

**WEDNESDAY, MAY 26, 2021**

**11:59 A.M.**

ACTING SPEAKER AUBRY: The House will come to order.

The Reverend Elia will offer a prayer.

REVEREND DONNA ELIA: Let us pray. Holy and merciful God, thank You for the beauty of this day and for signs of new life that we easily pass by. Wake us up to the beauty around, within and among us. We pause to give thanks for members of this Body who have gone to their rest, whom remain in our hearts before You. Thank You for their work and dedication and for the many ways in which they contributed to good and worthy legislation. Thank You for the relationships they built while they were here. Bless their families and may their memories be a blessing to all who knew them. As the work for today stretches before this Body, let each one feel

commitment and purpose, even in small matters. Let each person's voice be heard with dignity and respect. May we disagree but not become disagreeable. May the road before them be as smooth as possible, and thank You for their renewed commitment to public service. Strengthen the weary and give good health to any who feel unwell. Be a wise and loving presence here in this place and across this Zoom platform. Empower all of us to do the work of building a more just society. Help us to dismantle racism and all manner of discrimination, and do not let us grow weary in doing what is honorable and just.

In Your holy name we pray. Amen.

Members: Amen.

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

(Whereupon, Acting Speaker Aubry led visitors and members in the Pledge of Allegiance.)

A quorum being present, the Clerk will read the Journal of Tuesday, May 25th.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move to dispense with the further reading of the Journal of Tuesday, May the 25th and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. Prior to giving a quote, I would like to certainly say how pleased it is to see -- I am and I hope we will be -- to see Reverend Elia back in our Chambers today. Her words were not only perfect, but it was good to hear them in person. So again, I'm honored to see her again. We'll also bring to the members' attention that this is the third Session day of the 21st week of the 244th legislative Session. And you do have on your Calendar -- on your desk a main Calendar. But part of that -- I want to just share a quote. It's from Lisa Olivera. She is a licensed marriage and family therapist. Her words for us today, *Shame tells us our struggles should be kept secret. Connection tells us our struggles aren't something to be ashamed of.* Again, Lisa Olivera is sharing those words with us today.

So, yes, you do have on your desk a main Calendar and a debate list. After any housekeeping from page 3 -- resolutions on page 3, Mr. Speaker, we're going to be doing all our work today off of the debate list. At the conclusion of our work today, we certainly will be taking up an annual resolution that memorializes our deceased colleagues. That is generally where we're going today, Mr. Speaker. If you have any introductions or housekeeping, now would be a great time.

ACTING SPEAKER AUBRY: Certainly. We do have housekeeping.

On a motion by Ms. Paulin, page 10, Calendar No. 78, Rules -- Bill No. A.268, amendments are received and adopted.

We will start on page 3 with resolutions. Assembly No. 340, the Clerk will read.

THE CLERK: Assembly Resolution No. 340, Mr. Abinanti.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim May 21, 2021, as Telepractice 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. 341, Ms. Rosenthal.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim May 28, 2021, as Menstrual Hygiene Day in the State of New York, in conjunction with the observance of the Annual International Menstrual Hygiene Day.

ACTING SPEAKER AUBRY: Ms. Rosenthal on the resolution.

MS. ROSENTHAL: Thank you, Mr. Speaker. Today we are adopting my resolution to proclaim May 28, 2021 as Menstrual Hygiene Day in the State of New York. Menstrual Hygiene Day is a global initiative that aims to raise awareness of the stigma and shame that still surrounds menstrual cycles around the world. While here in New York State we have axed the tax on menstrual products and have taken steps to ensure access to these products in correctional

facilities, schools and more places, many individuals in this State and across the world are still forced to go without. While for many menstruating individuals a period may just be a monthly routine, for others the experience is far more burdensome. Many people worldwide find themselves missing days of work due to menstruation each month. In some areas, especially in developing countries, young people may miss up to five days of school each month due to menstruation, and in many places where safe and hygienic menstrual products are not readily available, menstruating individuals often must use makeshift items, risking illness and infection on a monthly basis. Despite the progress we have made in our mission of achieving menstrual equity, this biological process still holds countless people back from achieving their full potential and carries still an immense amount of shame and stigma.

By declaring May 28th Menstrual Hygiene Day in the State of New York, we will encourage discussion around the topic of menstrual equity, empower individuals to speak out and ensure that menstruation or lack of access to menstrual products no longer stands as -- as a barrier.

Thank you.

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. 342, Ms. Niou.

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

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

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. As we continue our work from off of our debate list on yesterday, it just so happens that there are three that we can take essentially on consent. The first one is Rules Report No. 26, Assembly Bill 5436. The second one is Calendar No. 323, Assembly Bill 5858 by Mr. Dinowitz. And I apologize, I didn't say the first bill is by Mrs. Clark. The third bill is Calendar No. 360. That one's 4580 by Mr. Lavine. And then, Mr. Speaker, back on debate we're going to Calendar No. 302, 302, Assembly Bill 3320 by Mr. Epstein. Followed immediately by Calendar No. 341, Assembly Bill 533, and that one is by Member Rosenthal, Linda Rosenthal.

Thank you, Mr. Speaker.

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

Page 4, Rules Report No. 26, the Clerk will read.

THE CLERK: Assembly No. A05436-B, Rules Report No. 26, Clark, Gottfried, Weinstein, Kim, Lunsford, Burdick, Fahy, Wallace, Simon, Zinerman, Griffin, González-Rojas,

Magnarelli, Galef, Forrest, Thiele, McDonald, Otis, Meeks, Bronson, Rozic, Cusick, Steck, Colton, Barrett, Barron, Cruz, Anderson, Sayegh, Stirpe, Woerner, Stern, Glick, Vanel, Cahill, L. Rosenthal, Pichardo, Richardson, Zebrowski, Williams, Bichotte Hermelyn, Dinowitz, J.D. Rivera, Abbate, Sillitti, Buttenschon, Carroll, Lupardo, McMahon, Abinanti, Gallagher, Fall, Jacobson, Nolan, Perry, Peoples-Stokes, Hunter, Jackson, Santabarbara, Kelles, Reyes, Cook.

An act to amend the Elder Law, in relation to directing the Office of the State Long-Term Care Ombudsman to advertise and promote the Long-Term Care Ombudsman Program (Part A); to amend the Public Health Law, in relation to requiring the Commissioner of Health, in consultation with the State Long-Term Care Ombudsman, to establish policies and procedures for reporting, by staff and volunteers of the Long-Term Care Ombudsman Program, issues concerning the health, safety and welfare of residents at residential healthcare facilities (Part B); and to amend the Public Health Law, in relation to including access to State Long-Term Care Ombudsman Program staff and volunteers within the pandemic emergency plan prepared by residential healthcare facilities (Part C).

ACTING SPEAKER AUBRY: On a motion by Ms. Clark, 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 612-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.)

First vote of the day, members.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 26, Calendar No. 323, the Clerk will read.

THE CLERK: Assembly No. A05858-A, Calendar No. 323, Dinowitz. An act to amend Chapter 455 of the Laws of 1997 amending the New York City Civil Court Act and the Civil Practice Law and Rules relating to authorizing New York City marshals to exercise the same functions, powers and duties as sheriffs with respect to the execution of money judgments of the supreme and family courts of the City of New York and defining the term "the sheriff" as used therein, in relation to extending the effectiveness of such chapter.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 5858-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.



(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 29, Calendar No. 360, the Clerk will read.

THE CLERK: Assembly No. A04580-A, Calendar No. 360, Lavine. An act to amend the Civil Practice Law and Rules, in relation to revising the clarifying the Uniform Foreign Country Money-Judgments Recognition Act.

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

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 24, Calendar No. 302, the Clerk will read.

THE CLERK: Assembly No. A3320-A, Calendar

No. 302, Epstein, Gottfried, Reyes, Simon, Fall, Cook, Taylor, Gallagher, Steck, Jackson, Fernandez. An act to amend the New York City Civil Court Act and the Real Property Actions and Proceedings Law, in relation to stipulations in summary proceedings to recover possession of real property.

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: Thank you, sir.

On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. GOODELL: This bill has an interesting provision that requires a judge in a housing action to evaluate all the claims or defenses of any self-represented party and makes sure they're adequately addressed. Unfortunately, that process flies in the face of what we normally consider an appropriate role of a judge. When you go to court, you should expect that the judge is going to be completely impartial. The last thing you want to happen when you go in front of a judge is for the judge to be -- to be required by law to evaluate all the claims and defenses that the other party might have. And then it goes on one step further and says in selecting a housing court judge, one of the criteria is that you have to evaluate the ability of the judge to handle these types of matters and accurately describe all the defenses that a party might have. Not both parties, just one. And finally it says that a court may use a court attorney to conference the case, which means we have taxpayers paying for a lawyer to defend somebody in a housing court matter regardless of their income level, and we require

the judge to list all of the defenses and explain them to that individual. It puts our judicial system upside down at a time when the backlog in the New York City Housing Court is at unprecedented levels. So I certainly agree that anyone who appears in housing court should absolutely have the right to have their own legal counsel - there's no issue on that - if you lack income you have the absolute right to ask for a Legal Aid Society or a comparable organization to defend you, and in my county that group is one of the most competent groups of attorneys as it relates to housing matters. But what we shouldn't do is ask the judge to evaluate all the claims and defenses of one party as a statutory requirement. That underpins the independence of the Judiciary and brings into question whether the judge is truly independent.

For that reason, I'll be opposing this and recommend that my colleagues also oppose it. Thank you, sir.

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 3320-A. This is a Party vote. Any member who wishes to be recorded as an exception to their Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican

Conference is generally opposed to this legislation, but those who support it should contact the Minority Leader's Office so that we can properly record your vote.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Ms. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, the Majority Conference will generally be in favor of this piece of legislation. However, colleagues desiring to be an exception should feel free to contact the Majority Leader's Office where we'll be happy to record your vote.

(The Clerk recorded the vote.)

ACTING SPEAKER AUBRY: So noted. Thank you.

Mr. Epstein to explain his vote.

MR. EPSTEIN: Thank you, Mr. Speaker. I rise to explain my vote. So, in the New York City Housing Court, over 200,000 cases go through every year with 90 percent of tenants in that proceeding are unrepresented. They don't know or understand their rights, where 90 percent of the landlords are represented. This civil bill just requires the court to explain the stipulation to the pro se litigant, the unrepresented person, to ensure that they understand their rights. This has no additional cost to the court system because they already have court attorneys in this -- in the building, helping to facilitate understanding the -- the stipulations. But what it really does

is ensure that the judge goes through each step of the agreement because there's lots of legal language in those agreements that the pro se litigants don't even understand. Many -- English isn't their first language. It's a smart way to ensure that people who don't understand their legal rights get the protection of the legal system and the court system, and the person to provide that protection is the judge.

I'll be voting in favor of this bill. I encourage all of my colleagues to do the same, and I want to thank the Speaker for bringing this bill to the floor.

ACTING SPEAKER AUBRY: Mr. Epstein in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 27, Calendar No. 341, the Clerk will read.

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

ACTING SPEAKER AUBRY: On a motion by Ms.

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

Ms. Rosenthal, an explanation has been requested.

MS. ROSENTHAL: Okay, let me... okay. This bill would require the establishment of the Medication-Assisted Treatment program in jails and prisons Statewide that individuals with a substance use disorder may opt into.

ACTING SPEAKER AUBRY: Ms. Walsh.

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

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

MS. ROSENTHAL: Yes.

ACTING SPEAKER AUBRY: The sponsor yields.

MS. WALSH: Thank you, Ms. Rosenthal. So, I have a few questions about the way that this program would actually work. Who -- who asks to -- does the inmate or the incarcerated individual request to enter this program?

MS. ROSENTHAL: They can, when they are -- excuse me -- when they enter the prison or jail they will be screened and then they will be told about the program and if they want to opt in they can.

MS. WALSH: So are all inmates, then, screened for substance abuse disorder when they -- when they enter the jail or prison?

MS. ROSENTHAL: Well, I believe so.

MS. WALSH: Okay. And so after the screening. So it mentions in the bill that after a screening they'll be determined if they're -- if they -- if they're qualified. What -- what would that mean, that they would be diagnosed with substance abuse disorder or does it mean something else?

MS. ROSENTHAL: No, that's -- that's what it would mean.

MS. WALSH: Okay. All right. So there's an actual diagnosis of substance abuse disorder, they get asked --

MS. ROSENTHAL: You know they get evaluated by a medical -- they'd be evaluated by the medical professional.

MS. WALSH: Okay. All right. Oh, because diagnosis implies, you know, maybe that a doctor -- like it be like a more formal thing. So it's more of an evaluation, then?

MS. ROSENTHAL: It is, but I mean, everyone there knows what the signs are and -- and what the hallmarks are of a substance use disorder. I mean -- so -- so I think it would be fairly clear who -- who would be eligible for this program.

MS. WALSH: Okay, very good. And so at that point if the person is found to qualify, if they have a substance abuse disorder, they're informed about the program, they're told about the possibility of joining the program and then they can opt in or they don't have to, right? They -- they don't have to opt -- opt into the program if they don't want to.

MS. ROSENTHAL: No, it's -- it's not coercive.

MS. WALSH: No, no. I'm not suggesting it's coercive, but they -- it's -- it's their selection. They -- they choose whether or not they want to participate is what I'm getting at. And then at that point if they do choose to participate, then an individualized plan is created for them, is that correct?

MS. ROSENTHAL: Yes, by each treatment -- each person's treatment is individualized and determined between them and -- and their doctor.

MS. WALSH: And -- and their -- not their personal physician, but the doctor that they have within the facility.

MS. ROSENTHAL: Yes. Yes.

MS. WALSH: Okay. And that individualized plan could -- could have potentially a number of components like alcohol, benzo, heroin, opioid withdrawal management. A group -- an individualized counseling and clinical support, peer support, discharge planning, reentry and transitional supports, I would imagine, as they come to the -- come to the end of the program. Is there a certain length of time that this program is supposed to take? Does it -- does it go for the whole period of the incarceration of the individual or is there, like, a 12-week plan or, you know, a three-month plan?

MS. ROSENTHAL: No. No, there's no specific time limit. It depends on how the person adapts to the medication, and hopefully they -- they get to be involved in counseling and other therapies like that. But for some people, being on buprenorphine, for



example, might be a lifetime thing and that will help keep them off opioids and other substances.

MS. WALSH: Very good. So I see in the bill also that there's a limited exemption to providing opioid full antagonist treatment meds if there's no provider in the right -- with the right accreditation that's located within a reasonable distance from the facility. Could you -- could you talk about that? Does that -- does that have to be managed by a -- a specially accredited doctor or individual?

MS. ROSENTHAL: Yes. And this -- this exemption refers to the rural areas of the State or other areas where there may not be a treatment provider in proximity -- close proximity to the facility. It's really terrible that there wouldn't be one, but we wanted to make sure not to place an undue burden on areas where there, in reality, was no such help. But I think it's important, now that you raised it, that -- that we do have that availability because, you know, substance use disorder does not discriminate based on where you live.

MS. WALSH: No, it certainly does not. You're absolutely right. So, if -- if an individual goes into this program, is there anything that could get - for lack of a better phrase - get the person kicked out of the program? For example, if they -- if they test positive for a substance that they're not supposed to have in their system, if they engage in any kind of contraband of the medication that they've been given to -- to -- like methadone or Suboxone? Because that's a -- that's a heavily-favored contraband item in -- in jails and in prison. Or if they engage in any other kind of bad or violent behavior,

anything like that, that could get them kicked out of this program?

MS. ROSENTHAL: I don't believe the bill speaks to that, but the goal is if you're on methadone or buprenorphine, Suboxone, whatever, you will not be needing any of those other drugs because that's what their use is intended to do, limit the cravings and allow you to, you know, resume kind of a normal routine.

MS. WALSH: Yeah. Well, one of the concerns that's raised by some of the people and groups that are opposed to the bill is they're really concerned about introducing a substance like Suboxone into the -- into the prison or into the jail because it's -- it's a very common item that's smuggled in. It's -- it's a -- a common contraband item. So, like, if the individual that's in the program, instead of taking the Suboxone themselves, for example, or methadone, they decide to sell it within the -- the jail or the prison in order to, for whatever reason, that -- that's something that could happen. That's something that like the New York State Sheriffs Association, for example, is worried about. But -- but that -- that kind of behavior, if that were to occur, is not -- is not going to get that person kicked out of being a member of that program then?

