol -- because I noticed that in the bill the word "voluntary" is not used, so it -- it's silent right now as to that. But I'm -- I appreciate you saying that it would be voluntary, that it's not going to be required. It's not going to hold up somebody's maybe application for something that they need if they refused to answer that particular question. It is -- it is voluntary, then.

MR. BRONSON: It -- it is voluntary, and voluntary is not used in other sections of the law when we're asking for the collection of demographic information.

MS. WALSH: Okay. But would you acknowledge that if a -- a large number of people just refused to answer that that could skew the data, the very data that we're attempting to collect here?

MR. BRONSON: I don't believe that is going to be the case. We're in 2022. Many people in my community are out, if you will. Many people in my community and many of us who through the last few decades strongly believe that strength is in visibility. And so being open about who you are is something that's engrained in our culture, notwithstanding the discrimination that occurs against so many people, especially our transgender siblings and non-gender-conforming siblings. So, I -- I strongly believe that we are going to get more people who are willing to voluntarily give this information than not.

MS. WALSH: Okay. Thank you very much for answering my questions.

Mr. Speaker, on the bill.

MR. BRONSON: Thank you.

ACTING SPEAKER CUSICK: On the bill.

MS. WALSH: So, I appreciate the sponsor's explanation and a little -- creation of a little bit of legislative history here about what this bill is intended to do and why. I respect very much the fact that we are in 2022, and for -- I think that the issue of self-identifying as far as sexual orientation and gender identity and expression has come a long way, certainly in my lifetime and even in the last few years, I think. But I think that there's also a very large group of people in our State who are -- who are very uncomfortable still with that -- with the question, and being asked that question could make people -- some folks feel very uncomfortable. I -- for example, there are some people that I know who still -- mostly my aunts -- but other -- other folks of a certain age who still spell out S-E-X and would be very uncomfortable to even be asked this question. So I do have the greatest respect for individuals who are out, who are advocates, who are proud and they -- and they will be counted and I think that that will be good information for the State to have. But I think that there -- there is opposition to this legislation with the idea that a person's gender identity and sexual orientation is really nobody's business and that really the State has no real right to ask and there -- there's opposition to this bill on that basis. Some people don't want to share their Social Security number, some people don't want to share their political affiliation. You're getting very personal when you start

to ask about an individual's sexual orientation or gender identity.

So for those reasons, some members of -- of our Body may be in opposition to this bill, but again, I appreciate the sponsor bringing it forward and for his very candid answers to my questions. Thank you, Mr. Speaker.

ACTING SPEAKER CUSICK: Read the last section.

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

ACTING SPEAKER CUSICK: The Clerk will record the vote on Senate print 774-B. 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.

(Pause)

Mr. Goodell?

MS. SOLAGES: I would like to remind my colleagues that this is a Party vote. Majority members will be recorded --

ACTING SPEAKER CUSICK: Mr. Goodell, your voice changed.

(Laughter)

MS. SOLAGES: I know, right? Sounds better.

MR. GOODELL: Don't -- don't let it fool you, she was going to announce that the Republican Conference is generally

opposed to this legislation. I suspect maybe the Democratic Conference might support it. But if you're a Republican we're generally voting no but you can certainly vote yes by doing so here on the floor of the Assembly or contacting the Minority Leader.

Thank you, sir.

ACTING SPEAKER CUSICK: Ms. Solages.

MS. SOLAGES: We're just so excited here.

(Laughter)

I would like to remind my colleagues that this is a Party vote. Majority members will be voting in the affirmative. If there are any exceptions I inform members to contact the Majority Leader's Office and we will announce your name accordingly.

(The Clerk recorded the vote.)

ACTING SPEAKER CUSICK: Mr. Bronson to explain his vote.

MR. BRONSON: Thank you, Mr. Speaker, and to explain my vote. I find it rather disingenuous for my colleagues on the other side of the aisle to suggest that they want to protect my community by not asking this question. These are probably the same people who voted no on GENDA. Same people who voted no on Marriage Equality. Same people who probably voted no on Dignity for All Students and the myriad of bills that we've passed through this House without your support that would protect the LGBTQ community. That being said, this is a good bill to pass today. This bill would require the collection of data that would determine what

programs and services we offer here in New York State for the LGBTQ community as well as the funding associated with those programs. If we are not counted as a community we are invisible. We must be visible to the State of New York. The State of New York must see the dignity within each and every one of us, must see the humanity within each and every one of us and must support us as full citizens of New York State.

