

**WEDNESDAY, MAY 19, 2021**

**2:55 P.M.**

ACTING SPEAKER AUBRY: The House will come to order.

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

(Whereupon, a moment of silence was observed.)

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 Tuesday, May 18th.

Mrs. Peoples-Stokes.

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

that we dispense with the further reading of the Journal of Tuesday, May the 18th and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. I'd like to take this opportunity to welcome the many colleagues that are back in the Chambers with us today as well as those that are still participating remotely. I want to share a quote for the day, and this one is coming from Malcolm X, whose birthday is today. And this one says, *I'm for truth, no matter who tells it. I'm for justice, no matter who works against it.* Again, that's Malcolm X.

Colleagues should note that you -- this is the first Session day of the 20th week of the 244th legislative Session. I am pleased to announce our schedule for today. Colleagues have on your desk the main Calendar with 53 new bills in it, from Calendar No. 338 all the way to Calendar No. 390. And we also have a debate list on your desk. So our principal work for today, Mr. Speaker, will begin with resolutions on page 3. I believe we have at least one colleague that would like to speak on that resolution. And then we will be going directly to our Calendar No. 338 and proceed right through to Calendar No. 390. And then we will also work off our debate list.

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

ACTING SPEAKER AUBRY: We certainly have some housekeeping, Mrs. Peoples-Stokes.

On a motion by Mr. Lavine, page 8, Calendar No. 360, Bill No. 4580, amendments are received and adopted.

On a motion by Ms. Pheffer Amato, page 22, Calendar No. 118, Bill No. 950-A, the amendments are received and adopted.

On a motion by Mrs. Galef, page 35, Calendar No. 315, Bill No. 4522, amendments are received and adopted.

We will go to page 3, resolutions, Assembly No. 298. The Clerk will read.

THE CLERK: Assembly Resolution No. 298, Ms. Wallace.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim May 19, 2021, as Home Fire Sprinkler Awareness Day in the State of New York, in conjunction with the observance of National Home Fire Sprinkler Awareness Day.

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. 299, Ms. Solages.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim May 19, 2021, as Human Milk Day in the State of New York, in conjunction with the observance of World

Human Milk Day.

ACTING SPEAKER AUBRY: On the resolution, all those in favor signify by saying aye -- over here?

All those in favor signify by saying aye - we came all this way, thank you - opposed, no. The resolution is adopted.

THE CLERK: Assembly Resolution No. 300, Mrs. Barrett.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim May 15-31, 2021, 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. 302, Mr. Brabenec.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim May 16-22, 2021, as Emergency Medical Services Week in the State of New York in conjunction with the observance of National EMS 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. 303, Ms. Niou.

Legislative Resolution memorializing Governor

Andrew M. Cuomo to proclaim May 2021, as Asian Pacific American Heritage Month in the State of New York.

ACTING SPEAKER AUBRY: Ms. Niou on the resolution.

MS. NIOU: Thank you, Mr. Speaker. I rise to speak on a resolution proclaiming May 2021 as Asian Pacific American Heritage Month in New York State. For 40 years, communities across the nation have set aside the month of May to celebrate the great contributions of Asian Americans to the economy, arts, science, government and dozens of other fields. This is also bittersweet. Even as I walked back to the Capitol building today, someone yelled a disgusting racial slur at me from their car. The rising tide of anti-Asian hate and violence sweeping across not just our State, but our country reminds us that the pride we show in celebrating Asian Americans can also be an act of defiance. Defiance against those who want Asian Americans to shut up, sit down, to be invisible or to go back to wherever these bigots think we came from.

At its heart, APA Heritage Month is about celebrating belonging, even though there are those who do not want us to celebrate and do not believe we belong. That bitterness is reflected in gut-wrenching numbers like 150 percent. That's the amount of anti-Asian hate that's surged over the past year. Or 4,000, the number of reported anti-Asian racist incidents over our country. Or 62, the number of House Republicans in Congress who voted against sending the Senate's anti-Asian hate crimes bill to the President for his

signature. APA Heritage Month also is saying we should be looked at in our entirety. The fact that one in four Asian Americans here in our State lives in poverty. The fact that we are the largest-growing undocumented community. And the fact that even with our new Asian American members that we have elected this year, we are still the most underrepresented minority group. That also means recognizing the numbers that show the strength of an Asian American community unwilling to be silenced. Eighty-one percent, the rate at which the AAPI community in our country grew over the past two decades, making Asian Americans the fastest-growing racial group in America. Or \$783 billion, the amount of income AAPI households generated for our country. Or \$584 billion, the amount of economic activity our AAPI communities nationwide put back into the economy through spending power.

But APA Heritage Month means -- means nothing if not all of the things that it needs to look beyond the Asian community as just numbers and demographics and economic activity, but seeing us as your friends, as your family, as your neighbors and community members. It means celebrating us as New Yorkers who have been through hell and still wake up proud to live and work here.

I really need to thank our Speaker for supporting the historic passage of funding in our most recent budget for data disaggregation to end the practice of rendering AAPI households invisible in our State data, as well as for \$10 million to support anti-hate efforts and the organizations rising up to combat anti-Asian

bigotry in all of its forms. Together, we are letting our State and our country know that we are more than just a census population group. More than an APA Heritage Month speech. More than the hate crimes inflicted upon us.

Asian Americans are New Yorkers and Americans, and without us this would not be our beautifully diverse New York or America. I hope my colleagues will join me in raising awareness and spreading joy as we mark this Asian Pacific American Heritage Month.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, Ms. Niou.

Mr. Kim on the resolution.

MR. KIM: Thank you, Mr. Speaker, for allowing me to speak on this year's Asian American Heritage Month resolution. I want to thank the sponsor for putting this resolution again this year. And I wish we could just celebrate our backgrounds, cultures of different Asian communities and have delicious food and in our -- in our Assembly Chamber and do exhibitions and do all the good things that we've done in the past. But unfortunately, we're living in a time again, Asian Americans in this country are being scapegoated, targeted, vilified and demonized. And this is a pattern that we have seen throughout this history -- throughout the history of this country from the Chinese Americans who came here to build the railroad, to Japanese Americans in interment camps, to individuals like Vincent

Chin, almost 40 years ago in Michigan who was beat up and -- and killed because they thought that he was a Japanese American even though he was Chinese who took away jobs at that time in Detroit. For every time we have witnessed economic, social or kind of downturns, for whatever reason, Asian Americans in this country have been targeted of a number of crimes and violence. And instead of us just have -- you know, just responding with knee-jerk reactions and trying to just punish the crime, we need to figure out how to collectively stop the -- stop the vicious cycle of violence. Where is the violence coming from? Where's the hatred coming from? It's easy to just say, Oh, we caught the perpetrators, the attackers, and we are going to punish the crime against Asian Americans and call it a day and call that a win. But it is not a win. We need to go beyond holding people accountable and look at where the violence is coming from. And the violence is coming from the lack of investments into our people. The declining social conditions. The \$40- to \$60- to \$80 billion of lack of funding in our public housing. To the fact that it took us more than ten years to fully fund the public schools. Those are the areas where we must do better to collectively come together as -- as one community. And as Asian American Heritage Month, instead of letting, you know, some of these -- some of these dark times against Asians pit us against other communities, I encourage all of us to come together and focus on these long-term solutions to get this right.

Thank you, Mr. Speaker, and Happy Asian Heritage Month.



ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Mamdani.

MR. MAMDANI: Thank you, Mr. Speaker, for allowing me to speak on this resolution. I rise in full support of this resolution, and thanks to the sponsor and the author of this resolution. And I rise also as the first South Asian man to ever be within this Body as a member. And I think of Ayesha Siddiqi's quote that she once wrote many years ago, which was, *Be the person you needed when you were younger*. And I think about growing up in this State and looking around in our municipality and our State government and looking desperately to find some reflection of myself, of my friends, of my family, and finding the image that I would only see that looked anything like us was that of the villain, time and time again. Whether it was in hearings in radicalization, whether it was on rhetoric around Islam and Muslims or that it was simply in the actions of erasing our communities in every which way possible.

And so I'm extremely proud to be here to show that young person, Asian, Muslim, whoever they may be, that there is a place for them in this Body. That there's a place for them in this State. And also to speak up about the rise in anti-Asian violence that has been happening throughout the course of our country. And most of us know this in the vein of interpersonal violence where we see shocking acts committed by individuals in public. Acts with the intention of pushing Asians out of the public sphere. But I think it's also very important to note the structural violence that our State and our country

commits against Asian communities on a daily basis. Asians have the highest rate of poverty of any ethnic group in New York City. North of -- north of a quarter of Asians are in poverty. And I think of Xing Long Lin, an Asian American delivery man in my district who was killed less than a month ago, spent more than eight to ten hours a day driving around New York City streets on his bicycle in order for people to get the food that they so desired. And he was killed by a car that came into the bike lane. And he was killed because his life and the lives of many other immigrant cyclists and delivery people are not valued by the City to the extent that they would actually build any protections for them. And so I bring him up to say that given the realities of poverty in our communities, given the realities of erasure, the violence that we see is not simply violence that is out of our control. It's not simply violence, as my colleague from Queens said, that we can lock someone up in a cage and throw away the key. It's also violence that we aid and abet by not investing in our very communities in Chambers such as these. And I'm so grateful that we have made a change in the way that we invest this year, and I hope that we continue to follow along that path.

Thank you very much, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

On the resolution, all those -- Ms. -- Ms. Bichotte Hermelyn on the resolution.

MS. BICHOTTE HERMELYN: Thank you, Mr. Speaker. On the resolution. Today I stand in unity with my fellow

colleagues in supporting the Asian American Pacific Heritage Month. I also stand with all of my colleagues in denouncing all the hate crimes against Asian American communities that we have been recently experiencing. I have personal -- have a personal experience with the Asian Pacific countries and Asian Pacific Americans where I spent six years in Korean art, three years in Japan and China where I learned a lot of my engineering and technical skills, learning the custom and -- and business protocols. Also learning how to speak the language of Japanese and learning the Chinese characters. I also had an opportunity to also learn the cultures of Singapore and Thailand and Malaysia. And here in the United States I remember when I first became a member of the Chinese American Club at LaGuardia High School of Music and Art and Performing Arts back in the late 80's. And that's because, to me, I feel that my culture and their culture, we share a lot of the same values, given that many of us came from the same poor, the same ethnicity, discrimination, came back from -- came from an immigrant background. And I understand what my colleagues, my Asian American colleagues are going through.