MS. ROSENTHAL: Well, the thing is if a drug is diverted it's because we are failing to offer the treatment to everyone who is in desperate need of the treatment. And, you know, for people with substance use disorder those are lifesaving medications. They -- you know, they can't obtain them elsewhere. People wouldn't be asking for them to get "high," in quotes. That's not what methadone

does for someone, for example. And with a comprehensive medication-assisted treatment program in prisons and jails, there would be no need for diversion because everyone who needed that treatment would have access to it.

MS. WALSH: Well, very good. Thank you so much for your answers to my questions.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, Ms. Walsh.

MS. WALSH: So, I want to just say at the outset that I completely understand the need and the desire as a matter of policy to want to treat people who are incarcerated for any substance abuse disorder that they may have. It is kind of a window -- in strange, kind of ironic way it's a window of opportunity to try to work with the individual to get them in a better place so that when they do ultimately leave jail or prison they don't -- you know, there's such a link between substance abuse disorder and criminality and recidivism. You know, we want to try to get to the heart of it and try to help the individual and I can -- I really appreciate that. You know, the -- the issues that I guess I've got and other people do have with the bill is that -- and I mean, kudos to the sponsor. It's an extremely comprehensive bill. It's a -- this -- it's -- the acronym is MAT, this medication-assisted treatment. And the one that's proposed by the sponsor is a really complete suite of interventions. It's the medication intervention, it's peer counseling, it's individualized counseling. It's all the things that

we just reviewed when I was asking the sponsor about the bill. And the thing about that is, it's got a very large price tag associated with it. If you look at the different counties throughout our State, it's a little hit or miss about what counties offer MAT programs. And it would seem to me that there's probably good, you know, better and best practices as far as a MAT program that's put together. The need may -- you know, understanding what the sponsor said about it is absolutely true that we have issues with substance abuse disorder across the State; cities, suburban, rural, it doesn't matter. But county to county, these duly-elected sheriffs are making decisions and I think that they should be accorded some deference about the decisions that they make concerning their policies, their procedures and their practices and their budgets. So I think that for us as a -- as a State to pass a piece of legislation that is going to be imposing an extremely expensive mandate on our localities, I think that -- and -- and also really does not give, I think, the deference that our county sheriffs deserve as duly-elected individuals to really create their own programs. You know, I would note on the plus side that right here in Albany County, the Sheriff has had a very successful program, the SHARP program -- that's another acronym, I couldn't tell you what it stands for it. It began in 2015 and it's been expanded over the years. So they started with a certain level of treatment, kind of saw what worked, and they've added to it over the years as they have had the budget to do so, as they have experienced the success of the program and made decisions about how to make it better for the people that they have in the county

jail. And the recidivism rate is already really admirably low. It's -- it's really been a very good program. But I would note in following up on my -- on my questioning of the sponsor, they have a special housing unit that the individuals who are going through their MAT program where they would -- where they are -- where they are, and -- but they can be kicked out of that specialized housing unit for bad -- or the phrase was used "problematic behavior." I would assume that that tells us what we need to know. But I don't think that the bill that's proposed by the sponsor has any kind of out. So, you know, I think that, again, that ties in with the deference that I think really is owed to the individualized sheriff's departments for coming up with this plan.

And I only have a little bit of time left, so I just want to talk a little bit about cost, which I started to talk about with the sponsor a little bit. So in the past several budget cycles that we've had here, the State has committed to provide \$3.75 million in State aid funding to develop and sustain jail-based substance abuse treatment programs and transition services in 50 county jails. That's great. This year, in the 2021-22 enacted Executive Budget included \$8.75 million for jail-based SUD treatment, substance abuse treatment and transition services in the correctional facilities. And those appropriations have been great. I think that they reflect the feeling within this Body that this is a priority and we definitely need to address it. But according to the New York State Conference of Local Mental Hygiene Directors, in New York State, to -- to implement the -- what the sponsor's got in this legislation, it could translate to a State investment in upwards of

\$30 million annually if applied to all counties outside of New York City. And that's an expensive program. And it's -- it's a lot to -- if the State wants to fund it for the State prison system, okay, and we'll do that in our budget. But to create a program like this and make it mandatory on all county jails to implement -- and to implement, really, a gold standard program that's going to cost a lot of money. And I just think that rather than do this -- do it this way, I think that we should be allowing the duly-elected sheriffs in the individual counties throughout the State to make up their own minds and develop their own policies as their budgets and as their needs allow.

So for that reason, I -- although I understand the reason for this bill and I do have a -- a strong belief that we need to do substance abuse treatment in our prisons and county jails, I think that this bill, to me, goes a little too far. And would I really think -- I would be able to support it much more if there was a defined funding stream that was adequate to really support the program. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Manktelow.

MR. MANKTELOW: Thank you, Mr. Speaker. I apologize for that. Would the sponsor yield for just a couple of questions?

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

MS. ROSENTHAL: Yes, Mr. Speaker.

MR. MANKTELOW: Thank you, Ms. Gunther [sic].

Just a couple of questions. As I was looking at the bill -- and last week I had the -- the opportunity to tour one of our local prisons back home and it's a maximum security prison, are we doing anything through the Legislature to address the -- the up -- the upfront part of the drugs coming into prisons at this time?

MS. ROSENTHAL: Well, that's not -- that's not what this bill is about.

MR. MANKTELOW: No, but as I read the bill this is about making sure when these individuals, when the inmates get released that they are -- had been treated within prison, correct?

MS. ROSENTHAL: Well, it -- this bill deals with when people are incarcerated and also planning for when they leave.

MR. MANKTELOW: I'm sorry, I didn't hear the last thing you said.

MS. ROSENTHAL: This bill deals with treating people who are incarcerated and have a substance use disorder, as well as planning for when they exit the facility.

MR. MANKTELOW: So who -- who identifies their substance abuse disorder?

MS. ROSENTHAL: Well, as I said with Ms. Walsh, they are screened when they enter.

MR. MANKTELOW: And who does the screening at the prisons?

MS. ROSENTHAL: They have medical professionals there.

MR. MANKTELOW: Well, this particular facility that I went through, because of the lack of -- the lack of the ability to fill the positions, we're -- we're putting another -- I don't want to use the word "unfunded mandate", but another mandate on our local county jails and our -- and our prisons. And -- and I just think that I believe our -- I know that our DOCS officers are doing everything they possibly can to stop substances from coming into the prisons. But until they have the ability to do everything they can, how are we going to stop this? It just seems like we're -- we're just a little bit premature with this. If we could stop everything coming into the prisons and into the jails and then I think a -- a MAT program would be very helpful. I mean, this is up to the individual. But I -- I just have concern that if we're not going to address the front side, how on earth are we going to be able to stop it on the back side?

MS. ROSENTHAL: Well, in the meantime about as many as 80 percent of incarcerated people in the State suffer from a substance use disorder, and this is an illness. We need to treat them. If the State does not treat them now, either when they're released they will cost the State more to treat their illness or they might die. This is an illness. It is a disease. It needs to be handled the way any illness or disease would be handled. And the fact is that this bill and the notion of medication-assisted treatment is the gold standard for treating people with substance abuse disorder around the country. It is endorsed by every medical establishment and task forces. This is the right way to approach substance use disorder. So while limiting the



flow -- certainly having fewer people with this disorder is a goal, that doesn't mean we can ignore the fact that there are many people suffering with this disorder in prisons and jails right now.

MR. MANKTELOW: And as I think my colleague had already mentioned, do you see any funding coming forward to -- to the State correctional facilities or our local counties to help fund this?

MS. ROSENTHAL: Well, you know, I -- I would love for there to be a dedicated fund. As the previous Chair of the Committee on Alcoholism and Drug Abuse, I have been advocating for that. All of the advocates and the people involved in this field believe that the best way to approach the problem is to provide substance use disorder treatment in prisons. And if we -- you know, there are many ways we could fund it in the budget, and I'd love to discuss that with you for next year. But part of it could be the Opioid Settlement funding could go directly to programs like this instead of the General Fund.

MR. MANKTELOW: And -- and I think that's one of the issues that we seem to have at the State level is we come up with all of these ideas and we never put funding into it until afterwards. Or sometimes we don't get any of the funding. And it's like buying a car at home. Are you going to buy a car at home before you have the -- the cash to pay the payments every month? I don't believe so. And we're asking our -- our prisons and our local municipalities that have jails to -- to fund this, again, another

unfunded mandate. I just hate that word.

MS. ROSENTHAL: That's not -- that's not true. As a matter of fact, as -- as was mentioned earlier there's \$11 million for prisons throughout the State, and there's \$8.75- for counties. And local jails that do not have the resources available to meet the standards outlined in -- in the bill can apply to the Commissioner for a limited exemption. So we're not forcing anyone. And I've had many conversations with county people who agree that this is the best program. So we need to muster the ability to provide funding as the opioid overdose level increases and has increased over the past year-and-a-half across the nation. We really have an obligation to step up and provide the resources that everyone needs.

MR. MANKTELOW: Okay. So -- so like I said earlier, Assemblywoman, I don't -- I don't disagree with the program, but I still think if we don't address it on the front end, having this program isn't going to fix every problem. And -- and I would love to invite you to come to my district and -- and to go through the prison that I went through last week and -- and talk with the DOCS officers to see what they're up against and see what's really going on inside those walls. Because what's happening inside those walls is not what we think is happening here on this floor. We need to be --

MS. ROSENTHAL: You know, I -- all right, go ahead. No, no, sorry, go ahead. I -- you weren't finished.

MR. MANKTELOW: Well, we just really need to help these individuals, including our local municipalities, in making

this happen. It is a good program. But if we don't give them all the tools up front -- if we give them the tools up front, Assemblywoman, and they're able to do a much more thorough job of getting rid of the substance -- substances coming into the prisons or the jails, then we don't have to spend so much money on the back end. That's good business. That's good for the taxpayers of New York. And not only that, it's good for the people that work in the jails, but even more so it's good for the inmates that we are in charge of taking care of.

So, Assemblywoman, thank you for your time and -- and your answers to questions. I appreciate it.

MS. ROSENTHAL: I did want to respond to one of the comments you made. In the hearing I -- I did ask the Acting Commissioner of DOCS how many of the 52, I believe it is, Statewide prisons have such a program and he said seven or eight. And that is pitiful because we have to treat the situation and the reality that we see today. So while you may say that one option is to stop the drugs from coming in, some of the -- and maybe many of the people in prisons and jails are afflicted with a substance use disorder. They come in that way. And it is not only compassionate to treat them, it is what one would expect to do for any illness that someone suffers. So this should be classified as a different kind of illness. This is an illness.

MR. MANKTELOW: Absolutely. I -- I agree 100 percent with you. But I -- I still agree that if we're going to treat it, let's treat it on both ends. Just like with the COVID pandemic. We're treating it with the vaccine, but we're also treating it with social

distancing, masks. You know, less people in gatherings. We're doing it on both ends, and this has accomplished what we wanted to do here in New York and in the United States. And I just want to take that approach back to our prisons and our local jails and -- and our county jails. We need to give them that option. And if we're going to make them do this or we're going to offer it, what is pathetic is we, as legislators, continue to legislate without no funding to the back side of it. Just like yesterday when we debated one of the health bills here. You know, we're -- we're doing the work where our -- our Department of Health should be doing it. It just doesn't make sense. This is not good business. This is not good for the people of New York State that -- that pay for all this. And that's why we're here is to help them, also. And this is a good idea to -- to stop it on the front side. I've seen it personally. I see what happens. And like I said, please, let's work together and take the time to -- to look at what's going on out there and -- and look at some of the prisons. Take the time to visit them and see what the issues are because it would make us better legislators if we know all the facts and that's why I'm trying to -- to make these points to you, Ms. Rosenthal.

So I thank you for your time and I applaud you for moving this forward. I can't support it without the funding because I have concerns that without the funding, what are we doing? Passing another law or another bill to a law, and again, we're not going to be able to address it. And my other concern is meeting with our local municipalities and our prisons, it's hard to get people to do these jobs.

It's a tough life. It's a tough place to -- to work. And God bless all those staff members and DOCS officers and employees that work there because they do a great job, they care about the inmates. They really do. And I just want to make sure -- I just want to make sure we don't tie their hands behind their backs without having some funding. And again, like many other things, I would love to try a pilot program before we make this Statewide to make sure it's actually going to work.

MS. ROSENTHAL: But -- but there are programs that currently operate that are very successful. You don't have to go any further than Albany County where there's a huge rate of success in using medication-assisted treatment. The recidivism rate is very, very low, in single digits. There's no need for a pilot. We know that this works. And I'd also like to say that this bill, A, has -- addresses the funding that we put in the budget. Eleven million for prisons, \$8.75- for counties, and it provides exemptions for places that do not have the funding right now. So I think it does cover your concerns. But I think, as you yourself have said, we should be treating individuals. And -- and hopefully this is a springboard for next year that we provide the proper amount of funding to handle this issue.

MR. MANKTELOW: Okay. I appreciate your time and your answers.

And, Mr. Speaker, on the bill.

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

MR. MANKTELOW: Thank you, sir. Again, you know, as -- as we talk on this floor about many of the bills we bring forward and the funding and what works and what doesn't work back home, we need to consider moving forward in a direction of New York State where we're looking at different areas of the State and what works and doesn't work before we go passing more pieces of legislation that's going to cause financial ruins. And I'm just not sure we're really helping the inmates as much as this bill thinks it will.

So I appreciate your time and allowing me to speak on the bill, and I will probably be voting in the negative. Thank you, sir.

ACTING SPEAKER AUBRY: Ms. Rosenthal on the bill.

MS. ROSENTHAL: Oh, I'm sorry. That was -- I was -- that was earlier.

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 Senate print 1795. This is a Party vote. Any member who wishes to be recorded as an exception to their Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican

Conference is generally opposed to this legislation. But those who support it should call the Minority Leader's Office so we can properly record your vote.

Thank you, sir.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. The Majority Conference will be generally in support of this piece of legislation. Colleagues deciding to be an exception should either press their button in Chambers or call the Majority Leader's Office and your vote will be so recorded.

ACTING SPEAKER AUBRY: Thank you.

(The Clerk recorded the vote.)

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, sir. This is a huge unfunded mandate that applies to all of our sheriff's departments all across Upstate with an estimated cost in excess of \$70 million. Now, there's no reason we have to have this legislation because every sheriff department has the legal right to engage in medically-assisted treatment. But this takes it from an optional program designed by each sheriff to reflect the unique issues in their jail and makes it Statewide. One size fits all. Most of our jails complain a lot about contraband, illegal drugs. Yet here we are mandating that more drugs be put into the prison system. And this contraband, including these very chemicals, are often used in prisons as a form of currency. I am opposed to mandating that our local sheriffs spend over \$70 million to

ensure that every single inmate that wants it can have drug-assisted treatment rather than an individualized custom approach that reflects the individuals needs of the inmates and the facility.

And for that reason I'll be voting against it and recommend the same to my colleagues. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Lemondes.

MR. LEMONDES: Thank you, Mr. Speaker. To explain my vote.

ACTING SPEAKER AUBRY: Sir.

MR. LEMONDES: Thank you. I appreciate it. With respect to Assembly Bill 533, there's one piece of this that -- that is predominantly making me vote against it, and that's -- and I would I agree, participation in a medication-assisted treatment program shall not be unreasonably withheld from a qualified incarcerated individual. Because the term "unreasonably withheld" is not enumerated and defined explicitly so we understand exactly what it would entail, I cannot vote for the bill. In addition to the comments by my colleagues of the -- with respect to the creation of an unfunded mandate.

For those reasons I vote against it. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Lemondes in the negative.

Mr. Angelino.

MR. ANGELINO: Thank you, Mr. Speaker. To explain my vote.



ACTING SPEAKER AUBRY: Sir.

MR. ANGELINO: Jails are not hospitals.

Particularly those at the local level county rural facilities. The decision to use or not to use any medication substance should be left up to the sheriff of each county jail in consultation with his medical staff and his correction officers. The -- the use of bringing -- the use of any more drugs coming into a jail, oftentimes they're secretive and cause all kinds of issues with more contraband inside the facility or it's turned into barter which sometimes leads to violence. It's bad enough in the jail already. Counties already have the responsibility to take care medically of all of their inmates, and they do so at great expense. This is yet another unfunded mandate, and particularly, the exorbitant costs related to making it mandatory is going to fall on the local taxpayers. With a \$212 billion budget we recently passed, I'm shocked that there isn't some amount of forethought to put some money towards this.

For those reasons I'll be voting no.

ACTING SPEAKER AUBRY: Mr. Angelino in the negative.

Ms. Rosenthal to explain her vote.

