

MONDAY, MAY 23, 2022

3:20 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 Sunday, May 22nd.

Mrs. Peoples-Stokes.

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

dispense with the further reading of the Journal of Sunday, May the 22nd and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. If I could welcome my colleagues and guests that are in the Chambers. I do have to admit, I did miss you all last week, but as you know I was very busy taking care of my people who have experienced a horrific incident, literally around the corner from my house. But that being said, Mr. Speaker, work goes on. We have a lot to do and I'm glad that I work with such a group of people who would not only reach out to me and see how I was doing, but are willing to work with me to get all these great things we have yet to get done. It's good to be here.

I do want to share a quote, this one is coming from Eldridge Cleaver. It says, *The price of hating another human being is loving oneself less*. I just want to repeat that: *The price of hating another human being is loving oneself less*. Eldridge Cleaver was an American writer, a political activist and early involved with the Black Panther Party in 1968. Cleaver wrote *Soul on Ice*, a collection of essays that at the time of his publication was praised by *The New York Times Book Review* as a brilliant and revealing document.

Mr. Speaker, members, you have on your desk a Calendar and an A-Calendar, and we also have a debate list. I'd like

to move that A-Calendar, Mr. Speaker.

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

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: We will begin our work today, colleagues, by taking up resolutions beginning on page 3, and then we're going to take up Rules Report No. 282 by Ms. Rosenthal; that will be on debate. And then we're going to consent the A-Calendar, beginning with Rules Number -- Report No. 280. There may be a need for some additional floor activity, Mr. Speaker. If so, I will be pleased to notify you and my colleagues of that. That's a general outline of where we are going today. If there's housekeeping or introductions, now would be a great time, sir.

ACTING SPEAKER AUBRY: We have both, but before that, just want to say it's so good to see you back on behalf of the House, we welcome you and always in our prayers. Thank you, Mrs. Peoples-Stokes.

(Applause)

On a motion by Mr. Abinanti, the amendments -- on page 28, Calendar No. 297, Bill No. A8486, amendments are received and adopted.

On a motion by Mr. Burdick, page 38, Calendar No. 620, Bill No. 9079, amendments are received and adopted.

For the purposes of an introduction, Mr. Ramos.

MR. RAMOS: Mr. Speaker, I proudly rise for the

purpose of an introduction. Shortly we will be passing a resolution here declaring August 27th Peruvian Gastronomy Day, and a resolution that attempts to promote Peruvian culture, of which there are hundreds of thousands residing in New York contributing to our society at all levels.

Today I have the honor of having some of those leaders here to witness the passing of that resolution. We have with us the Ambassador, Monita LaDorenda, Consulate General of the -- of Peru in New York. Ms. Vicky Díaz -- Vicky Díaz and William Díaz, they are the founders of SUMAQ, a Peruvian festival. Mr. Bernardo Muños, who is the Director of Trade Comission in Peru. Chef -- we have chefs from Peru who actually are here who treated some of our members to some good ceviche today, Chef Asuluz Grandes, we have Chef Christian Arandibar, we have pastry chef Olia Culto, she's also a great friend of SUMAQ. Ulisa Pollo Balthazar, Director of the Peruvian Chamber of Commerce; Andre Carderas, also a friend of SUMAQ; Gloria Carderas, Jorge Navarete, CEO of New York Perfect Design; Gaby Argomeda, also of SUMAQ, and Jose -- Jose Nunez of SUMAQ; Lanca Garcia, Ambassador of SUMAQ; Marita Anel, Ambassador of SUMAQ, as well. Dr. Agusto Ormejenda, Elaria Honedenez, Alejandro Roman, journalist and ambassador of SUMAQ, as well; Ryan Juelta, Vice President of the Peruvian Chamber of Commerce; Shermeley Carasco, Director of Paconi and CEO of Sarejca; and Cecelia Escamilla.

Mr. Speaker, I ask that you -- to this distinguished

group of Peruvian guests here that we extend all the courtesies of the House and we give them a warm welcome.

ACTING SPEAKER AUBRY: Certainly. On behalf of Assemblyman Ramos, the Speaker and all the members, Ambassador and this fine group of representatives of the Peruvian community, we welcome you here to the New York State Assembly. We extend to you the privileges of the floor, know that we cherish both your culture and your country. Thank you so very much for being here. You are always welcome here. Thank you so very much.

(Applause)

Mr. Durso for the purposes of an introduction.

MR. DURSO: Thank you, Mr. Speaker. I rise today to introduce on Italian-American Day here in Albany and here in the Capitol as we celebrate. Today, I'd like to honor the Italian-American Political Action Committee. They're here joining us today please, Bob, if you could stand up. I'd like to introduce Robert Fonti, the President and Chairman Joseph -- James Lisa, and their board members, Lieutenant Detective Joseph Petrosino, Joseph Scelsa, Gina Coletti. Please welcome them to the House today, sir, and give them all the cordialities of the House and welcome them to the People's House here today on Italian-American Day here in Albany, sir.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Durso, the Speaker and all the members, gentlemen, ladies, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. And we go from one country to the next, and

how blessed we are in this State that we have such a broad representation of the world that lives here. Thank you so much, you are always welcome.

(Applause)

Ms. Giglio.

MS. GIGLIO: Thank you, Mr. Speaker. I was about to do that introduction, but I'm glad that Mr. Durso did. So we want to welcome all the Italian-American Coalition here today as we'll be celebrating the Italian Festa this evening, and we hope that you can all join us. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, Ms. Giglio.

Mr. Smith for the purposes of an introduction.

MR. SMITH: Thank you, Mr. Speaker, for allowing me to interrupt the proceedings for the purpose of an introduction. I'd like to take a moment to introduce my predecessor in the New York State Assembly, someone who's familiar to many of the members here, Al Graf who joins us. Al has an extensive background which I don't have time to go through his entire background, but it's extensive in serving the people of the State of New York from his time as a United States Navy veteran, a police officer in the NYPD serving the 75th Precinct. He also served as town supervisor in the Town of Brighton in northern New York, as well as an attorney in the Legal Aid Society. He went on to be elected and served for seven years here in the New York State Assembly, and now he serves as a judge in

Suffolk County. So I would ask if you could please, on behalf of all the members, particularly from Long Island, as well, extend to him the cordialities of the floor and welcome him back to the People's House.

Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Smith, the Speaker and the members, Al, it's always good to see you, Your Honor. We welcome you back here to the State Assembly. Once a member, always a member so your privileges go with life. Thank you so very much. Hope you're enjoying your life apart from us and that long history you have, part of it was here which is great and as wonderful as it could have been, and a little bit checkered because I remember trying to control you in some of the debates.

(Laughter)

Thank you so very much, sir, know that you are always welcome here.

(Applause)

Mr. Abinanti for the purposes of an introduction.

MR. ABINANTI: Thank you, Mr. Speaker. It's my privilege to recognize one of our former colleagues who was here for 12 years. He's here today to help us celebrate Italian-American Day. Some people would be surprised that Michael DenDekker was the President of the Italian-American Legislators, but he tells me that he was the first President of the Italian-American Legislators to be honored at the Irish dinner, as well. It seems that his father had the

good sense to marry an Italian-American, and so he crosses and brings back to two different communities. He is still involved in government. He's now the Director of Special Projects at the New York City Emergency Management. And we're very pleased to have him back today, a very dedicated public servant and a good friend to many of us, Michael DenDekker.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Abinanti, the Speaker and all the members, Michael, it's so good to see you. Welcome back to the Assembly. And you also, as a member, always have privileges of the floor. So great to see you, and we're not surprised that you cover all bases, Mike, because that's what you do. Thank you so very much. And say hello to mom for me, all right?

(Applause)

Mr. Lawler for the purposes of an introduction.

MR. LAWLER: Thank you, Mr. Speaker. Today as we celebrate Italian-American Heritage Day here in the State of New York, I am pleased to introduce a constituent of mine, Sean O'Connor, along with his parents, Bill and Maura - please stand. Sean is the recipient of the Senator John J. Marchi Memorial Athletic Scholarship as part of the New York State Conference of Italian-American State Legislators. We recognized him a short while ago at the Governor's Mansion. Sean is a senior at Suffern High School, my alma mater. He is captain of the cross-country team and the track team, and he will be attending the University of Buffalo in the fall where he will be in

the school of business. And we look forward to seeing great things from him. His family has dedicated themselves in service. His father served in the NYPD and now serves in the Department of Homeland Security. One of his brothers is active duty in the United States Army, and another brother is a police officer in the Town of Ramapo.

So we look forward to seeing great things from Sean and wish him well as he goes to the University of Buffalo. So if you could extend the cordialities of the floor to Sean and his family, I would appreciate it.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Lawler, the Speaker and all the members, and those Italian-American members of this Body, we welcome you, Sean, to the New York State Assembly, extend to you the privileges of the floor. Our congratulations on that all that you've done to earn this award. And to your parents, you've done it right and congratulations on that fine job. Congratulations all of you.

(Applause)

Now, resolutions on page 3, the Clerk will read.

THE CLERK: Assembly Resolution No. 943, Rules at the request of Mr. Zebrowski.

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

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

adopted.

THE CLERK: Assembly Resolution No. 944, Rules at the request of Ms. Reyes.

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

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

THE CLERK: Assembly Resolution No. 945, Rules at the request of Mr. Ra.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 23rd, 2022 as Italian-American Day in the State of New York.

ACTING SPEAKER AUBRY: Mr. Ra on the resolution.

MR. RA: Thank you, Mr. Speaker. I rise to commemorate Italian-American Day in New York State. We're very proud to have this back this year after two years-plus of not being able to have our Italian-American Day and our Festa. And we invite everybody to join with us this evening over in Troy at the Italian-American Center for our Festa. But this is a day that's about coming together, honoring our heritage, honoring those who have given so much to our community. And at the heart of it, like so many organizations, is our future and I do want to mention, you know, we

have four scholarship honorees. One was able to join us in the Chamber, we recognized the two of them earlier, Sean O'Connor and Francesco Gioffre were athletic scholarship winners, Gabriella Galgano and Sheridan Ballard are academic scholarship winners. And, you know, I think as we come together as a proud community of Italian-Americans, and I'm honored to serve as President of that organization, it's about really all those who came before us and the opportunities that they gave us. And we all know the contributions that Italian-Americans have made to this State in everywhere from the trades to government to education. They have made our State better.

So I just want to thank all of my colleagues for their support of this day. Thank you to the organizations, the many organizations who have joined with us today. I know we have the National Organization of Italian-American Women, Lieutenant Petrosino -- Lieutenant Detective Joseph Petrosino Association, the New York State Order of Sons of Italy, the Italian-American Educators, all of these organizations who've come together today to help celebrate this day, and I thank my colleagues for their support of our resolution. Thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

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

THE CLERK: Assembly Resolution No. 946, Rules at the request of Ms. Solages.

Legislative Resolution memorializing Governor

Kathy Hochul to proclaim May 31st, 2022 as Save your Hearing Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 947, Rules at the request of Mr. Ramos.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim August 27-28th, 2022 as Peruvian Gastronomy Weekend in the State of New York.

ACTING SPEAKER AUBRY: On -- Mr. Ramos on the resolution.

MR. RAMOS: Mr. Speaker, this wonderful resolution that we're about to vote on is something that celebrates another culture that comes to this country. I'd like to invite all my colleagues on the 26th -- I'm sorry, the 27th and 28th to a beautiful Peruvian festival in honor of this resolution that takes place on Long Island. The Peruvian community has come here and certainly made their mark. To be American does not mean that we leave our heritage behind, it means that we bring the best of what we have to bring to this country and we add our heritage, in this case the Peruvian heritage, to the beautiful tapestry that is the United States. Thank you.

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

(Applause)

THE CLERK: Assembly Resolution No. 948, Rules
at the request of Mr. Lemondes.

Legislative Resolution memorializing Governor
Kathy Hochul to proclaim May 19th, 2022 as Armenian Heritage Day
in the State of New York.

ACTING SPEAKER AUBRY: Mr. Lemondes on the
resolution.

MR. LEMONDES: Thank you, Mr. Speaker. I rise
with the utmost respect and humility to honor this day, May 19th, on
behalf of all those killed and displaced by the Greek Pontian
Genocide, commonly and historically referred to as the Armenian
Genocide in recognition of their fate which ensnared so many, two of
whom were my own grandparents. Ironically, this is the first time
anyone in my family has ever spoken of this publicly since our arrival
here, and I do so not to seek pity, but simply your acknowledgment
that this genocide occurred.