So I just want to tell you that I stand strongly with my Asian American colleagues, my neighbors, my businessowners, my former teachers, my fellow engineers, all. I stand really strong in support of the culture, your countries, the language and everything. And so please know that there will always be a friend in denouncing all of these hate crimes against Asian Americans. So I thank you. Thank you for this resolution of the Asian American Pacific Heritage

Month.

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

Page 4, Calendar No. 338, the Clerk will read.

THE CLERK: Assembly No. A00299-A, Calendar No. 338, Gottfried, Abinanti, Santabarbara, Fahy, Ashby, Sayegh, DeStefano. An act to amend the Social Services Law, in relation to including applied behavioral analysis under standard coverage for Medicaid recipients.

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

THE CLERK: Assembly No. A00386, Calendar No. 339, Jacobson, Colton, Reyes, Dickens, Gottfried, Sayegh, Glick, Fahy, Steck, Abinanti, Kim, Cusick, Morinello, Perry, Hevesi. An act to amend the Workers' Compensation Law, in relation to irregularities in a cover sheet accompanying an application for administrative review or for full board review or a rebuttal to such applications.

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.386. 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.)

First vote of the day, members.

Mr. Jacobson to explain his vote.

MR. JACOBSON: Thank you, Mr. Speaker. This bill will correct an inequity, an injustice that's going on in the Workers' Compensation Board that's affecting both sides, whether -- whether it's the claimant or the carrier. During the appeals process, if the cover sheet has a minor error or omission, the Board has instituted strict rules that would -- that denies the appeal or denies the rebuttal, as the case may be. What this bill would do is to have the Board either ignore such defect, omission or mistake or give notice to the -- to the party and allow them 20 days to correct it. This bill would make sure that litigants would have a full opportunity to state their case, and that minor defects and -- and omissions would not stand in the way of a ruling on the merits.

So I thank the Speaker and all the work to get this to the floor and I urge my colleagues to vote for it. Thank you.

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00520-A, Calendar No. 340, Braunstein, Gottfried, Zebrowski, Cook, Seawright, Galef, Hevesi, Weprin, L. Rosenthal, Griffin, Rodriguez, Montesano, Friend,

Barron. An act to amend the Public Health Law and the Civil Rights Law, in relation to prohibiting the making and/or broadcasting of visual images of individuals undergoing medical treatment without prior written consent.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00533, Calendar No. 341, L. Rosenthal, Cook, Simon, Lavine, Dickens, Taylor, Seawright, Gottfried, J. Rivera, Weprin, Quart, Walker, Perry, Carroll, Richardson, Cruz, Colton, Steck, Lupardo, Clark, Meeks, González-Rojas, Kelles, Otis, Forrest, Fahy McDonald. An act to amend the Correction Law, in relation to the establishment of a program for the use of medication-assisted treatment for inmates; and to amend the Mental Hygiene Law, in relation to the implementation of substance use disorder treatment and transition services in jails.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00711, Calendar No. 342, Wallace. An act to amend the General Business Law, in relation to requiring that a homeowner be provided a cost estimate for installation of a fire sprinkler system.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00766, Calendar No. 343, L. Rosenthal, Aubry, Gottfried, Taylor, Sayegh, Simon, Colton, Reyes, Dinowitz, Sillitti, Mamdani, González-Rojas, Ramos, Mitaynes, Forrest, Otis, Niou. An act to amend the Lien Law, in relation to employee liens; to amend the Labor Law, in relation to

employee complaints; to amend the Civil Practice Law and Rules, in relation to grounds for attachment; to amend the Business Corporation Law, in relation to streamlining procedures where employees may hold shareholders of non-publicly-traded corporations personally liable for wage theft; and to amend the Limited Liability Company Law, in relation to creating a right for victims of wage theft to hold the ten members with the largest ownership interests in a company personally liable for wage theft.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01008-A, Calendar No. 344, Paulin, Otis, Galef, Palmesano. An act to amend the Public Service Law, in relation to storm hardening and system resiliency plans.

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 A.1008-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. Palmesano to explain his vote.

MR. PALMESANO: Yes, thank you, Mr. Speaker and my colleagues. I rise to stand up here to support this legislation

and I wanted to thank the sponsor. I believe this -- I'm proud to support it and cosponsor this legislation. I believe this legislation is long overdue to have a plan in place for the storm hardening and resiliency of our utility infrastructure to help ensure reliability for our residents and businesses across this State. This is very critically important at this time for a couple of reasons. First, with -- with more renewables that are going to be coming online, we need to improve that and upgrade that infrastructure to have it in place to accommodate that and to improve, again, the reliability for our customers. And certainly secondly, and not to be forgotten is the storms we've seen over the last decade, with Sandy in 2012, I believe some estimates we had \$75 million worth of damage. And Isaias last year which affected Downstate, I think \$5 billion. We need to have some accountability and transparency, and this is going to bring transparency and accountability to it. It's going to require a cost benefits and analysis to show how these improvements are going to help the customers, there's supposed to be a timeline in place. Performance benchmarks that are going to have to be made and the rate impact it's going to have for customers. And I think in past this would only be part of the transmission and distribution part of the bill when they're doing operations and maintenance. I think separating this out specifically for -- for the hardening costs for the storm resiliency and reliability is critical and will help this process moving forward. It's going to just process through the PSC to show how this is going to work. There's going to be the accountability from that perspective to demonstrate



what's going to -- what's being done. And this is the type of work that we need to have done. You know, when you talk about resiliency and the hardening of our lines, it's about replacing the danger trees, going on customers' land and remove danger trees, the wires, the poles. Whether we should go underground or not. Transformers. Those types of major infrastructure improvements are definitely needed, and I think a plan like this, a ten-year plan that's going to have to be put in place to help and provide the work we needed to be done.

For that reason, I'll be voting in the positive. Thank you.

ACTING SPEAKER AUBRY: Mr. Palmesano in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A01370, Calendar No. 345, Seawright, Perry, Otis. An act to amend the General Business Law, in relation to the personal information of a credit or debit card holder.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print A.1370. 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. A02004, Calendar No. 346, Reyes, Dickens, Jean-Pierre, Gottfried, Cook, De La Rosa, Hyndman, Frontus, Jacobson, Vanel, Pichardo, Hunter, Fall, Ramos, Clark, Dinowitz, Seawright, Aubry, Barron, Sillitti, Jackson, Septimo. An act to amend the -- an act to direct the President of the Civil State Service Commission [sic] to conduct a study on the current Civil Service examination process to identify and provide recommendations to improve current methodologies used regarding the examination process to ensure diversity in recruitment and hiring in the public sector.

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 3070. 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. A02030, Calendar No. 347, L. Rosenthal, Quart, Richardson, Carroll, Weprin, Simon, Gottfried, Hevesi, Barron, Steck, González-Rojas, Burgos. An act to amend the Social Services Law and the Public Health Law, in relation to medication for the treatment of substance use disorders.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02251, Calendar No. 348, Simon, Barron. An act to amend the Public Health Law, in relation to the closure of hospitals or emergency or maternity departments.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02330-A, Calendar No. 349, Jacobson, Dickens, Simon, Reyes, Thiele, Galef, Gottfried, Stern, Zebrowski, Colton, Englebright, Magnarelli, L. Rosenthal, Brabenec, Gunther, Lavine, Ramos, Seawright, Hunter, Aubry, Barrett, Dinowitz, Lunsford, Anderson, Barron, Glick, Jean-Pierre, Griffin, Stirpe, Burdick, Clark. An act directing the Public Service Commission to study the feasibility and the costs of burying all or most of the electrical, telephone and internet transmission lines in New York State and to publish and deliver a report of its findings to the

Governor and the Legislature, and requiring new electrical, telephone and internet transmission lines to be buried underground.

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 2330-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. Jacobson to explain his vote.

MR. JACOBSON: Thank you, Mr. Speaker. Every time there's a forecast of a windstorm, whether it's in the summer or the winter, we -- we just live in fear that we're going to lose power. And the definition of insanity is doing the same thing over and over and expecting a different result. So this bill will -- will allow the Public Service Commission -- direct the Public Service Commission to study the feasibility of burying power lines and Internet providers and telephone lines. I mean, after the Blizzard of 1888 in New York City, most of the power lines were -- were buried, but it hasn't been so for the rest of the State. And the money that we spent that was over \$2 billion spent by utilities in the past eight years, it makes no sense. And another advantage will be by having more lines that are buried, it will promote renewable energy. Of course, some of the major objections to renewable energy is not the energy, but it's the towers and the

transmission lines getting it to where it's needed.

So this bill hopefully will be a start of a transformative policy change, and I hope all of you vote for it. Thank you.

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

MR. GOODELL: Thank you, sir. I will be supporting this study, although I am hopeful that the Public Service Commission will do a cost analysis by locality and municipality rather than just a report that gives us the number for Statewide. Obviously, the cost efficiency of burying electrical and other utilities in the City of -- of New York City is very, very different than the cost of doing it per customer Upstate where you may have lines that run, you know, half-a-mile, a mile or even longer with a single customer. And so I'm hopeful that the study will be accurate enough so that we can make thoughtful decisions by each municipality rather than Statewide. Obviously, if it's the Statewide issue it creates tremendous problems because it will absolutely kill the expansion of broadband in the rural areas if they have to bury those cables. It's already close to being cost-prohibitive.

So, I support my colleague's bill and I look forward to a detailed study. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Goodell in the affirmative.

Mr. Burdick.

MR. BURDICK: Thank you, Mr. Speaker. I wish to commend the sponsor for bringing forward this bill. Prior to coming to the Assembly, I served for seven years as the Supervisor of the Town of Bedford and we went through many storms. And every time the storms came out we were asked by residents, *What's being done to bury the lines*, and we had no figures and we still have no figures as to what the cost would be. We had vague ideas that to do so would just be bankrupting ratepayers because the cost would be incredibly great. Well, this will provide some actual hard data that we need to make intelligent decisions.