MS. ROSENTHAL: Thank you, Mr. Speaker. I am very gratified that we are bringing this bill to a vote today. It has already passed in the State Senate. I thank the Speaker for his confidence in -- in this Body and in me for bringing it forward.

We know that there's been a dramatic increase in

overdose across the State and including across the country. Treatment with medication is healthcare. Drugs that help people with this substance use disorder are not contraband, they are medications to help people deal with an illness. If we were talking about diabetes we would not say that insulin smuggled in is contraband. This is -- this is part of the stigma of an illness that people have. People of all colors, people of all races. This affects everyone, no matter where they live. Incarcerated, out in society. Substance use disorder takes thousands of lives. We need to meet the problem where it is. I'd also like to add, sheriffs are not medical professionals and this is a medication program. I'd like to thank VOCAL, Legal Action Center and all the many advocates who've worked on this issue for years and will be very happy to see that the State will finally deal with medication-assisted treatment in prisons and jails properly, according to the program outlined in this bill and I vote in the affirmative.

ACTING SPEAKER AUBRY: Ms. Rosenthal in the affirmative.

Mrs. Peoples-Stokes to explain her vote.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker, for the opportunity to explain my vote. I think sometimes when decisions get kind of difficult for us to think through and/or to make because as one of my colleagues just stated, prisons are not -- jails are not hospitals. But they are places where people should get humane and proper treatment. And, you know, a couple years ago right before we had this horrific experience with COVID, a lot of our

communities were crying all over the place. As a result there was a number of opioid deaths that were going on. People were being released from local jails and going right back to the place they left the last time because they were still sick. They hadn't been taken care of. This level of treatment, as was stated by the sponsor, is, you know, well-known to be the most successful in dealing with that as an illness. Which it is, an illness. And so it should not matter if a person is incarcerated, is addicted to a substance, is sick either at home or in jail. They still need to be provided the best opportunity for the best treatment.

So I'm going to vote in the affirmative -- affirmative on this one even though I know it's a difficult topic to happen because most people don't care about you once you have been convicted and/or whether you're convicted or not, if you end up in jail there's less of a concern about the quality of your life until you get out. And I think in many cases it doesn't even happen then. But the fact of the matter is that these people are as important as the rest of humanity.

So I'm going to be voting yes on this.

ACTING SPEAKER PHEFFER AMATO: Mrs. Peoples-Stokes in the affirmative.

Mr. Goodell.

MR. GOODELL: Thank you, Madam Speaker. In addition to those who are voting affirmative on the floor, please record the following colleagues in the affirmative: Mr. Ashby, Ms. Miller and Mr. Montesano.

Thank you.

ACTING SPEAKER PHEFFER AMATO: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Madam Speaker. Would you please record our colleagues Mr. Santabarbara and Mr. Englebright in the negative on this one.

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

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Madam Speaker. We are gratefully moving right along. So if we could go now to Calendar No. 369, Assembly Bill 6193 by our colleague Ms. González-Rojas. From there we'll go to Calendar No. 361, Assembly Bill 4668 by myself, Crystal Peoples-Stokes. And then we'll go to Calendar No. 362, Assembly Bill 4685. That one's by Madam Speaker Pheffer. And immediately following that we'll go to Calendar No. 271, Assembly Bill 6970. That one's by Member Walker.

ACTING SPEAKER PHEFFER AMATO: Page 29, Calendar No. 369, the Clerk will read.

THE CLERK: Assembly No. A06193, Calendar No. 369, González-Rojas, O'Donnell, Seawright, Carroll, J. Rivera, Epstein, Kelles, Jackson, Sillitti, Burdick, Bronson, Dinowitz, Weprin,

Fahy, Hevesi, Cruz, Glick, Otis, L. Rosenthal, Fernandez. An act to amend the Public Service Law and the General Business Law, in relation to requiring utility corporations, municipalities, waterworks corporations and telephone service providers to allow customers to use their preferred name and pronouns.

ACTING SPEAKER PHEFFER AMATO: An explanation has been requested, Ms. González-Rojas.

MS. GONZÁLEZ-ROJAS: This bill would require utility corporations, municipalities, waterworks corporations and telephone service providers to provide residential customers with the option to have all written or oral communications using the customer's preferred name and/or pronoun.

ACTING SPEAKER PHEFFER AMATO: Mr. Goodell.

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

MS. GONZÁLEZ-ROJAS: Yes, I will.

ACTING SPEAKER PHEFFER AMATO: The sponsor yields.

MR. GOODELL: Most companies now, certainly a lot of them, have a provision where you can say Mr., Mrs., Ms. or whatever. But this isn't limited to the surname or anything like that, right? It applies to any name that the customer wants to use?

MS. GONZÁLEZ-ROJAS: Yes. It's an option to use a preferred name and/or pronoun.

MR. GOODELL: And so a customer -- let's say, for example, your name is John Jones. You could call the utility company and say, *From here on out use the name Sam Smith* and they would have to use the name Sam Smith?

MS. GONZÁLEZ-ROJAS: If -- if that's your preferred name, yes.

MR. GOODELL: I see. This also provides that the utility company cannot require a customer to specify sexual orientation or gender identity or expression as a condition of using their preferred name, correct?

MS. GONZÁLEZ-ROJAS: Correct.

MR. GOODELL: But as you know, we passed legislation that allows victims of domestic abuse to cancel any utility contracts. Is there any way that the utility company can verify other than a self-statement by the individual that's canceling?

MS. GONZÁLEZ-ROJAS: Yeah. They can -- well, it -- it's important to know that nothing in this legislation prohibits the use of your legal name in terms of the back-end information.

MR. GOODELL: I see. So you're just looking at the name on the utility bill?

MS. GONZÁLEZ-ROJAS: It's the front-facing interaction with the customer in which you have to use their preferred name and pronoun.

MR. GOODELL: I see. So the utility company would continue or could continue to have legal names on everything

else, including credit reporting and things like that?

MS. GONZÁLEZ-ROJAS: Any correspondence, written or oral, must be used -- utilize their preferred name and pronoun. From the back end -- on the back end you -- they are able to maintain your legal name on record.

MR. GOODELL: And when utility companies report credit information, which they routinely do, are they required to report the credit information in the preferred name?

MS. GONZÁLEZ-ROJAS: No.

MR. GOODELL: Okay. Thank you very much.

MS. GONZÁLEZ-ROJAS: Thank you.

MR. GOODELL: On the bill.

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

MR. GOODELL: Thank you, sir. The problem that utility companies have when we pass a law that says regardless of your legal name you can use whatever name you want without any restriction at all is that it can create a recordkeeping nightmare because people can call every month and change their name without going through a name change. So this month it's John Jones, next month it's Sam Smith. The following month it's, you know, whatever. And that creates internal conflicts. And there's no restriction on this bill as to how often a person can change their name, so presumably they can do it at their whim. But if for some reason the utility company doesn't catch the change, perhaps because they're making multiple changes,

the utility company is facing a fine. I certainly agree with my colleague that if you want to be called Mr. or Mrs. or Ms. or anything else or no prefix at all, that's certainly your right. But to require utility companies to use an alias that has no legal justification is inappropriate. If you want to change your name, your legal name, it's a simple, straightforward process. But this says, you know, each week you can come up and say, *You know, today I feel like I'm a Michael or a man or whatever.* And that can create serious unintended consequences.

For that reason I'll be opposing it, but I certainly appreciate my colleagues' concern that the prefix ought to be your choosing. Thank you, sir.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 6193. This is a Party vote. Any member who wishes to be recorded as an exception to their Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed to this legislation, but those who support it should call the Minority Leader's Office so we can properly record your vote.



Thank you, sir.

ACTING SPEAKER AUBRY: Thank you, sir.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. The Majority Conference is going to be in favor of this piece of legislation. However, there may be some members who would like to be an exception. If they'd like to, they should call the Majority Leader's Office and we're happy to record their vote.

ACTING SPEAKER AUBRY: Thank you, ma'am.

(The Clerk recorded the vote.)

Ms. González-Rojas to explain her vote.

MS. GONZÁLEZ-ROJAS: Thank you, Mr. Speaker.

This legislation is legally sound and economically logical. It is not unfunded and there are no fines. Speaking as an advocate, this bill is morally right. All residents of New York State who access utilities should be respected and treated with dignity as they participate in our economy and interface with these corporations. For many of us it's not an issue. We watch Netflix, we browse the Internet and we don't have to worry about being triggered because we just want to pay a bill or ask customer service a question. But individuals like Sam feeling triggered and outed is an experience that is unfortunately familiar. So I just quickly want to share their story because some might talk about the burden on companies, but I came here to communicate the burden on people. So, Sam legally changed their name on December 12th of 2018. They had been going by Sam for a year prior to court change

and was unable to pay the filing fee to legally change it. There was no way for them to use anything aside from their legal name with the utility company. But after their legal name change they were tempted to change their name with the service provider through their website. The Internet provider did not change their name on the account until August 2020, two years -- two years later and only after they filed a discrimination complaint with the Department of Public Service. This effectively outed them and to their landlord and several of their neighbors in the apartment they were staying in and led to neighbors harassing them about their transgender identity. Sam tried multiple times to change their name with the Internet provider and even went in person with no luck.

So today I rise in favor of this bill because as the New York State Supreme Court already ruled over a century ago, utility companies are mandated to provide service to their customers free of discrimination, and we must hold them accountable. I rise because there are survivors and people who have been harmed by others that need to be ensured that they can access services without being tracked down. I rise because trans lives are human lives, and if corporations cannot see that and respect that, then we must push them to do so. Equity cannot be bought but must be fought for. By passing this bill we can provide some relief to many New Yorkers including our siblings in the trans community, making their lived experiences feel more dignified. Engaging in that public service, to me, is priceless.

So I am proud to sponsor this bill and I proudly vote

in the affirmative.

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

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if you can record our colleagues Mr. Santabarbara and Ms. Woerner in the negative on this one.

ACTING SPEAKER AUBRY: So noted. Thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 29, Calendar No. 361, the Clerk will read.

THE CLERK: Senate No. S04111, Calendar No. 361, Senator Breslin (A04668, Peoples-Stokes, J.D. Rivera, Jacobson). An act to amend the Insurance Law and the Public Health Law, in relation to prescription drug formulary changes during a contract year.

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

MRS. PEOPLES-STOKES: Yes, thank you, Mr. Speaker. This is a piece of legislation we actually have introduced and passed since, I want to say '15, and it actually allows the doctor and the patient to take the lead on deciding how their drugs prescription should happen and it prohibits the insurance company from changing

that formula midstream unless there is compliance with both the doctor and the patient.

ACTING SPEAKER AUBRY: Mr. Ra.

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

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

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

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

MR. RA: Thank you. So, I just wanted to start off with -- and you mentioned that this was previously passed a couple years ago. I believe it was near unanimous at the time, but the Governor did veto the bill at the time. I know this is certainly something that many advocacy groups believe to a, you know, a pro-consumer measure and I'm sure you do as well. But one of the things the Governor talked about was it -- it having the potential to drive rate increases because of not being able to make these changes. But I -- I do know that this version of the bill did create some exceptions under which changes could be made to the formularies. So if you could outline those.

MRS. PEOPLES-STOKES: It -- it actually did make exceptions to that. And what it -- what it did is provided for those exceptions to be calls that are made by the doctor in conjunction with the insurance company, not the insurance company independently.

And it can happen more than one time during the course of a year.

MR. RA: Okay. And I -- I believe some of the circumstances where a change could be made are if there was a recall of the drug, correct? An FDA recall?

MRS. PEOPLES-STOKES: Yes, that's a possibility.

MR. RA: Okay.

MRS. PEOPLES-STOKES: It also has bearing on the health status of the patient as opposed to just the cost of the insurance company.

MR. RA: And then under current law -- or I don't know if it's in law or -- or perhaps in regulation, health -- you know, health insurers could make up to, I believe, six changes to the formulary during the year, is that correct?

MRS. PEOPLES-STOKES: They could. And what the multiple healthcare organizations have suggested in their advocacy for this legislation, which I would tend to agree, is that the potential for the insurance industry to make those exchanges could negatively impact the health of the patient and certainly go adversely to the opinion of the doctor.

MR. RA: Okay. And I -- I -- I would note that, you know, one of, you know, the responses of some of those who are against this piece of legislation is that they do -- they are required to, you know, keep access to some -- some drug that is within the same, you know, within the same therapeutic class to treat, I guess, the same, you know, type of disorder if they were to, you know, change or

change within a tier of a particular drug. For my colleagues, you know, you may have a drug formulary with multiple tiers, so a certain drug, if it was put into a different tier that could impact, you know, the co-pay that a patient might have to pay.

MRS. PEOPLES-STOKES: I think that was their issue.

MR. RA: Okay. And if you -- if you can, you know, just speak to, then, the -- the concern that has been raised, like I said, both by health insurers but also there was some business groups who have expressed opposition to this that they believe that, A, this is going to require -- because you can't make changes midyear and obviously everybody does not renew insurance at the same time. You know, there -- the renewals go on throughout the year, so that there might be the potential that there would have to be a dozen different formularies. One -- one each month for people whose -- who are coming up for renewal and that that might cause an issue with being able to plan ahead and as a result it might cause insurers to, you know, start off with a higher number in their plan so that they have that flexibility because they're not going to be able to make an adjustment if -- if some change to the cost does happen midyear.

MRS. PEOPLES-STOKES: Well, I think that that's a correct assumption on their part, but the purpose and intent of the legislation is to be more protective of the patient as opposed to necessarily protecting the bottom-line profit. Now, clearly, they do have to set a strategy for how they're going to operate their business,

but the doctor also has to set a strategy based on how he's going to deal with the health of the patient based on the patient's physical condition as well as how they deal with different types of medication. Sometimes the medication may change because the co-pay is -- is less for the patient, but it might not be the one physiologically right for the patient. That's a decision that should be made by the doctor and the patient. That's what we're asking for here.

MR. RA: Thank you. The last piece that I wanted to ask about, I know this was included in the -- in the previous version that had been vetoed. This relates to, I guess, you know, private insurance plans that are -- that are purchased by individuals through the exchange or they may have through their employer, but not those that are collectively bargaining, is that correct?

MRS. PEOPLES-STOKES: Restate your question.

MR. RA: Does -- does this treat, you know, private insurance that an individual might purchase through an exchange or maybe have through a private employer differently than -- than those plans that somebody gets through collective bargaining?

MRS. PEOPLES-STOKES: Well, I think this one was initially just simply based on the Affordable Health Care Act, plans that comes through that. But I believe it's more broad now.

MR. RA: Thank you, Mrs. Peoples-Stokes.

Mr. Speaker, on the bill.

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

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

sir.

MR. RA: Thank you. And -- and I -- I just wanted to raise some of those concerns. I am going to be supporting this bill, but, you know, it was vetoed a couple years ago. I think that has been somewhat addressed in terms of allowing some exceptions. But the bottom line is -- and this is what has been stated by some of the business groups that have -- have put out opposition to this. We all know the cost of healthcare is -- is a concern for all of our constituents. And whether they purchase it through the exchange, whether they get it through a private employer, whether they're, you know, in a union employer and get a plan through there, one of the most common things people are concerned with and one of the drivers of cost is prescription drugs. And this does limit the ability of the insurers to make those adjustments during the year, and like I said, the cost renewals come up at different times. It is going to cause some complication in terms of making -- making them have to have really a dozen different formularies as -- as these plans are coming up for renewal. So I -- I think we'll see going forward whether the Governor looks more favorably on this version of the bill, but -- but certainly, I think we need to continue to look at the issue of the cost of drugs and try to find ways, I think, through increased transparency and other measures to -- to help address that cost for our constituents.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, Mr. Ra.

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 4111. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 29, Calendar No. 362, the Clerk will read.

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

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

An explanation is requested, Ms. Pheffer Amato.

MS. PHEFFER-AMATO: Thank you, Mr. Speaker, for the opportunity to explain. I introduced this bill, 4685, which we named "Fred's Law" on behalf of the D'Amico family. The D'Amicos,

who reside in Queens County, cared for their 30-year-old son Fred who had non-verbal autism. Fred was hospitalized with COVID-19 on March 2020. Unfortunately, his mother and father, his lifelong caregivers, were not allowed to be with him in the hospital to care for him or advocate for his medical needs in the final hours of his life. This bill would allow an essential support person to accompany an individual with disability while in the hospital during declared emergencies like the COVID pandemic. The accompanying person would be required to follow all COVID-19 guidelines or any other guidelines set forth by the hospital for the safety and protection of the patients and staff. This bill will ensure that what happened to Fred will never happen to another family.