I encourage all of my colleagues on both sides of the aisle to think about that and to vote in the affirmative. Thank you.

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

MR. GOODELL: Thank you, sir. I and certainly many of my colleagues think that the law should apply blindly regardless of what your perspective is, regardless your age, race, color, religion, national origin, sexual preference. What you do behind closed doors, what you do outside of your closed doors, that's irrelevant to almost everything we do here in the State with a few exceptions. Like we give special preference to women and minorities in business operations and things of that nature. But generally speaking, it doesn't matter to me whether you're straight, gay, lesbian, transgender, questioning, queer, intersexual or any other of those things. It doesn't matter. If you're eligible for the program, you're eligible for the program. And I don't care what your sexual orientation is. And if you share my views that every person in the State of New York ought to have equal treatment regardless of their

sexual views then why should we be passing bills requiring people to report their sexual view? And by the way, you only have to report it on data related to your ancestry or national origin. Really? What's that have to do with your ancestry? What's that have to do with your national origin? So if we really claim to be color blind, sex blind and we want justice to be fair and equal, don't accuse anyone of being racist or homophobic or anything else when we think the law should apply equally without regard to your sexual preference and that there is therefore no need to ask what your sexual preference is on a State form.

Thank you, sir.

ACTING SPEAKER CUSICK: Are there any other votes?

Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker. Please record my colleague Mr. Tannousis in the affirmative.

Thank you.

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

(The Clerk announced the results.)

The bill is passed.

Page 6, Rules Report No. 119, the Clerk will read.

THE CLERK: Assembly No. A05286-A, Rules Report No. 119, Abinanti. An act mandating that the Public Service Commission examine a process for streamlining actions relating to

identifying and removing certain utility poles.

ACTING SPEAKER CUSICK: An explanation has been requested, Mr. Abinanti.

MR. ABINANTI: Good evening, Mr. Speaker. This bill requires the Public Service Commission to initiate a -- a proceeding to examine the process for identifying and removing utility poles that are now extra poles, the old telephone poles. We have a forest of telephone poles out there. They look like branchless trees. The utility companies tend to replace the pole without replacing the pole, so they put a new pole in, move the wires to the new pole and then leave the old one standing there. Down the street from my house there are now three telephone poles; one old pole holding up another old pole and a new pole with the wires on it. So this bill would require the Public Service Commission to start that proceeding, conduct a study and then come out with a solution in order to require that the owners of these telephone poles remove the old ones that are no longer useable.

ACTING SPEAKER CUSICK: Mr. Goodell.

MR. GOODELL: Thank you. Would the sponsor yield?

ACTING SPEAKER CUSICK: Will the sponsor yield?

MR. ABINANTI: Yes, Mr. Speaker.

ACTING SPEAKER CUSICK: The sponsor yields.

MR. GOODELL: Thank you, Mr. Abinanti. Other

than the fact that we have an aversion to these poles, is there any safety reason or any other reason that they should be cut down or removed?

MR. ABINANTI: Yes, sir. Many of these poles are dangerous. They -- the present a -- a safety hazard. I have seen some of these old poles in the process of falling down but being held up by the wires from the new telephone pole. And so some of them are as dangerous as the trees that come down and take the -- the utility wires with them. And there have been reports -- I -- I've seen pictures of telephone poles on top of cars, and these are the old poles that are no longer being used.

MR. GOODELL: But apparently not -- not the poles in your neighborhood because they're still standing.

MR. ABINANTI: There was one at the end of the street that took a lot of effort to get the telephone company, I believe, in that case to remove a pole that was hanging partially from the new pole.

MR. GOODELL: I see. So other than the fact that eventually these need to be removed because they're obviously being replaced. But pending those removals, unless the pole itself is structurally unsound, like rotted through, for example or something like that. It's not a real issue, is it, as long as -- if you have two poles instead of one other than maybe the aesthetics?