So, I'm cosponsoring this bill and I again thank the sponsor for bringing this forward. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Burdick in the affirmative.

Mr. Goodell, exceptions?

MR. GOODELL: Thank you, sir. Please record Assemblymember DiPietro and Mr. Walczyk in the negative. Thank you.

ACTING SPEAKER AUBRY: So noted. Thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A02382, Calendar No. 350, Weinstein, Galef, Zebrowski, O'Donnell, Fahy, Peoples-Stokes,

L. Rosenthal, Dinowitz, Seawright, Glick, Weprin, Taylor. An act to amend the Civil Practice Law and Rules and the Judiciary Law, in relation to consumer credit transactions.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02388-A, Calendar No. 351, Aubry, Hyndman, Niou, Cahill, L. Rosenthal, Seawright, Thiele, Barnwell, Buttenschon, Cruz, González-Rojas, Otis, Dickens. An act to amend the Public Health Law and the Education Law, in relation to directing the Commissioners of Education and Health to establish rules and regulations for the treatment and monitoring of students of school districts, boards of cooperative educational services and nonpublic schools who exhibit signs or symptoms of sudden cardiac arrest.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 2388-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. A02439, Calendar No.

352, Aubry. An act in relation to directing the President of the State State Civil Service Commission to publish reports relating to diversity within the State government.

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 2439. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Goodell.

MR. GOODELL: Thank you, sir. Please record my colleague Mr. Fitzpatrick in the negative on this bill. Thank you, sir.

ACTING SPEAKER AUBRY: So noted. Thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03149, Calendar No. 353, Hevesi, Glick, Barron, Colton, Epstein, Buttenschon, Otis, Santabarbara, Seawright, Reyes, Gottfried. An act to amend the Social Services Law, in relation to establishing factors to be considered when a healthcare practitioner upon examination has a different opinion from an applicant's treating healthcare practitioner's



opinion as to an applicant's disability.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03409, Calendar No. 354, Lavine, Seawright, Santabarbara, Buttenschon, Otis, Weprin. An act to amend the Tax Law, in relation to providing a tax credit for universal visitability, and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03476, Calendar No. 355, Abbate, Griffin. An act to amend the Retirement and Social Security Law, in relation to the retirement of members who serve as police medics, police medic supervisors and members who perform police medic-related services in the Nassau County Police Department.

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 3476. 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. A03913-A, Calendar No. 356, McMahon, Magnarelli, Griffin, Hunter, Englebright, Buttenschon, Gottfried, Colton, Taylor, Santabarbara, Simon, B. Miller, Sillitti, Stern, Jacobson, Otis, Perry, Jacobson. An act to amend the Labor Law, in relation to requiring employers to display a poster containing information on veterans' benefits and services which shall be created and distributed by the Department of Labor.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print A.3913-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. Goodell to explain his vote.

MR. GOODELL: Thank you, sir. This Legislature has a very strong and proud record supporting our veterans, and that certainly is the case for my Conference in particular. However, this bill requires every single employer to post a poster explaining what might be available in terms of veteran benefits. And I will be voting no because although I am a strong supporter of veterans, it doesn't make any sense to me to require every single employer, regardless of their size, regardless of whether they even have a veteran who is

working there, to have to post a mandatory statement about veteran benefits available for employees. Now, I can talk to my employee who is not a veteran and I can tell her about this. Right now in my private office I have about 12 square feet of posters that are mandated by the State of New York. I should say that's 12 square feet for my one part-time employee in my private office. And so, you know, at some point we need to draw the line and say, *Yeah, we love the veterans. We want to promote information for them. But do we really need to make this another employer mandate subject to fine and enforcement*, and my answer on that is, *Love you, veterans, but no for me.*

Thanks.

ACTING SPEAKER PICHARDO: Mr. Goodell in the affirmative -- in the negative. My apologies.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03960, Calendar No. 357, Cusick, Lupardo, Blankenbush, Colton, Weprin, Stern, Walsh, Hunter, Buttenschon, Otis, Santabarbara, Reilly, Seawright, Fall, Palmesano, Stirpe, Manktelow. An act to amend the Tax Law and the Labor Law, in relation to establishing a small business tax credit for the employment of disabled persons; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER PICHARDO: The bill is laid

aside.

THE CLERK: Assembly No. A04077, Calendar No. 358, Abbate. An act to amend the Civil Service Law, in relation to resolution of disputes in the course of collective negotiations.

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

THE CLERK: Assembly No. A04384, Calendar No. 359, Stirpe, Buttenschon, Barron. An act authorizing the Empire State Development Corporation to develop a public awareness campaign promoting personal protective clothing and equipment manufacturing businesses located in New York State.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER PICHARDO: The Clerk will record the vote on Senate bill S.30. This is a fast roll call. Any member who wishes to be recorded in the negative remind -- is reminded to contact the Majority or Minority Leader's Office at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Goodell.

MR. GOODELL: Thank you, sir. Please record my

colleague Mr. Mike Lawler in the negative. Thank you, sir.

ACTING SPEAKER PICHARDO: Thank you, sir.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04580, Calendar No. 360 was amended on Third Reading.

Assembly No. A04668, Calendar No. 361, Peoples-Stokes, J.D. Rivera, Jacobson. An act to amend the Insurance Law and the Public Health Law, in relation to prescription drug formulary changes during a contract year.

ACTING SPEAKER PICHARDO: On a motion by Mrs. Peoples-Stokes, the Senate bill is before the House. The Senate bill is advanced and the bill is laid aside.

THE CLERK: Assembly No. A04685-A, Calendar No. 362, Pheffer Amato. An act to amend the Public Health Law, in relation to prohibiting general hospitals from disallowing individuals with disabilities from having an essential support person accompany them for the duration of their hospitalization.

ACTING SPEAKER PICHARDO: The bill is laid aside.

THE CLERK: Assembly No. A04905, Calendar No. 363, Weprin. An act to amend the Correction Law, in relation to providing identification cards to inmates upon release from incarceration.

ACTING SPEAKER PICHARDO: The bill is laid aside.

THE CLERK: Assembly No. A04947, Calendar No. 364, Bichotte Hermelyn, Reyes, Griffin, Meeks, Colton, Zinerman. An act to amend the Penal Law, in relation to crimes involving the death or injury of a worker.

ACTING SPEAKER PICHARDO: Read the last section.

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

ACTING SPEAKER PICHARDO: The Clerk will record the vote on Assembly Bill 4947. 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's Office at the numbers previously provided.

(The Clerk recorded the vote.)

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: Thank you, sir. Please record Assemblymember Friend in the negative. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you. So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05401, Calendar No.

365, McDonald. An act to amend the Tax Law, in relation to terminal rental adjustment clauses in motor vehicle leases.

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.5401. 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. A05830-A, Calendar No. 366, Dinowitz. An act to amend the Penal Law, in relation to unlawfully installing a gas meter.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 328-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. A06155-A, Calendar No. 367, Magnarelli, Fahy. An act to amend the Vehicle and Traffic Law, in relation to permitting signs, placards or other displays to provide notice that school bus photo violation monitoring systems are in use; and providing for the repeal of such provisions upon the expiration thereof.

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 6155-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. A06158-A, Calendar No. 368, Wallace. An act to amend Chapter 698 of the Laws of 1991



amending the Public Authorities Law and the Education Law, relating to the construction and financing of facilities by the Dormitory Authority for private schools approved pursuant to Article 89 of the Education Law, in relation to including NYSARC, Inc., Erie County Chapter.

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 6158-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. A06193, Calendar No. 369, González-Rojas, O'Donnell, Seawright, Carroll, J. Rivera, Epstein, Kelles, Jackson, Sillitti, Burdick, Bronson, Dinowitz, Weprin, Fahy, Hevesi, Cruz. An act to amend the Public Service Law and the General Business Law, in relation to requiring utility corporations, municipalities, waterworks corporations and telephone service providers to allow customers to use their preferred name and pronouns.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06198-B, Calendar No. 370, Paulin, Fahy. An act to amend the Penal Law, in relation to the purchase and disposal of firearms, rifles and shotguns.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06337-B, Calendar No. 371, Gunther. An act to amend the Labor Law, in relation to notifying individuals applying for and receiving unemployment benefits of rental, mortgage, food and utility assistance 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 6337-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. A06429-A, Calendar No. 372, Hyndman, Galef, Dickens. An act to amend the Public Health Law, in relation to requiring hospitals distribute literature created by the Commissioner to patients at a high risk of sickle cell disease.

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 6429-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.

Ms. Hyndman to explain her vote.

MS. HYNDMAN: Thank you, Mr. Speaker, for allowing me to explain my vote. As we know, sickle cell disease predominantly affects African-Americans, and if you were born before 2006 most likely you were not tested for this -- this disease. You may not even know you have a sickle cell trait, and for those -- those New Yorkers not born in this State may very well be affected. That is why this literature is so important. I want to thank the -- the Chair of the Health Committee and the staff for their diligent work, as well as my staff for getting this to this point and I will be voting in the affirmative.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Ms. Hyndman in the affirmative. Thank you, ma'am.

Mr. Barron to explain his vote.

MR. BARRON: Thank you very much, Mr. Speaker. I want to commend the sponsor of this bill tremendously for her continuing to put emphasis and bring attention to sickle cell anemia. I am extremely, extremely pleased with this and appreciative of it

because the Black Panther Party -- that was one of the issues in the 1960's that the Black Panthers put a great amount of emphasis on because this disease was peculiarly affecting the Black community. So for you to continue that work and to see the importance of it, I just want to highly commend you and the Chair of the Health Committee for seeing the importance of bringing attention to sickle cell anemia. This is very, very important in the 21st Century that we not ignore this disease and do all to educate people on it and get the proper resources to deal with it.

So I vote in the affirmative.

ACTING SPEAKER AUBRY: Mr. Barron in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06466, Calendar No. 373, Rozic, Mitaynes. An act to amend the Workers' Compensation Law, in relation to providing language access services.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06528-A, Calendar No. 374, Braunstein. An act to amend the Education Law, in relation to advance enrollment of certain students.