Thank you. 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 1035-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. Miller to explain her vote.

MS. MILLER: Thank you, Mr. Speaker. I want to thank the sponsor for the bill. You know, I unfortunately have spent many admissions in the hospital with Oliver during COVID, and it is

-- you know, I thank God every day that I was able to, that the hospital allowed me, recognizing that Oliver cannot advocate for himself. And I can tell you, you know, we -- there was a little concern whether the families or the essential people would have to adhere to all the hospital protocols as far as safety and hygiene and all of that, and I can tell you firsthand that we do. We were following the same protocol as staff. If I -- if I walked out of Oliver's room I had to be masked up. If -- you know, so when I went in and out of the hospital I had to have my temperature taken and I had to, you know, answer the questions. So that little bit of, you know, peace to -- to know that a family member can be with their loved one when they cannot advocate for themselves or can't speak for themselves is so important, and I just hope that this bill gets expanded so that it's not just during the pandemic.

Thank you.

ACTING SPEAKER AUBRY: Ms. Miller in the affirmative.

Mr. Abinanti.

MR. ABINANTI: Okay. Am I here?

ACTING SPEAKER AUBRY: Yes, you are.

MR. ABINANTI: Thank you -- thank you, Mr. -- Mr. Speaker. I would like to also second the comments of the proponent of this legislation and of my colleague who just spoke. The failure of this Administration to consider the needs of people with disabilities is an indictment of this Administration in its failure to understand the people who have disabilities. They totally lack the

understanding of the needs of people with disabilities, and frankly, don't appear to care. The failure to instruct the hospitals to allow caregivers to accompany those who cannot understand and cannot fend for themselves and cannot argue for themselves is a -- is a total failure by this Administration. But it's more it's a demonstration that they really don't care. What we saw during the COVID epidemic was that the Administration refused to consider any of the recommendations that those of us in the disability community made regarding how best to treat people with disabilities. They failed to provide their Personal Protection Equipment. They failed to provide regulations that would limit the spread of COVID, and they failed to provide for medical care in a -- in a fashion that meets the needs of people with disabilities.

So I commend the sponsor of this legislation. It is sad that we have to put this legislation forward and that the Department of Health and the Executive Branch did not provide the appropriate regulations so that this legislation would not be necessary. Thank you, Mr. Speaker. I vote in the affirmative.

ACTING SPEAKER AUBRY: Mr. Abinanti in the affirmative.

Mr. Lemondes.

MR. LEMONDES: Thank you, Mr. Speaker. To explain my vote.

ACTING SPEAKER AUBRY: Proceed.

MR. LEMONDES: Thank you. As the dad of a

disabled daughter, I'd like to point out that this is critically important in -- for many reasons, one of which is many times during my former career I was unable to be there. I was unable to be my -- my daughter's -- my daughter's dad. And bills like this -- and I -- I -- I want to thank the sponsor for putting it forward -- are critically important because it enables additional family members to be there with their -- with their disabled child or family member in times of need. And oftentimes in my -- in my case, as is the case with many veterans while on active duty, they have to resort to additional family members. In many -- in many cases because of my deployment requirements, my wife's work requirements, it was my mother-in-law or father-in-law or mother or sister or someone in my -- my wife's family that was actually in the hospital with our daughter.

And for these reasons I think this is critically important and I'm glad to support it. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Certainly. Mr. Lemondes in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 22, Calendar No. 271, the Clerk will read.

THE CLERK: Assembly No. A06970-A, Calendar No. 271, Walker, Jacobson, Otis, Bichotte Hermelyn, Perry, Stirpe. An act to amend the Election Law, in relation to establishing an electronic absentee ballot application transmittal system.

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

(Pause)

MRS. PEOPLES-STOKES: Mr. Speaker, if you could lay 6970 aside while we fix our technical glitch with Ms. Walker.

ACTING SPEAKER AUBRY: The bill is laid aside. Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: And if we can just keep going in this very good movement that we have going, Mr. Speaker, we should go to Rules Report No. 103, Assembly Bill No. 2520 by Ms. Weinstein. Followed by Rules Report No. 77, Assembly Bill 1242 by Mr. Cahill. And then go to Calendar No. 253, Assembly Bill No. 4186 by Mr. Dinowitz. And immediately following Mr. Dinowitz we can certainly have Ms. Wein -- I'm sorry, Ms. Walker back on line and we can move with that.

ACTING SPEAKER AUBRY: Page 5, Rules Report No. 103, the Clerk will read.

THE CLERK: Senate No. S01789, Rules Report No. 103, Senator Sanders (A02520, Weinstein). An act to amend the Civil Practice Law and Rules, in relation to establishing that domestic violence advocates may not disclose any communication made by a client to the advocate except in certain circumstances.

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

MS. WEINSTEIN: Certainly, Mr. Speaker,  
Assembly -- Assemblywoman Walsh.

This -- this bill is a -- really a very simple bill. It -- it would extend the same CPLR confidentiality provisions which apply for rape crisis counselors to domestic violence counselors. And there's several reasons to be doing this -- to be adding this. First of all, some of these service providers have both rape crisis counselors and domestic violence counselors. And right now a victim of domestic violence that's also a sexual assault victim will talk to a rape crisis center advocate and have confidentiality, but then when they talk to the domestic violence advocate there's a little confusion. So we want to make State law consistent for these individuals. There is -- as you may know, under the Violence Against Women Act, there is some confidentiality provisions, but by making this CPLR change we need the evidentiary -- it's an evidentiary change. It will help the -- the programs because right now some of them are getting subpoenas and it's confusion because of the Violence Against Women Act. Also, the -- our confidentiality provisions are -- can change with a change of administration so it's important that we make this change in our State law.

Be happy to respond to any questions.

ACTING SPEAKER AUBRY: Ms. Walsh.

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

ACTING SPEAKER AUBRY: Ms. Weinstein, will

you yield?

MS. WEINSTEIN: Yes. Yes. Happy to yield.

MS. WALSH: So I really appreciate the explanation that you just gave. You did -- you did address some of the questions I was wondering as I was reviewing the bill. It seemed to me that there would be some overlap, perhaps, between the -- the rape crisis counselors and domestic violence counselors. And -- and I completely understand the -- the purpose of the bill to encourage, you know, a full and honest and complete description of, you know, a problem so that it can be can solved in the best way, you know, possible for the -- for the individuals involved. I -- so, I just have a -- a little bit of a concern with -- with one part of the bill. And I -- I -- I think it probably could be addressed if it was maybe just worded a little bit differently. I don't know. But the -- the concern that I have is that under *Rosario* and *Brady* there's a requirement that if -- you know, if the disclosure made by, say, a woman who has experienced domestic violence and is meeting with a DV counselor, if -- if for some example that the -- the woman says that actually a particular incident was falsified, for whatever reason it was falsified, the advocate would be barred from disclosing that to the court or to the other parties. So if there -- if her significant other was a defendant in a criminal matter and we find out -- we -- we can't find out because the advocate can't say, I'm worried that there would be a *Rosario* concern or a concern under *Brady* because that material could have been exculpatory to the -- to the criminal defendant. I'm just wondering if you could just address that.



MS. WEINSTEIN: I'm not sure I could answer that directly. I mean, there is an exception in the privilege for reporting child abuse. That's not confidential. And if you know that a crime is being -- know about a crime to be committed. I am not sure about a past situation. But I would think it -- it wouldn't -- it's not -- it wouldn't be unique to this proposal because this just adds domestic violence to the sexual assault so that if -- if the issue exists now for rape crisis center --

MS. WALSH: Yeah.

MS. WEINSTEIN: -- advocates it would also exist. But I don't want to -- I can't tell you definitively which -- you know, whether it does or -- or does not present an issue.

MS. WALSH: Right, right. Thank you. I mean -- yeah, I see the exceptions that are written in for the -- the suspected child abuse or intent to commit a crime, a harmful act. I get -- I get that part of it, but -- and I -- I also understand what you're saying, which is that -- that the rape crisis counselors, that privilege was established back in I think 1993, so it -- it could -- it could be a problem all along. But I just -- I wasn't around then, so I just have to deal with the bill that we've got in front of us right now.

MS. WEINSTEIN: So, I -- I was and I can't recall --

MS. WALSH: You were, that's right. You were around.

MS. WEINSTEIN: And for all I know I may have sponsored the bill.

MS. WALSH: All right. Thank you very much, Ms. Weinstein.

MS. WEINSTEIN: Sure.

MS. WALSH: Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, Ms. Walsh.

MS. WALSH: So, I -- I do think that the -- the bill is, in my view, it's -- it's almost there. I think it just has -- it has a problem, I believe, with *Rosario* and with *Brady* material. So we -- we want women or men who have experienced domestic violence to be able to, you know, fully and truthfully and honestly convey that to a counselor so that they could get the best help that they -- that they can. And, you know, I really applaud the work that's done by domestic violence counselors and rape -- rape crisis counselors. I'm -- locally, I'm familiar with the women who work at the YWCA in Schenectady. They do fantastic work and I -- I really appreciate it and I know that that's being done all around the State. I just think that if there might be just this part of the bill that needs to be addressed and I think that that's why there were a few no votes in Committee as this bill came to -- to the -- to -- into the Assembly and why it was initially laid aside. I mean, I think that there is an argument to be made, like, why -- why do we need this privilege? Why do we need another privilege? And the other thing that I'm kind of concerned about is, you know, if there's a mistake and the domestic violence counselor -- let's say that this bill passes and it's signed and it's in place, if the domestic violence

counselor makes a bad call and discloses material that they should not have, that would subject the counselor to liability, I believe, as it does for an attorney who violates the attorney-client privilege and the other privileges that have been established under the CPLR. So, I think we need to be careful. We want to -- I -- I understand the purpose for the bill, but I think we need to do it in such a way that we don't inadvertently create problems either with *Brady* material or *Rosario* or by potentially exposing a domestic violence counselor to liability.

So, that's all I've got. So, thank you very much.

ACTING SPEAKER AUBRY: Thank you.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 1789. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 4, Rules Report No. 77, the Clerk will read.

THE CLERK: Senate No. A00346, Rules Report No. 77, Senator Kaplan (A01242, Cahill, Griffin, Jacobson). An act to amend the Tax Law, in relation to including certain independent

contractors in the State Directory of New Hires to aid in the administration of the Child Support Enforcement Program.

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

MR. CAHILL: Thank you, Mr. Speaker. This bill is a simple bill. It amends the Tax Law to include certain independent contractors in the State Directory that -- of New Hires that we use to enforce child support orders.

ACTING SPEAKER AUBRY: Ms. Walsh.

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

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

MR. CAHILL: Yes, sir.

ACTING SPEAKER AUBRY: Mr. Cahill yields.

MS. WALSH: Thank you so much, Mr. Cahill. So, the question I've got on this bill is, who -- does this apply to, say, a residential homeowner who is contracting with -- independently with a contractor to come and do work at their house that might exceed \$2,500? Are we -- are we subjecting, like, a homeowner to have to file or issue a W-4 at the end of the year?

MR. CAHILL: I believe it would technically apply to them. Now the question is, would there be any means of enforcing it if it were an independent contractor who went to a single homeowner since that single homeowner generally doesn't have an obligation to

report to the Directory to begin with. So, maybe technically so, but I think that is something that would have to be dealt with by regulation.

MS. WALSH: And -- and does this bill provide that there will be regulations that will be created following passage to address those types of issues or...

MR. CAHILL: Every single bill that we pass comes with the possibility of the agency developing regulations, so it doesn't have to specify that regulations would follow. It just often is the case that when it is determined that the statute cannot be made specific enough for application, the agency is basically empowered and, in fact, obligated to issue regulations to assure compliance in the carrying out of the law.

MS. WALSH: As the -- as the sponsor for this legislation would it be your intent that individual residential homeowners would have that burden on them to issue W-4s for any independent contractor work done at their residence that exceeded \$2,500?

MR. CAHILL: Thank you. Mr. Speaker, the intent of the law -- the intent of the bill is to assure that people who owe child support pay child support.

MS. WALSH: Yeah.

MR. CAHILL: Should the agency determine that there is a reasonable means by which that could be accomplished, certainly this law -- this bill would not prohibit that. It is my estimation, however, that the practical impact of it is that that would

not occur.

MS. WALSH: Very good. Thank you so much, Mr. Cahill.

MR. CAHILL: Thank you.

MS. WALSH: Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, Ms. Walsh.

MS. WALSH: So that -- that's really what my -- my only concern is with the bill. I -- I completely -- you know, as somebody who's worked in Family Court for a long time, I think it's very, very important that if an individual owes child support that there's a way to make sure that that child support is getting paid. And part of that is keeping people honest and making sure that when they're -- you know, their reported income is, you know, accurate and can be -- and they, you know, need to pay support based on that. So I don't know, though. It -- it just seems like it's -- it's -- it's an obvious concern that -- I don't want to see individual homeowners like myself -- I mean, at -- I mean, at my house there are a lot of contractors who come and pave my driveway or -- or do plumbing work or HVAC work. It's not hard to imagine that work done at somebody's residence could exceed that threshold of \$2,500. And I don't want to see individual homeowners have to, you know, issue W-4s or get involved in a lot of that complicated stuff if they're just getting work done at their house. So, I think, that, you know, the bill has a -- a good intent, a good intention to it. I just think that that particular -- perhaps

unintended consequence of the bill should be addressed either in subsequent regulation or guidance. But other than that, you know, I -- I just think that that is -- that -- I think -- I believe that that interpretation was the one that was -- was a belief that was held in the other House that has previously taken up this bill. So that's why I bring it up here.

So, thank you.

ACTING SPEAKER AUBRY: Thank you, Ms.

Walsh.

Mr. Goodell.

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

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

MR. CAHILL: Yes, sir.

ACTING SPEAKER AUBRY: Make sure your mic is on, Mr. Cahill.

MR. CAHILL: Yes.

MR. GOODELL: So, this would require the issuance by a homeowner of a W-4. Is that once a year?

MR. CAHILL: I'm sorry, I -- I -- can you repeat that, Mr. Goodell?

MR. GOODELL: Yeah. The W-2 -- or W-4 that's issued, that's once a year?

MR. CAHILL: Well, I guess it would depend on the

circumstance. Some employers, since there would probably be multiple parties involved with contracting with these folks it could happen a number of different times with regard to the individual, but wouldn't change the reporting requirements for the business, no.

MR. GOODELL: And am I correct the W-4 is sent to the State Tax Department, the contractor and the IRS, correct?

MR. CAHILL: I believe so. It doesn't change any of those requirements.

MR. GOODELL: Thank you.

MR. CAHILL: Thank you.

MR. GOODELL: On the -- on the, bill sir.

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

MR. GOODELL: As my colleague mentioned, this bill would require homeowners to file a W-4 tax form with the New York State Tax Department, the IRS and with a contractor for any contract involving more than \$2,500. Now, think about your own house. Any painting job, roofing, landscaping over the course of the year, snowplowing. You're going to have all the residents in the State being forced to file multiform -- multicopy form with all the taxing entities for routine residential improvement projects. I don't think we need to burden everyone with more tax reporting.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you, Mr. Goodell.



Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 346. This is a Party vote. Any member who wishes to be recorded as an exception to their Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker. The Republican Conference is generally opposed to this bill, but those who would like to support it are encouraged to call the Minority Leader's Office so we can record your vote properly. Thank you, sir.

ACTING SPEAKER AUBRY: So noted.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. Our Majority Conference will be in favor of this piece of legislation. Members desiring to be an exception should feel free to contact the office and we'll be happy to properly record your vote.

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

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 21, Calendar No. 253, the Clerk will read.

THE CLERK: Assembly No. A04186-B, Calendar No. 253, Dinowitz, Simon, Thiele, Galef, Jacobson, Otis, Barnwell. An act to amend the Election Law, in relation to providing an online absentee ballot tracking system.

ACTING SPEAKER AUBRY: An explanation is been requested, Mr. Dinowitz.

MR. DINOWITZ: This bill would create an online system to allow a voter to track the processing of an absentee ballot application and the issuance and delivery of an absentee ballot.

ACTING SPEAKER AUBRY: Mr. Norris.

MR. NORRIS: Thank you, Mr. Speaker. Would the sponsor yield just for a couple of questions?

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

MR. DINOWITZ: Yes, I will.

ACTING SPEAKER AUBRY: The sponsor yields.

MR. NORRIS: Thank you, Mr. Dinowitz. My question is, is there funding in the State Budget for this system?