MR. ABINANTI: No, I have seen a lot of them where there -- the aesthetics is one problem, but there is a safety

hazard, to be serious about it. We have seen -- I have seen many situations personally where the old pole is -- is barely standing or is leaning or is being strapped up somehow by some wires that the utility company put around it to keep it from falling. So instead, they should be just taking those poles down. And this is -- this is -- the original bill -- as you can see it's an amended version. The original bill required that they take them down and we thought better of it and decided the Public Service Commission controls this. They have various proceedings dealing with various aspect of these poles, but none of the proceedings that they have now actually will result in the removal of any of the poles. So this is going to require them to take a look at this, and within a certain period of time, by September 30, 2023, they are to come out with regulations and rules to require the removal of those dangerous poles.

MR. GOODELL: I appreciate that the statutory language calls for the Public Service Commission to review it and then, quote, "issue an order adopting new or revised rules regarding matters examined in the proceeding", right?

MR. ABINANTI: Yes.

MR. GOODELL: So it is directing them not only to study it but to issue new or revised rules, correct?

MR. ABINANTI: This is -- this is ordering them to act, because they've had these -- they've had complaints about these poles for years and they just have not acted. So we're saying to them, *Do your job, study what needs to be done and then put out an order*

and get it done.

MR. GOODELL: Well, actually they have acted on this, correct? I mean, Case Number 21-C-0235 dealing with Verizon, for example, specifically addressed this issue, correct?

MR. ABINANTI: My understanding is it did not issue a broad order for all of the poles, witnessed the fact that they're all over the place still standing.

MR. GOODELL: Well, the order that the Public Service Commission, that proceeding resulted in a consent agreement pursuant to which Verizon, for example, agreed to remove 64,000 poles over a five-year period, correct?

MR. ABINANTI: My understanding is that was for that specific circumstance, and as you're describing it to me it was only Verizon. Con Edison owned some of telephone poles. We have other -- other utilities that own the poles. So that is not a broad Statewide order. It deals only with the circumstances that were presented to the Public Service Commission at that time.

MR. GOODELL: Now, the Public Service Commission most assuredly has the authority to initiate the proceedings that it did for Verizon, right? We're not saying that the Public Service Commission's consent agreement with Verizon was unauthorized.

MR. ABINANTI: We're not saying that. But that's the reason why we can -- that's the reason why we can order the Public Service Commission to commence the proceeding, to study and

to move forward. We're not broadening their jurisdiction, we're just trying to force them to use it.

MR. GOODELL: And do you have any indication that the Public Service Commission is not looking at this issue with anyone else? Because it was my understanding that they were also examining the issue with AT&T.

MR. ABINANTI: My understanding is that they're looking at various aspects of it but they're not going as far and there's no mandate to them at this point to -- to act.

MR. GOODELL: Then as you know, we mentioned that case and you acknowledged it, dealing with Verizon, and I was mistaken, it was 64,000 poles in four years. Having entered into an agreement with Verizon and the Public Service Commission obviously having come to the conclusion on its own that its agreement with Verizon was fair, reasonable and appropriate, does the Public Service Commission have the authority to now revoke that agreement or change that agreement? Aren't they bound by that agreement in not only as a matter of law but as a matter of equity?

MR. ABINANTI: I don't think we have to get into the merits of that or whether this legislation would force them to override that agreement. All we're doing is asking them to -- to look at the entire situation and they can take that into account. If they made a good agreement then they can honor it. If they haven't, well then it's going to be up to them to figure out how to accommodate the agreement they previously made.

MR. GOODELL: And so it's your view that it would be well within the jurisdiction of the Public Service Commission to actually honor the agreement it made with Verizon and others even as part of its new rulemaking?

MR. ABINANTI: We're not asking them to -- to do anything specific with respect to the poles other than to study the circumstance and determine how best to remove those utility poles that are no longer being used and that form a safety hazard to the public.

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

ACTING SPEAKER CUSICK: Mr. Montesano.

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

ACTING SPEAKER CUSICK: Will the sponsor yield?

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

ACTING SPEAKER CUSICK: The sponsor yields.

MR. MONTESANO: Thank you. Just a quick question. The Public Service Commission -- because I know out by us Cablevision, you know, was involved with the utility poles and, you know, Spectrum. You know, everywhere you go in the State there's a different company. Does the Public Service Commission have jurisdiction over those types of companies? I know they control Verizon and the electric companies and everything, but do they have

jurisdiction over them?