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 6528-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. A06652, Calendar No. 375, Englebright, Griffin, Burdick, Stern, Simon, Galef, Thiele, Steck, Dickens, Colton, L. Rosenthal, Abinanti, Dinowitz, Burke, McMahon, Kelles, Weprin, Glick. An act to amend the Environmental Conservation Law, in relation to the protection of certain streams.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06666, Calendar No. 376, Joyner. An act to amend the Labor Law, in relation to the recovery of overpayments of unemployment benefits; and to repeal certain provisions of such law relating thereto.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06750-B, Calendar No. 377, Benedetto, Gunther, Otis, McDonald, Dickens. An act to amend the Education Law, in relation to the granting of tenure.

ACTING SPEAKER AUBRY: On a motion by Mr. Benedetto, 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 5576-C. 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. A06772, Calendar No. 378, Joyner, Englebright. An act to amend the Labor Law, in relation to workforce opportunity data transparency.

ACTING SPEAKER AUBRY: On a motion by Ms. Joyner, 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 2802. 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. A06968, Calendar No. 379, Magnarelli, Barrett, Wallace, Fahy, Cusick. An act to amend the Vehicle and Traffic Law, in relation to exempting certain members of the Armed Forces dependents to operate a motor vehicle or motorcycle on the public highways of this State without being licensed in New York.

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 6968. 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. A07023, Calendar No. 380, Abbate. An act to amend Chapter 929 of the Laws of 1986 amending the Tax Law and other laws relating to the Metropolitan Transportation Authority, in relation to extending certain provisions thereof applicable to the resolution of labor disputes.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07122, Calendar No. 381, Lupardo, Paulin, Stirpe, Thiele, Zebrowski, Otis, Richardson, Galef, Schmitt, Angelino, Tague. An act to amend the Agriculture and Markets Law, in relation to animal response teams.

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 7122. 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. A07124, Calendar No. 382, Joyner. An act to amend the General Municipal Law and the Retirement and Social Security Law, in relation to increasing certain special accidental death benefits.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect July 1, 2021.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7124. 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. I want to thank the sponsor for putting this bill forward. It's a -- it's a reminder of the sacrifice that is -- has tragically been made by members of the law enforcement community and our first responders, our firefighters. Last week was Law Enforcement Appreciation Week. Unfortunately, this Body did not choose to commemorate that with a resolution. But I just wanted to take the opportunity in this bill as we pass legislation to increase the benefits paid to surviving spouses or children, to recognize the service and the sacrifice of our law enforcement community, and I want to thank them on behalf of the people of the State of New York and the State Assembly for their dedicated service to our community and keeping our communities safe.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Lawler in the affirmative.

Ms. Glick to explain her vote.

MS. GLICK: Thank you, Mr. Speaker. I certainly believe that those who die in the line of duty, their families are deserving of additional support, but I think that that should also include domestic partners.

So I withdraw my request and vote in the negative.

ACTING SPEAKER AUBRY: Ms. Glick in the negative.

Mr. Goodell.

MR. GOODELL: Thank you, sir. Please record my colleague Assemblymember Schmitt in the negative. Thank you, sir.

ACTING SPEAKER AUBRY: So noted. Thank you.

MR. GOODELL: I apologize. Mr. Schmitt would like to be yes on that. Thank you, sir.

ACTING SPEAKER AUBRY: So noted, Mr. Goodell.

Mr. Dilan to explain his vote.

MR. DILAN: Thank you, Mr. Speaker. I also would vote in the negative with the same line of thinking as my colleague from Manhattan. I believe also domestic partners should be included. Thank you.

ACTING SPEAKER AUBRY: Certainly. Mr. Dilan in the negative.

Ms. Simon to explain her vote.

MS. SIMON: Yes. Thank you, Mr. Speaker. To explain my vote. I will also be voting in the negative for the same reasons mentioned by my colleague from Manhattan. Thank you.

ACTING SPEAKER AUBRY: Ms. Simon in the negative.

MRS. PEOPLES-STOKES: Mr. Speaker.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes, please.

MRS. PEOPLES-STOKES: If you could record our colleagues Mr. Barron and Mr. Dinowitz in the negative on this one.

ACTING SPEAKER AUBRY: So noted. Thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07290, Calendar No. 383, Englebright, Burdick, Steck. An act to amend the Environmental Conservation Law, in relation to bioheating fuel requirements.

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 7290. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Goodell.

MR. GOODELL: Thank you, sir. Please record Assemblyman DiPietro in the negative on this bill. Thank you, sir.

ACTING SPEAKER AUBRY: So noted. Thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07358, Calendar No. 384, Abinanti. An act to amend the Mental Hygiene Law, in relation to the appointment of members to the Developmental Disabilities Advisory Council.

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

THE CLERK: Assembly No. A07387, Calendar No. 385, Jones, Burdick. An act to amend the Environmental Conservation Law, in relation to extending the authority of the Department of Environmental Conservation to adopt regulations for hunting in the Northern Zone.

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 7387. 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. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if you

could please record our colleague Mr. Dinowitz in the negative on this one.

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

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07392, Calendar No. 386, Englebright, Burdick. An act to amend the Environmental Conservation Law, in relation to extending the authority of the Department of Environmental Conservation to manage American lobster; and to amend Chapter 305 of the Laws of 2013 amending the Environmental Conservation Law, relating to the management of American lobster, in relation to the effectiveness 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 7392. 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. A07393, Calendar No. 387, Englebright, Burdick. An act to amend the Environmental Conservation Law, in relation to extending the authority of the Department of Environmental Conservation to managed striped bass.

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 7393. 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 number 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. A07394, Calendar No. 388, Lunsford, Burdick. An act to amend the Environmental Conservation Law, in relation to extending the authority of the Department of Environmental Conservation to manage monkfish.

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 7394. This is a fast roll call. Any member wishing to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Goodell.

MR. GOODELL: Thank you, sir. Please record Assemblyman Friend in the negative on this legislation. Thank you, sir.

ACTING SPEAKER AUBRY: So noted. Thank you, sir.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07396, Calendar No. 389, Burdick, Englebright. An act to amend Chapter 122 of the Laws of 2000, amending the Environmental Conservation Law relating to authorizing sweepstakes with respect to subscriptions to "The Conservationist", in relation to the effectiveness 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 7396. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Goodell.

MR. GOODELL: Thank you, sir. Please record Mr.

Friend in the negative. Thank you.

ACTING SPEAKER AUBRY: So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07435, Calendar No. 390, Jones, Bronson. An act to amend Chapter 118 of the Laws of 2012 amending the Alcoholic Beverage Control Law relating to the powers of the Chairman and members of the Authority, in relation to the effectiveness of certain provisions 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 7435. 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. PEOPLES-STOKES: Mr. Speaker, if you could record our colleague Mr. Barron in the negative on Assembly Bill 7435.

ACTING SPEAKER AUBRY: So noted. Thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)



The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, colleagues, if we can now turn our attention to the debate list that is on your desk. And we're going to start with Calendar No. 2 by Ms. Rozic. Then we're going to go to Calendar No. 200 by Ms. Reyes. And then Calendar No. 251 by Mr. McDonald, followed by Calendar No. 4 -- no, Calendar No. 270 by Mr. Cusick.

ACTING SPEAKER AUBRY: Thank you so much.

Page 15, Calendar No. 2, the Clerk will read.

THE CLERK: Assembly No. A00477, Calendar No. 2, Rozic, Aubry, De La Rosa, Galef, Jean-Pierre, Nolan, Seawright, Epstein, Rodriguez, Taylor, Cruz, Simon, Griffin, Pichardo, Dickens, Cook, Fernandez, Otis, Reyes, Wallace, Colton, Barron. An act to amend the Public Authorities Law, in relation to gender balance in State and local public authorities; and providing for the repeal of such provisions upon the expiration thereof.

ACTING SPEAKER AUBRY: Ms. Walsh.

MS. WALSH: An explanation, please.

ACTING SPEAKER AUBRY: Ms. Rozic, Ms. Walsh asked for an explanation.

MS. ROZIC: Thank you, Mr. Speaker. This bill would amend the Public Authorities Law to establish preference for women to be appointed to State and local authority boards. A rough estimate is that only around 20 percent of New York State and local

authority boards are made up of women. I will give you some examples. The MTA, out of the 22-member Board, only five are women. The Thruway Authority, out of a seven-person board only two are women. The Long Island Power Authority, only -- out of nine trustees, only one is a woman. And there are various IDAs and LDCs around the State that have even worse statistics, and I'll leave it there.

ACTING SPEAKER AUBRY: Ms. Walsh.

MS. WALSH: Thank you, Mr. Speaker. Will the sponsor yield?

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

MS. ROZIC: Yes, I will.

ACTING SPEAKER AUBRY: The sponsor yields.

MS. WALSH: Thank you so much. So, I have a few questions so that we can all understand what this bill is attempting to do. What kinds of boards would this legislation apply to?

MS. ROZIC: So it's generally public authority boards across the State. That includes LDCs, IDAs and other larger power -- public authorities like the MTA, like LIPA, the Thruway Authority.

MS. WALSH: Okay. So what about, like -- just to rule them out -- zoning boards, planning boards, say, at the -- at the local level? Would -- would it apply to them as well or no?

MS. ROZIC: If they're not defined in the law as a public authority then they are not included in this law.

MS. WALSH: Okay. So something like a water

authority or a sewer authority, something like that would be encompassed by this legislation. Very good. Okay.

So let's talk a little bit about how this would work. This bill, it -- it deals with recommendations, and it also has to do with appointments and reappointments, is that correct?

MS. ROZIC: Yes.

MS. WALSH: Okay. So -- and there's a preference that's created for women to be recommended and appointed to these authority boards, and the more -- is it fair to say that the more lopsided the board is, the greater the preference is, is that correct?

MS. ROZIC: Yes. It would require an appointing power to give preferences -- to give preference to women candidates, to female candidates, with the weight of such preference depending on, like you said, the gender disparity. I do want to point out that it is preference and not the only qualification. So it's not just positive. It's a number of things to keep in mind when looking at the candidates that are applying for a public authority position.