MR. DINOWITZ: I -- let's see, Federal and State funding has already been appropriated for updated technology and cyber security. So folding this system into the existing technological upgrade should not have any additional costs.

MR. NORRIS: Okay. And the effective date is January 1st, 2022. Have you checked with the State Board of Elections to see if that's a realistic date to implement the system?

MR. DINOWITZ: I have not personally spoken with the State Board, but I -- I know how efficient the State Board is, which is why giving them seven months should be fine. I mean, they just passed or approved the software for the rank choice voting counting system that -- that's needed for the June primary, so I'm reasonably confident -- in fact, I'm very confident that they'll be able to do this by the deadline imposed here.

MR. NORRIS: Thank you, Mr. Dinowitz.

On the bill, Mr. Speaker.

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

MR. NORRIS: I want to thank the sponsor for bringing forth this legislation. As we've seen over the past year we've had a lot of absentee ballot applications come to the Board, and voters are very concerned about the status of receiving their ballot. This system would provide transparency and openness to that voter so they could see whether or not their application was received, if it -- the application was approved or rejected, and also if the -- where the status of the ballot is going back along with other steps throughout the process. I am a little concerned about the cost to this and that the funding will actually be within the State budget, as well as the additional workload on the Board of Elections employees. As you know, I was a former Elections Commissioner and we keep putting more and more mandates on our election workers. However, with that being said, I think this is a good bill in terms of transparency, in terms

of openness and in terms of accountability so the voter knows the status of their absentee ballot application. And unlike the next bill, I believe that this is a good bill and I encourage all my colleagues to please support it.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, Mr. Norris.

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 4186-B. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Goodell.

MR. GOODELL: Thank you, sir. Please record my colleague Ms. Byrnes in the negative. Thank you.

ACTING SPEAKER AUBRY: So noted. Thank you.

MR. GOODELL: Also Mr. DiPietro. Thank you, sir.

ACTING SPEAKER AUBRY: So noted. Thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 22, Calendar No. 271, the Clerk will read.

THE CLERK: Assembly No. A06970-A, Calendar No. 271, Walker, Jacobson, Otis, Bichotte Hermelyn, Perry, Stirpe. An act to amend the Election Law, in relation to establishing an electronic absentee ballot application transmittal system.

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

MS. WALKER: Thank you, Mr. Speaker. This bill would create the Statewide electronic absentee ballot application transmittal system and would allow voters to request an absentee ballot via such system. It also aligns the effective date with the effective date of the Statewide online absentee ballot tracking system.

ACTING SPEAKER AUBRY: Mr. Norris.

MR. NORRIS: Thank you, Mr. Speaker. I'd like to go on the bill, please.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. NORRIS: Thank you, Mr. Speaker. A few weeks back we had several Election Law bills that came before this House regarding absentee ballots and the lack of signature requirements for those absentee ballot applications. I'm not going to reiterate all those points that we just talked about two weeks ago or so to save time. But I do have concern about this system. What it will be is a Statewide application for absentees that you'll be able to apply for

at -- through the State Board of Elections website or through your County Board of Elections. The problem with it is it does require a signature, unlike the previous bills that we talked about. But the signature can either be electronic or it can be manual. And that's where I have a concern, with the electronic signature. And if those applications come in and there is the -- there's three steps that the Board of Elections has to follow. The first step is, if there is no signature on the application then the Board of Elections must seek out to other agencies like the Department of Motor Vehicles, the signature that they have on record by consent of the voter. If they can't do that, then the Board of Elections has to request the voter to actually get the signature from that. Now, the third step is, in the event that you cannot obtain a signature through those two avenues, they would -- the Board of Elections then is required to send the ballot along with the application to the address where it's been requested. That is very troubling to me because there is no verification at that point that the ballot is being released out to the voter to wherever it's going with a verification of the signature. And that is my biggest concern here, is a lack of verification when that ballot goes out and that third particular step. As you know, I just discussed on the last bill as well, my concerns about this being another mandate on the Board without the lack of State and Federal funding where it's specifically in there and the implement -- implementation date of January 1st, 2022. Now, I have supported in the past, for example, the voter registration online system. In 2017 and '18 I actually voted for that when they were

standalone bills. The difference was there -- there was ample time to make sure that a signature is verified before the vote takes place. And that's the difference why I'm looking at this bill. I believe it actually just goes a step too far with these loose signature requirements. In theory, it's a tremendous idea. We're moving into technological advances and using our computer systems for that. But with these loose signature requirements, that is my concern. And because of those concerns I would encourage all my colleagues to please vote against this bill until we get this issue sorted out.

With that, Mr. Speaker, I have nothing further and I appreciate the opportunity to address all my colleagues today. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 6970-A. This is a Party vote. Any member who wishes to be recorded in the negative is -- as an exception to their Conference position is reminded to contact the Majority or Minority Leader in -- at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference will be generally opposed to this legislation, but those who support it should contact the Minority Leader's Office and we'll

make sure we record your vote.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you, sir.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. The Majority Conference will be in -- mostly in favor of this one. Those who will choose to be an exception should feel okay to give the office a call and we'll be happy to record your vote.

(The Clerk recorded the vote.)

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

Mr. Jacobson to explain his vote.

MR. JACOBSON: Thank you, Mr. Speaker. I wish to applaud the sponsor for putting in this bill. All the fears about people voting extra, we're not going to find out, are really, really just a red herring. Because as I'm sure that everybody in this Chamber knows that when an absentee ballot is sent back in the smaller envelope on the -- in the inside, the voter has to sign it. And then the Board of Elections will check that signature and make sure that the person who submitted the ballot is the one that applied. So, I'd just like to say that I think that now that -- that we all know that, that those who are fearful of this bill can now sleep easy and realize there will not be massive fraud and that there are safeguards to make sure that the person voting is the right one. Voting should be simple and easy. We're making it easier, we're making it simpler. And I applaud this



bill and urge everyone to vote for it.

Thank you.

ACTING SPEAKER AUBRY: Thank you. Mr. Jacobson in the affirmative.

Mr. Burdick to explain his vote.

MR. BURDICK: Thank you, Mr. Speaker, for the opportunity to explain my vote. I wish to commend the sponsor for this bill. We should be doing everything possible to facilitate the process of voting, and this both facilitates the process while ensuring its security. So I thank the sponsor for her efforts in moving this forward and thank the Speaker for placing it on the floor for consideration.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Burdick in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

(Pause)

Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: Certainly. We do have a piece of housekeeping.

On behalf of Ms. Joyner, Bill No. A.3350, Assembly bill recalled from the Senate. The Clerk will read the title of the bill.

THE CLERK: An act to amend the Labor Law.

ACTING SPEAKER AUBRY: Motion to reconsider the vote by which the bill passed the House. The Clerk will record the vote.

(The Clerk recorded the vote.)

The Clerk will announce the results.

(The Clerk announced the results.)

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

We have a resolution we'll take up with one vote.

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

(Whereupon, Assembly Resolution No. 343 was unanimously approved.)

SPEAKER HEASTIE: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, before we take up our annual resolution memorializing deceased colleagues, I would like to inform members that we will adjourn immediately after, and we will adjourn until Thursday, May the 27th, tomorrow being a legislative day, and that the Assembly will reconvene on -- at 2:00 p.m. on Monday, June 1st -- no, Tuesday, June 1st at 2:00.

Thank you, Mr. Speaker.

SPEAKER HEASTIE: Thank you, Mrs.

Peoples-Stokes.

The Clerk will read the title of the resolution.

THE CLERK: Assembly Resolution No. 339, Mr. Heastie.

Legislative Resolution honoring the memory -- the memory of the deceased members of the New York State Assembly in recognition of their careers in public service.

SPEAKER HEASTIE: So, good afternoon, everyone. In just a moment we'll pass a resolution memorializing members of the Assembly, our friends and colleagues who have recently passed away. Today we recognize their careers in public service and the countless ways they served their communities and our State.

Today we honor and remember John Behan, Assembly District 1, 1979 to '82, Assembly District 2, 1983 to 1995 and passed away on January 28th of 2021.

John Tabner, Assembly District 3, 1953 to 1954, passed away February 23rd, 2021.

Lawrence E. Corbett, Assembly District 5, 1963 to 1972, passed away October 20th, 2020.

Antonio P. Rettaliata, Assembly District 8, 1979 to 1982, Assembly District 10, 1983 to 1987, passed away April 8th, 2020.

Bentley Kassal, Assembly District 5, 1957 to '62, passed away December 16th, 2019.

John C. Cochran, Assembly District 6, 1973 to 1982, Assembly District 8, 1983 to 1994, passed away November 4th, 2019.

Nettie Mayersohn, Assembly District 27, 1983 to 2020, passed away August 13th, 2020.

Clifford E. Wilson, Assembly District 37, 1977 to 1984, passed away December 14th, 2018.

Florence M. Sullivan, Assembly District 50, 1979 to '82, passed away June 21st, 2020.

Joseph Ferris, Assembly District 51, 1975 to '84, passed away June 20, 2020.

Richard Brodsky, Assembly District 86, 1983 to 2002, Assembly District 92, 2003, passed away April 8th, 2020.

William J. Larkin, Jr., Assembly District 97, 1982 -- 1979 to '82, Assembly District 95, 1983 to 1990, passed away August 31st, 2019.

Benjamin Roosa, Assembly District 100, 1973 to '75, passed on August 28th, 2019.

Frederick G. Field, Jr., Assembly District 103, 1969 to '77, passed away March 12th, 2021.

Bill Magee, Assembly District 111 from 1991 to 2012, Assembly District 121 from 2013 to 2018, passed away December 24th, 2020.

David F. Gantt, Assembly District 133, 1983-2012, Assembly District 137, 2013 to '19, passed away July 1st, 2020.

Joseph Errigo, Assembly District 2001-02, Assembly

District 133, 2016-'18, passed away April 27, 2020.

John Hasper, Assembly District 136, 1987 to '92, died January 4th, 2020.

Aurelia Greene, Assembly District 76, 1982 to '92, Assembly District 77, 1993 to 2009, passed away May 8, 2021.

I just want to give a few remarks on a few of these members that I had the pleasure to serve with, just some anecdotal stories and funny stories. And I think back on Nettie Mayersohn and everybody in the Conference know I feel about sign-on letters. But Nettie Mayersohn would come around with her own sign-on letter. She wouldn't e-mail it around, she'd carry around her pad and her letter and she would physically go around the Chamber, she'd find you in the lounge, she'd find you anywhere she could to get you to sign on to her letter. So, may Nettie rest in peace.

And Richard Brodsky, who when I first got here, I sat two seats away from him. And one of the funny things about Richard is he always thought and believed and it probably was true, he always thought he was the smartest person in the room. But I remember a funny story that was told - this is between Angelo Del Toro and Richard Brodsky - and Richard was bragging about his Ivy League education and Richard -- and then Angelo Del Toro turned to him and said, *Well, you have an Ivy League education, and I went to CUNY but yet we have the same job. So, who's the smarter person?*

(Laughter)

And then to Bill Magee, who I don't think there was

anyone who knew any more or cared any more about the farming industry. And when I first got elected Speaker he took me on a wonderful, wonderful tour of farming. And I had Taylor, my daughter, with me and this was the first time she saw a live cow. And she was so scared of that cow that if she could have climbed inside of me, she would have done that. But it was a wonderful experience that Bill Magee shared with me. And she wasn't too scared because the very next day she still had cereal, so that wasn't -- it didn't scare her too much. But it was a wonderful experience.

And to David Gantt. Well, when I first got here, I remember David said to me -- and you know, everybody knows that David had this gruff exterior, but I always did think that David was really just a big teddy bear. And he really had a very soft and gentle side and he -- he was very -- he really cared about people. And I remember when I first got here, one of the things that David said to me, he said is, *Never be afraid to stand up for what you believe in and what you feel that your constituents have elected you to come up here to do.* And that's something that I never forgot.

And to Aurelia Greene, who we have named the Queen of Bronx, who we just lost a couple of weeks ago, and I said this at her funeral, when I first got here to the Assembly, I didn't know anything about rules that freshmen weren't supposed to sit at the -- at the table in the Conference Room. But when I got here, Aurelia -- I sat next to Aurelia at the -- the table because she was just such a -- such a distinguished presence. She was very motherly. I could always

go to her for advice, and she will be missed by us in the -- in the Bronx because like I said, she was deemed the Queen of the Bronx. And often -- you know, I'm going to miss her saying -- she would always say to everyone, *Hello, Honey, Hello, Sweetheart*. And there wasn't ever a time that you didn't see the most beautiful smile on Aurelia's face. And she was a history maker, she was the first African-American woman to Chair the Banking Committee, and was the first African-American woman to be the Speaker Pro Tem. And so what a special lady that we are going to miss. And to all of our colleagues that had the privilege -- because I think no matter what side of the aisle that we come from, I do think, even though we may disagree, I do believe we're all here for the right reason, which is to represent our constituents.

May all of our colleagues rest in peace.

Mr. Goodell on the resolution.

MR. GOODELL: Thank you, Mr. Speaker, and thank you for your comments. I just wanted to mention my recollections on a couple of people. First is Joe Errigo. And Joe Errigo was an interesting person. He served in the United States Marine Corps. When he came out he was a court stenographer, went on to form his own company, which was in the sand and gravel business, and eventually became an Assemblyman where he served for ten years. And what's particularly unique about Joe is that after he retired, two years later he ran again and was reelected and served for another two years. And as you know, that's very unusual in our

House. Most of Joe's service to our great State was before my time, and I have just a little personal connection because when I was first elected as a freshman Minority Republican, I expected a small office. And I was wrong. When I first arrived I didn't have any office.

SPEAKER HEASTIE: You had a small one?

MR. GOODELL: And so for two or three months I shared an office with Joe Errigo's successor, Sean Hanna, who then left the Assembly on his own and ran for Senate.

The other person I would mention is Bill Magee. Bill was a real quiet, I would say real quiet gentleman. And he wasn't one of those effervescent-type people, but he was the real McCoy. And when it came to agricultural issues, Bill, who had been an auctioneer for farms throughout his district, really knew what he was talking about. And sometimes we're here on the floor of the Assembly and we see each other debating and we forget there's also a personal side. I was staying at the same hotel as Bill for a couple of years, and every morning I would have breakfast with Bill. I'd ask him if it was okay if I joined him and he would nod -- I'm not sure he said anything, but he would nod. And one day we had a really bad snowstorm here in Albany. So bad they shut down the Assembly. And I drove in anyway because bad snowstorms in Albany are like a warmup act in Chautauqua County. But what -- what really impressed me is that Bill Magee, about an hour later, called me to make sure I made it safely and to report that he made it safely as well. So, we have a lot of fine members. We see just a little sliver of their lives here, but what a rich



tapestry these members bring to the Assembly.

So thank you for allowing me to reflect on those members.

**SPEAKER HEASTIE:** Mr. Schmitt on the resolution.

**MR. SCHMITT:** Thank you, Mr. Speaker. I want to reflect on the life and legacy of Bill Larkin. He served as an Assemblyman, he represented the district I currently represent many, many years ago. He went on to serve in the New York State Senate and had lived a life of service to others, service to our State and service to our country. Senator Larkin or Colonel Larkin, as many of us knew him, started out after many decades in the United States military, in the U.S. Army. He started out in local government as Supervisor in the Town of New Windsor, my hometown. He then got elected to the Assembly and made it to the Senate. His legacy will last a lifetime. He touched everybody. It didn't matter which party, what your ideology was, he had time for you. He is well-remembered for remembering not only everybody's name, but their phone number. It's hard enough for us to remember our own office phone numbers now, but he would remember a person he met once their phone number to be able to follow up with them days, weeks or months later. That is the type of direct service that he brought and the legacy he left in the State Legislature in both the Assembly and the Senate. I think back to a few years ago before I was elected to the Assembly and I was out at a veterans event with him and there was a scheduling change and he

needed to get to the other side of the county. He asked my wife and I to give him a ride over there to -- to save his staff some time. And we were able to take about a 35-minute drive with Senator Larkin throughout the heart of Orange County. And it seemed that every intersection, as we went into every town he had a story about his involvement with the town and the history of the town and the impact that his lifetime of service played out and how it changed the course of history for the Hudson Valley, for the State and for the nation.

So, Senator Larkin, we miss you, we thank you for your service and your legacy will be remembered in this Chamber and across the State for the rest of eternity. Thank you.