MR. ABINANTI: My understanding is that the Public Service Commission cannot override the jurisdiction of the Federal government that controls the communications companies. But that's why we're asking them to do a study and to come back with some rules and regulations that address the problem. If they find that they cannot address the poles that are owned by most companies, then they're going to have to find another way to deal with those -- those extra poles. But I -- in my area the poles are owned by the utility companies that are regulated by the Public Service Commission.

MR. MONTESANO: Right, right.

MR. ABINANTI: I have not yet come across any that are owned by the entities that are -- that are Federally-governed.

MR. MONTESANO: All right. Thank you.

Mr. Speaker, on the bill.

ACTING SPEAKER CUSICK: On the bill.

MR. MONTESANO: I just want to thank the sponsor for this piece of legislation. Back in my district out in Nassau County in the last several years this has been an ongoing problem for constituents. And I have certain segments of the communities that I had to go to and identify the poles. So the utility company's position was, *Go out there and take pictures for us because each pole has an identifying number on them, a plate, and tells you who owns them, you know, what their numbers are and so on and so forth.* And I had one community, I had about 160 poles that were antiquated that should

have come down when they put the new poles up. Which I don't understand, why would they put up the new ones, you just can't take down the old one. But the big problem was that those old poles were treated with a chemical coating. It was black in nature, I don't know the name of the chemical at this point. But it was identified as being a carcinogen. And people were very concerned because -- because this chemical got old on the poles, it was starting to bleed. It was like getting liquified and dripping down, you know, over the rest of the poles. So I was able to get some success with the utility company. It took them about three, four months, but they took down, you know, the poles that were identified in that nature. And I don't think people should have to go through that in their communities, you know, because it creates an eyesore in some communities when you have -- like I live on a main thoroughfare, so we have poles every couple of feet, you know, that are running through. And I watched the utility company come and they put up the new pole and they wire and they just leave the old one and walk away. So there's no reason why even if they cut down three-quarters of it -- you know, it's easy enough with the equipment today to pull those poles out.

So I thank the sponsor for doing this and hopefully the PSC could find time to do a little research and come up with a plan that these utility companies have to start removing this excess equipment that they're not using anymore. Thank you, Mr. Speaker.

ACTING SPEAKER CUSICK: Mr. Brown.

MR. A. BROWN: Thank you, Mr. Speaker.

On the bill.

ACTING SPEAKER CUSICK: On the bill.

MR. A. BROWN: I want to commend the sponsor for putting together this piece of legislation. This -- these poles that they're known as dead wood in the industry, and there's a great deal of politics involved with this. Every utility company passed the buck, saying, *I wasn't the last one on the pole. The last one on the pole is responsible for removing it.* And that's why they sit for year after year after year. Whatever oversight that can be done, great. It's a great legislative bill. As Mr. Montesano said, that creosote that they put on the old poles are carcinogenic and dangerous and they should be removed, and I thank the sponsor for doing that.

ACTING SPEAKER CUSICK: Ms. Giglio.

MS. GIGLIO: Thank you, Mr. Speaker. And I want to thank the sponsor for bringing this bill forward. We had adopted similar legislation when I was on the Town Board locally because the double poles, not only are they a safety hazard but they're also an eyesore. So instead of removing the bad pole that's broken in half or leaning over into the street they just put a sister pole next to it, tie them together and you'd be looking at two poles. So this is great legislation that every town can jump on to. We did have a local agreement with our local contractors where they came through once a year and they -- you know, they'd sister them up temporarily and then they come and replace the other one. But I think that we should all move towards underground utilities in order to prevent trees from

falling on power lines and power outages, and the utility companies would probably save a lot of money if they would just consider doing that, and instead of replacing poles just start putting -- putting the wide lines underground.

But I want to thank the sponsor, and thank you, Mr. Speaker, for the time.

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 5286-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.)

Mrs. Galef to explain her vote.