For the benefit of those who may not know, this
genocide was the first state-sponsored mass genocide of modern
civilization and served as the blueprint from which the Germans
refined the concept to kill Jews 20 years later. Their participation was
as a result of the Ottoman German Wartime Alliance. With many
German officials, military officers, diplomats, et cetera, witnessing
firsthand the atrocities committed against these ethnic Christian
minorities, Armenians, Pontian Greeks, and Assyrians. Taking place

from 1914 to 1922, it was a systematic extermination of an entire population, where the Ottoman Turks directed the killing of over 353,000 Pontian and Anatolian Asia-Minor Greeks, and another million Armenians and Assyrians. An equal number were forced to flee their homeland in one of the most condemnable atrocities in the history of the world. These refugees were largely considered stateless and were resettled worldwide. And depending on the source consulted, these numbers are considered conservative. The Ottoman Regime sought to consolidate its wartime position and to finance the Turkification of Anatolia by confiscating the assets of murdered or deported Armenians, Greeks, and Assyrians. This redistribution of property also provided incentive for large numbers of ordinary people to join in the assault on their neighbors.

Last, crimes against humanity must always be condemned because as genocide scholars note, regimes and governments that foster genocide are three times more likely to commit it again. Ladies and gentlemen, let us be forever vigilant. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

On the resolution, all those in favor signify by saying aye; opposed. The resolution is adopted.

THE CLERK: Assembly Resolution No. 949, Rules at the request of Mr. DeStefano.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 12th, 2022 as Emergency Nurses

Day and October 9-15, 2022 as Emergency Nurses Week in the State of New York.

ACTING SPEAKER AUBRY: Mr. DeStefano on the resolution.

MR. DESTEFANO: Thank you, Mr. Speaker, for the opportunity to speak on this resolution. With New York practically shut down during the COVID crisis, one group of individuals stepped up and stayed on the job to help their fellow citizens despite the many hazards and hardships posed by their occupation. An essential part of our health care system, emergency nurses served -- saved lives during the pandemic and continue to do so each and every day. These dedicated, selfless, and highly skilled specialists are on the front line of patient care in our emergency departments, and their reputation and respect continue to grow. They always answer the call when they are needed the most. Emergency nurses commit their lives through caring for and comforting persons at critical times in their lives. They are on the forefront of our health system. These are the first face a patient will see and, oftentimes, they are the last. I know this personally as many of you know, my daughter is a nurse in North Carolina and I respect her and I respect all of the nurses that dedicate their lives to this environment.

By designating October 14th [sic] as Emergency Nurses Day in the State of New York, and October 11-17th [sic] as Emergency Nurses Week, we take a major step in recognizing and appreciating the role of these dedicated individuals. I fully support

and salute my daughter and all of the nurses like her, and the many fine nurses of the State of New York, and encourage my colleagues to vote on this resolution and encourage. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

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

THE CLERK: Assembly Resolution No. 950, Rules at the request of Ms. Buttenschon.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 2022 as Disability Employment Awareness Month in the State of New York.

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

THE CLERK: Assembly Resolution No. 951, Rules at the request of Ms. Rosenthal.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim November 1st, 2022 as Lung Cancer Screening Awareness Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 952, Rules at the request of Ms. Wallace.

Legislative Resolution memorializing Governor

Kathy Hochul to proclaim November 2022 as Hospice and Palliative Care Awareness Month in the State of New York.

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

On page 4 of the A-Calendar, Rules Report No. 282, the Clerk will read.

THE CLERK: Assembly No. A00648-A, Rules Report No. 282, L. Rosenthal, Weprin, Abinanti, Glick, Simon, Paulin, Niou, Hevesi, Cruz, Epstein, Woerner, Bichotte Hermelyn, Fernandez, Bronson, Taylor, Quart, Seawright, Hunter, Steck, Frontus, Gunther, González-Rojas, Gallagher, Mamdani, Clark, Anderson, Septimo, Burdick, Dickens, J. D. Rivera, Sillitti, Darling, Dinowitz, Fahy, Mitaynes, Ramos, Reyes, Solages, Lupardo, Kelles, Forrest, Kim, Gottfried, Galef, Barrett, Burgos, Stirpe, Wallace, Walker, Jackson, Jacobson, McDonough, Buttenschon, McDonald, Aubry, Davila, Benedetto, Gibbs, J. A. Giglio, De Los Santos, DeStefano, Gandolfo, Brabenec, Mikulin, Cunningham, Smith, Carroll, Rajkumar, Pretlow, Rozic, Meeks, Tapia, Braunstein, Cook, Nolan, Lunsford. An act to amend the Civil Practice Law and Rules, in relation to the statute of limitations for civil actions related to certain sexual offenses committed against a person eighteen years of age or older, reviving such actions otherwise barred by the existing statute of limitations and granting trial preference to such actions; and to amend the Judiciary Law, in relation to directing the Chief

Administrator of the Courts to promulgate rules for the timely adjudication of certain revived actions.

ACTING SPEAKER AUBRY: On a motion by Ms. Rosenthal, the Senate bill is before the House. The Senate bill is advanced. An explanation is requested, Ms. Rosenthal.

Shh.

Say that again, Ms. -- a little louder.

MS. ROSENTHAL: Thank you. This bill would open a one-year window to allow individuals who suffered as a result of a sexual offense that was committed against them when they were over the age of 18 to bring a civil claim that is currently barred as the applicable statute of limitations has expired.

ACTING SPEAKER AUBRY: Mr. Fitzpatrick.

MR. FITZPATRICK: Thank you, Mr. Speaker.

Would the sponsor yield for a few questions?

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

MS. ROSENTHAL: Yes.

ACTING SPEAKER AUBRY: The sponsor yields, sir.

MR. FITZPATRICK: Thank you, Linda. Just -- I guess this bill is similar to the Child Victims Act in many respects?

MS. ROSENTHAL: Yes, yes.

MR. FITZPATRICK: Is -- by waiving the statute of limitations for one year, we ended up extending it for more additional

time under the Child Victims Act. Do you anticipate this happening again? Is it going to be just a firm one year, or is this going to be expanded, in your estimation?

MS. ROSENTHAL: Well, when we extended it for the Child Victims Act, there were numerous factors that hopefully we won't have. We had the COVID pandemic which slowed down the rate in which people could file in court, and there actually were many, many more than we anticipated. So right now we're just doing a one year lookback.

MR. FITZPATRICK: Okay. So could we conceivably have a situation under your legislation where an alleged perpetrator could have passed away over, you know, there's no -- there's no time limit here, is that -- under this legislation; is that correct?

MS. ROSENTHAL: No. If the perpetrator passed away, there probably would be no cause of action unless there was an institution that was associated with that perpetrator.

MR. FITZPATRICK: But we saw with the Child Victims Act if the perpetrator or alleged perpetrator was a Catholic priest, the priest passed away --

MS. ROSENTHAL: Yes.

MR. FITZPATRICK: -- a suit was filed against the church.

MS. ROSENTHAL: Yes, because --

MR. FITZPATRICK: So would that conceivably

happen under your legislation if, say, someone was an employee of XYZ corporation, that person has passed away --

MS. ROSENTHAL: Yes.

MR. FITZPATRICK: -- would that alleged victim be able to sue that corporation under this legislation?

MS. ROSENTHAL: If the survivor believes that the institution knew or should've known about the sexual assault taking place then yes, they can bring them to court.

MR. FITZPATRICK: But that would be determined through an action taken against that corporation under this -- in this legislation, correct?

MS. ROSENTHAL: Yeah, the same way as the Child Victims Act.

MR. FITZPATRICK: Okay.

MS. ROSENTHAL: You still have to prove your case.

MR. FITZPATRICK: Correct, correct.

MS. ROSENTHAL: Yes.

MR. FITZPATRICK: Okay. So if we're going to tinker with the statute of limitations here, what would stop us from tinkering with the statute of limitations for any other type of offense? Are we not entering uncharted waters here by expanding this opportunity, if you will, for people to bring a suit and expand it to other types of violations.

MS. ROSENTHAL: You know, it's not that often

that we provide lookback periods, but we have done it before. We did it with the Child Victims Act, we did with Agent Orange, we did it with date of discovery. I think we did it with super fund. So you know, we do examine the issue and see if relief is necessary to be provided to survivors of certain -- of certain crimes or happenstances. So it's not something we do lightly, and it's something we do rarely.

MR. FITZPATRICK: Sure, I understand. And finally, we recently had a Governor resign due to accusations of sexual misconduct, and interesting how certain District Attorneys did not file charges against that former Governor. Would it be possible for those women to bring charges against that individual under this legislation? Would this provide for them to take action against that individual?

MS. ROSENTHAL: Well, in those instances the statute of limitations may not have run, but in the event that the act occurred when it had run, they would bring their case to court. This is a civil action. The DA would be a criminal action, so it's a different venue.

MR. FITZPATRICK: Right, different venue but still, they could bring an action if one of those suits qualified under this, correct?

MS. ROSENTHAL: Absolutely.

MR. FITZPATRICK: Okay. Very good. Thank you, Linda. Thank you, Mr. Speaker.

MS. ROSENTHAL: Thank you.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

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

MS. ROSENTHAL: Yes, I will.

ACTING SPEAKER AUBRY: The sponsor yields, sir.

MR. GOODELL: Thanks, Ms. Rosenthal. Am I correct that since 2019, there's a 20 year statute of limitations now for rape in the second and third degree, criminal sexual act, first, second, and third degree, and incest; it's a 20 year statute of limitations now, isn't it?

MS. ROSENTHAL: I think that's not germane to this bill.

MR. GOODELL: Well, this --

MS. ROSENTHAL: And that's for criminal, and this is regarding a purely civil case.

MR. GOODELL: Well, it allows the 2019 amended Section 213-C of the Civil Practice Law and Rules for civil actions as it related to more serious sexual crimes and I believe --

MS. ROSENTHAL: I'm sorry, one second. Mr. Speaker, I can't hear.

ACTING SPEAKER AUBRY: Thank you. We are on debate. Conversations should be ceased, taken outside.

Proceed.

MR. GOODELL: Thank you, Mr. Speaker. Ms. Rosenthal, I'm sorry you had trouble hearing. It's my understanding that Chapter 315 of the Laws of 2019, a few years ago we amended the civil statute of limitations in Section 213-C of the CPLR to provide for a 20 year statute of limitations for the more serious sexual offense, that's the civil statute of limitations that's currently 20 years, correct?

MS. ROSENTHAL: Right.

MR. GOODELL: And there are still shorter statute of limitations for an intentional tort like forcible touching, for example, or sexual misconduct, which is a misdemeanor.

MS. ROSENTHAL: Right.

MR. GOODELL: There's also one year statute of limitations for other intentional torts like assault and battery, correct?

MS. ROSENTHAL: Like what?

MR. GOODELL: Like assault, battery.

MS. ROSENTHAL: Yes.

MR. GOODELL: So why -- why would we have an unlimited one year window for, say, forceable touching, but not have any extended statute of limitations at all if the person were beat up with an assault?

MS. ROSENTHAL: I mean, as we've learned throughout this process is that when people are assaulted in any way, it causes trauma to the individual. It takes time to process what

happened and often, people cannot bring their action in time for the deadline in the statute of limitations.

MR. GOODELL: Wouldn't that -- wouldn't that psychological trauma apply in all cases where there's an intentional tort, such as an assault?

MS. ROSENTHAL: Well, sexual assault is a different kind of trauma.

MR. GOODELL: Well, this is sexual touching, this is forceable touching, so I mean, most people find forceable touching to be offensive, but not quite the same as, you know, breaking your nose or for beating you up. So my question is why do we want to have this unlimited lookback period for forceable touching, but not for any of the other intentional torts that are out there?

MS. ROSENTHAL: You know, it's not unlimited. It's a one year lookback.

MR. GOODELL: Right, it's a one year period with unlimited look back during that one year period, right?

MS. ROSENTHAL: If you put it that way, yeah. It's a one year and you can bring your case.

MR. GOODELL: And why don't we provide that benefit for any of the other intentional torts such as assault or battery, or liable or slander, or any of the other intentional torts, all of which, of course, can cause substantial trauma.

MS. ROSENTHAL: Well, in this case we're dealing with sexual assault which has its own special kind of trauma that takes

survivors a lengthy period of time to grapple with. In recognition of that, we did extend the statute of limitations, as you said earlier, in 2019, but some people cannot meet that statute so they get one year lookback. If you've learned, or anyone has learned anything from the activists and the advocates and the survivors is that everybody processes their trauma, their assault in a different way. Someone who is raped may never be able to face what happened to them. Someone else may take seven years, for example. So it's different for every person, but that's why we have a one year lookback.