MS. WALSH: Okay. So sometimes I think it's helpful to just deal with a few hypotheticals so that we can get a feel for how this would work. So let's say that we have an authority that has seven members and they're all men. And there's one gentleman who has been on the board for a long time, a very productive member of the board. His term is coming to an end. First question: Could any male names be submitted to fill that soon-to-be-vacancy of that expiring term?

MS. ROZIC: Yes.

MS. WALSH: Great. Could that -- even though that's a completely male board you could still put up a name of a man for that board?

MS. ROZIC: Correct.

MS. WALSH: Okay. So, does that also mean that the gentleman that is in there currently, that's coming up to the end of his term, he could be selected to -- to do another term?

MS. ROZIC: Again, gender is just one of the qualifications. It is a pref -- a preferred qualification, but it is not the sole deciding factor of whether or not this gentleman would be reappointed or whether you would appoint someone new. I would also say that in the legislation it requires a local or a State public authority board to do due diligence and go out and make sure that they are finding the best resumes that they can, the best candidates that they can, and oftentimes you will find that those are women.

MS. WALSH: Yeah, and I have absolute -- just -- just to get right out there, I have no issue at all with the idea of casting a wide net to try to bring in a diverse pool of talent to try to fill any of these vacancies. I think that's -- that's a very important objective and I think that's -- that's good for the health of the board. I just -- I'm a little confused because you -- we were just talking about a situation generically where if a board is very lopsided it -- it makes the preference that much stronger. I thought that that's what you had said.

MS. ROZIC: It's a preference. And again, it's to the

discretion of the local appointing authority.

MS. WALSH: Okay. So let's just -- if we could just turn -- turn your attention, because I think what -- where I think most of my confusion, I guess, comes from is page 2, Section 4 of the bill, which says, *An appointing power shall make recommendations, appointments and reappointments to State and local authorities created prior to on or after August 1, 2021 in a manner which will ensure a gender-balanced appointment or reappointment for each public authority.* So how does Section 4 jive with what you just said where it's -- you made it sound like it's, you know, that man could -- could serve another term, but that -- but having him serve another term is not going to, under Section 4, ensure a gender-balanced reappointment for that public authority.

MS. ROZIC: Right. I want to be very clear that is preference, it's not a dispositive assumption. And so we want to give discretion to local appointing authorities, but we also want them to -- we want to encourage them to go out into the world and get the best candidates that they can.

MS. WALSH: So I guess my question, then, is why isn't the bill worded in such a way where only the recommendations need to be, say, gender-balanced, but it specifically, instead, says not just recommendations but appointments and reappointments need to be gender-balanced? Must -- I think will be -- *will ensure* is the -- the language in the bill.

MS. ROZIC: Again, we want -- we want there to be

preference towards women candidates for these public authority boards. We think that this is the best approach to do that.

MS. WALSH: Okay. Very good.

Is there any provision in the bill that deals with, say, a dearth of -- you know, despite a really big search, a dearth of women applicants who are interested in serving on a board? I understand something big maybe like the MTA or some of the boards that you listed that are more Downstate that I -- I, you know, read about in the paper but don't really know that much about. I'm thinking more about like my local water authority. Something like that. I mean, it's hard to get people to serve these days at all, you know, on some of these boards. What happens or what does the bill say, if anything, about just doing a really diligent search and just not coming up with anybody who is a woman who wants to serve on this board? Is that -- is that okay under the bill?

MS. ROZIC: You know, I would find that scenario hard to believe. I -- I know of many women across the State who are ready, willing and able to serve on boards and we just want to open up more opportunities for them to do that.

MS. WALSH: Well, I -- I appreciate what you're saying. That -- that sounds great, but you -- you got to come up to my neck of the woods and see how -- how it really is. It's -- it's -- especially you get into some -- some rural areas, of course you've got so many people who have -- people are working. People are working their real jobs. These -- this wouldn't be a -- this would be like a

volunteer position on an IDA. You don't get paid for that, at least where I'm from. It's -- you're serving on a volunteer basis and it can take up a lot of time. And sometimes it's really hard to find people who are going to be willing to serve. Again, I have no problem at all with the idea of looking, but the bill is silent, I guess, as to what happens if you can't find anybody except for kind of you just saying for the record that you just find it hard to believe. So I -- I get -- I get what you're saying.

The -- the bill doesn't deal with any other protected class like race or national origin or any other protective class. It just -- it only deals with gender, is that correct?

MS. ROZIC: Correct.

MS. WALSH: Okay.

MS. ROZIC: And I would welcome any other legislative bill that would try to address those issues. I'm happy to support those as well.

MS. WALSH: Okay. All right. So under the -- the U.S. Supreme Court had a -- a case called *U.S. v. Virginia*, having to do with the -- the Academy. And it was a really important -- it's interesting, Ruth Bader Ginsburg wrote the decision, but I guess the decision was supposed to go to Sandra Day O'Connor and she -- she decided that Ruth Bader Ginsburg, because of her background, ought to write that opinion. But anyway, the language that was used in *U.S. v. Virginia* is that there needs to be an exceedingly persuasive justification for essentially what we're doing here, which is an

affirmative action to get a more gender-diverse board. So, boards are generally becoming more diverse over time. Would you agree with that or do you not believe that that's the case?

MS. ROZIC: I mean, based on the numbers that I just read to you at the top I don't believe that that's the case. And -- and we've tailored this legislation narrowly in order to impact State and local public authority boards because the numbers bare out such an egregious percentage of disparity.

MS. WALSH: If -- if the -- if the language is saying that it's really just going to be at the sound discretion of the appointing authority, but that you want to put forward the names of women applicants for these board positions, why have it sunset in ten years if it's going to be that discretionary? Do you -- do you think that you're going to be able to get in a seven-person board -- I guess that would -- I guess I should use an even number. An eight-person board, you're going to get four women and four men over the course of ten years?

MS. ROZIC: I'd love to come back in 2029 and tell you that we no longer have to do a bill like this, and I hope that that's the case. And that's why there's a sunset on it.

MS. WALSH: Okay. All right. I think -- thank you very much for answering the questions that I've had.

Mr. Speaker, on the bill.

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

MS. WALSH: So like I said, I really think that, you know, diversity on boards is -- is a good thing. It's an aspirational



thing. I think that just as we've seen here in this Body, we've hit a new high in the, I think, in the Senate and in the Assembly in terms of the number of women that are here. And I know that when the Speaker made his opening remarks at the beginning of Session he mentioned that. We all thought -- we all know that that's an important thing. And we want to see women bring their talents and be able to achieve and rise to -- rise to the level of being able to serve on some of these boards. Some are very influential boards in our State. I'm okay with all of that. I'm okay with a bill that -- that says we're going to make recommendations of women and we're going to look hard to try to find women who are going to be willing and able and qualified to serve on these boards. I think where I have a problem with this bill is that section that I read off, that Section 4, because I think that if -- if you really read that section, despite the comments made by the sponsor, what it -- what it really says, I think, is that that guy who served on that board for a long time is going to be really out of luck when his term becomes due. I think he's going to get replaced. And I think that that, overall, might not be a good thing at all for the board. I think another thing that we ought to think about is that some efforts - and we're seeing this in private business - are being made voluntarily, and I think that's the better way. Rather than having legislation and a mandate put in through a piece of legislation like this, I think that it's better to use persuasion. I think that -- you know, recently there was an article and it said that Goldman Sachs announced earlier this year that it would -- it would only help companies go public if they had at

least one diverse board member. And so there was a case that was being made for boardroom diversity, and that was being advanced privately rather than through government action and I think that that's preferable. I think people generally, if you ask them, want to see diversity and see the benefits of diversity. I just don't think that it should be a mandate. I think increasing marketing or recruitment efforts is smart. That's great. I just don't think that it should be a mandate, because in the end I really think that the best candidate should be selected, man or woman. If the best candidate is selected I think the board will always, always do better.

And I guess, you know, the last thing I would say is that I just -- I -- I don't get a chance to read a lot for pleasure, especially during Session, but I would recommend to you a really great biography that I read about Sandra Day O'Connor. It's called *First*. And it talks about the pressures of being "the first." And I've been on boards before coming to the Assembly where I was the first woman or the second woman, and there is a lot of pressure with -- I think true success is when we get to the point where it is not unusual to see a board where there are equal numbers of men and women, all qualified, all working together. And that we women were the early achievers, I do think have an obligation to work to advance and help other women achieve so that it just becomes so regular and normal that we don't -- we don't -- we would not need legislation like this.

I -- I don't believe that I will be able to support this bill because I think it just goes too far. I think that if we just left it as

a recruitment and recommendation, I think that I would definitely be able to support it. But I think the fact that it goes further and says specifically -- and I'll read it again -- *An appointing power shall make recommendations, appointments and reappointments in a manner which will ensure a gender-balanced appointment or reappointment for each public authority.* I think if Section 4 was taken out of the bill I'd be fine with it. With it in there, not having changed since the last time we voted on it with 32 members of this Body voting no, I will continue to vote in the negative.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Read the last section.

THE CLERK: This act shall take effect January 1, 2021.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 477. This is a Party vote. Any member who wishes to be recorded as an exception to their party 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 bill as written. Those who support it are encouraged to call the Minority Leader's Office so we can properly record your vote.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. The Majority Conference is going to be in support of this one. Colleagues deciding to be an exception, they should feel free to contact the Majority Leader's Office and we will be happy to properly record their vote.

(The Clerk recorded the vote.)

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

MR. GOODELL: Thank you, sir. Most of us here are -- are really opposed to discrimination based on factors other than the person's qualification. I think it's safe to say that most of us want the very best qualified people to serve on our boards and commissions regardless of their sex or race, color, religion, national origin, sexual orientation or any factor that's unrelated to their ability to do the best job possible for the taxpayers and the residents of the State of New York. We want to focus on getting the very best people we can on every board and commission without discriminating against or for any group. As my colleague noted, this legislative language is inconsistent, because this legislative language doesn't say, *You shall select the best qualified person regardless of sex or gender*. Instead, it says, *The appointing power shall make recommendations, appointments and reappointments to ensure a certain makeup of the Board based on gender that's unrelated to the qualifications*. And just

in case there was any misunderstanding, subparagraph 3(b) says, *Persons shall be recommended for appointment or reappointment only* -- "only" -- that's the statutory language -- *only if the recommendation is gender-balanced*. Let's not adopt legislation that enshrines discrimination. Let's focus on encouraging the broadest participation without discrimination.