MRS. GALEF: To explain my vote. I'd like to compliment my colleague for this great legislation. A number of years ago one of the advocates, or a bunch of advocates came to my office in Ossining. They brought a book and they showed me all of the crazy poles all over, like, Northern Westchester that were leaning this way, tied together, and also the wires above with the hanging bags. Well, I started to -- to look around as I drove. It was really interesting. I hadn't really thought about it before, but when you start to look around and you see what's going on it -- it's really an eyesore but it's also a safety issue. Today we had -- I don't know whether that

was a tornado outside, I -- I don't know. It looked awful. But we have tornadoes and hurricanes and all this terrible weather. It doesn't seem to be subsiding, and those poles can be the thing that happens with all of this bad weather.

So, I congratulate my colleague. Job well done.

ACTING SPEAKER AUBRY: Mrs. Galef in the affirmative.

Ms. Griffin.

MS. GRIFFIN: Thank you, Mr. Speaker. I just wanted to commend the sponsor of this bill. As many of my colleagues on Long Island have mentioned, these poles are an eyesore in almost every community on the South Shore of Long Island that I pass through. And I know I've had constituents complain, and one really egregious system was pointed out by a constituent and it was by a school and that pole fell but was close -- and then was close to falling at numerous times. It would be tied up, they'd come back, tie it up. It had, you know, pieces falling off of it which also is carcinogenic.

And so I commend you, and the PSC should get busy and there should be no reason why they can't streamline a process to get these poles removed. And no one should have to jump through hoops to get these eyesores removed and the danger that they present. So thank you. I, of course, vote in the affirmative.

ACTING SPEAKER AUBRY: Ms. Griffin in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 6, Rules Report No. 125, the Clerk will read.

THE CLERK: Assembly No. A06428-C, Rules Report No. 125, Thiele. An act to amend the Public Authorities Law, in relation to requiring service providers to reimburse consumers in the event of a prolonged power outage.

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

Mr. Lemondes.

MR. LEMONDES: (Inaudible)

ACTING SPEAKER AUBRY: An explanation is requested.

MR. THIELE: Thank you, Mr. Speaker. Members may remember August of 2020, Tropical Storm Isaias across the region, and there were substantial failures in storm response and getting the lights and getting the power back on, and that as a result of that storm and the failure of utility companies, residential customers and small businesses were faced with losses because of food, prescription drugs, et cetera. In response to that, last year the Legislature passed Chapter 786 of the Laws of 2021, and that chapter provided a -- a mechanism for in -- in the case of -- of widespread prolonged outages lasting more than 72 hours, provided for a statutory

framework whereby residential customers and small businesses were -- were able to be reimbursed for -- for loss of power, for spoiled food, for spoiled prescription drugs. The same thing for small businesses. There was only one small issue with regard to that bill when it was adopted by the -- the Legislature and signed into law last year, and that is it didn't apply on Long Island because Long Island is served by the Long Island Power Authority and the Long Island Power Authority is not subject to the jurisdiction of -- of the PSC. So this bill is a relatively simple bill. It would take the law that we passed last year with regard to food spoilage and -- and the loss -- losses from prescription drugs in the case of a widespread power outage, and it would apply the same rules and same regulations to Long Island and the Long Island Power Authority so that regardless of where you live in the State of New York the rules would be the same.

ACTING SPEAKER AUBRY: Mr. Lemondes.

MR. LEMONDES: Mr. Speaker, would the sponsor yield?

ACTING SPEAKER AUBRY: Will you yield?

MR. THIELE: Yes.

ACTING SPEAKER AUBRY: Mr. Thiele yields.

MR. LEMONDES: Thank -- thank you.

Recognizing the circumstance which you just outlined, the -- the \$25 per day payment after the first 72 hours, I -- I don't understand who would pay for that. Could you -- could you provide an answer on who would be held responsible?

MR. THIELE: Yes, so the -- the statute provides and this bill -- existing statute and the rest of the State and this bill provides that the -- the ratepayers would not -- would not be held responsible. So the utility company would have to. In our case we have the service provider, the public -- the PSE&G Long Island, so they would have to pay for that, not the ratepayers, out of their -- out of the fee that they get for serving Long Island.

MR. LEMONDES: Right, I understand that and -- and I read that. But to me that means that it would ultimately come back to the ratepayer in some way.