MR. GOODELL: Now, is it your view that it takes more than 20 years for some people, because right now, the current statute of limitations for all the serious sexual offenses is 20 years.

MS. ROSENTHAL: Yes. For some people it takes more than 20 years. Some people go to their grave never having revealed it to anyone for many reasons.

MR. GOODELL: What are the reasons why we have a one year statute of limitations now for all of the intentional torts, like assault, like battery, all of the intentional torts. Why -- why do you think we have a one year statute of limitations now?

MS. ROSENTHAL: Well, if you'd like to change it you can offer a bill to change it. As you know, we set the statutes and that's what we've decided throughout the years to pass into law.

MR. GOODELL: Well, the reason I ask the question, and I appreciate your answer, of course, but the reason I ask the question is I think it's often important to understand why we have the

current statute of limitations that we have for all these other intentional torts, including forceable touching. I don't understand why we should pull one of those intentional torts out and make it different. So why -- what was your understanding, if you don't mind sharing, what was your understanding of why we have a one year statute of limitations for intentional torts under current law, a three year statute of limitations for negligence, and we don't go beyond three unless the documents are in writing with the exception of these serious sexual offenses.

MS. ROSENTHAL: Are you comparing like a slap in the face to rape, for example?

MR. GOODELL: No, not at all. Rape is already 20 years, I'm talking about forceable touching compared to assault and battery. I'm talking about touching someone inappropriately compared to beating the living daylights out of them. So that's what we're talking about, we're talking about the Class A misdemeanors.

MS. ROSENTHAL: What we're talking about is sexual assault. Inappropriate sexual touching is probably not the same thing as the crimes that we're talking about here in this bill.

MR. GOODELL: But this would, of course, apply to forceable touching, right, because it's under Article 130 of the Penal Law.

MS. ROSENTHAL: Yes, it does.

MR. GOODELL: Yeah. Now, we currently have a three year statute of limitation for negligence, so I mean, you can be in

a very serious car accident, maybe even die as a result of negligence; that's three years. And, of course, nothing is more traumatic than the loss of a loved one in a car accident or in an accident of some sort, why should we have an unlimited lookback for, say, forceable touching, but only a three year statute of limitations for a horrific car accident that involves negligence?

MS. ROSENTHAL: As I said previously, if you think that that rises to the same level as this, then introduce a piece of legislation. This bill -- this bill deals with --

MR. GOODELL: I don't. By the way, I don't. Just so we're clear, I don't, so I'm trying to understand why you think it should be different.

MS. ROSENTHAL: Because I think the issue with sexual assault, rape, horrific things that survivors have explained happened to them, and the statute of limitations was short when the assault happened, they deserve the right to go back to court to seek justice.

MR. GOODELL: Now, you mentioned, you know, a question from my colleague that this would apply to negligent acts or emissions of third parties, correct?

MS. ROSENTHAL: Say it again.

MR. GOODELL: This bill would apply to negligent acts or emissions of third parties, correct?

MS. ROSENTHAL: Yes, yes.

MR. GOODELL: So just to be clear, if a bus driver,

for example, runs over and kills a child, it's a three year statute of limitations. If the bus driver is not paying attention and that child suffers from forceable touching, it's an unlimited statute of limitations? Unlimited lookback under this bill?

MS. ROSENTHAL: It's a one year lookback.

MR. GOODELL: For one year it's unlimited.

MS. ROSENTHAL: What do you mean by "unlimited?"

MR. GOODELL: There's no statute of limitations for the one year period covered by this bill, correct?

MS. ROSENTHAL: It's not clear to me what you're saying.

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

On the bill, sir.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. GOODELL: Everyone in this room, I think everyone in this room appreciates the seriousness of sexual offenses and, of course, everyone in this room wants to accomplish multiple objectives. One, we want the perpetrator punished. Nobody disputes that. Second, we want the perpetrator to pay, punished criminally, pay financially for the damage they've done. We're all in accord on that, but that's not the only thing we look at when we talk about amending the Criminal Law or the Civil Law; that's not the only thing we look at. We also look at justice and equity and fairness for both parties

because, sadly, sometimes, sometimes a defendant is wrongfully accused. And it's called acquittal, and that happens. So we want to be fair to the defendant. We want to make sure the defendant has an appropriate opportunity to prove their own innocence while, at the same time, we want to be tough on crime and make the guilty party pay.

We also have another objective, and that other objective is we want to encourage victims to step forward as soon as possible, that's very important, because we want to identify if there's a serial sexual predator out there. We want to identify them. We want to stop them. We want them arrested. We want to take them off the street. And one reason you have a shorter statute of limitations is to encourage people to step forward, so we can stop that cycle of abuse. That's compassionate, encouraging people to come forward to stop the cycle of abuse is compassionate.

Now, we recognize that sometimes there are third parties involved. Maybe somebody didn't provide enough security, maybe somebody should have followed up and they didn't. Maybe there was negligence. For all the negligent actions in the State of New York, we have a three year statute of limitations. And keep in mind, the most common form of negligence involved horrific situations like car accidents. It's a three year statute of limitations.

There's a fifth factor to consider, and that is when we change statute of limitations, civil statute of limitations, we need to be mindful that sometimes you eliminate insurance coverage, because

insurance policies can be made on an occurrence basis or on a claims made basis. And so if all of a sudden you say, *Hey, you can go back 30 years*, that insurance company may not provide coverage, may not be available, may not even exist anymore. So that's another reason why we have reasonable statute of limitations.

So what's this bill say? This bill says if you're an adult and you're a victim of forceable touching, instead of bringing a claim within one year, you can, for a one year period, look back and bring a claim that occurred when you were in high school. Now, I'm sorry. This only applies to adults. When you were in college. You can look back 30 years. And as my colleague pointed out and as the sponsor acknowledged, you can sue where the perpetrator is dead. Now, you might say why would anyone ever do that? Well, the answer is simple. It's very hard for the perpetrator to defend themselves when they're dead. But they may have left a sizeable estate behind.

I gave a simple example, school bus driver, not paying attention. Driving college kids who are over the age of 18, so maybe they're young adults. There's forceable touching that occurred and he didn't see it and he didn't stop it, that's negligence. Under this bill, unlimited statute of limitations. The young adults get off, he runs over one of them and kills them, three years; three year statute of limitations.

So I appreciate the compassion that my colleague, the sponsor, wants to show for victims of sexual offense, and we have a

20 year statute of limitations for every rape, every criminal sexual act, incest, all the serious ones are already 20 years. But what this one says is a very minor, compared to rape, certainly minor compared to rape, forceable touching, you can go back to the beginning of time and bring a lawsuit and for one year, you can sue the employer, the school district, the municipality or anyone that you think should have paid closer attention with an unlimited lookback. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Ra.

MR. RA: Thank you, Mr. Speaker. Will the sponsor yield for a quick question?

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

MS. ROSENTHAL: Yes.

ACTING SPEAKER AUBRY: Ms. Rosenthal yields.

MR. RA: Thank you. I just have one question. As many of my colleagues are familiar with and, obviously, there's many parallels between this and the Child Victims Act, and one of the things -- I mean, obviously COVID was part of the whole situation, but one of the things that this Body ended up doing was extending that window for an additional year. And I just am wondering whether you feel at this point that this window will be sufficient to ensure that, or if there's other things going on to make sure that people, you know, learned from what we learned there and make sure people are aware of this opportunity to go and seek a recovery for something that was done to them.

MS. ROSENTHAL: Yeah. I mean, we have to do a good job of publicizing this new law so that people who -- who were not able to go to court realize that there's a one year lookback that begins in six months after the Governor signs it. So you know, it's -- it's kind of impossible to tell if a year will be sufficient, but that's all we're asking for right now.

MR. RA: Okay. Thank you very much. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Mr. Byrnes. Oh, Ms. Byrnes, I'm sorry. Got to get those right.

MS. BYRNES: Hopefully before one of us leaves this Chambers.

ACTING SPEAKER AUBRY: Be patient with me, Ms. Byrnes.

MS. BYRNES: I have no problems whatsoever, sir.

ACTING SPEAKER AUBRY: Thank you.

MS. BYRNES: Would the Speaker yield -- or the sponsor yield?

MS. ROSENTHAL: Yes.

ACTING SPEAKER AUBRY: Ms. Rosenthal will yield.

MS. ROSENTHAL: Yes, I will.

MS. BYRNES: I have a question, I'm not sure if you can answer today or not, but I think it's of particular significance to the

Rochester area delegation in general, me specifically, but under this -- under this bill, would the victims -- like we have in our area a fertility doctor who used his own sperm to impregnate his patients without their knowledge. Now decades -- decades later through advances in DNA now, we're finding out that 20, 30 years ago that these crimes have taken place and only now are parents and half-siblings starting to find out each other through things like, you know, 23andMe and stuff like that. I'm just wondering whether or not -- again, this was 20, 25, 30 years ago. Would this statute afford any of those victims, either the wives and the husbands who had been impregnated, or the children now have siblings currently living finding out about this. Would this afford them any relief?

MS. ROSENTHAL: It's a good question, but I think that issue is addressed by a different section of law and is not covered under -- under this section.

MS. BYRNES: Okay. Thank you.

MS. ROSENTHAL: Thank you.

ACTING SPEAKER AUBRY: Ms. Rosenthal on the bill.

(Pause)

MS. ROSENTHAL: Thank you, Mr. Speaker.

On the bill.

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

MS. ROSENTHAL: Sexual assault steals a piece of one's soul. Whether one is six, 16 or 60, rape leaves an indelible mark

on survivors that changes them in ways it is hard to understand unless you've experienced it. There is healing, to be sure, with time, hard work and support, but the scars last a lifetime.

This soul shattering trauma is one of the many reasons that so many survivors struggle to come forward within the neat little timelines proscribed by law. In addition, our society has seen fit over the years to put the lion's share of blame for sexual assault on the victims as if it is their sole responsibility to bear the burden for their own victimization. What was she wearing? What did she drink? Why did she go home with him? What did she do to deserve this? We ask those questions instead of asking why did he feel entitled to do what he wants with her body? Why wasn't it enough? What could we have done to prevent it? Over generations, survivors have internalized these messages and they carry deep shame as a result.

The fact that in the U.S., 1-5 women and 1-14 men experienced sexual violence is not indicative of an individual problem, instead it reflects a pervasive societal problem. In addition to the stigma and shame, many survivors are threatened. They fear violence or other consequences from disclosure. And for some survivors who do muster the courage to report, the justice system fails them because it has been built to protect predators, not survivors.

New York and many other states have enshrined this victim blaming in laws that unfairly burden survivors. And until very recently, our statutes of limitations for rape and sexual assault were

unnecessarily short. Creating a one year lookback window for adult survivors of sexual assault, just like we did a few short years ago for children with the Child Victims Act, is not revolutionary or extreme; in fact, this extension is demanded by the legislation this very Body passed in 2006 to eliminate the statute of limitations in Rape 1 cases, and in 2019 to extend the statute of limitations in Rape 2 and Rape 3 cases.

We took those long overdue and necessary steps then in recognition of the fact that New York statutes of limitations were too short and they placed an insurmountable burden on survivors. They were not serving justice, but shielding predators from it. And after doing so, we left so many survivors who had already missed their chance out in the cold with no opportunity for justice; the Adult Survivors Act is for them. While it may be convenient for some to continue the institutional victim blaming that has gone on for years, or point to the infinitesimally small number of false claims to maintain the status quo, sexual assault is a societal problem and our coalition of survivors demands change.

Opponents of statute of limitations reform often ask, *When will this end? Will we stop?* When the law actively protects survivors; we will stop when rape is rape; when we have closed the voluntary intoxication loophole; when we do not hold survivors to impossible burdens of proof; when we recognize that sex workers can also be victims of rape.

There's much work to be done, but today the Adult

Survivors Act will help to set so many adults on the path to healing. The ASA is for survivors who have suffered in silence, but are now ready to break that silence and speak their truth. And once the ASA becomes law, these brave survivors will have an opportunity to seize justice in civil court. They will name their abuser and take their power back. This is the revolutionary act and for every survivor who chooses not to use the window, there will be countless others who do who cannot, and that is okay. Silence is okay for those who wish to remain silent.