Thank you, sir.

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

MR. BARRON: Thank you, Mr. Speaker. I just wanted to make a note to my colleagues that any time we try to deal with gender discrimination or racial discrimination, there are those that we should say we should go by meritocracy, just by merit, knowing that when people are discriminated against, unless you do something to close that gap and to deal with the fact that those who are so merited were not even as qualified as some who were left out of the picture. So when you have programs and legislation to try to deal with discrimination and you just simply always talk about meritocracy or all who's qualified when there's been a lot of white male privilege going on that allows white males to have an advantage on all of these boards and all of these places, then you have to do something. You have to do something. And if every time we try to do something, either some legislation or some kind of policies or programs and we try to do this, then it is a real, real, real problem. So I just want to just make us very, very sensitive to what people try to do to close the gap. And you can't

close the gap by always coming up with some rationale why you shouldn't do things.

So I vote in the affirmative for this legislation.

ACTING SPEAKER AUBRY: Mr. Barron in the affirmative.

Mr. Goodell.

MR. GOODELL: Thank you, sir. Please record the following colleagues in the affirmative: Brian -- Mr. Brian Miller, Mr. Morinello, Mr. Norris, Mr. Schmitt and Mr. Walczyk.

Thank you.

ACTING SPEAKER AUBRY: So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 27, Calendar No. 200, the Clerk will read.

THE CLERK: Assembly No. A02230-A, Calendar No. 200, Reyes, De La Rosa, J. Rivera, Fernandez, Colton, Gottfried, McDonough, Glick, Richardson, Rozic, Fall, Griffin, Griffin, Hevesi, Cruz, Otis, Vanel, Jacobson, Paulin, Burgos, Meeks, González-Rojas, Anderson. An act to amend the Executive Law, in relation to enacting the "Hate Crimes Analysis and Review Act."

ACTING SPEAKER AUBRY: Ms. Reyes, an explanation has been requested.

MS. REYES: Thank you, Mr. Speaker. This bill would enact -- would enact the Hate Crimes Analysis and Review Act.

When hate crimes take place in New York there's often insufficient information collected regarding the identities of those involved to adequately understand who the victims are and who is being accused of the crime. In recent years we have unfortunately seen a troubling rise in hate crimes not only across the country but right here in New York. By collecting this information we can better ensure that the State is protecting residents hate crime laws intend to protect, with the goal of ultimately ensuring we hold criminal offenders accountable while simultaneously advocating for balanced, restorative justice practices.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

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

MS. REYES: Yes, sir.

MR. GOODELL: Thank you, Ms. Reyes. I see that this bill would require the collection of fairly extensive data regarding the victim, and I wanted to just review some of those items. As -- as I understand it there's 11 different items that are being sought. Is it your intent, then, that every victim would have to fill out a detailed demographic background sheet?

MS. REYES: Yes. If -- if there is a hate crime that is committed they would have to identify themselves, particularly if they're reporting or accusing someone of -- of perpetrating a hate

crime against them.

MR. GOODELL: Now, one of the 11 items is religion, and I assume that's -- you want them to identify what religious faith, if any, they have, correct?

MS. REYES: Correct.

MR. GOODELL: But one of the 11 items is religious practice. What does that mean?

MS. REYES: Um...

(Pause)

Give me a second. So I -- I would assume just -- religious practices could be customs pertaining to one's religion. They may not be overly apparent but could be a source of -- of an individual being targeted.

MR. GOODELL: Okay. So it's not enough, for example, to say you have -- that you're Jewish, you have to say whether or not you're Orthodox or -- or whether you're practicing or not practicing. Is that what was intended by this question?

MS. REYES: Well, no. I think -- I think some practices pertain to somebody's religion like hats, dreadlocks, how many times a day they pray, if they have to pray in a separate space. All those practices. Beads.

MR. GOODELL: I see that one of the 11 items is sexual orientation.

MS. REYES: Correct.

MR. GOODELL: Are we talking about LGBTQ+,



those types of issues?

MS. REYES: Correct.

MR. GOODELL: And then number 11, I see gender identity or expression. So in addition to sexual orientation you want gender identity?

MS. REYES: Yes. And we use that modeled after -- that's defined under Penal Law Section 485.05.

MR. GOODELL: Thank you, Ms. Reyes. I appreciate your explanations.

On the bill, sir.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. GOODELL: You know, being a victim of a crime is horrific. Being a victim of a hate crime is even worse. And about the only thing that could make the whole experience even worse than all of that, it seems to me, is requiring the victims to release a lot of very personal information. So you call the police and you report a crime, and then under this bill you could reasonably anticipate the police will start grilling the victim on a whole series of very personal questions. Like, *What's your race, color, national origin?* That's interesting since most of us have multiple national origins. Ancestry. I'm not quite sure what that means. *How long have you been here?* *How many brothers and sisters? Who are you related to?* Gender, I get that. Or gender identity or expression. Religion. If you're a victim, don't you want to say, *Guys, you know, I'm a victim here. Why do you want to know my religion or religious practices?* Age. Now, I

don't care, you guys can already tell from the color of my -- my hair that I'm not 39 anymore, but some people are sensitive about that. Disability. Sexual orientation. We have legislation in this Body saying that you should be able to be confidential on your sexual orientation or gender identity. So while I appreciate the desire to combat hate crimes - we all support that desire - we need to be sensitive to victims and we need to be sensitive to personal privacy. And we should not subject victims to a detailed questionnaire that leaves them wondering, *Are the police going to follow up on this as diligently as they ought to because maybe the police had something against a sexual orientation or a gender identity? Or, Will the police follow up and treat me just like anyone else, regardless of my religion or religious practices?* We want the police focused on solving crimes regardless of the race, color, national origin, ancestry, gender, religion, religious practice, age, disability, sexual orientation, gender identity or expression of the victim. Let's give the victims a break. Let's not subject them to detailed questions that are very personal and intrusive as part of a process of solving the crime. If the victim wants to volunteer, God bless them. But not make it a statutory requirement.

Thank you, sir.

ACTING SPEAKER AUBRY: Ms. Reyes.

MS. REYES: Thank you, Mr. Speaker. I just wanted to clarify for the record. You know, I don't purport to know why someone might commit a heinous crime against somebody because of who they pray to or who they love or what they look like or where

they come from. But the reality is that it's happening and it's happening in this country. And the intention of this bill is for us to gather more information not for law enforcement to solve crimes, it is a reporting bill so that we have more information as to the motives behind why some of these crimes are committed. Who the perpetrators are. What their sexual orientation, religion, background may be because it may motivate them to commit the crime, and that of -- of the victim as well. And I also want to draw attention to -- my colleagues' attention to page 2, line 4 of the bill where it says, *Data collected shall be used for research or statistical purposes only and shall not contain information that may reveal the identity of any individual.* This is also a reporting bill, so it -- it directs, um, um, um -- I'm sorry, it -- it directs DCJS to, in cooperation with the Chief Administration [sic] of the Courts as well as other public or private agencies to furnish a report to the Governor and the Legislature, the Speaker of the Assembly, the Temporary President of the Senate, the Chair of the Assembly Codes Committee, the Chair of the Senate Codes Committee, the Attorney General, the Chief Administrative Judge of the Office of Court Administration. And the idea is for us to have more information as to why some of the -- the hate crimes are happening, who the people are that are committing them and who are they against so that we can better legislate and protect those individuals in those communities. This is not intended, by any means, to revictimize victims or to gather information for the purpose of solving a crime. This is really just for us to collect the data and be

better informed legislators.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Mr. Reilly.

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

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

MS. REYES: Yes, I do.

ACTING SPEAKER AUBRY: Ms. Reyes yields, sir.

MR. REILLY: Thank you, Ms. Reyes. So, with this legislation is there anything -- I know you just spoke about collecting data and making assure that we can do a better job as a Legislature to help prevent hate crimes and do our part. Is there anything in this legislation that will analyze in the report and collected data of those that commit hate crimes, that may have committed the crime and been released without bail due to bail reform? Will that be taken into account on this statistical data?

MS. REYES: I believe that already as part of the collecting of the data that already existed in -- in the law, in the Hate Crimes Act of 2000, where kind of like the resolution of the -- of the crime and the investigation is part -- is reportable as well. So we're not amending that part, that stays. We're just adding all those things that our colleague mentioned, like race, color, national origin, ancestry, gender, gender identity or expression, religion. All those

things that weren't in the law before is what we're amending and adding.

MR. REILLY: So, would -- I think a good thing would be -- because we, of course, want to address any recidivism when it comes to hate crimes -- if we have subjects that were arrested prior and charged with those crimes, would that be part of this statistical data that we --- that they will collect? Because I know that the -- the Office of Court Administration is involved in it as well. Will that be generated with these reports?

MS. REYES: Yeah, like I mentioned. And I'll actually read off -- I'll read off the bill what it says. It says the county within which the arrest was made and the accusatory instrument filed, the disposition of the accusatory instrument filed, including, but not limited to, as the case may be dismissal, acquittal, the offenses to which the defendant pled guilty, the offenses the defendant was convicted of after trial and the sentence imposed. That is all part of the reporting requirement that already exists in the law.

MR. REILLY: So I noticed -- I noticed as you were reading that enumerated list that it didn't include if the incident was bail eligible or not bail eligible, and if bail was set and if there was any -- because when someone gets arrested and they're being evaluated, there's DCJS, there's also the not-for-profit organizations, especially in New York City, that talks to those that are being charged with a crime when it looks at trying to ascertain if they need representation, if they need assistance in it. So will that data be included in this as well?

Specifically, the post-arraignment interviews in -- when they're first arrested.

MS. REYES: I'm sorry. I don't necessarily have an answer to that, and I don't know if that is part of the information that would go along with the sentence imposed. So I would have to get back to you.

MR. REILLY: So -- thank you, Ms. Reyes.

On -- on the bill, Mr. Speaker.