**SPEAKER HEASTIE:** Mr. Brown on the resolution.

**MR. BROWN:** Thank you, Speaker Heastie. I -- I would like to thank the sponsors for this resolution mourning the death of former members who have served the people of this great State in the New York State Assembly and acknowledge their achievements. I would like to take a moment and talk about my dear friend and mentor, Antonia P. Rettaliata-Tepe. Toni Rettaliata-Tepe lost her battle with cancer on April 8th of 2020, less than three short weeks after the sudden and untimely loss of her husband Phil Tepe, a notable member of the Huntington community in his own right. Born Antonia Patricia Bifulco in Manhattan on October 20th, of 1944, Toni, as everyone called her, was raised in Huntington and graduated from Huntington High School. She went on to attend Katherine Gibbs School in Melville and worked as an administrative assistant in the

Suffolk County courts. Toni Rettaliata-Tepe was a trailblazing public servant. First elected under her married name, Rettaliata, to represent the 8th Assembly District from 1979 to 1982, and the 10th Assembly District from 1983 to 1987. And she was only the third woman to hold that seat in the tradition of Huntington suffragette Ida Bunce Sammis, who was the first woman elected to serve in the New York State Legislature. In 1987 she was elected as the first woman to hold the office of Supervisor of the Town of Huntington when the term of office was only two years. Toni's noteworthy accomplishments include establishing the Town of Huntington Veterans Advisory Board and the Huntington Area Rapid Transit, or HART, bus system. Toni's election first to the State Assembly in 1979 and then to the Supervisor's office at the age of 43 in 1987 broke a glass ceiling decades ago for all woman to -- women to aspire to achieve great things in public service. Toni remarried in 2000 to Phil Tepe, and Toni continued to remain dedicated to public service after completing her career as an elected official, serving as the elected chairman of the Huntington Republican Committee from 2006 until her untimely passing in April. Toni was someone very near and dear to my heart, as she had an integral part of my life for more than two decades. Sadly, because of COVID, I wasn't able to visit her in the hospital before she passed, but we texted one another quite often. Toni was both a lion and a lamb. She was tough as nails when she needed to be, but she was also a loving, caring, compassionate human being. She is sorely missed but certainly not forgotten.

And thank you for allowing me to speak and honor this great lady. Thank you, Mr. Speaker.

SPEAKER HEASTIE: Ms. Walsh on the resolution.

MS. WALSH: Thank you, Mr. Speaker. I'd like to talk about two members that I knew through my family for -- for many, many years. Jack Tabner was a neighbor of mine. He was more my parents age, but I went to school with his kids. He served only one term in the Assembly, and he was in his late 20s when he did. And he went on to live a very long life, passing at 94. And when he left the Assembly -- well, I'm going talk about for a minute -- I was talking this morning with one of his partners. He went on to found firm Tabner, Ryan and Keniry, and I was talking to Bill Keniry, one of the partners, today. And I said, *What can you tell me? Why did he only serve one term? You know, what happened?* And this was -- what he told me was that Jack ran and won, and he was a big underdog, you know, being in his -- he was in his late 20s. He -- he was forecasted to lose, but I guess he -- he walk -- he used a lot of shoe leather and he -- he was from Cohoes, which is something that -- McDonald's district now, and he walked a lot and he, you know, beat the odds and he won. And he -- he served the one term. And I guess from --from what Bill told me, after he won they -- they did redistricting, so they -- they kind of gerrymandered the district up a little bit. So he decided to -- to leave the Assembly and start this law firm. He went on to practice for many decades, and I -- he did some Election Law work. He did a lot of trial work. I knew him mostly as

a trial attorney and a very, very good one. He -- he had a real charisma to him, and I -- I really looked up to him as somebody who -- you know, neither of my parents were so fortunate as to go to college and I didn't really know any lawyers and -- and it was really -- when I decided to go to law school I could count probably on one hand the number of lawyers that I knew, and Jack was one of them.

The other person -- and it's interesting because the two men knew each other very, very well -- is -- is Fred Field. Growing up in Colonie, Fred was just -- just an icon. You know, both -- both of the gentlemen were very involved in so many different things, as -- you know, as we often know, it's always a handful of people in the community that seems just to do everything. And so from Rotary to Boy Scouts to sitting on different boards to the Elks Club, the -- these men were -- were everywhere. They did everything, in addition to having very long -- long careers. Fred -- Fred was an engineer by -- by, you know, education. He was an industrial engineer, he graduated from RPI and he served five terms in the State Assembly. But the way I knew him was after the Assembly he became the Town Supervisor for the Town of Colonie. And as a kid going -- going through school, I was -- I was able to go in and shadow the assessor for a day and I was -- I was on the Colonie Youth Bureau, and, you know, I just remember just being absolutely -- just so impressed with Fred and the way he was. He was very Kennedyesque, you know, a very -- a very charismatic individual. And, you know, it's so interesting that they worked together because Jack Tabner was

Town Planning Board Attorney and he was also the Town Attorney in Colonie where Fred was Supervisor. And so I know that they worked together. They both went on to have such distinguished careers. And to me, just in recognizing both of these gentlemen, I just think it's -- it -- you know, for some people going and serving in the Assembly is the culmination of their careers. For both of these gentlemen it was really just the start of very long and very productive careers. And I send -- you know, I send my love and admiration out to both of their families. I went to school with -- with their kids, both the -- the Field kids and also the Tabner kids and I -- I send -- I send blessings to their family upon their loss. They had very long lives and -- and wonderful careers and it's something I think we can all -- we can all aspire to.

Thank you, Mr. Speaker.

**SPEAKER HEASTIE:** Mr. Carroll on the resolution.

**MR. CARROLL:** Thank you, Mr. Speaker. I would like to remember Joe Ferris, who served in this Body for ten years. He was not my predecessor but he was my predecessor's predecessor. And I had the honor to -- to know Joe my entire life. Joe was a consummate professional and somebody who was by many considered a -- a godfather to progressive and reform-minded politics in Brooklyn. But he was so much more than that. He was a school teacher. He taught for a number of years also on Rikers Island. He owned a bar. He was in the U.S. military. He was the father of two sons. Joe unfortunately passed away last July due to complications of COVID. And I know so many people in Brooklyn in both the political

world and outside of it would not be where they are today without Joe. And so I'm glad to be able to remember him here. I know how much he cared about this Body and how much he cared about public service and people who dedicate their life to public service.

Thank you, Mr. Speaker.

**SPEAKER HEASTIE:** Mr. Ra on the resolution.

**MR. RA:** Thank you, Mr. Speaker. You know, this is -- this is a day every year that, you know, you're reminded that we're all here for some snapshot in time and you're reminded of the history of this institution. And one of the things I enjoy -- you know, there's oftentimes now that I've been here for 11 years now, people that you've had the opportunity to serve with and people you've crossed paths over the years. But other names that maybe are a little more anonymous and then, you know, you -- you get to hear from a colleague who worked with them or -- or knew them or -- or crossed paths with them or succeeded them in this Body and -- and learned more about all these individuals that we all share a very unique and common thing with having served this Chamber.

I want to just quickly talk about three more individuals, two of which I -- I knew and one of which I didn't. But first, Joe Errigo, who I didn't know during his first go-around in the Assembly. And kudos to anybody who chooses to come back here after they've left. But when he -- when he came back a -- a few years back, you know, he was -- I found him to be relatively quiet and I'd say "hi" to him here and there, you know, just a quick hello in

conference. But I didn't talk to him all that much. But then I remember we were at a press conference one day, I believe it was about child trafficking. And he told this story he learned about -- and the emotion and power of -- of what he was saying. I mean, you could hear a pin drop in the -- in the room. And I think that's one of the things I've learned over the years. You can -- you know, you can peg somebody so wrong sometimes. But -- but then you -- you're -- you're reminded that all of us come here with different backgrounds and different issues we're passionate about and -- and here and there you get -- you get to hear that passion from people. So I wanted to remember Joe Errigo.

I also wanted to remember Bill Larkin, who obviously, when I got here was in the Senate, had this reputation of being this just legendary figure, obviously, his service to our nation during World War II and the Korean War. But, you know, when I -- when I first came up here I remember talking to him. We were I think at -- at an event, and he was telling about how he had helped found the Purple Heart Code of Honor and he'd always wear the pin. And it had the -- it was a pin of, I think, a postage stamp with a purple heart on it. And he said to a few of us here, *Give me you card and I'll send you one of the pins.* And I -- I think it was easy for many of to say, *Hey what does he care about sending us a pin? We'll probably not get it.* Or -- or you know, or maybe say, *Hey he's an older guy, he's not going to remember to send the pin.* I -- I had the pin by, I think, before I left to come back up the following week. So then I saw him



at another event that week and I went over to him and said, *Senator, thank you so much for sending me the pin.* He said, *You're welcome. Why aren't you wearing it?* So, I -- I think -- I think that was -- it was a moment for me that I kind of felt like really I was a part of, you know, the Capitol and this institution and down the hall just getting joked with by -- by such a legendary figure.

The last one I want to mention is Richard Brodsky, who I didn't know, never served with. And -- and I regret that -- I would read these columns that he would do, and there were many times that I thought about trying to find a way to connect with him because more than a few times I'd think of something that I thought was like a great reform that we had to have around here and I'd go digging through doing research, and I'd find old bills that were his. And -- and I know through, you know, reading about him that he was certainly somebody who believed in, you know, independence and strength of this Chamber and our colleagues down the hall, the Legislature, you know, in terms of its power relative to the -- to the Executive. So I just wanted to mention him and thank him for his service. And -- and I know he, you know, over the years, I -- I watched different, like, panels and things like that when we talked about, you know, budgetary powers of the Executive and all those type of things. And I think -- I -- I think as a -- as an institution that it's certainly missed to have somebody with that level of experience who could -- who can make that case for -- for some of the reforms that many of us still think need to be made so that this Legislature can --

can sit on equal ground with the Executive when it comes to budget-making.

So, thank you, Mr. Speaker.

SPEAKER HEASTIE: Mr. Gottfried to speak about everyone on the list since I think he served with them all.

On the resolution, Mr. Gottfried.

MR. GOTTFRIED: Well, thank you, Mr. Speaker.

And actually, of the 19 former members on the list I -- I actually served with 17 of them.

(Laughter)

I did not serve with Mr. Tabner. He was in the Assembly when I was in first grade. I did know Bentley Kassal from the West Side of Manhattan, who served a few years before I was elected. He wrote me a letter of recommendation for college. You know, this is a -- looking at this list -- and it is quite a list of people -- one thought I have is in 1971 when I first arrived here at the age of 23, a very much older -- well, everybody was older -- a very much older long-time member of the staff here said to me, *Whatever you might think of some of your colleagues*, he said, *Just remember, every one of them made it to the top of an Assembly District just like you did.* And I -- I think about that bit of advice often. And my other thought looking at this group of our -- of our former colleagues is that this is really quite a Legislative Body, and has been for as long as I've been here. And if you look around the country, whether at the Federal or state or county or city level, there are an awful lot of Legislative

Bodies that -- that really don't measure up to the New York State Assembly. Let's just put it that way. And we don't have to point to particular Legislative Bodies, but we are -- we are quite a group of people. And I think we -- we organize and conduct ourselves in a really superb model of what -- what a "small d" democratic Legislative Body ought to be. And thinking about these former colleagues of ours certainly reminds me of that, and I hope we all think about that every day going forward.

Thank you.

SPEAKER HEASTIE: Ms. Joyner on the resolution.

MS. JOYNER: Thank you, Mr. Speaker. Today I rise to make one of the greatest contributions that I can make to this Body, which is to recognize and honor the life of a woman many referred to as a political mother, mentor and power of strength to many leaders who followed in her footsteps. And that woman is the one and only Ms. Aurelia Greene. This is a special place not because of the fancy decor, but because of the legends who have graced this place with their presence. We have had so many unforgettable historical figures that have visited or served in our Chambers. But the most memorable ones are those who understand that in this life we cannot always do great things, but we can do small things with great love. And for those who are fortunate enough to know Ms. Greene, you were able to see she was able to do it all. She had accomplished great things and gave great love. A woman of faith and truly a symbol of our community, Ms. Greene never left the 77th Assembly District.

Teller Avenue was her home and she never forgot that the true fight was for the people of the Bronx. Her lifetime of community service began when she was drafted to serve as the President of a local parent association, and she fought for the creation of the position of paraprofessionals, which is now used as a national model by the American Federation of Teachers in the 70's. In 1982 she decided to run for office and become my district's Assemblywoman. Ms. Greene, during her time in the Assembly, held many titles as "the first" here. She was the first woman to Chair the Banking Committee. The first African -- African-American to serve as Speaker Pro Tem. She also chaired the Assembly -- Assembly's Bronx Delegation, becoming the longest-serving member of the Body from the Bronx County. She was also a founding member of the Black and Puerto Rican Caucus and the Women's Caucus. And we have Ms. Greene and members here like Helene to thank for the women's bathroom right here outside of our Chambers. She served as an Assemblywoman for 27 years and sponsored several key pieces of legislation, including New York's first helmet law for bicyclists, anti-predatory lending laws and she also introduced the first piece of Statewide legislation to focus on lupus, which primarily impacts the health of women of color. This dynamic woman left the Assembly in May of 2009 to serve as the Bronx Deputy Borough President, and in December of 2017 the Honorable Aurelia Greene retired from Bronx Borough Hall with over 50 years of public service. The people of the Bronx will always remember her smile, her voice and that white beautiful hair. The work of her life

will continue to empower and inspire the residents of the State of New York and the Borough of the Bronx for many years to come. And she will always be lovingly referred to as the Queen of the Bronx.

Thank you for allowing me to speak.

SPEAKER HEASTIE: Mr. Cahill on the resolution.

MR. CAHILL: Thank you, Mr. Speaker. It's going to be difficult to fit into the time that we're given, so Brian, lay off the buzzer. I want to talk about eight members, but I'll be brief with a few of them.

The great Nettie Mayersohn and I butted heads many, many times. She was the wrong person to be opposite. She was relentless, she was tough, she was strong. And what I hate to admit right now is that she was probably right when we disagreed.

Bill Magee. Nobody cared more about agriculture than Bill Magee. And if you think he was admired here, you should go to his district some time and find out what they thought of this man who oftentimes because of his career, separate and apart from here, was the last guy you wanted to see. He auctioned farm equipment, and that meant that if you were auctioning off your farm equipment, you have fell on hard times. But person after person told me how Bill was so kind to them at those times and he did everything he could to help.

Joe Errigo. Joe Errigo was a sweet and gentle man. He was a kind person, and I do hope that his legacy is that he was a kind and gentle person. That's what he deserves.

John Behan. John Behan, I won't say much about because I know Fred Thiele is coming up and he will have a lot to say about him. But I will say this: John Behan was an athlete, a nationally-recognized athlete, a basketball player recognized for his prowess on the basketball court. But he was also a man who before that left his legs in Vietnam. A good solid American, a Vietnam veteran and an admired person. I've never seen people in this House rise to their feet faster than they did when John Behan came to visit, and that's because he couldn't for his sacrifice.

The next person was someone who dedicated far more of their life to people like John Behan than they did politics that they were known for, and that was my good friend, coworker, co-representative, The Colonel, Bill Larkin. Bill Larkin's memorial service was held in the Purple Heart Hall of Fame, a building that he had built. A stamp he had made by the United States Post Office to recognize people like John Behan, who earned the highest award we give to people who make a sacrifice in the name of this country.

So those great people are people I will never forget and have a great honor to have served with. But now let me single out a few others. Much has been made already, Mr. Speaker, and I saw you choked up and I know how emotional you were when you found out about the passing of Aurelia. What a wonderful, sweet person. And Latoya, I can tell you, you didn't have to be from the Bronx to think of her as "Mom." We all did. We loved her calm, her quiet, her deliberate way as the Speaker Pro Tem, as she was many, many times.

But a couple of times people have already said about the history that Aurelia made. Well, I had the great honor and privilege of making sure Aurelia knew she made history. Because a person in my family who was a schoolteacher came across a New York State-approved textbook, and right there on page 64 where they talked about the State Legislature was a picture of Speaker Pro Tem Aurelia Greene. She not only made history, she was reported as making history. She was our face and we couldn't have asked for more. I was very honored to be able to share that book with her and she got the biggest kick out of that.