With this vote today, the Assembly signals that it is part of the change that we need to see. It is part of the movement to right the historic wrongs that for too long have blamed survivors and forced them into the shadows. I am proud to be a member of this Body, and I am grateful to my colleagues who have cosponsored the ASA and who will vote for it today. Thank you. And thank you to Speaker Carl Heastie and the staff for their support of survivors. Our coalition sees you, and we appreciate you.

And lastly, there are few words to adequately capture my feelings about our amazing coalition of survivors and advocates that we have built together fighting these years to pass the ASA. You are fearless and bold in all ways that inspire others to action. You are an unstoppable force for change, and you did it. For the years that you've traveled here to bear your pain to see the ASA become law, thank you. While I wish that we could have spared you that experience, it was your relentlessness that made this moment possible.

Today, we pause to celebrate the victory that we have won. It is a joyful day, but the work ahead will be hard for so many as they wrangle with the choice that this Body has provided to them.

The fight is far from over, but today we won. I have been honored to work with an indefatigable coalition over the years, and I would just like to take a moment now to thank them: Safe Horizon; New York City Alliance Against Sexual Assault; New York State Alliance Against Domestic Violence; New York State Coalition Against Sexual Assault; Downstate Crime Victims Task Force; Sexual Harassment Working Group; Housing Works; Model Alliance; ZA'AKAH; A Little Piece of Light; Black Trans Nation; Jewish Survivors Forum; The Junior League; Joyful Heart Foundation; End Rape on Campus; SNAP; WYCA of Brooklyn; VIP Mujeres; Center for the Independence of the Disabled New York; Protect Our Defenders; Equality Now; Long Island Safe; Sanctuary for Families.

And for advocates: Marissa Hoechstetter and the more than 200 survivors of Hadden; Evelyn Yang; Robert and Tim, survivors of former coach Conrad Mainwaring; Ambra Gutierrez and survivors of Harvey Weinstein; Terry Phoenix; Donna Hylton and all of the amazing advocates at A Little Piece of Light; survivors of Jeffrey Epstein; Asher Lovy; Tom Andriola; Mary Ellen O'Loughlin; Bridie Farrell; Amelia Tramontano; Carrie Goldberg; Alison Turkos; Sarah-Anne Massey; Devante Perez; Kat Thomas; and Jessica Schafroth. I would also like to thank my wonderful staff: Lauren Schuster, Nick Guile, Julianna Mirra, and Erica Overton. Without

them, we wouldn't have gotten here today and I'm so thankful and grateful for all of their hard work.

Today is a moment for the advocates and the survivors to savior. All of their hard work has come to fruition and today the New York State Assembly will pass this bill into law and you will have a free path to seek justice in the courts of law, and that is the right thing to do. And I vote in the affirmative.

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

(The Clerk recorded the vote.)

Ms. González-Rojas to explain her vote.

MS. GONZÁLEZ-ROJAS: Thank you, Mr. Speaker. This morning, I stood along side the sponsor, advocates and survivors to share publically my story for the first time ever. Twenty-five years ago I was a victim of rape. I stand here in this Chamber as a survivor. No bill or law will ever undue the pain, the trauma, the sadness, the guilt that comes with this experience, but what the sponsor has done here and what we will do here today is provide some semblance of hope, some semblance of justice for myself and so many survivors that stand here in this Chamber and those who have held us and told their stories over and over and over again to get this bill through.

I commend the sponsor. I commend the advocates. I commend the survivors who have shared their stories. And I'm so grateful that this will be a decision that each survivor can make for themselves. To allow them to live their life with some semblance of dignity, some semblance of justice, and some semblance of healing. I am deeply proud to vote in the affirmative today. Thank you very much.

ACTING SPEAKER AUBRY: Ms. González-Rojas in the affirmative.

Mr. Weprin to explain his vote.

MR. WEPRIN: Thank you, Mr. Speaker. And I'd like to thank the sponsor of this legislation for her tenaciousness in pursuing this and sponsoring this vital piece of legislation. I want to thank all the advocates, and I want to stand with the survivors in full support of this legislation. We commend those that have come forward to be the voice for the voiceless. It takes a lot of courage, bravery and retraumatization for when to come out and speak about past abuse. It takes a lot of courage, bravery and retraumatization for one to come out against their abuser. With everything you have gone through, the last thing you need is for some judge or some outdated law to diminish what you have gone through. It is a slap in the face when people say, *Thank you for your story, but there's nothing that we can do; there is a statute of limitations.* When it comes to sexual abuse or any abuse, clearly this should be an exception. It takes years sometimes to come to terms with this type of abuse.

This bill is long overdue, and I'm proud to be a co-prime sponsor. I'm ashamed that we even have to legislate for others just to receive some basic form of justice for the trauma of the victims. I will always stand with the survivors, I will stand for justice, I will stand with everyone here today. I vote in the affirmative.

ACTING SPEAKER AUBRY: Mr. Weprin in the affirmative.

Ms. Cruz to explain her vote.

MS. CRUZ: Thank you, Mr. Speaker, and my apologize; my allergies are acting up with my voice.

On this floor, we often enter debates about the meaning of words in a bill and how that's going to play out in the real world. We talk about the legal reasoning for a bill, but often we fail to talk about the moral reasoning, or the ethical reasoning, or the real life reasons behind changing a law. A law will generally pass and remain intact for years, often under the argument that it's the law, even when that law is no longer effective and could be unjust. Here, we have laws and statutes of limitations that fail to account for human nature, for the trauma that impacts survivors and their ability to come forward and seek justice.

Today, we open up a one year window to look beyond that statute of limitations because our House has recognized that this type of abuse, sexual abuse, functions differently because trauma of a sexual nature is not equitable to losing a limb or in a car accident, which are all horrific things, but that's not a violation of

intimacy. That's something that is so private with you and that many survivors spend years, if not decades and sometimes die without even being able to discuss it, not to mention the power struggle that comes with the power over these survivors and their ability to come forward. But today, we give power back to those survivors and we recognize that the mind responds different to sexual trauma, that it can prevent someone from coming forward and seeking help or even seeking support for themselves. Sometime the law is not just, and we can make a difference in this case. We don't dispense justice in this House, we dispense opportunities for people to seek that justice. Dr. Robert Hadden sexually assaulted more than 300 women, some of them as way back as 1993 and some of them are going to be able to have that opportunity for justice.

So I'm thankful to the Speaker, but I am most thankful to our sponsor because when everyone gave up on us, she never did, not under the Child Victims Act and not under this bill. And so I thank her and I'm going to proudly vote in the affirmative in the name of thousands of survivors, if not millions, unfortunately, around our State. Thank you.

ACTING SPEAKER AUBRY: Ms. Cruz in the affirmative.

Mr. Brown to explain his vote.

MR. E. BROWN: Thank you, Mr. Speaker. I want to thank the sponsor for putting together this very important bill, so important to defend the people of these type of crimes of sexual

assault and the like. I would hope and ask that the sponsor fights equally hard to keep those perpetrators in jail, to stand by our police who try to put these perpetrators in jail, and get rid of the cashless bail that lets them out right away just to repeat that same crime. So I thank you, Assemblywoman, the sponsor, for putting this together on this very important bill, and that's why I voted in the affirmative.

ACTING SPEAKER AUBRY: Mr. Brown in the affirmative.

Ms. Gallagher.

MS. GALLAGHER: I rise to congratulate the sponsor on a long fought fight, and I also rise to give ultimate respect to the survivors who have conceived and thought of this bill and fought for it every single day, even long before this bill was introduced. The opportunity to speak out and to be recognized as a full person and as someone who is deserving of justice is what the Adult Survivors Act offers. So -- for so long, survivors have had to keep their experiences in the shadows and to feel shame, and to live forever in the shadow of the power and abuse of those who perpetrated it. And I'm just so grateful that now folks can come out and speak out, and this will help to forever hold people accountable for their intimate violence and their actions.

This kind of violence happens in all environments, it happens to all gender identities, it happens to all people and it is so much more prevalent than you think, because we have not been able to talk about it in public, we have not been able to get the justice that

we deserve, and all survivors have needed this for so long. So thank you to the Speaker for bringing this forward, thank you to the State for holding survivors' rights as a paramount for justice. So thank you very much. I vote yes.

ACTING SPEAKER AUBRY: Ms. Gallagher in the affirmative.

Ms. Simon to explain her vote.

MS. SIMON: Thank you, Mr. Speaker. I, too, want to commend the sponsor for her advocacy and her diligence and her persistence in bringing this bill to the floor. And I also want to thank the advocates who have told and retold their stories, which have been excruciating for them. These are traumatizing stories and every time they retell these stories, they are suffering again. And they are doing it not just to tell their story, but also to help others. They are doing it so that others do not have to go through what they have gone through again and again and again in advocating for this bill.

I think we are doing the right thing here. We are doing justice for so many people who have been denied that justice for far too long. And I will be voting in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Ms. Simon in the affirmative.

Ms. Kelles to explain her vote.

MS. KELLES: Thank you so much, to explain my vote. Thank you, guys.

As someone who is also a survivor, I was basically

told that -- that I did not matter and that I was broken, and that someone else had the right to decide what happened to my body. I want to commend the Speaker -- commend the sponsor for carrying this bill because what this bill says to me, singly, is that not only do you matter, not only are you important, but we recognize that you need to take the time you need to process what happened, that you need to take the time to find the support that you need to stand on your own two feet. And we are going to honor all the time that you need so that you can heal and still have your experience brought to justice. That is what we are saying today, that we are prioritizing a healing experience for many people who have experienced trauma.

I don't have to add anything else, there have been amazing things said on the floor, but just know if you haven't experienced it, then sit down because for those of us who have, this is exactly what we need. Thank you.

ACTING SPEAKER AUBRY: Ms. Kelles in the affirmative.

Ms. Niou.

MS. NIOU: Thank you, Mr. Speaker, for allowing me to explain my vote. I stand here today as a survivor, as many of my colleagues know. And I stand here today on behalf of countless adult survivors of sexual assault who for too long have been unable to seek real justice for the crimes committed against us. We are countless because denied access to the courts, we have been made invisible.

This bill has passed the Senate unanimously multiple times. It has bipartisan support in this Chamber; yet, there are still some voices more concerned with protecting institutions than in protecting survivors. And they have done their best to undermine this process with a truly appalling level of cynicism. Those opponents told us the day would never come when the Adult Survivors Act would pass. They told us we were asking for too much, that these people have simply missed their chance for justice forever. But we organized, we spoke out, and I'm here to say to other survivors like myself that you're not forgotten. I see you. This Assembly sees you. And it's time for the courts to see you.

So despite the misinformation circulating about this bill, ASA doesn't undermine due process rights for defendants, and this bill's opponents have struggled to explain how they think it does. This is not revolutionary, it is not new. There's no statute of limitations on rape in New York; yet, the opponents of this bill know better than to come out and say rape trials are destroying defendant's due process rights, because they know it isn't true. In California, a bill very similar to ASA has yet to generate a single due process challenge.

I am proud to support this measure, and I urge my colleagues to stand with those New Yorkers who have suffered in silence for so long, and I hope and pray that this bill will provide all of us some of the justice that we have been denied. Thank you so much for allowing me to explain my vote, Mr. Speaker, and I vote in the

affirmative.

ACTING SPEAKER AUBRY: Ms. Niou in the affirmative.

Mrs. Griffin.

MRS. GRIFFIN: Thank you, Mr. Speaker. This is a profound day in the New York State Assembly, since we are empowering adult survivors of sexual abuse. Now, survivors will have a choice to pursue justice or not. I applaud Assemblywoman Rosenthal for introducing this bill, championing it and bringing it to passage today, and thank you Speaker Heastie for your leadership in seeing this bill through to pasture -- passage. I commend Safe Horizon, the Coalition of Survivors, the many advocates and my colleagues, some of who are survivors, for your tireless efforts in championing this bill and bringing it to passage today. I am a proud supporter and cosponsor of the Adult Survivors Act and, most importantly, the New Yorkers it will help to find justice on their path to healing. And I was also a cosponsor of the Children's Victim Act, and this bill is another chapter in the reforms our State must make to support the victims of crime and sexual abuse.

We must do all we can to empower those who have been harmed by others, no matter their age, so they may hold their perpetrators accountable if they choose. This bill is focused on those survivors who have yet to be heard. They have always deserved their day in court and to be supported by the State of New York. Now that day has come, and I'm proud to vote in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Mrs. Griffin in the affirmative.

Mr -- no.

Mr. Goodell.

MR. GOODELL: Thank you, sir. Please record my colleague Mr. DiPietro in the negative. Thank you, sir.

ACTING SPEAKER AUBRY: So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

(Applause/Cheering)

If the Sergeant-at-Arms were here, he would say no, you can't do that here, but he's not here, so...