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

MR. REILLY: So, the intention of this act is -- is a noble one. Hearing the debate, listening to the debate, asking the questions that I had and the answers I received, I think that we're specifically talking about convictions and the orders that come and the -- the data that is actually collected after someone has been convicted or pled guilty to a crime. I think we're missing a key data point when we can gather that information and have it included in these reports that will be generated as we follow those that -- those subjects, those individuals that are being charged with those crimes. If we have that data from the inception so we can see and gather information to see about patterns and things that we can really address to help combat hate crimes.

So I hope that we can look into that and I'm willing to work on that as well. But thank you so much for your time, Mr. Speaker. Thank you, Ms. Reyes.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 2230-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. Goodell.

MR. GOODELL: Thank you, sir. As you know, this is a fast roll call, so members will be recorded supporting this legislation unless they otherwise indicate by contacting their respective leader's office. I will be voting no over the privacy issues that I (inaudible). I think there are huge privacy issues and I think we need to be sensitive to the privacy of victims and respect their right to privacy. And I'm concerned that this bill, while it may produce interesting data that people can study, also tramples some of those privacy rights that victims have, and for that reason I will be opposing it. But I recognize that many of my colleagues are anxious to see that data and would like to see it, and I certainly appreciate their views as well.

Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Goodell in the negative.

Mr. Kim to explain his vote.

MR. KIM: Thank you, Mr. -- Chair Aubry --

Speaker. I want to take a moment to thank the sponsor of this bill for putting this thoughtful legislation forward at a time when we are seeing so much hate crimes against Asian Americans across this country and as well as other communities and communities of color are constantly being pitted against each other. And people who are in positions of power are controlling the narrative of why people are feeling hateful and violent, and unless we have the true data in front of us we cannot make sound decisions. So I appreciate the sponsor's thoughtfulness in trying to put this together. And it also reflects what the Federal government, I believe, is currently doing. I just -- I believe they also passed legislation to direct the Department of Justice to work with states on better data collection so we can have a full picture of what the patterns are. It's not enough just to punish the crime at the moment. You need to go back and connect the dots to better understand how we should invest our dollars to prevent the hatred and violence.

So I appreciate, again, the sponsor's leadership on this and I proudly support in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Mr. Kim in the affirmative.

Mrs. Peoples-Stokes to explain her vote.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker, for an opportunity to explain my vote. This piece of



legislation, I have to commend the sponsor for this one. And I commend my colleagues who can see within their consciousness to support something like this. It is rather sad that, you know, in this day and time people are hurting others based on hate. It is rather sad. But it does need to be dealt with. Hurt people hurt other people. We have a lot of issues in our society, there is no question about it. And if it takes collecting data to get to the bottom of that, then Mr. Speaker, I think that's what we need to do.

So, again, I commend the sponsor of this legislation. And I hope that in years out we won't need to be passing laws about hate crimes because, first of all, we would like not to see any crimes at all. But a hate crime, you're hating somebody for who they are or what they do and how they look. That's just crazy. But that's where we are right now in this world and this is the things we have to do in 2021. So it's my pleasure to vote yes on this bill and I applaud folks who have decided to do likewise.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes in the affirmative.

Mr. Goodell.

MR. GOODELL: Thank you, sir. Please record Mr. DiPietro and Mr. Montesano joining me in the negative. Thank you, sir.

ACTING SPEAKER AUBRY: Certainly. So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 30, Calendar No. 251, the Clerk will read.

THE CLERK: Assembly No. A3201-B, Calendar No. 251, McDonald, McMahon, Abinanti, Simon, Gottfried, Montesano, Morinello, Otis, Fahy, Stirpe. An act to amend the General Municipal Law, in relation to the purposes and powers of industrial development agencies.

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 3201-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. Goodell to explain his vote.

MR. GOODELL: Thank you, sir. I'll be supporting this legislation and recommend the same for my colleagues. I also, though, want to take this opportunity to express my appreciation to the sponsor who has amended this bill to make it clear that this bill would prohibit a municipality that appoints members to the IDA to appoint -- or to have one of its own elected members serve as a paid member of the IDA. And so the whole purpose of this bill is to make sure we don't have a conflict of interest where, say, a mayor or a county executive appoints the board of the IDA who then turns around and

hires that mayor or supervisor or county executive and pays them.

And so this is all designed to eliminate that conflict of interest. The sponsor, to his credit, amended the bill to make it clear that if you're not in that conflict of interest but you're an elected official in some other municipality that you are certainly free to serve on the board so that you can have broad representation, hopefully gender-based, but certainly broad representation as long as you don't have that conflict.

And so I will be supporting this and recommend the same to my colleagues. Thank you, sir.

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

MR. MCDONALD: Thank you, Mr. Speaker. I want to thank you. I want to thank our Local Governments Chair and Mr. Goodell for actually explaining my bill, which I appreciate and I appreciated the constructive comments. The reality is this, is that all elected officials have various responsibilities, but we also have to make sure the proper safeguards are in place to make sure there's no self-dealing going on. Unfortunately, this has happened in a -- in a few circumstances and we want to make sure that those individuals who are elected to serve on boards -- or selected to serve on boards are now in a position to also return that favor.

We think this is good legislation, it's a good government bill, and I encourage my colleagues to support it. Thank you.

ACTING SPEAKER AUBRY: Mr. McDonald in the

affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 31, Calendar No. 270, the Clerk will read.

THE CLERK: Assembly No. A06910, Calendar No. 270, Cusick, Fall, Colton, Durso, Griffin, Reilly. An act to amend Chapter 395 of the Laws of 1978, relating to moratoriums on the issuance of certificates of environmental safety for the siting of facilities and certification of routes for the transportation of liquefied natural or petroleum gas, in relation to extending the effectiveness of the provisions of such chapter.

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

Mr. Cusick, an explanation is requested, sir.

MR. CUSICK: Yes, Mr. Speaker. This bill is a two-year extender of Chapter 395 of the Laws of 1978. This -- this bill relates to moratoriums on the issuance of certificates of environmental safety for the siting of facilities and certification of routes to transport liquefied natural or petroleum gas in cities with a population of one million or more. In this -- the impetus of this bill back in 1978, there was a LNG explosion on Staten Island that killed 40 people. And then when the bill was passed in 1978, it was at the urging of the New York City Fire Department and the City of New

York, and since then it's been extended every two years. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mr. Reilly.

MR. REILLY: Thank you, Mr. Speaker.

On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. REILLY: So, this -- the area in question that brought about this bill in 1978 lies in my district. It is -- the incident happened only a few days after I was born. It happened on February 10th, 1973. I was born on January 30, 1973. The explosion killed 40 people. The debris of these two tanks landed hundreds of feet around the area. To give you a little inside into this, in 1973 the whole area was basically farmland. Fast forward to today, as many of Staten Island, such as myself, moved from Brooklyn, it is highly populated now. And this bill continues an extender to maintain safety in the area. This is something that I commend the sponsor in carrying this bill. As you heard in the explanation, the New York City Fire Department is in favor of it because of the damage that it caused when that area was significantly less populated. Now, you can only imagine what the fatality count would have been if it happened today. So as also the sponsor noted, the mayors of New York City from both sides of the aisle continuously supported this as well. Why? Because it helps the community. It creates a safe environment. And one thing that we're working on is to actually get rid of those tankers. They're an eyesore. But most importantly, I urge all my colleagues to support

this legislation for my community and for the families that live in there.

Thank you.

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: Thank you, sir.

On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. GOODELL: I very much appreciate the comments of the sponsor and my colleague. There's no doubt that this explosion that occurred in 1976 [sic] was a horrific event. The subsequent investigation concluded that the tank that exploded was actually empty. It wasn't being used for storage, it was being cleaned at the time of the accident and somehow there was a fire that ignited the cleaning fluids. Since then, the construction materials and the tank design that were used are now prohibited nationally, and should we look at building a new facility it would meet very different construction and safety standards. This accident occurred 48 years ago. And the concern that many of us have is that it might be time for us to move on and look at how is the safest way to meet our energy needs going forward. As many of us are aware and we've read with some concern, there was a substantial shortage of natural gas supplies on Long Island and in New York City just last year. And you may remember that the utility companies were refusing to connect new customers because they didn't have enough natural gas to support them because the State had repeatedly blocked supply pipelines. Now, for

those of you who are wondering why we don't have a connection moratorium anymore even though we haven't constructed new pipelines, the reason is because we are now transporting liquid natural gas by truck, by truck. And when they bring these liquid natural gas semi-trucks over the normal roadways in order to booster the supply of natural gas serving all of Long Island and New York City, the risk may actually be much higher to the general public than if we proceeded in a thoughtful manner by allowing a liquid natural gas terminal that meets current safety standards and look at increasing the supply with natural gas pipelines which have an excellent safety reputation.

So while I'm very much sensitive to the concerns of my two colleagues and I certainly support their concerns, maybe it's time for us to move forward after nearly a half-a-century and look at whether we can do better without extending this moratorium and instead focus on the best and safest method of supplying natural gas for Long Island and New York City. These are some of the reasons why the last extension in 2019 had 36 no votes. Although certainly my colleagues who voted for it have good reasons because memories are long. Even if they were just born, their memories in the community are long and I am sensitive to their concerns.

Thank you, sir.

ACTING SPEAKER AUBRY: Certainly.

Mr. Lawler to explain his vote. No, Mr. Lawler on the bill.

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

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

MR. CUSICK: Yes.

ACTING SPEAKER AUBRY: Mr. Cusick yields, sir.

MR. LAWLER: Thank you, Mr. Chairman. Mr. Chairman, where does New York City gets its energy supply from?

MR. CUSICK: Well, where -- where most of the State does. This bill is -- this bill is more about the moratorium than where the energy supply of New York City is.

MR. LAWLER: Well, the reason I ask is we obviously recently shut down Indian Point, which supplied about 25 percent of the region's power supply.

MR. CUSICK: Yes.

MR. LAWLER: And there's a movement within this State, obviously, against, you know, natural gas and a movement towards 100 percent renewables so that we have zero carbon emissions, which I -- I support the effort of course to have clean energy and to increase our renewable energy sources. But about 60 percent of New York State residents rely on natural gas to heat their homes and to power them, and to, you know, power their air conditioners. So while I know this has been in effect a very long time, with Indian Point shutting down, isn't -- isn't there a concern as to



where New York City and the region is going to get its energy supply from?