MR. THIELE: Well, I would disagree with that. I mean, this is something -- not something that I think they -- they could charge against the ratepayer. That's why the -- the language in the statute the way it is. On Long Island we have the Long Island Power Authority. They contract with PSE&G Long Island who provides the service. They get a fee for that. It would -- it -- the way this is written it would come out of that fee just as if they don't -- if PSE&G doesn't perform pursuant to the contract there are other remedies. So it comes out of their fee, it would not come out of -- out of the -- the rate -- the ratepayers.

MR. LEMONDES: Do you think that that perhaps could manifest itself in -- in deferred maintenance over time?

MR. THIELE: I would hope it would be an incentive for them to have to comply with their emergency response plan and be ready for storms so that they would not be forced into these situations

where they might lose part of their -- their -- their fee for service because they didn't provide. And, in fact, that -- that is what has happened on -- what happened during Tropical Storm Isaias. What -- what -- what the ratepayers had bargained for they didn't get from PSE&G. So -- and that cost PSE&G. Not as much as I think it should've cost them, but it cost them. So I think it's an incentive actually for PSE&G Long Island to perform under the contract so they're not going to be subject to a loss of their fee.

MR. LEMONDES: I see that perspective, but I also see the other side of it as a business owner of where -- how do I make up for that -- how do I make up for that cost.

Switching gears, I'd like to go on to the provision of itemized spoilage. Would you say that that would be done on the honor system?

MR. THIELE: Well, they have to itemize -- there's a couple of different categories here. So if you're talking about residential customers, there's -- there's two categories; the itemized, which is a lower amount. It's the \$235. You would have to itemize the amount. So you would have to provide documentation of that and of the loss, whereas for the higher amount you would have to actually show proof of loss. So I'm not sure I would say it's -- hopefully there's honor involved, but I wouldn't say that it's totally the honor -- honor system in that, you know, you have to provide documentation and would have to be able to -- you know, hopefully that documentation would have some basis and fact.

MR. LEMONDES: I -- I think in light of an emergency, though, of who would have documentation for the refrigerator contents. That -- that's what I'm getting at. I mean, how would you know that my -- that my claim for 20 pounds of Wagyu beef and 150 lobster tails is fraudulent?

MR. THIELE: Well, I mean, you could have receipts from the store. That would be one possible way of -- of proof. But, you know, the lower amount is -- is a lower standard, and that is you have to provide documented itemization as opposed to proof of loss.

MR. LEMONDES: Understood, but -- but with disagreement.

Switching gears to medications. Again, my question is how would you -- how would you expect the power company to have to pay for medications that are claimed that very may well be expired at the -- at the time of the storm?

MR. THIELE: Well, again, you have to -- you have to show -- in that case you have to actually show proof of loss.

MR. LEMONDES: And would you -- would you recognize the role of personal insurance in this?

MR. THIELE: I think we do. And, you know, if you look for, particularly for the small businesses I think the cap for them is like \$540. I think that contemplates, you know, if you're talking about a small grocery store or a restaurant that perhaps the bulk of that loss is going to be covered by insurance. The -- the amount under this statute is 540, which for a small business or a restaurant is -- is a

relatively small amount but puts them in the same situation at least as residential customers.

MR. LEMONDES: Thank you very much for answering my questions.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. LEMONDES: Thank you. I -- I think with respect to acts of God, they're inevitable. There are insurance mechanisms to cover for these -- for these eventualities. We all share in this as a society, and all of us -- I -- I'm sure there's nobody in this Chamber that's -- that has not lived through some of these emergencies. I have personally in multiple states. They're painful, they're costly. But I could not imagine ever claiming the contents of my refrigerator back to the power company. I could see if the power company was trying to bill me for consumption during an outage when I obviously could not use what I was quote, unquote, "paying for." I would have a problem with that. But I see no other way for the power company to make up for these claims if this mechanism is provided other than raising rates on ratepayers, which I think is fundamentally wrong and I -- I just can't -- I can't get past that. I think this -- this -- this would also incentivize additional moral hazard. Many people would take advantage of this, thus causing our overall insurance rates to go up as well as the cost to ratepayers. So you would get it on both sides as a result of this bill.

Therefore, for those reasons and the most important

I'll leave for last, is in a state of emergency where you're working in chaos, which I have done personally many times, the last thing you want to be burdened with is reporting. In any state of emergency affecting a community, affecting us all, I -- I sure would want the power companies' resources to be going towards establishment of power. Catch up on the reports later, but get the power going.