On page 3, Rules Report No. 280, the Clerk will read.

THE CLERK: Assembly No. A00098-A, Rules Report No. 280, Quart, Kim, Taylor, Forrest, Burgos, Reyes, Hevesi, Fahy, O'Donnell, Mitaynes, Anderson, Mamdani, Jackson, Clark, Simon, González-Rojas, Seawright, Carroll, Gallagher, Darling, Burdick, Cruz, Epstein, Gottfried, Hunter, Meeks, Weprin, Kelles, L. Rosenthal, Otis, Fernandez, Cook, Aubry, McDonald, Niou, Dinowitz, Septimo, Gibbs, Dickens, Glick, Davila, Hyndman, Pretlow, Ramos, Cahill, Tapia, Lunsford. An act to amend the Criminal Procedure Law, in relation to motions to vacate judgment; and to repeal certain provisions of such law relating thereto.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00472-C, Rules Report No. 281, Rozic, Weinstein, Lavine, Griffin, Eichenstein, Cymbrowitz, Carroll, Thiele, Colton, Cruz, Braunstein, Cusick, Aubry, Epstein, Simon, Morinello, Taylor, Pheffer Amato, McDonough, Seawright, B. Miller, DeStefano, Norris, Smullen, L. Rosenthal, Ramos, Abbate, Hyndman, Cook, Weprin, Dinowitz, Stirpe, Niou, Smith, Ra, Byrne, Mikulin, Sillitti, Barnwell, Englebright, Paulin, Durso, Stern, McMahon, Galef, Montesano, Fernandez, Bichotte Hermelyn, D. Rosenthal, Glick, Lawler, Fitzpatrick, Palmesano, Brabenec, Jacobson, De Los Santos, Kelles, Schmitt, K. Brown, E. Brown, Ashby, Otis, Fahy, Rajkumar, Wallace, McDonald, Abinanti, Burdick, Vanel, Quart, Hevesi, Lunsford, Conrad, Clark. An act in relation to authorizing the Commissioner of Education to conduct a survey regarding instruction on the Holocaust within the State.

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 472-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.)

Ms. Rozic to explain her vote.

MS. ROZIC: To explain my vote. In 1994, New

York created a curriculum requirement to teach students about the atrocities of the Holocaust to ensure students learned about the genocide of six million Jews and millions of other minority groups, including the disabled and members of the LGBTQI community. To teach all New York students what happens when anti-Semitism, racism, hate and xenophobia go unchecked. And yet, in a 50 state study done in 2020, New York Millennials scored 49th in the country on many areas of their Holocaust education, the exact students who should have learned about it following the 1994 law.

This legislation will audit schools to ensure that they're in compliance with the curriculum requirements out almost 20 years ago. It will provide schools a pathway to remedy the shortcomings together with the State Education Department, and will provide us members of the Legislature with a report on the finding so we can improve the education New York students receive and deserve.

This seemingly simple and straightforward bill had a long road to get here. I first authored and introduced this bill in 2017 after a Pew research study found a similar Holocaust ignorance among Millennials. So I'm grateful to all the advocates who spent time and energy, organizing, meeting, calling and e-mailing so many of us to get this bill here for a vote. And there are lots of people who were so critical to getting this done, many Jewish organizations like ADL, the AGC, UJA, YAU and Hadassah, and all the students and lay leaders who have worked so tirelessly to advocate for this legislation. I

proudly vote in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Ms. Rozic in the affirmative.

Ms. Gallagher to explain her vote.

MS. GALLAGHER: I am the representative for many Holocaust survivors in District 50, and I am also coming to this work after working in public history. And I know how deeply important it is for us to learn from and get an accurate view of what our ancestors have done and what -- what can come of words, thoughts, and actions. And I think it is of utmost importance that we mandate and have a much clearer curriculum for what is absolutely necessary to teach about the Holocaust. It's embarrassing that we've come in such a far ranking in New York State, and I hope that we are able to really resolve this and forever hold the survivors and those who -- who suffered during the Holocaust in our hearts with true meaning behind "never again." Thank you. I vote in the affirmative.

ACTING SPEAKER AUBRY: Ms. Gallagher in the affirmative.

Mr. Weprin to explain his vote.

MR. WEPRIN: Thank you, Mr. Speaker. We all know anti-Semitism is up in significant percentages over previous years, and it's hard to believe that in 2022 that we still have Holocaust deniers who have denied that the Holocaust ever existed, and that's been well documented. So it's very -- this legislation is very important and I want to commend the sponsor and I proudly vote in the

affirmative.

ACTING SPEAKER AUBRY: Mr. Weprin in the affirmative.

Mr. Lawler to explain his vote.

MR. LAWLER: Thank you, Mr. Speaker. This bill took more than a year to get through the legislative process, in large part because of the attempt to kill the bill in the Education Committee. My colleagues in the Minority had to work with several of our colleagues in the Majority to override the Chair when he tried to hold the bill. That it took so long, or that it was so controversial to want to ensure that the Holocaust was taught within our school districts is alarming, that we in the Minority had to override the Chair is disturbing. I want to thank the sponsor for her tenacity and her drive to make sure that this bill got across the finish line.

I represent an area in Rockland County which has one of the largest Jewish populations in the country, over 35 percent of our residents practice the Jewish faith. It's critically important that we ensure that the Holocaust and the atrocities that occurred are taught. And we have a wonderful center in Rockland which is dedicated towards teaching our children and making sure that they understand that this can never happen again anywhere in the world. And so I'm proud to support this legislation and, again, I want to thank the sponsor for getting this done.

ACTING SPEAKER AUBRY: Mr. Lawler in the affirmative.

Mr. McDonough.

MR. MCDONOUGH: Thank you, Mr. Speaker. I rise in support of this bill because it's too long in coming, and this bill only says do a study instead of we've got to move on and not do a study, we've got to make sure this gets in the curriculum of all schools. This is a major part of the history of this world. It goes back over thousands and thousands of years. And we have got to make sure our children learn that history just as much as they have learned about 9/11, the formation of this country and all of the other things that this country was built on, that they've got to go back and learn this very much, and it's got to be a part of the curriculum. So I applaud the sponsor for this bill, let's get it done and let's get the next one done, the study first and let's put it in the curriculum. Thank you, thank you to the sponsor, too.

ACTING SPEAKER AUBRY: Mr. McDonough in the affirmative.

Mr. Lavine to explain his vote.

MR. LAVINE: Thanks. I'm impressed that in the last minutes of this day in the New York State Assembly we have addressed the cold-blooded murder of Armenians, we have addressed protecting the victims of sexual abuse and sexual assault, and now we address the issue of instruction on the Holocaust. On a personal level, most of my relatives stayed in Europe, they did not come to America. Very few came to America. Not one survived the ritualized slaughter conducted by the Nazi and his allies. These are all human rights.

They are human rights. And I want to say that I am proud to be a member of the Assembly of the State of New York, and I am proud to be a resident of the State of New York where we fight for human rights, where no citizen stands above another citizen, we are all equal. Human rights are also the rights of men, and they are the rights of women, and I think that we must do everything that we can to make sure that every New Yorker, notwithstanding what's going on in some other states, every New Yorker is treated with dignity and equality, love, affection and protection. I'm very pleased to vote in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Mr. Lavine in the affirmative.

Mr. Brown to explain his vote.

MR. E. BROWN: Thank you, Mr. Speaker, to explain my vote. I just want to thank the sponsor for putting this bill together. As the son and grandson of Holocaust survivors, I have heard my entire life the stories of the atrocities of the Holocaust, my mother being an educator at Brandeis University on Holocaust Studies, teaching this exact lesson. But more than that, what my colleague, Mr. Lawler, had asked and what Mr. McDonough also you proclaimed, why is it that it's just a study, why aren't you immediately putting this into law. My mentor, Mayor Andrew Parise, who liberated Buchenwald, said one of the most important things to me about this issue, he said when they liberated Buchenwald, General Eisenhower said, *Okay, we liberated these concentration camps, but I*

want you all to see the atrocities firsthand so you can pass it down from generation to generation.

We live in New York with more Jews than anywhere else except for Israel, and we're really having this discussion now 80 years later? This has to go -- come into law right away, and I thank the sponsor for taking the first step of sponsoring this bill. So that's why I'm voting in the affirmative.

ACTING SPEAKER AUBRY: Mr. Brown in the affirmative.

Mrs. Griffin to explain her vote.

MRS. GRIFFIN: I commend Assemblywoman Rozic for championing this important bill. Passage of this bill is a crucial step in ensuring that all students learn about the Holocaust. Clearly, it is vital that not only students, but all residents of New York State learn and know about the Holocaust and never forget the lessons we learned from that. I'm a proud sponsor of this bill and vote in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Mrs. Griffin in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00928-A, Rules Report No. 283, Carroll, Benedetto, Abbate, Colton, Gottfried, Peoples-Stokes, J. Rivera, L. Rosenthal, Gunther, Santabarbara,

Stirpe, Barrett, Englebright, Dickens, Buttenschon, Sayegh, Frontus, Fall, Cruz, Dinowitz, Montesano, Griffin, Anderson, Jackson, Barnwell, Lupardo, Zebrowski. An act to amend the Elder Law, in relation to eligibility under the program for elderly pharmaceutical insurance coverage.

ACTING SPEAKER AUBRY: On a motion by Mr. Carroll, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 3483-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. A00944-A, Rules Report No. 284, Magnarelli, J. Rivera, Zebrowski, Lupardo, Cahill, Gottfried, Hunter, Cook, Lavine, Jones, Fahy, Galef. An act to amend the Real Property Tax Law, in relation to changes in assessment for businesses that make payments in lieu of taxes.

ACTING SPEAKER AUBRY: On a motion by Mr. Magnarelli, 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 953-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.)

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00992-A, Rules Report No. 285, Dinowitz, Gottfried, L. Rosenthal, Cook, Benedetto. An act to amend the Administrative Code of the City of New York, the Emergency Tenant Protection Act of 1974 and the Emergency Housing Rent Control Law, in relation to prohibiting surcharges for the installation or use of air conditioner units in housing accommodations subject to rent regulation.

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

THE CLERK: Assembly No. A01029, Rules Report No. 286, Cahill, Walker. An act to amend the Insurance Law, in relation to the provision of supplemental spousal liability insurance to persons who are insured for loss resulting from the ownership,

maintenance and use of a motor vehicle.

ACTING SPEAKER CUSICK: The bill is laid aside.

THE CLERK: Assembly No. A01082-A, Rules Report No. 287, Abinanti, Sayegh. An act to amend the Banking Law, in relation to check cashing policies.

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

THE CLERK: Assembly No. A01194-A, Rules Report No. 288, Dinowitz, Gottfried, Cook, Benedetto, Colton. An act directing the Division of Housing and Community Renewal to study non-rental fees charged by landlords.

ACTING SPEAKER CUSICK: The bill is laid aside.

THE CLERK: Assembly No. A01940-C, Rules Report No. 289, Buttenschon, Galef, Williams. An act to amend the Vehicle and Traffic Law, in relation to the maintenance of records of catalytic converters.

ACTING SPEAKER CUSICK: Read the last section.

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

ACTING SPEAKER CUSICK: The Clerk will record the vote on Assembly print A1940-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's Office 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. A02194, Rules Report No. 290, Cusick, Englebright, Abinanti, Otis, Lupardo, L. Rosenthal, Reilly, Burdick. An act to amend the Environmental Conservation Law, in relation to requiring notice to adjacent landowners where certain development is proposed in wetlands in a city with a population of one million or more.

ACTING SPEAKER CUSICK: The bill is laid aside.

THE CLERK: Assembly No. A02358-B, Rules Report No. 291, Peoples-Stokes, Solages, Simon, Epstein, Fall, Bichotte Hermelyn, Stern, Seawright, Reyes, Hunter, Dickens, Paulin, Gottfried, Glick, L. Rosenthal, Englebright, McMahon, Galef, Pretlow, Sillitti, Otis, González-Rojas, Zinerman, Hyndman. An act to amend the Executive Law, in relation to established the Office of Racial Equity and Social Justice.

ACTING SPEAKER CUSICK: On a motion by Mrs. Peoples-Stokes, 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 CUSICK: The Clerk will record the vote on Senate 3468-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's Office at the numbers previously provided.

(The Clerk recorded the vote.)