The next two guys are people who I think were widely misunderstood or well understood in this place, depending upon whether you were on the receiving end of their wrath or not. Richard Brodsky was a colleague, he was a friend. Many people knew him as a lawyer. Maybe some people knew him as a professor. We all got to know him also as a dad. Yes, he went to Harvard and he was very quick to remind you of that. Yes, he was smart, and in his own words, smarter than probably anybody else in this room. Probably also true. And he manifest that in the Lounge on a regular basis during the long budget nights by bragging and showing off doing *New York Times* crossword puzzles in pen. And he made sure you knew he was doing his crossword puzzle in pen. I had the honor of serving with Richard here on the floor. I had the honor of serving with him in hearings where I just pity anyone that had to put up with his cross-examination. But I also had the honor of sitting next to him in

conference for the better part of a decade. And in that conference confessed to my Democratic colleagues, Richard and I every single day, every single conference, would relate to whoever was talking to a scene from the movie *Blazing Saddles*. That's what Richard knew how to do. Many, many times the Conference Chair would scold us about talking. We would be laughing sometimes hysterically over the fact that whatever what anybody said could be related to that movie. He was the ultimate schmoozer. He got famous for one of his phrases where he talked about Soviet-style bureaucracies. I had the privilege of serving at a conference with Richard in Moscow, and lo and behold we're coming down, getting ready to go to our conference, and who do we know in Moscow, I didn't know anybody, but there was Richard in the hall, schmoozing with people from Moscow. That was Richard Brodsky. We will miss him, we love him and we also regret that he's not here because sitting to my left is Brodsky's revenge.

(Laughter)

Finally, I want to close with my friend, my good friend. Somebody who I admire far more than I think anybody in this House did, and that was my friend David Gantt. David Gantt was gruff, Mr. Speaker. He was not described by some as gruff, it was his nature. It was his proud nature. He was proud to be a cranky guy. He served as Transportation Chair here for many years, but I never really had much luck with going to him with transportation issues. But I did get to see -- I did get to see a side of David when I proposed to help an organization called the Agribusiness Child Development Center. The



Agribusiness Child Development Center is dedicated across this State to providing safe daycare to the children of migrant workers. When he heard about that, David shared with me that he himself was a child of a migrant worker in Alabama before he moved to the State of New York. He had such a warm spot for those most in need. When I went to his funeral and I went to his wake, person after person who recognized me as a Member of the Assembly came up to tell me how much he meant for starting a movement in the City of Rochester. For giving people their first chance in politics. And if anything, that is what this House is about. It's about giving people a chance. It's about being compassionate.

We have in this Body 150 members. I have talked about eight of them, and every single part of their character contributes to the whole of this Body. We miss them all. We honor their memory and may they all rest in peace. Our sympathies to their families.

SPEAKER HEASTIE: Ms. Weinstein on the resolution.

MS. WEINSTEIN: Thank you, Mr. Speaker. So, the advantage of serving here since 1981 means that I've gotten to meet just an incredible group of people every two years and sometimes someone in between. I guess the disadvantage is looking at this list and knowing not quite as many as -- as Mr. Gottfried, but there are 14 members who are listed here who I had the honor and pleasure to serve with. And I probably could go through a story with each one of them, though that would take a while. Some -- most stories you can't

really say while we're being broadcast. But, you know, even just looking at the -- the top -- and it doesn't matter whether they were Democrats or Republicans, there was tremendous interaction. It was mentioned before that Toni Rettaliata was a tough lady. Well, I learned that early on in our first term here. We were -- let's see, it was early May, so it was Tulip Festival. And she walked past Assemblywoman Eileen Dugan's office, I was there with Eileen. And Toni had this beautiful handful of flowers and Eileen said, *Oh, Toni, that was great that someone gave you the flowers.* And then she held up the scissor and said, *No, I got them from out -- out in front of the Capitol.* So, we knew to -- we knew to stay clear of -- of Toni or to not get into any arguments with her. But she went on and left here to -- to serve her community and I think was also a No-Fault arbitrator for a while. As I look down, Nettie Mayersohn was our -- the real force. She was an early fighter for -- very passionate on various issues. I didn't always agree with her, but that didn't stop her from continuing to lobby me. And she made her points and was -- was persistent. And as the Speaker said, she would track you down no matter where you were to make sure you heard her side of the story or got the -- her signature on a letter.

Cliff Wilson, who when he left our -- our House continued to be a political advisor and was really like a political encyclopedia. He knew -- he could talk to you about races that happened years before or years afterwards and he would strategize and was a wonderful member of our House.

Florence Sullivan was a -- a fellow Brooklynite who unfortunately during the 1982 reapportionment, somehow her Republican district was split up amongst a number of other members. But she was a -- she was a good stalwart on behalf of her constituents in -- in Brooklyn.

Joe Ferris, who was one of these people who was very frugal and would often -- would often save some -- some money by sleeping in his -- his office. But he was a very diligent member and maybe that extra sleep and the lack of commute really helped him be a vigorous defender of progressive causes in Brooklyn. Well, see, then we were called reformists, not progressives, I guess. But he was certainly known as one of the Brooklyn Reformers and -- and was a very active -- active member here.

And, you know, Bill Larkin. So much has -- has been said. I'll get back to Richard in a second. You know, so then there's also things you remember about members. And so, Bill Magee. Once a year -- he was on my floor and you'd walk past -- or you wouldn't even walk past the office, when you'd go to -- I'd be in my office and the smell of the pancakes for his annual breakfast would be wafting all around and you had to resist taking too many. But that was always -- he was always considering that. And I knew things were good, and Bill was here when I'd see that cow as I'd walk that cardboard or, you know, wooden cow as I walked to my office. I -- I knew Bill was here and things were under control.

David -- you know, I also David Gantt didn't always

agree with. Our biggest dispute was not about legislation, but it was about the smell of cigar smoke coming -- since he was next door to me coming through the wall, especially after -- after smoking was banned in the -- in the Capitol. Somehow he must have brought that -- that smell with him. We actually compromised and we put a fan outside my office door to keep the -- the cigar smoke from coming in.

And, you know, Aurelia came here just two years after me. There were not a lot of women who were here at the time. We would stick together. We worked together on -- on issues. And just to clarify because I know it was mentioned about the -- the ladies' room. The bathroom that's outside of the Chamber used to be a men's-only bathroom, and us women would have to go outside of the Assembly Chamber down to the bathroom past the library to the bathroom by the Senate elevators. So when we did that we missed -- we were outside the bar of the Assembly. And we didn't have these -- it was a different system for voting, and sometimes you would miss a vote. So we used to have a buddy system and we would tell each other -- the women would say, *I'm in the -- if there's a vote can you come get me? I'm in the bathroom.* And at some point when we were protesting we made up these little pink slips and we'd go to the Majority Leader at the time who was Dan Walsh, and we'd give him our (inaudible) bathroom pass to the ladies' room. So we -- and we had a couple of revolts, and now we all don't have to take a long walk to -- to use the facilities.

So, Richard Brodsky sat in my row two seats over.

He was -- as has been said, he was a tremendous advocate for -- in a lot of ways to open up government. To have that public eye with the changes of the Port Authority, all of the authorities that -- to make them more transparent. But I kind of remember Richard more as some of the personal things that he did. Early on he did an op-ed about sales tax on attorneys' fees, which didn't go over too well. But he thought it was a great idea, so he told the Speaker at the time, Stanley Fink, *You know, Stanley, it's okay. You can just say it's your idea and, you know, I don't need the credit.* But that was one of the few times he was willing to give -- give up the credit. But I really remember Richard as -- as a family man. His daughter Emily grew up here. He -- she would come up with -- with his wife Paige and she would spend -- Emily would spend a lot of time sitting at her desk. Eileen and I always had to make sure that we had some little toys and some other things to -- to give her to keep her busy and to let her see how great a dad she -- she had. And then, you know, I think people who weren't here at the time may not know that when his other daughter Willie had an issue and needed a kidney, Richard dropped out of the Attorney General's race to be able to donate a kidney to his daughter -- daughter Willie. And then just recently unrelated to the Legislature about two years ago, Richard -- and we kept in touch once he left here -- Richard and I found ourselves together at a performance of *Fiddler on the Roof* in Yiddish. And he was sitting there with his daughter and her daughter Emily now Emilyn. And we chatted for a while, we sort of (inaudible). And during intermission - and she was there with her

boyfriend - during intermission Richard points and he leans over to me and he says, *Can you tell Emily you really like the boyfriend, that he's really good and maybe, you know, they can make it more permanent?* So he was always -- always thinking about the family. And I did say, *It's a little strange. How am I supposed to do that?* But it was great seeing him then. We -- we did continue to -- to speak afterwards.

So all -- and I have stories I'm sure I could tell about or some that I can't about some of the other -- other members. But it does make me reflect, as the Southern Doctrine says, that the privilege it is to serve with so many members, to -- to the diversity of our -- of our Conferences, the diversity of our Body and all of the members who we recognize today served with great distinction. May they all rest in peace and their memories not be forgotten.

SPEAKER HEASTIE: Mrs. Peoples-Stokes on the resolution.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. I recall fondly of this opportunity to be able to speak on memorial resolutions with my first year as a member. But I couldn't speak because I didn't know anyone. But it felt really good being in the room and hearing -- at that time room was still packed because we weren't in the middle of COVID -- and to hear from so many members about folks they had served with in the previous years. It really touched my spirit and it made me feel actually more at home, more like a family. More like people really are connected here. And so now to, you know, being 2021 and having been here as long as I have,

and actually personally knowing seven people on this list is as rewarding and makes me feel super honored. Everything's been said about little Ms. Mayersohn. I was a little afraid of her when I first got her because she'd always be following me around with a piece of paper or something that she was taking notes on. But a straight sweetheart.

And clearly, Richard Brodsky, I -- I never even thought about the concept of a kidney transplant until he left that race to donate his daughter a kidney. And it just so happens that years later my daughter ended up having a kidney transplant.

And I'm going to say Senator Larkin, because when I met him he was a Senator. And actually, he and I had a really decent relationship. We passed legislation together, and I just sat here tried to think through, what was that legislation that he and I worked on? I remember even doing a press conference out in front of the Capitol with him on whatever it was. I'll look up it and know it next week by the time I get back.

And then Mr. Magee. Being a former county legislator, I know -- I knew that Erie County's largest industry basically was agriculture. A lot of farms there. But I never had a chance to really get to know anybody that was a farmer like Mr. Magee and hear -- and be so passionate about it. And I recall my first budget process when he was -- you know, we were all in the room and everybody's talking about their budget priorities, but he was the only one talking about farming. I didn't hear anybody else say anything

about that. So when I got a chance to make -- I want to say it was probably the second time I made comments in a budget conference, it was to support Mr. Magee's -- whatever he said I was, like, *Yes, we should do that because if there's no farm, there is no food.* And ever since then, you know, he was hard to have a conversation but he was easy to smile at you. So you knew he was -- he was engaged because he -- he would smile.

And certainly, David Gantt, the first time I met him he rode a busload of people to Buffalo to work for my opponent when I was running my first time here. And, you know, I had never heard -- I had heard about him before because he was already here, but I didn't know him. And I expected to get here and I'm sure he thought that, you know, we weren't going to be cool because I knew that he brought this busload of people. A couple of years later I did win to get here. But it really wasn't like that at all. The race was over. I lost that first one, but I won the second one. And when I got here he embraced me as a colleague. Until his last breath he embraced me as a colleague. And quite honestly, if it wasn't for him I would not have been the one carrying the marijuana legislation. That was all David Gantt. He insisted that I had to be the one to do it. So I certainly do still honor him.

And Joe Errigo. These two guys were close, Joe and David. I often saw them having dinner together, they moved around the Capitol together. And, you know, Mr. Errigo had a really great smile and a good conversation. He was engaged and didn't -- you



know, a lot of people when you come here if you're not in their same party or in their same class or from their same delegation, they don't really engage you in conversation. They just kind of move along and we get along. This was a guy who was open and super, super kind.

And lastly, the Queen Mother is what I call her because hair was beautiful white, as has been said already. And she sat up there in -- in that position as Speaker Pro Tem looking exactly like the Queen Mother that she was. She was a great family woman, and that was demonstrated in how she interacted with people in this Body. I watched her for, I don't know, I guess ten years or more, pass legislation that deals with lupus in this House and it never got through the Senate. Since then it has gone through the Senate. It was carried by Vanessa Gibson, who is now a City Council member in New York City. And then when Vanessa left I started carrying it and finally we were able to pass that bill here in the Assembly and get it passed in the Senate. And I actually called the Queen Mother and she was so happy. Actually, I didn't even have to call her. She said, *I was going to call you because I'm so happy that that bill is finally not just passed in the Assembly, but actually been passed in the Senate and signed by the Governor.* So, great experiences through all of these folks that I had the opportunity to interact with. And I hope that folks who maybe this is your first time hearing of a memorial reso service for fallen colleagues. I hope there will be as many for you -- for you as it was for me in the past.

With that, I certainly hope they all will rest in peace

and I know that their legacy will live on here.

SPEAKER HEASTIE: Mr. Benedetto on the resolution.

MR. BENEDETTO: Thank you, Mr. Speaker, for letting me say a few remarks about a bunch of great people. First, Joe Errigo. It's -- it's -- we all know, we don't get a chance to socialize with other people on the other side of the fence here too often. And -- but Joe and I had a, you know, a little repertoire going on and -- and we would joke around with each other. And Joe was just a kind person. And I knew him in the -- in -- in -- when he went and when he came back, and we would joke about his second time around. And it's a shame he's -- he's not with us any longer.

When I first got here I learned very quickly Nettie -- Nettie Mayersohn was somebody to contend with. You know, when I'd say her name I just smile. I think of this pitbull of a lady. I'm walking around the Chamber and -- and we would sit on opposite sides of -- of the Chamber, and I would watch and I would see Nettie. And she would get up and -- and all of a sudden you -- you become at attention because you never knew where she was coming, and if she was coming down the aisle and coming straight to you, you -- you looked for a quick escape route to -- to get away from her because she was just relentless. A dear, dear lady.

Bill Magee. God Almighty, I sat next to Bill Magee in conference for 15 years, and never much to carry on a conversation. Would always answer in a -- in a very concise one- or two-word

answer to you. But I served on his Agriculture Committee, and to this day I say it was the best committee I ever served on because no matter what, every -- every time we had a meeting there was pound cake or -- or some pie, or as my colleague alluded to before, a pancake breakfast. It was just a delight to go to, and of course his love for agriculture was beyond -- beyond question.

David Gantt. I didn't speak to David Gantt for about three or four years. I was afraid to speak to David Gantt. He had that intimidating presence about him. But when you did talk to him, you found out he's a nice guy. And I got to like David Gantt.

Aurelia. What can you say about this lady who added such a presence to the Chamber when she sat on the top as -- as Speaker Pro Tem. There was an air of dignity about her. And -- and she lent that dignity to the Chamber as a whole. Well, what a shining person, a wonderful lady and somebody greatly to be missed.

And lastly, I want to, you know, say a word about Richard Brodsky. He was a giant of this Chamber. There's no doubt about it. We -- we have had giants in the past, we have them now, and Richard was one of them. You just loved to hear Richard debate. And he would debate on everything. As a matter of fact, I remember him debating against a conversation about two guys who sat next to Richie -- Richard in -- in the row. It was a debate about something I knew nothing about, about rappers and rap music. And of course Richard was an authority on rap, and the two guys he was talking to -- one who became the Borough President of the Bronx and one who

became Speaker of our Chamber -- you know, were -- were -- were -- were thoroughly engaged. And Richard, of course, swang his authority at them and say, Yeah, yeah, but that's the young Jay-Z in his early years. Right? Richard knew that much about it and they just laughed on. And that was the essence of Richard. What I most remember about this man who I stayed friends with for many years, you know, after he -- he left our Chamber, his -- his determination and to never let go. And -- and if you remember back in the, I guess it was the 80's -- excuse me, the '08 or '09 or something like that, we were debating the financing of Yankee Stadium. And Richard, who was head of Corporations at that time was very much against all the financing and everything we were doing for the Yankees. And -- and years later, Richard and I went to the ball game. And as soon as we got out of the car and started walking, he was complaining, *See? You see that marble at the base of Yankee Stadium? That was not in the budget at all, and this is what we had to pay for.* And then when we got up to the seats that we had, he was complaining again, *You see, the angle to home plate partially is cut off here. That should be noted on the ticket, you know?* And I finally had to talk to him and just say, *Richard, do me a favor. Just relax. Settle down and enjoy the game.* But that was the essence of Richard. Always fighting and usually right on what he was fighting about. My God, I'll miss Richard. I'll miss them all. May they all rest in peace, and New York is a better place for having them all. God bless them.

Thank you.

SPEAKER HEASTIE: Mike, just to give you a little funny story behind that. You know, Richard, in his battle with the Yankees, Randy Levine told me they named the huge scoreboard in Yankee Stadium the official Richard Brodsky scoreboard, so...