For those reasons I -- I can't support this and I -- I thank you and the sponsor for putting it forward. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Ms. Giglio.

MS. GIGLIO: Thank you, Mr. Speaker. And I want to thank the sponsor for this bill because living on Long Island we have had power outages that have lasted a week, two weeks. We've had trees blocking roadways where people couldn't get to work. We've had people buying food and putting it in a cooler, an ice chest, until they got power back just so they could have milk for cereal. And I really want to commend the sponsor of this bill for putting together the LIPA Commission, because that is going to fix this problem to where they would never have to worry about reimbursing anybody if they had an emergency plan. And if they had the workforce that they should have rather than bringing people in from out-of-State to fix these -- these outages then we'd be a lot better off for that, too.

So I'm fully supportive of the Commission, fully supportive of this bill, and it's a small price for them to pay to give a

credit on a utility bill for people that are inconvenienced for so long because they have a shortage of workforce. Thank you to the sponsor, thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 5237-C. 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 in the negative. There certainly will be members in the Republican Conference who support this and will be voting yes on the floor or by contacting the Minority Leader's Office.

Thank you, sir.

ACTING SPEAKER AUBRY: You're welcome.

Ms. Solages.

MS. SOLAGES: I would like to remind my colleagues that this is a Party vote. Majority members will be voting in the affirmative. If there are those who wish to vote in the negative we encourage them to contact the Majority Leader's Office and we

will announce their name accordingly.

ACTING SPEAKER AUBRY: Thank you.

(The Clerk recorded the vote.)

Ms. Griffin.

MS. GRIFFIN: Mr. Speaker, I just wanted to commend the sponsor. In recent storms there has been just such a severe lack of emergency preparedness by LIPA which has caused so many people to be out of power for days, which caused them to have medicine, food, all kind of essentials that they had to throw out. So as far as I'm concerned, if LIPA doesn't want to have to pay these costs then LIPA should be more prepared in all emergencies to act more swiftly.

So I will be voting in the affirmative and, again, I commend the sponsor. Thank you.

ACTING SPEAKER AUBRY: Ms. Griffin in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

Mr. Goodell.

MR. GOODELL: At the risk of changing the votes, can I add some additional yes votes for this legislation?

(Pause)

ACTING SPEAKER AUBRY: Mr. Goodell, do you have an additional vote or a changed vote?

MR. GOODELL: I do. Thank you, sir.

ACTING SPEAKER AUBRY: Please.

MR. GOODELL: Please record the following colleagues in the affirmative: Mr. Keith Brown, Mr. DeStefano, Mr. Michael Lawler, Mr. John Mikulin, Mr. Mike Reilly, Mr. Smith -- Doug Smith -- Mr. Tannousis and Mr. Ari Brown. Also, Mr. Ashby.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Ms. Solages.

MS. SOLAGES: We will continue our work with Rules Report No. 133 by Mr. Meeks, Rules Report No. 149 by Mr. Cunningham, Calendar No. 19 by Mr. Gottfried, Calendar No. 270 by Ms. Fernandez, Calendar No. 619 by Mr. Eichenstein, Calendar No. 644 by Ms. Paulin.

ACTING SPEAKER AUBRY: Page 7, Rules Report No. 133, the Clerk will read.

THE CLERK: Assembly No. A08215, Rules Report No. 133, Meeks. An act to repeal subdivision two of Section 189 of the Correction Law and paragraph (b) of subdivision 5 of Section 60.35 of the Penal Law relating to the collection of an incarceration fee.

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: Thank you, sir. This will be a

Party vote. The Republicans will generally be opposed for the reasons that I'll explain after you initiate the roll.

ACTING SPEAKER AUBRY: Ms. Solages.

MS. SOLAGES: Majority members be recorded in the affirmative. If you wish to vote against this bill I encourage you to call the Majority Leader's Office and we will announce your name accordingly.

ACTING SPEAKER AUBRY: Read the last section -- the Clerk will record the vote on Assembly print 8215. 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.

(The Clerk recorded the vote.)