Mrs. Peoples-Stokes to explain her vote.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker, for the opportunity to explain my vote. I want to just say how critically important it is to try and get it right as a State when we begin to deal with equity and social justice issues, because every time we don't get it right, Mr. Speaker, it actually ends up costing us more resources to go backwards to solve the problem. So I want to certainly commend the Speaker for allowing this piece of legislation to get to the floor of the Legislature, I certainly thank my sponsor in the Senate and thank all my colleagues for being supportive. I'm voting in the affirmative. Thank you.

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A02622-A, Rules Report No. 292, Thiele, J. A. Giglio. An act to amend the Public Authorities Law, in relation to requiring service providers to annually submit emergency response plans to the Public Service Commission.

ACTING SPEAKER CUSICK: On a motion by Mr. Thiele, 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 CUSICK: The Clerk will record the vote on Senate 968-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. A03495-B, Rules Report No. 293, Kim. An act to amend the Labor Law, in relation to student loan repayment information.

ACTING SPEAKER CUSICK: The bill is laid aside.

THE CLERK: Assembly No. A04084-C, Rules Report No. 294, Abbate, Cusick, Englebright, Zebrowski, Pheffer Amato. An act to amend the Retirement and Social Security Law, in relation to providing accidental disability retirement benefits for fire protection specialists.

ACTING SPEAKER CUSICK: On a motion by Mr. Abbate, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER CUSICK: The Clerk will record the vote on Senate 1889-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 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. A04261, Rules Report No. 295, Steck, Jacobson, Abinanti. An act to amend the Election Law, in relation to specification of objections to designating petitions, independent nominating petitions, certificates of nomination or ballot access documents.

ACTING SPEAKER CUSICK: Read the last section.

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

ACTING SPEAKER CUSICK: The Clerk will record the vote on A4261. 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. A04283, Rules Report No. 296, L. Rosenthal, Barnwell, Epstein, Cruz, Hunter, Gottfried, Glick, Seawright, Fernandez, Paulin, Lavine, Fahy, Kim, Wallace,

Jacobson, Dinowitz, Dickens, Benedetto, Colton, Schmitt, Weprin, Quart, Englebright, Frontus, Otis, Bronson, Reyes, Niou, Ramos, Bichotte Hermelyn, Gallagher, Anderson, Kelles, González-Rojas, Burke, Pheffer Amato, Forrest, Burdick, Burgos, McDonald, Clark, J. Rivera, Williams, Zinerman, McDonough, Mitaynes, Mamdani, Jackson, Lunsford, Davila, Ra, K. Brown, Gandolfo, J. D. Rivera, Conrad, Carroll, Abinanti, McMahon, Byrne, Morinello, Reilly, Sillitti, Tannousis, Jean-Pierre, Abbate, Steck, Jensen, Durso, Mikulin, De Los Santos, Fall, Buttenschon, Cunningham, Gibbs, D. Rosenthal, Darling, Taylor, Tague, Cusick, Hevesi, Stern, Lucas. An act to amend the Agriculture and Markets Law and the General Business Law, in relation to the sale of dogs, cats and rabbits.

ACTING SPEAKER CUSICK: On a motion by -- by Assemblywoman Rosenthal, the Senate bill is before the House. The Senate bill is advanced. The bill is laid aside.

THE CLERK: Assembly No. A04415-A, Rules Report No. 297, Abinanti, Wallace, Colton. An act to amend the Transportation Law, in relation to the creation of a toll-free hotline and a website where motorists can report potholes.

ACTING SPEAKER CUSICK: The bill is laid aside.

THE CLERK: Assembly No. A05084-A, Rules Report No. 298, Gallagher, Epstein, Mitaynes, Seawright, Dinowitz, Gottfried, Galef, Mamdani, Fahy, McMahon, Jackson, Forrest, Sillitti, Kelles, Simon, Carroll, González-Rojas, Clark, Rajkumar, Otis, Thiele, Glick, Frontus, Cruz. An act to amend the Vehicle and Traffic

Law, in relation to requiring instruction in pedestrian and bicyclist safety as part of the drivers pre-licensing course.

ACTING SPEAKER CUSICK: On a motion by Ms. Gallagher, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

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

ACTING SPEAKER CUSICK: The Clerk will record the vote on Senate 1078-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 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. A06246-C, Rules Report No. 299, Paulin, Griffin, Kelles, Englebright, Fahy, Lupardo, Otis, Woerner, Hevesi, Simon, Stirpe, González-Rojas, Bronson, Seawright, Wallace, Byrne, Thiele, B. Miller, Jean-Pierre, Reyes, Colton, Tague, Zebrowski, Lucas, Brabenec, Fitzpatrick. An act to amend the Agriculture and Markets Law, in relation to standards of care for animals held in, or being transported by, animal shelters; to amend the General Business Law, in relation to pet dealers; to amend the State Finance Law, in relation to establishing an animal shelter

regulation fund; and to repeal certain provisions of the Agriculture and Markets Law relating to pet dealers.

ACTING SPEAKER CUSICK: The bill is laid aside.

THE CLERK: Assembly No. A06286, Rules Report No. 300, Stirpe, Otis, Jackson. An act to amend the New York State Urban Development Corporation Act and the Economic Development Law, in relation to the creation of micro-business worker cooperatives upon transfer of ownership.

ACTING SPEAKER CUSICK: 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 CUSICK: The Clerk will record the vote on Senate 6394. 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. A06755-B, Rules Report No. 301, Barrett, Thiele, Kelles, Norris, Woerner, J. D. Rivera, Wallace, Brabenec, Smith, J. A. Giglio, Epstein, Meeks, Gandolfo. An act to amend the Real Property Law, in relation to increases of rent in manufactured home parks.

ACTING SPEAKER CUSICK: The bill is laid aside.

THE CLERK: Assembly No. A06950-A, Rules Report No. 302, McDonough. An act in relation to authorizing the Bellmore Fire District to file an application for exemption from real property taxes.

ACTING SPEAKER CUSICK: On a motion by Mr. McDonough, 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 CUSICK: The Clerk will record the vote on Senate 6035-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.)

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06954-C, Rules Report No. 303, Epstein, Seawright, Gottfried, Simon, Sayegh, Glick, Davila, Fernandez, De Los Santos, Dinowitz, Jackson, L. Rosenthal. An act to amend the Real Property Law, in relation to providing a deceased tenant's legal representative the option to terminate such tenant's lease upon notice to the landlord.

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 6954-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.)

Mr. Epstein to explain his vote.

MR. EPSTEIN: Thank you, Mr. Speaker. I rise to explain my vote. This is a really simple thing and during crises when family members die, people who are left really need to decide what the need to do about the apartment. This is a simple, easy way for them to deal with the landlord directly, not to worry about, you know, the time it takes in Surrogate's Court and to be able to get the family to resolve the matter and to get out of that apartment. I encourage all my colleagues to vote in favor of this bill.

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.

THE CLERK: Assembly No. A07016-B, Rules Report No. 304, Bichotte Hermelyn, Dickens, Galef, Colton. An act

to amend the Public Authorities Law, in relation to requiring the Metropolitan Transportation Authority to install surveillance cameras at subway platforms.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7016-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.)

Ms. Bichotte Hermelyn to explain her vote.

Ms. Bichotte needs to be unmuted.

MS. BICHOTTE HERMELYN: Thank you, Mr. Speaker, for allowing me to explain my vote on this bill which requires the MTA to install surveillance cameras at all subway platforms. Making the mass transit safer is something that every New Yorker can get behind. It's the reason this legislation has bipartisan support. The Sunset Park subway shooting was the impetus to the most recent conversation about cameras in the subway platform, but not the bill itself. That's because this legislation has been years in the making. In Sunset Park, we had to rely on straphangers with cellphones to aid in the investigation into the shooting because according to the MTA, the internet connection was down at the time

the assault occurred.

But the issue of cameras on platforms was raised earlier, following the tragic death of my constituent Sedrick Simon who was struck by a train the day after Christmas in 2019. That tragedy led to the introduction of this bill, the Sedrick's Law. Sedrick's family has never been able to confirm the circumstances of his death. Nearly three years later, we still don't know if he tripped and fell or if something more nefarious occurred.

The bill seeks to reasonably install cameras on every platform in the MTA system. Cameras can help deter crime before it happens in the worst case. They can provide critical details to apprehend offenders. Crime experts say security cameras can be both a deterrent and a tool to identify suspects. Major transit crime rose 30 percent NYPD data shows, with felony assaults nearly doubling, misdemeanor assaults not counted in the major crime figure also more than doubled. Arrests are also up 64 percent, and criminal summons up nearly ten percent. Just a day ago, a young man, 48 years old, was shot fatally in the chest as he sat in the last car of the Manhattan bound train traveling on the bridge. The number of New Yorkers that take Metro every day exceed the number of passengers that visit all of us -- all U.S. airports combined every day. I even have people who pray before getting into the subway train station over -- over at Newkirk Avenue-Little Haiti station. New Yorkers deserve greater peace of mind in their daily commutes. In 2022, we shouldn't have to question if there are cameras at every stop --

ACTING SPEAKER AUBRY: Ms. Hermelyn, how do you vote?

MS. BICHOTTE HERMELYN: Thank you, Mr. Speaker. I will vote in the affirmative --

ACTING SPEAKER AUBRY: Thank you very much.

MS. BICHOTTE HERMELYN: -- and encourage all my colleagues --

ACTING SPEAKER AUBRY: Thank you very much. Ms. Bichotte Hermelyn in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07053-A, Rules Report No. 305, Burgos, Carroll, Burdick, Zinerman, Mitaynes, González-Rojas, Anderson, Jackson, Forrest, Simon, Gottfried, Reyes, Septimo, Gibbs, Epstein. An act to amend the Public Housing Law, in relation to ensuring formerly incarcerated individuals have access to public housing.

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 7053-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. A07057-B, Rules

Report No. 306, Durso, Tannousis, Manktelow, Salka, Simpson, B. Miller. An act to amend the Highway Law, in relation to designating a portion of the State Highway System as the "Port Authority Police Officer James W. Kennelly Memorial Highway."

ACTING SPEAKER AUBRY: On a motion by Mr. Durso, 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 8273. 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. A07295-A, Rules

Report No. 307, Thiele, Otis, Jackson. An act to amend the General Municipal Law and the Public Authorities Law, in relation to certain

notifications regarding agreements requiring payments in lieu of taxes.

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

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 4471-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. A07357-A, Rules Report No. 308, Abinanti, Burdick, Zinerman, Buttenschon, Stirpe, Galef, Sayegh, Colton, Griffin. An act to amend the Mental Hygiene Law, in relation to establishing a pilot program to create an assistance hotline for individuals with intellectual and developmental disabilities and complex behavioral needs.

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 7357-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. A07383-A, Rules Report No. 309, Abbate, Otis, Williams, Sayegh, Burdick, Brabenec. An act to amend the Retirement and Social Security Law, in relation to the calculation of past service credit for police officers employed by The Division of Law Enforcement in the Department of Environmental Protection in the City of New York transferring between the New York City Employees' Retirement System to the New York State and Local Police and Fire Retirement System.

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 7383-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. A07527-A, Rules

Report No. 310, Seawright, González-Rojas, Dickens, Simon, Gallagher, Kelles, L. Rosenthal, Forrest. An act to amend the Public Health Law, in relation to requiring the Department of Health to conduct a public information and outreach campaign on medically unnecessary treatments on persons born with intersex traits or variations in sex characteristics.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07642-A, Rules

Report No. 311, Steck. An act to authorize the Town of Niskayuna, in the County of Schenectady, to offer certain retirement options to John F. Connor, Jeffrey A. Relation, Joseph H. Twitty and Paul J. Daly, police officers employed by such town.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7642-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. A07730-A, Rules

Report No. 312, Abbate, Griffin, Epstein, Pheffer Amato, Galef. An act to amend the Retirement and Social Security Law, in relation to the ordinary death benefit.

ACTING SPEAKER AUBRY: On a motion by Mr. Abbate, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 6619-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. A07865-A, Rules

Report No. 313, Fahy, Wallace, Otis, Griffin. An act to amend the General Business Law, in relation to requiring social media networks to provide and maintain mechanism for reporting hateful conduct on their platform.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07883-A, Rules

Report No. 314, Gottfried, Fernandez, Sayegh. An act to amend the Public Health Law, in relation to establishing the eating disorders in children task force.

ACTING SPEAKER AUBRY: On a motion by Mr. Gottfried, page 11, Rules Report No. 314, Bill No. A07883-A, amendments are received and adopted, and the bill is High.