MR. CUSICK: I am sure that New York City is concerned and that would be a question that I think this legislative Body and -- and yourself, Mr. Lawler, would be apt to bring up with the City of New York, and it is something that I'm sure they are concentrating on. But I do want to say that this bill was introduced in 1978. Has been extended every two years based on public safety, not on the issue of the supply or how one entity may feel about natural gas. This was on the recommendations of the New York City Fire Department back then and they continue to support this.

MR. LAWLER: Okay. Thank you, Mr. Chairman.

MR. CUSICK: Thank you.

MR. LAWLER: On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. LAWLER: I appreciate, obviously, the safety concerns any time we are talking about some type of power plant or facility in which energy is running through, but we have a real crisis in this State. With the closing of Indian Point under the guise of course of safety and environmental reasons, which is somewhat contradictory because nuclear power plants are -- are zero carbon emission and also we're keeping power plants open in Upstate New York to the tune of billions of dollars of taxpayer money. But we're shutting down Indian Point and we have a -- an energy crisis in this State. Twenty-five percent of our energy supply for the region came from -- came from

Indian Point, and so it made it a little easier to have a situation where we had a moratorium on the licensing of liquefied natural gas facilities. As my colleague from Western New York pointed out, we're trucking it in which one has to wonder how safe that is over the George Washington Bridge, for example. So I, you know, I think as we move forward and we work to try and address climate change we have to do so in a comprehensive way and following the science. And as much as we will be relying on -- in the future on renewable energy we need dispatchable energy as well. And natural gas is a dispatchable form of energy to help, for instance, when the wind stops blowing or when the sun sets. And so that's something that we seriously need to consider as we're moving forward with policy decisions related to our energy supply here in New York.

I would also point out, as I've pointed out previously, many of our NYCHA facilities rely on natural gas. And so by trying to limit natural gas we are putting those facilities which are already cash-strapped into serious harm's way from an energy perspective. So I would just encourage my colleagues to consider those NYCHA facilities which many of them talk about quite often, understandably so, as -- as we move forward and the cost of construction for affordable housing projects. Those costs will rise if you do not have reliable sources of energy such as natural gas.

So for that reason, Mr. Speaker, I think it is time to lift the moratorium on licensing of -- of natural gas facilities in New York City. If the issue is safety, then we should certainly look at

issues surrounding trucking natural gas over our bridges, which obviously would be a -- a real issue of safety. But we really need to have a comprehensive plan going forward, so I will oppose this legislation.

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 print 6173. This is a Party vote. Any member who wishes to be recorded as an exception to their Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed to this legislation. But for those who would like to support it, please contact the Minority Leader's Office so we can properly record your vote.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you, sir.

Ms. Hyndman.

MS. HYNDMAN: I would like to remind my colleagues that this is a Party vote. The Majority members will be recorded in the affirmative. If there are any exceptions we ask the Majority members to contact the Majority Leader's Office at the number previously provided and your name will be recorded accordingly.

Thank you.

ACTING SPEAKER AUBRY: Thank you.

(The Clerk recorded the vote.)

Mr. Goodell.

MR. GOODELL: Thank you, sir. In addition to the five votes in favor of this on the floor that are already registered, please record the following members in favor of this legislation: Mr. Ashby and Mr. Walczyk.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you so much.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if we could now call our colleagues' attention to Calendar No. 297. It's on page 33 by Mr. Epstein.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly No. A03112-B, Calendar No. 297, Epstein, Weprin, Nolan, Hevesi, Reyes, Seawright, Simon, Gottfried, Perry, Taylor, Davila, Englebright, Gallagher, González-Rojas, Steck, Jackson, Bichotte Hermelyn, Fernandez. An act to amend the Executive Law, in relation to directing the Division of Human Rights to promulgate regulations requiring disclosure of lawful source of income rights to prospective tenants.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 3112-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. Goodell.

MR. GOODELL: Thank you, sir. This bill requires those public organizations including government and non-profit that provide rental assistance to notify those seeking that rental assistance of their right to avoid any discrimination based on the source of lawful income used to pay rent. I wanted to extend my appreciation to my colleague, the sponsor. This originally applied to anyone who was a housing provider, and he narrowed the bill down to focus specifically on those entities that provide public funding, and that ensures that the right people are getting the right information without creating a needless and irrelevant burden on everyone else.

So again, compliments to my colleague for sharpening the language of this bill, and accordingly, I will be supporting it. Thank you.

ACTING SPEAKER AUBRY: Mr. Epstein.

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

explain my vote. So, we -- we made source of income discrimination illegal two years ago in the State Legislature. Unfortunately, many people with government assistance actually don't even know the law exists. People get Section 8 and they go apply for apartments and they have no idea that when the landlord says, *Hey, we don't take Section 8*, that's illegal in New York State. This bill rectifies that situation. It makes sure that every government agency that provide people with rental assistance gives them written information about their rights for source of income, and then if they feel discriminated, how to file a complaint.

I would encourage all my colleagues to vote in favor of this. I want to thank the Speaker for letting this bill come to the floor.

ACTING SPEAKER AUBRY: Mr. Epstein in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: We have both, Mrs. Peoples-Stokes. In one minute after I sign the bill.

On a motion by Ms. Walker, page 31, Calendar No. 271, Bill No. A.6970, amendments are received and adopted.

On behalf of Mrs. Clark, Bill No. 5436-A, Assembly bill recalled from the Senate.

The Clerk will read the title of the bill.

THE CLERK: An act to amend the Elder Law.

ACTING SPEAKER AUBRY: Motion to reconsider the vote by which the bill passed the House.

The Clerk will record the vote.

(The Clerk recorded the vote.)

The Clerk will announce the results.

(The Clerk announced the results.)

The bill is before the House and the amendments are received and adopted.

We do have a privileged resolution, Mrs. Peoples-Stokes.

Resolution No. 311, the Clerk will read.

THE CLERK: Assembly Resolution 311, Mr. Barron.

Legislative Resolution commemorating the 96th birthday of Malcolm X, an advocate for human rights and one of the most influential revolutionary leaders in history.

ACTING SPEAKER AUBRY: Mr. Barron on the resolution.

MR. BARRON: Thank you very much to my colleagues, to the Speaker. The picture that adorns the wall behind me is that of one of the most incredibly brilliant iconic revolutionary

leaders ever to walk the streets of America and the globe of the world. That is Malcolm X, El-Hajj Malik El-Shabazz. He is also one who has adorned his image and spirit the chambers of my heart, the contours of my mind and the depths of my soul. He was the one who woke me up and steered me in the right direction. So when we honor Malcolm X today, as Ossie Davis said, we honor the tallest tree in our forest. We honor our Black shining prince. It was Malcolm X who after having a life in the street converted to Islam, joined the Nation of Islam and cleaned up thousands, thousands of our people who were suffering from the oppression under this racist, colonial, capitalist system. He cleaned them up and made them viable, productive members of our community. It was Malcolm X that during the 1960s when this system wouldn't respond right to Dr. Martin Luther King, Malcolm X said, *You better listen to King because something more powerful is behind it, and that's Black Power, Black nationalism.* It is because of Malcolm X, the fear that he put in the hearts of this system that they paid more attention to Martin Luther King and the Civil Rights movement and passed the historic Voting Rights Act and the Civil Rights Act. Because the system said, *We better deal with King because if the people go with Malcolm, we're in trouble.* It was Malcolm X that said, *We got to go from civil rights to human rights. If they don't even recognize you as a human being, then how would they ever recognize us as citizens?* As Malcolm went on to say that -- and this was one of his more famous quotes -- he said, *We declare our right on this earth to be a human being, to be respected as human*



*beings, to be given the rights of human beings in this society on this earth in this day which we intend to bring into existence by any means necessary.* It was Malcolm X that went across the globe, went to Africa. Linked our struggle as Africans here in America to the liberation struggles on the continent of Africa. Malcolm X lift up the Bandung conference and said -- in 1955 there was a conference in Bandung, Indonesia. Just the African and Asian nations came together to talk about liberation and removing the yoke of imperialism and colonialism from their states in Africa and across Asia. Shortly after that, the continent of Africa liberated itself, starting with Kwame Nkrumah in 1957 with the country of Ghana, the State of Ghana and then came the Congo and then Tanzania. All of the African nations liberated. Malcolm taught us that. Malcolm brought that to us. And it was Malcolm X who went to the United Nations and said, *We have been violated, our human rights, and we are amongst the three groups that we're at the beginning of this country.* One, the Europeans who stole the land from the indigenous people, the so-called Indians, and then stole us from Africa to build the economic foundation of capitalism. You could be successful at any business if you didn't have to pay for real estate or labor. They stole it. That's how capitalism was built and that's why Malcolm demanded and Martin demanded and we demand today our reparations. It was Malcolm X that went to the Oxford and the Oxford debate, and they talked about extremism. You know, it's interesting. Every time we respond to our oppression, they talk about our response. Not the extreme oppression, but our

extremist response. And he said, *Extremism is a virtue. Moderation in the light of extreme oppression is a vice.*

So, Malcolm X, we honor you today, our Black shining prince. And we can never honor Malcolm X without honoring his queen, Dr. Betty Shabazz.

ACTING SPEAKER AUBRY: Mr. -- your time has expired, sir. Thank you.

MR. BARRON: Well let me just finish this last sentence. And we honor Dr. Betty Shabazz and we honor Malcolm X on this day and how he came to this Assembly in '65 with Percy Sutton and sat right up in the balcony and watched the proceedings. Happy Birthday, Malcolm X. Long live your spirit.

Thank you, Mr. Chair.

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

Mrs. Peoples-Stokes, we have several other fine resolutions which we will also take 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. 304-310 and 312 were unanimously adopted.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I now move that the Assembly stand adjourned until 12:30, Thursday, 12:30

p.m. Thursday, Monday -- I'm sorry, May the 20th, tomorrow being a Session day. Tomorrow being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 6:11 p.m., the House stood adjourned until Thursday, May 20th at 12:30 p.m., that being a Session day.)