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Corrections Law Section 189 currently allows the State to charge a very modest fee for offsetting the cost of incarcerating an individual in one of our State prisons. The fee, by the way, is one dollar a week. And it was set in 1929 when a dollar a week actually covered some of the costs of incarceration. So granted, the State's not going to go bankrupt by eliminating the one dollar a week incarceration fee. Now I know that there have been a number of people that said, Well, we pay inmates who do work, whether they're making license plates or whatever, we pay them such a low rate. We ought to pay them more. Now to be honest, in my opinion we absolutely should. I think we should pay all

of our inmates who work for us a minimum wage. But at the same time I think we ought to charge them fair and reasonable room and board. And so this may be a very small step, but symbolically it's one more step by this Legislature saying, *You may have a debt to society but we're not going to ask you to pay anything, anything. Not even one dollar a week to offset your cost.* One dollar a week should be raised, but not eliminated.

Thank you, sir.

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

(The Clerk announced the results.)

The bill is passed.

Page 7, Rules Report No. 149, the Clerk will read.

THE CLERK: Assembly No. A10001-B, Rules Report No. 149, Cunningham. An act in relation to directing the Department of Environmental Conservation, in conjunction with the Environmental Justice Interagency Coordinating Council and the Climate Justice Working Group, to conduct a study on the impacts of the urban island effect on disadvantaged communities.

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 10001-B. 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 Mr. Cunningham, congratulations. Your first bill, sir. Happy, happy, happy.

(Applause)

One of many, I'm sure. But never a clap again.

Thank you.

Page 9, Calendar No. 19, the Clerk will read.

THE CLERK: Assembly No. A00273, Calendar No. 19, Gottfried, Griffin, Galef, Kelles, Seawright, Thiele, McDonald, Jensen, L. Rosenthal, Sayegh. An act to amend the Public Health Law, in relation to consideration and prescription of non-opioid treatment alternatives for treatment of neuromusculoskeletal conditions.

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 273. 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 to explain his vote.

MR. GOODELL: Thank you, sir. There is a concern that's been raised on this bill that would require practitioners who are considering prescribing opioid treatment to explain, and if possible, refer patients to a non-opioid alternative. And I support this bill because I support the overall objective of reducing opioid use. But I am sensitive to the fact that there will be some people who will be referred to opioids for pain medication after having all the consequences explained and will discover to this -- their dismay that they abuse the drug and we will seek to get the physician in a liability situation. So I hope with this bill that we accomplish our objective, which is reduced use of opioids and reduced addiction in the first place, and I hope as part of the legislative history that the courts understand that we are not attempting to increase physician liability.

So with that understanding I'll be supporting the bill.
Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Goodell in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 26, Calendar No. 270, the Clerk will read.

THE CLERK: Assembly No. A07704-A, Calendar No. 270, Fernandez, Abbate, Davila. An act to amend the Insurance Law, in relation to providing behavioral health parity (Part A); and to amend the Insurance Law, in relation to the authorization for certain

drugs for the detoxification or maintenance of a substance use disorder (Part B).

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record -- recall the vote -- the Clerk will record the vote on Assembly print 7704-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.

Page -- Rules Report No. 619, Page 40, the Clerk will read.

THE CLERK: Assembly No. A08869-B, Calendar No. 619, Eichenstein. An act to amend the Insurance Law, in relation to insurance for victims of hate crimes.

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 8869-B. 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.

Page 41, Calendar No. 644, the Clerk will read.

THE CLERK: Assembly No. A09977, Calendar No. 644, Paulin, Zinerman. An act to amend the Not-for-Profit Corporation Law, in relation to cemetery operations during emergency declarations.

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 9977. 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.

Ms. Solages.

MS. SOLAGES: Mr. Speaker, do we have any further housekeeping or resolutions?

ACTING SPEAKER AUBRY: We certainly have a piece of housekeeping.

On a motion by Mr. Gottfried, page 8, Calendar No. 8

on the main Calendar, Bill No. 196-A, amendments are received and adopted.

We have numerous fine resolutions. We will take them up with one vote.

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

(Whereupon, Assembly Resolution Nos. 905-910 were unanimously adopted.)

Ms. Solages.

MS. SOLAGES: I now move that the Assembly stand adjourned until 11:00 a.m., Tuesday, May 17th, tomorrow being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, the House stood adjourned until Tuesday, May 17th at 11:00 a.m., that being a Session day.)