THE CLERK: Assembly No. A07923-A, Rules Report No. 315, Ashby, McDonald. An act to amend the Highway Law, in relation to designating a portion of the State Highway System in the County of Rensselaer as the "Rensselaer County Purple Heart Highway."

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 7923-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. A07986, Rules Report No. 316, Glick. An act to amend the Real Property Tax Law, in relation to authorizing tax abatements for certain properties containing

dwelling units.

ACTING SPEAKER AUBRY: On a motion by Ms. Glick, 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 6903. 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. A08092-B, Rules Report No. 317, Reyes, Jacobson, Colton. An act to amend the Labor Law, in relation to clarifying that workers shall not be punished or subjected to discipline by employers for lawful absences.

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 8092-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. A08159, Rules Report No. 318, Bronson, Fahy, Colton, Reyes, Steck, Lunsford, McDonald. An act to amend State Finance Law, in relation to the cost effectiveness of consultant contracts by State agencies and ensuring the efficient and effective use of State tax dollars.

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

THE CLERK: Assembly No. A08182-A, Rules Report No. 319, Jacobson, Glick, Wallace, Zebrowski, Magnarelli, Montesano, Englebright, Simon, Gottfried, O'Donnell. An act to amend the Election Law, in relation to recurring contributions solicited by a candidate, political campaign, political committee, party committee, or not-for-profit or for-profit entity.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A08300, Rules Report No. 320, McDonald, Fahy, Otis. An act to amend the Environmental Conservation Law, in relation to allowing a municipality to offset costs for municipal recycling projects by applying for additional funding without limiting the availability of State funding.

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 8300. 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. A08392-A, Rules Report No. 321, Paulin, Gunther, L. Rosenthal, Gottfried, Englebright, Woerner, Fahy, Taylor, Carroll, Jacobson, Griffin, Simon, Seawright, Ashby, Sayegh, Burdick, Jean-Pierre, McDonald, González-Rojas. An act to amend the Public Health Law and the Insurance Law, in relation to premium reduction for obstetric practitioners who complete a risk management strategies course.

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

THE CLERK: This act shall take effect on the 365th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 3010-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. A08418-A, Rules

Report No. 322, Cruz, Fernandez, Burdick, Simon, Woerner, Darling, McDonough, Glick, J. A. Giglio, Sillitti. An act to require the New York State Energy Research and Development Authority to develop recommendations regarding the establishment of microgrids.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote Assembly print 8418-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. A08445-A, Rules

Report No. 323, Jones. An act to amend the Highway Law, in relation to designating a portion of the State Highway System as the "Trooper Brian S. Falb Memorial Bridge."

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 8445-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. A08456-B, Rules Report No. 324, Byrne, Galef. An act to amend the Judiciary Law, in relation to designating Room 301 of the Putnam Supreme and County Court as the "Judge James F. Reitz Memorial Courtroom."

ACTING SPEAKER AUBRY: On a motion by Mr. Byrne, this is -- 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 8170. 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. Byrne to explain his vote.

MR. BYRNE: Thank you, Mr. Speaker, to explain my vote. As a member of the Assembly Minority Conference, I get

the opportunity to pass a lot of different types of local legislation, including dedications of bridges and various public facilities. This will likely be one of my last bills, hopefully we'll pass a few more before the end of Session, but this one is probably one of the most meaningful bills that I've been able to pass in my three terms.

We passed a privileged resolution memorializing the life of Judge James Reitz. I had his widow up here the other week, Barbara Reitz. Jim was a tremendous leader, community servant, was a Putnam County Court Judge for many years. The first time I ran for elected office seeking my position here in the Assembly, I actually ran with him, he was running for County Court Judge that year. Before that, he served as a Town Judge in the Town of Carmel. Also, interestingly enough, he served as an Acting State Supreme Court Judge for a period of time, as well. He was known very well for starting the Drug Treatment Court in Putnam County and, quite frankly, saving lives. This man was effective at his job not because of politics or because of, you know, one idea or another, but I firmly believe it's because he cared. He put his heart and soul into his job and sadly, tragically died while he was on the bench serving the people of Putnam County.

This bill will change the courtroom's name, the courtroom that he served in, the courtroom that he ultimately died in, Room 301 of the Putnam Supreme and County Court as the Judge James F. Reitz Memorial Courtroom. I thank my colleagues in the Judiciary and the Rules Committee for reporting it to the floor and

strongly ask for a yes vote. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Byrne in the affirmative.

Mr. Sayegh.

MR. SAYEGH: Thank you, Mr. Speaker. I rise to also commend the sponsor. I've had the pleasure of knowing Judge Reitz for over 25 years and can attest to his qualities as an attorney, as a judge, and as someone who was extremely active in the community, and this is an honor for Judge Reitz that's most deserving. Thank you very much.

ACTING SPEAKER AUBRY: Mr. Sayegh in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

This bill is passed.

THE CLERK: Assembly No. A08534, Rules Report No. 325, Jensen, Gibbs. An act to amend the Highway Law, in relation to designating a portion of the State Highway System as the "Firefighter Robert Fowler Memorial Highway."

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 8534. 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. -- Mr. Jensen to explain his vote.

I keep calling, you might as well get up and talk. Mr. Jensen to explain his vote.

(Laughter)

MR. JENSEN: Thank you very much, Mr. Speaker, to explain my vote. This -- this bill recognizes Firefighter Robert Fowler of the Spencerport Fire Department who tragically died in the line of duty responding to a fire call in his hometown. His son, who was responding with him, also suffered life-long injuries on the way to that incident. But while Firefighter Fowler lost his life in the line of duty, his legacy lives on through his widow, Gail Fowler, who has been an instrumental member of the National Fallen Firefighters Foundation not just in the Rochester, Monroe County community, but in her efforts to help survivors across the country. And so while this dedication is in honor of Firefighter Fowler, it's also in recognition of all the work that his widow, Gail, has done to honor the legacy of her husband, as well as the men and women, brother and sister firefighters who lost their lives in the line of duty. And I appreciate my colleague's support in this legislation.

ACTING SPEAKER AUBRY: Mr. Jensen in the affirmative. Glad I made you get up, Mr. Jensen.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

An appropriate first bill, Mr. Jensen. The bill is

passed. Congratulations.

(Applause)

Well deserved, sir. Well deserved.

THE CLERK: Assembly No. A08551, Rules Report No. 326, Lavine. An act in relation to permitting India Pentecostal Assembly, Inc. to file an application for real property tax exemption.

ACTING SPEAKER AUBRY: On a motion by Mr. Lavine, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 7612. 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. A08563, Rules Report No. 327, Lavine. An act authorizing St. Mark Coptic Church Center to retroactively apply for real property tax exemption for certain property.

ACTING SPEAKER AUBRY: On a motion by Mr. Lavine, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 7549. 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. A08600, Rules Report No. 328, Ra. An act in relation to authorizing the West Hempstead Holiness Church of God to file with the County of Nassau Assessor an application for a retroactive real property tax exemption.

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 8600. 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. A08612-A, Rules Report No. 329, Barnwell, Taylor, Epstein, Burgos, O'Donnell,

Hyndman, Dinowitz, Frontus, Montesano, Gottfried, Mamdani, González-Rojas, Anderson, Vanel, L. Rosenthal, Seawright, Smith, Zinerman, Simon, Reyes, Dickens, Fernandez, Jackson, Mitaynes, Niou. An act to amend the Public Housing Law, in relation to requiring the New York City Housing Authority to have a searchable database of ticket numbers.

ACTING SPEAKER AUBRY: Read the last section.

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

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

The Clerk will record the vote on Senate print 7859-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. A08643-B, Rules Report No. 330, Thiele. An act to amend the Alcoholic Beverage Control Law, in relation to licensing restrictions for manufacturers and wholesalers of alcoholic beverages on licensees who sell at retail for on-premise consumption; and providing for the repeal of certain provisions upon expiration thereof.

ACTING SPEAKER AUBRY: On a motion by Mr. Thiele, 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 7687-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. A08666, Rules Report No. 331, Otis. An act to amend Chapter 381 of the Laws of 2010 amending the Tax Law relating to the imposition of an occupancy tax in the Village of Rye Brook, in relation to extending the expiration thereof.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 8666. 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. A08936-A, Rules

Report No. 332, Fahy, Hunter, Seawright, Woerner, Dickens, Stern, Zinerman, Jacobson, Thiele, McMahon, Galef, Sillitti, Gottfried, Englebright, Simon, Rajkumar, Otis, González-Rojas, Glick, Cruz, De Los Santos, Burgos, Carroll, Frontus, Epstein, Dinowitz. An act to amend the Highway Law, in relation to complete street design features and funding of construction and improvements at a municipalities' expense.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 365th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 8936-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. A09029, Rules Report No. 333, Vanel. An act to amend the General Business Law, in

relation to requiring certain disclosures in advertisements involving virtual tokens.

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 9029. 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. A09067-A, Rules Report No. 334, Barrett, Stern, Buttenschon, Cusick, Jones, Hunter, Wallace, Santabarbara, Ashby, Morinello, Hawley, McDonough, Manktelow, Fahy, Burke, Stirpe, J. D. Rivera, B. Miller, Byrnes, Gallahan, Norris, Tague, Lemondes, Salka, Goodell, DiPietro, Woerner, Dickens, Lavine, Dinowitz, Jacobson, Thiele, Griffin, Magnarelli, Sillitti, McMahon, Englebright, Galef, Gottfried, Hevesi, Lunsford, Zinerman, Lawler, Montesano, Durso, Jensen, Mikulin, Brabenec, Angelino, Simpson, Smullen, J. M. Giglio, Davila, McDonald, Lupardo, Pheffer Amato. An act to amend the Highway Law, in relation to designating portions of the State Highway System as "The Disabled American Veterans - New York Medal of Honor Highway," the "New York Medal of Honor Highway" and the

"Sergeant Jonathan Gollnitz - New York Medal of Honor Highway."

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 9067-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mrs. Barrett to explain her vote.

MRS. BARRETT: Thank you, Mr. Speaker. I proudly vote in the affirmative on this bill which will make New York -- New York State part of the long link of states from Oregon to Massachusetts where Route 20 travels through and which will across the country be known as the Medal of Honor Highway. And this goes through many of my -- our colleagues' districts and very pleased that New York State will be part of this chain celebrating Medal of Honor winners -- or recipients across the country. Thank you.

ACTING SPEAKER AUBRY: Mrs. Barrett 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 do have housekeeping.

On the A-Calendar, on a motion by Ms. Woerner, page 18, Rules Report No. 353, Bill No. 9649, amendments are received and adopted.

On behalf of Ms. Buttenschon, Bill No. 1940-C, Assembly bill recalled from the Senate. The Clerk will read the title of the bill.

THE CLERK: An act to amend the Vehicle and Traffic Law.

ACTING SPEAKER AUBRY: There is a 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, the amendments are received and adopted.

Resolution No. 969, the Clerk will read.

THE CLERK: Assembly Resolution No. 969, Mrs. Peoples-Stokes.

Legislative Resolution expressing sincerest, heartfelt condolences to the Buffalo, New York community in the wake of the

devastating tragedy which took place at a Tops grocery store on Jefferson Avenue, and applauding all those who acted immediately and heroically in the face of danger.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes on the resolution.

Members, members.

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

ACTING SPEAKER AUBRY: No, one minute, Mrs. Peoples-Stokes. Members.

Proceed.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The very principles of American freedom and safety and security of every American no matter where they live, even if it's on the East Side of Buffalo at Tops market, was breached this past Saturday. And it was breached in such a way, Mr. Speaker, that it literally took the lives of ten people, people who just went to go shopping. And it wounded three other people. I want to say their names, I think it's important: Roberta Drury, 32 years old, an employee; Geraldine Talley, 62 years old, just went to go shopping; Celestine Chaney, 65 years old, just went to go shopping; Kat Massey, an amazing activist in the community, 72 years old, her brother was on the way to pick her up from shopping; Pearl Young, 77 years old, a Sunday School teacher, I wish you could have seen the young people who put flowers down for her because they remembered her from

Sunday School; Ruth Whitfield, 86, she had just left the nursing home where she takes care of her husband because you know you can't leave your people in a nursing home without taking care of them, not in America, she did it every day, she bathed him, she fed him, she helped bathe him. She left him and she went to the supermarket and she never walked out. She's the mother of our former Police Commissioner, Garnell Whitfield. Margus Morrison, 52 years old; Andre Mackneil, 53 years old; a retired police officer and security guard, Aaron Salter, 55 years old. An expert shooter, by the way, Mr. Speaker, shot that devil two times and it couldn't penetrate him because he was fully armored head to toe, including helmet. Heyward Patterson, 67 years old. All dead because they were in the supermarket and because they were Black, or at least the shooter thought they were Black. He shot three other people, one of them he apologized to because he was White. Jennifer Warrington was wounded; Zaire Goodman, 20 years old - his birthday was yesterday, I attended his birthday party - was wounded, bullet went through his head and came out the other side. He was at his birthday party so there are miracles here. Christopher Braden, 55 years old was wounded. The three of those last names are expected and did survive.

For all New Yorkers, this is the most horrific example of hatred that we have seen in our lifetimes, because as Black people, we lived for this through a long time. We're the descendants of the people who made it through the Middle Passage, you all hear me say that a lot because it's true. And because they made it through

the Middle Passage, I believe we can make it through this. But we're not going to make it with hate. I can tell you that, too. I stayed in for two days because I didn't want to display hate, and there's some very angry people in my community. This market is literally maybe four, maybe five blocks from me. Some very angry people. If everyone out there would hate exactly what the haters and any who are watching them want it to happen in Buffalo, would've happened. Windows would have been broken, other people would have been hurt. There would have been a riot. Who wants that? I know they all want it, they live in the State, they live in Erie County, some of them work in this Chambers. I know who they are. But what you want is another Civil War, because you somehow think that this country belongs to just you. Well, I can tell you that it doesn't belong to just you. Listen to the Pledge of Allegiance that you pledge every time we walk in here, it doesn't say all White people, it says Justice For All. There's nothing about this hate that's allowed to perpetuate in our society around some thought of White Supremacy that you can't even choose your own religions, make your own religious decision, you can't make your sexual orientation decision and, clearly, we didn't decide when we're born whether we want to be Black or not, we're born that way, and unapologetically born that way.

Mr. Speaker, I offer this resolution to memorialize the lives of these people because they didn't die in vain. We're not going to allow them to die in vain, much like we can go through our whole history to find people whose lives we don't let die in vain, we

quote them on a regular basis, we talk about them all the time. God just added some more angels to our list of people to talk about.

I also want to bring to your attention, which I think it's critical and I honor them in a major way, Buffalo Police Commissioner Joseph Gramaglia. Fantastic response. Commissioner Gramaglia and his people were right there in a matter of a minute, a response time, a minute. Patrick McDonald, Ana Devaney, Anthony D'Agostino and Christina Ihle, trained, professional police officers were there to respond. Did this evil man from three hours away shoot at them? He did not, because they were White. But he came in with a plan to kill the security guard because he knew he was there and he knew he was Black, and he knew he was an officer and what kind of weapon he carries. He did not. He immediately dropped his weapon and they arrested him. Had they not come, had they not been White officers, there would be more people dead. The young man came to kill Black people, there are a lot of Black officers in Buffalo. These four officers I commend and I honor. They are much like myself and many other people in my community, in grief counseling. It's a horrific thing to see. Ana and I cry on each other's shoulder. This is a hard thing to deal with.

And I want to mention three other people as I close, because I know my colleagues would like to speak, as well. Carlton Stevenson, we met him the other day, he had his children with him. A deli worker. He ushered customers as well as other associates who worked at the store into a cooler to stay alive. Jerome Bridges, who

said he can't stop going to Tops, he's been there every day since, a scan coordinator, wonder why I never heard of a scan coordinator, but that's what he did on his job and he went there every day, he was very happy to do that, he ushered people into an office, barricaded the door to try to keep the animal from getting in there. And lastly, Fragrance Harris-Stanfield and Yahnia Brown-McReynolds, mother and daughter, they both work at Tops. Fragrance said when she heard the gun fires going off, she grabbed her daughter and tried to run with her out the door. Her daughter said she could not move, she froze. She couldn't move. Her mother fell trying to getting away from her while other people were running that way, her mother got out the door and couldn't go back in to try to get her daughter. She had to think, *Well, I have two grandchildren, I'll be honest. I have other children of my own. If I go back in there to save her, would I then have lost a daughter and then have to go and tell my other children and their mother that.* Why do people have to think about that while they're at work?

This is our time. We could do this different. We don't have to keep hate moving forward. And I want to thank everybody in here, Republicans, Democrats, White people, Black people, Brown people, Asians who sent me the most amazing notes. Thank you. I appreciate you, your words. But if your thoughts and prayers don't mean action, keep them. Keep them because there's got to be action after that.

With that, Mr. Speaker, I thank you for the

opportunity to memorialize and pay honor to these American heroes, both the dead and those that are still walking. And I give God all the glory for it.

ACTING SPEAKER AUBRY: Thank you.

Mr. Norris.

MR. NORRIS: Thank you, Mr. Speaker. And thank you, Madam Majority Leader, for the opportunity to join with this resolution and for your courtesies in allowing me to do so. We're with you, Majority Leader. And I rise because the officer that was killed that day lived in my district, about a mile actually from my house. And I want to just say that I am thinking of the family and all of the families and the victims. And I was not sure what to say about Officer Aaron Salter, Jr., who saved so many lives on May 14th, but I saw the interview of his widow following the visit of the President of the United States. And Kimberly Salter said this about her husband: *My husband was a hero, but my husband had a calling and his calling was to protect and serve. And he wore that badge proudly and not only wearing it, he lived it every single day.* She went on to say, *I just met a lady who said that your husband saved my life. Your husband saved the life of my daughter.* Those were the words of Officer Aaron Salter's widow, Kimberly.

I ask you to think about those words to honor Officer Salter and the nine victims that day. And Majority Leader, we're with you, and I appreciate the opportunity to be heard today. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. J. D. Rivera.

MR. J. D. RIVERA: Thank you for all those that have shared their condolences with the -- with the people in Buffalo, and I offer all my thanks to everyone across the State and everyone that has come across my path. Once they found out that I call Buffalo home, they've only shared the kindness of thoughts and concerns about the things that are going on there and what happened. I'll say this about what I've seen these last few weeks. You know, a White Supremacist, domestic terrorist drove many miles armed and prepared to perpetrate a murder-filled hate crime on a Black neighborhood. Those are the facts of what happened, those are the facts that a court will hear. In the moment, that was the truth, but the truth, the real truth is much greater than that. The truth isn't about the moments that lead up to a horrific act, because truth is not about capturing individual moments. The truth should neither be summarized out of convenience nor should it be truncated so as to be easily forgotten. The truth, the real truth has to be defined by greater realities, permanent atmospheres and unwavering absolutes. If there is a shared responsibility that we as legislators have when it comes to what occurs in our communities every day, it is that we have to be responsive to the truth despite its ugliness, and that we are expecting to be frank as the realities that plague our State. The truth is that White Supremacy exists, the truth is that racism existed before this nation was a nation, and that is alive today. The truth is fear has driven people that

perceive power slipping through their fingers to commit extreme acts of violence. The truth is that AR-15s have no place here, the truth is innocent murder victims no longer have breath in their lungs and, therefore, have no voice to speak this truth. And that is why we were elected into office to begin with, to speak truth for those that are voiceless.

So let us walk through this beautiful cathedral of government and Democracy and feel the weight of all these truths, not as a means to produce a reaction to a single, horrific occurrence, but so as to the greater truths to be ever present in our minds that we consider with every vote we take and every word we speak that there are innocent New Yorkers that fear their safety and the safety of their children simply because of the color of their skin or the country they're from. Because that's the truth. The truth is that some will acknowledge what happened from a distance, sympathetic but not introspectively. The deepest and most difficult of the truths is that we all play a role, not solely to condemn violence once lives have been lost, but to confront hate in all its forms every single day.

That being said, honestly I hold hope through all this, and it's the hope that I've seen every day since May 14th. I have seen it in the phone calls and texts where people have reached out to see how they can be helpful, and I've seen it in the volunteers from near and far aiding in food distribution. I've seen it in the Bronx where we acknowledged the fallen with a moment of silence, and I have seen it in Manhattan where I was repeatedly asked, *How are the people in*

Buffalo doing and what can we do to help. But above it all, I see it in Buffalo, I see it in Western New York where people have a nature that is nothing like anything I have seen elsewhere, ever. And it reminds me of a verse from Scripture that I wanted to share, and it's really -- has everything to describe on what Buffalo and what Western New York is. And in it, Paul writes to the Corinthian Church, a church that had a lot of things and was well loved, about the church in Macedonia and how the Macedonian church addressed the life that it was living and how God -- (inaudible) the grace of God and what they were doing, and it says that -- it says, I'll paraphrase, *Now we make known to you that the grace of God given to the churches of Macedonia that during a severe ordeal of suffering, their abundant joy and their extreme poverty have overflowed in the wealth of their generosity, that in the midst of the worst of what they had and the suffering that they went through, that despite their poverty, they still had joy and they still had generosity. And they say that they gave, I testified, it says they gave according to their means and even beyond their means.*

That's what we're seeing in Buffalo right now, and that's what we're seeing across Western New York and even across this State, the kindness, the generosity, not the focus on the distractions of -- of the sadness, but the true giving nature of people. That's how we will combat the things that we've seen and that's how we confront the realities, not by, as the Majority Leader said, not moving in hate or in anger, but being there for one another. You know, Buffalo is a place known for many things, but this week it's

known as a city of generosity, of kindness, and the community's ability to rise to the occasion and lift up neighbors in times of need.

So again, as a Buffalonian and as your colleague, I want to thank everybody here that has demonstrated kindness and generosity to the people of my city, and let's work together. Thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Burke.

MR. BURKE: Thank you, Mr. Speaker, and thank you, Majority Leader, for those beautiful, heartfelt words. I'm proud to represent the City of Buffalo, it's my home. And I said this before, everyone in Buffalo is grieving, everyone, I think in a way doesn't know what to do other than try and help. Everyone feels attacked. But the reality is that Buffalonians weren't attacked for being Buffalonians, people in Buffalo who were Black were attacked for being Black. Now, why did someone come from a different part of the State to go to a place like Buffalo? Well, he went to the Blackest place he could get to, he went to the Blackest zip code he could get to. Why did -- why was the Blackest zip code in Buffalo, because Buffalo is segregated. Buffalo is not segregated by accident. It is systemic, it is structural and it was done on purpose. Why is it poor, why is there only one grocery store there? Because it's done on purpose to cause harm to one set of people, Black people. It's been happening for a long, long, long time in this country.

So on Jefferson Avenue what's considered, you know,

a main thoroughfare in the Black community, people wouldn't know this but I went to school on High and Jefferson Street, I went to Martin Luther King, Jr. Elementary School. It was basically an all-Black school, I was bussed in there, I was one of three White kids in my class. And I remember going to my mom one day and asking her, you know, *Why did you send me to an all-Black school?* And she said, *Because I didn't want you to have a myopic point of view.* And at that point, I didn't know what a myopic point of view was, so she had to clarify. She did not want me having one singular viewpoint and not understanding how other people lived their lives, that we have to be together. That we might be segregated in some ways and there might be a bigger structure that has done this to us, but we have to come together.

So when things like this happen, they also weren't done on accident, I want to be clear. Of course it was an evil act, but it wasn't a singular act. It didn't happen just because he was crazy and evil. You know, there's a book I read maybe like ten years ago, it's called *The Banality of Evil*. If you know what banal means, it means evil is pervasive, it's commonplace, it's everywhere. So if you kneel evil, if you arm evil, if you push it over and over again, if you generate racial animosity over and over and over again for your own benefit or simply because you hate people, then you were a part of this. We all have to come together. So you can't just say, *I'm against evil, I'm against hate, I'm for love*; those are really easy things to do and they're really easy to do after it's thrown in your face at a time like this.

So when it comes to the coming days, months, years, it's about policies that we can change, it's about making sure that White Supremacy is not in any of our government institutions and that it's not anywhere, that everyone here speaks out against it, opposes it all of the time. I think this is a call to arms for all of us to stand together and fight this fight together. Thank you.

ACTING SPEAKER AUBRY: On the resolution, all those in favor signify by saying aye. The resolution is adopted.

We have numerous other resolutions, Majority Leader. We will take them up with one vote. On these resolutions, all those in favor signify by saying aye; opposed, no. The resolutions are adopted.

(Whereupon, Assembly Resolution Nos. 954-968 were unanimously approved.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I now move that the Assembly stand adjourned until 12:30 p.m., Tuesday, May the 24th, tomorrow is a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned in memory of those who passed away in Buffalo on that fateful day.

(Whereupon, at 6:43 p.m., the Assembly stood adjourned until Tuesday, May 24th at 12:30 p.m., Tuesday being a Session day.)