Mr. Dinowitz on the resolution.

MR. DINOWITZ: Thank you. You know, I -- I never realized it when I first got elected how much it would hurt when some of our colleagues left us. But in the past, I guess, year or two, we -- we lost a lot of long-time members. You know, when -- when Nettie Mayersohn died, it -- it really hurt. Richard Brodsky, it hurt. David Gantt, Bill Magee, it hurts when -- when people leave us. But I got to tell you, when Aurelia Greene died a few weeks ago it really, really hurt. The Speaker had mentioned at her funeral that as long as he'd known Aurelia Greene, she had that striking white hair. And when I spoke I had said, *Well, I actually knew Aurelia Greene when she had dark hair.* And the truth is we met probably around close to 45 years ago, if you can believe it. I was -- I was a toddler, I guess. But we had known each other for that long. We had worked together on a number of -- of things, petitions, you know, political stuff. We weren't in the same district, but she was building a strong movement in her what was then the 76th Assembly District. And she went on to be elected as a district leader and then in 1982 the seat became vacant for Assembly and she ran in a special election. And I remember -- I remember knocking on doors for her, like, on the block where Taft High School is and in some other places. I think it was in March of

'82. And it was a huge victory. It was a very exciting victory. And little did I know at that time that one day I would run for the Assembly and serve with her, it was -- it was certainly the farthest thing from my mind at the time. But her tenure in the Assembly was -- it was distinguished as -- as anybody could imagine. Not just the fact that she chaired the Banking Committee, the fact that she became the Speaker Pro Tem, but her legislative accomplishments. And I know what she did in her district. Despite all of her work in Albany she knew everybody in the district. She served the district and people really adored her. And it was -- I was very, I guess, upset in a way that she left the Assembly to go to the borough hall to become Deputy Borough President. But I also knew that that was a great thing. She served 27 years in the State Assembly. That's a pretty long time. In fact, I guess in some ways I followed in her footsteps. I became an Assemblymember, eventually I became Chair of the Bronx Delegation just like her. And recently I think my -- my own tenure is as long as hers. In fact, a little bit longer. But she was always such a great example for everybody. Anybody could go talk to her to get advice, to get her opinion on something and she was never judgmental. I remember when she sat up there where the Speaker is now, you know, she -- she never had to raise her voice. She could give somebody the look and they'll be quiet. They'll stop, you know, talking to their neighbor. I know that because she often did that to me. I think it's fair to say that there is nobody that was involved in Bronx politics that was as distinguished as her, as -- that was as well-respected as her, because

even if people may have had some disagreements with her - and very few did - people always loved her. They always loved her. And I can tell you that the Bronx is a better place for it because of Aurelia Greene and the State's in a better place because of Aurelia Greene.

I miss her, I adored her, I loved her and I think we all did. May she rest in peace.

ACTING SPEAKER AUBRY: Mr. Salka.

MR. SALKA: Mr. Speaker.

ACTING SPEAKER AUBRY: Yes, sir.

MR. SALKA: First of all, I want to say what an honor it is to have been the successor of Big Bill Magee. There's many people in this Chamber that the opportunity and the honor of working with Bill. And as him being a friend of our family's for a long time we got to know Bill very, very well. You know, Bill was the kind of guy that knew everybody and everybody knew Bill. Especially the members of our farm community who had such a -- such a -- a great amount of respect for Bill and everything that Bill was able to do for them. But not only the farmers, but Bill was a great friend of the firemen, especially the volunteer firemen in our district. And he was also a great friend of our local hospitals. As a matter of fact there's a clinic named after Bill in Hamilton, New York and it was something that Bill worked hard on. And I guess what it did was it just illustrated how much Bill really cared for his community. You know, there's always stories that can be told about every representative, and I have a -- a few of my own about Bill. Many

years ago I was the president of our school board, in a small school of Brookfield Central, about 260 kids from K-12. Bill loved small schools. He loved all schools, but he loved small schools in particular in farm communities. But we were sitting there as Bill did a tour of our school and we were in the cafeteria with the school superintendent and myself. And there was a container of milk on the -- on the table and he looked up and picked it up and he looked at it and he said, *How come this milk isn't from New York State?* So Bill was able to recognize and to capture what he knew the priorities of not only his district were, but the entire farm community in -- in New York. And another story is one time I was rolling around the hills of -- driving around the hills of Madison County I was behind this old beat up station wagon. It was kind of smoking a bit and driving about 35 an hour up a hill, and I said to myself, *Who is this?* So I passed him, and there it was, Big Bill Magee in an old beat up pickup -- station wagon, and of course with a cigar in his mouth and just kind of nodded to me. And he was -- he was just a guy who kind of -- kind of took things in stride and didn't have a lot to say to a lot of people. But when Bill did have something to say, you knew you had to listen and you knew that he meant it. I -- I've always said that Bill's -- you know, I had big shoes to fill when it came to taking over for Bill Magee, and it's something that's -- it's a laudable goal in my book. But we knew that Bill Magee was the perfect man for his district. He was a down-home type of a guy. He didn't have a lot to say to a lot of people, like I said. But when Bill talked about agriculture, I think everybody in this



Chamber at one point or another knew that they had to listen because Bill really knew what I talk -- what he was talking about. And him and his -- him and his wife Jeanette lived a quiet life in Nelson, New York on -- on Route 20. And one of the -- one of the things that I'll be proud to be doing is naming a part of the highway -- highway in Cazenovia as the Bill Magee Memorial Highway. Bill knew many, many people in the Cazenovia area. He was loved by people in the Cazenovia area and throughout his district. And I just want to say that it was an honor to know Bill Magee. You know, he was my opponent in three elections, but we always had a mutual amount of respect for each other and I always thanked Bill for his service because I knew that Bill Magee was going to be a very, very tough guy to replace. So I want to say with all sincerity, rest his -- God rest his soul. And Bill was definitely considered one of a kind and definitely an asset to -- to this Chamber. And thank you for this opportunity to recognize the memory of Assemblyman Bill Magee.

ACTING SPEAKER AUBRY: Mr. Thiele.

MR. THIELE: Thank you, Mr. Speaker. And to hear these recollections and these memories today are so uplifting for all of us about our former colleagues. It's my honor and privilege to talk about my predecessor in the New York State Assembly, John Behan. At a time when the word is thrown around far too carelessly, John Behan was a true American hero. His life was dedicated to serving his country, his State and his community. As a United States Marine in Vietnam, he fought bravely and courageously for his country and was

seriously wounded, losing both of his legs in May 1966. Undeterred by his severe injuries, John returned home to a life of achievement and community service. He learned to walk again with the use of artificial limbs, and he represented his country as a member of the U.S.

Wheelchair Olympic Team in Peru in 1972 and Canada in 1976. He was the team captain in 1976. He won gold medals in the javelin, medaled in the shot put, discus and as a member of the U.S. basketball team. In 1976 *Newsweek* magazine named him as one of 46

Americans who best represented our nation in its bicentennial year.

He served as the East Hampton Town Assessor, and then succeeded

Perry Duryea as State Assemblyman in 1978, serving for 16 years

before becoming the State Director of the Division of Veterans

Affairs. He was born on Veteran's Day in College Point, Queens.

John's life and political career were dedicated first to helping the nation's veterans, particularly his fellow Vietnam veterans who faced

unprecedented obstacles coming home from an unpopular war. His

efforts were crucial in getting the public to separate the plight and

need of the veterans from the politics of the war. His impassioned

speech on the floor of the Assembly led to the creation of the first

Assembly Standing Committee on Veterans' Affairs, of which he

became the first Ranking Member. And I'm sure our colleague and

fellow Vietnam hero, our Sergeant-of-Arms Wayne -- Wayne

remembers very well that speech and that day, and I'm sure Wayne,

who was a great friend of John's, remembers all the advocacy for

Vietnam veterans. In 1985 John led the historic New York State

delegation to the Republic of Vietnam. He had -- in April of that year John was honored to lead, along with Mayor Ed Koch, New York City's Welcome Home Parade to Vietnam Veterans down the famed Canyon of Heroes. Every one of us can point to a few people in our lives who were mentors that truly made a difference in our lives. John Behan was one of those people in my life. As a recent law school graduate in 1979, John Behan took a chance on me and hired me to be his counsel. We worked closely together on bills for justice for veterans and advocating for the needs of Long Island. But more important than any issue was the example that he set as a person. He was inspiring to all whom he touched. Working for John was not just a job, I became part of his family in the process. His generosity -- generosity to me sparked my career in government. I told him many times publicly and privately that I owed him a debt of gratitude that I could never repay. I've heard from so many people since John's passing. The same words are repeated over and over. "Larger than life", "Icon", "Hero." Inherent in all those comments is the word "respect." He got it and he gave it, and we were all richer for having known him.

You know the one story I want to just tell about John. You know, he was in the Minority all 16 years he was here. He was a freshman in 1980. He put in a bill for veterans to reopen the statute of limitations with regard to Agent Orange. There are a lot of veterans who had been made sick and who had died because of Agent Orange, and the statute of limitations closed after three years. He put in a bill

that would have given them the right to -- to -- to go back to court. And, you know, he was told, *Hey, you're in the Minority. You're never going to get this bill through, you're a freshman.* He worked really, really hard. He ended up, he had 149 cosponsors for this bill on Agent Orange. The only sponsor, the only member he did not have as a cosponsor was the Speaker of the Assembly, Stanley Fink. I can still remember Speaker Fink walking out that door that I can see right -- right here on the picture of the Chamber, coming over to John Behan and basically saying, *I give up.* He cosponsored the bill and that bill ended up getting passed and enacted into law. And I think we still extend that bill on Agent Orange from time to time. That just tells you something about the persistence from John Behan and how he fought for what he believed in.

So today I -- I honor his legacy in the State Assembly. My condolences go to his wife Marilyn; to his children, Jack, Jason and Bridget and the entire Behan family. We remember you well, John. We remember all that you've accomplished. You were a great member, you were a great friend. Semper Fi, John Behan.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Abinanti.

MR. ABINANTI: Thank you, Mr. Speaker. Why are we here today? Some people may wonder, *Why are you reminiscing about all these other people?* Well, we're not really reminiscing. We're here to celebrate their lives and to honor the contributions they made to make the lives of the people of the State of New York so

much better.

As I came up in the elevator I thought of the first time that I was in that elevator. And that it was before even Dick Gottfried was here. I was a student intern in 1968, and I still remember the men who worked those elevators and what those elevators looked like. And those elevators, like the rest of the world, have changed a lot. But they still do what they're supposed to do. They take people from one floor to the next. And that's kind of what the Assembly is all about. Times have changed. We have changed. But it's a very important institution, and it's making things better for the people of the State of New York. But like so many other institutions, that phrase is so accurate that the whole is greater than the sum of its parts. We are talking about some of the parts today. But they all had the ability to work with the other parts. They contributed their piece, and as a result, New York got better. I'd like to remember a few. David Gantt, I had very few interactions with, but I understand why someone described him as really being a great guy behind that gruff exterior. I remember I was trying to get a bill out of his committee, which was a major task, and I had a chance to pull him aside and talk to him for a moment. And when I hit a certain issue, his eyes lit up and he looked at me and he said, *You're right on that. Your bill is coming out of committee.* So he cared about people because what I was telling him was how important this bill was to some people in my community.

Joe Ferris, I never had a chance to meet, but he was my Assemblyman. I was just going off to law school when he was

elected, so I was leaving the district and he was taking over the district but he was my parents' Assemblyman. And he had a reputation. He was a reformer. He was a leader. And I respected his leadership because I got to see it as a staff member here. And there's also a leading Election Law case - I do Election Law - named after him on -- on residents on a nominating petition. Whoever put his petition together made a mistake and the Court of Appeals left him on the ballot. But he was well-known in Brooklyn and well-liked in Brooklyn. And he could -- he made a major contribution to moving Brooklyn and the State of New York forward.

And Bill Magee, I just remember Bill as a really, really nice guy. I second what my colleague said before, he was a man of very few words. But I have fond memories of my interactions with Bill.

And of course, now Richard Brodsky, my predecessor. I'm sad because this is the second time in the last couple of years where I've had a chance to stand up and talk about a predecessor. Bill Finneran, who I knew very well, was his campaign treasurer, served in this seat for a couple of terms. And he died last year. And then this past year now we lost Richard. I followed Richard in his career being his peer as opposed to being someone much younger than him. When he left the County Legislature I eventually took his seat on the Board of Legislators and then had the opportunity to come here when Richard left. Richard was very well-respected in our community. He was seen as a very, very strong

leader and somebody who made a difference in our community. To say that he had a strong personality I guess is an understatement. You've heard all of my colleagues talk about him, and there's not much left for me to say. I remember I came here and I was telling everybody I was going to be a kinder, gentler version of Richard Brodsky, and people said, *You're not raising the bar very high, are you?* But I realized very soon that I was not going to be able to be a replacement for Richard. That Richard had such an influence here that I could never, ever reach the same heights that he -- he had here. Richard was smart, he was quick. He was incisive. He had the ability to see the issue right away. For so many of us it takes a while to muddle through it to understand what's really important. He had the ability to go right to -- to separate the weak from the champ very quickly. And he also understood politics. He understood what was possible. But at the same time, that never stopped him from reaching further. He had a moral compass and spoke often of the need to follow what was right. I remember him talking several times when he was being attacked personally and he came back as a predecessor of Michelle Obama when she said, *They go low, we go high*. Richard would always say, *Stay on the issue. Stay on the issue. Talk about the issue. Don't talk about the person*. He was not afraid to take a contrary position. He believed very strongly in his own views and that he was right, and as one of my colleagues said before, he usually was. He was very well-spoken, an effective debater. Always could get his point across very succinctly. And in short, he -- he was a leader who made this

place, New York, a much better place. I know he loved the Assembly. I know he was -- I think reluctant to leave it. He had done so much here. And like I said, all I -- all I can -- I can just sum it up to say that he made the Assembly and New York a much better place. And may he and the others all rest in peace. Thank you, Mr. Speaker.

**ACTING SPEAKER AUBRY:** Jose Rivera.

**MR. J. RIVERA:** Thank you, Mr. Speaker, for this opportunity to listen to everything that has been said about many outstanding individuals, men and women who are no longer with us. Fred Thiele, my colleague, mentioned Stanley Fink. My first experience in Albany was with Stanley Fink as the Speaker. A great guy, dynamic guy, dynamic leader. And when we were able to, after work, socialize, he would organize a softball game. And we would go out to the field and you would see Richard Brodsky as the pitcher. So when you hear about Richard Brodsky and the New York Yankees, Richard was a pitcher already before we built the New York Yankee Stadium.

So, last year, the last time I was up in Albany, I attempted to speak with David Gantt -- I did speak with David Gantt. And both Assemblywoman Maritza Davila and I spoke to him about Maritza as the Chair of the Task Force of Puerto Rican and Hispanics [sic]. We were going to visit the area, the district that David represents. And we also were going to visit our Majority Leader's district, Crystal Stokes, because that's the power that the Speaker, Carl Heastie, gave the Task Force the ability to go and visit outside of their



own district. It was never to be. Never to be. The last time I saw David Gantt was maybe sometime early in March. See, I will always remember David Gantt for the many wonderful things he -- he contributed to. But also, he and I were the last two members of the Class of 1982 that was still in the Assembly together. That means I'm the only one left from that class. There were 30 of us, if I remember. Now I'm in the Bronx, and I could tell you that when I used to be an activist some people used to call me a radical, a move to the left of the left. I recall I was -- I was an organizer for the carpenters union and I recall Aurelia Greene as how she began to get involved and organize the struggle for better education within the -- within the school system. The public schools, with her husband Jerome Greene. There are -- it's amazing. I was organizing at that time around the visit of Jimmy Carter in 1978, and when he promised to rebuild the Bronx -- because if anyone were around - and you can look it up - what the Bronx looked like during the Ed Koch Administration. We were abandoned. We lost 150 -- population of 150,000 people, mostly in the southern part of the Bronx. The Bronx began to look like Berlin of 1945. So it was by 1980 I had joined Aurelia and others in struggling for resources and to better our schools in the Bronx. There were a couple of others who the way that life is today are still around are members of the Assembly. I remember Jeff Dinowitz, always a fighter for better schools, better teachers and the resources for our children. He was part of that struggle.

So here we are today. I found myself not seeing

Aurelia in person, but then I hear she passed. So I find myself going to the wake the first day. So I showed up and I met three wonderful individuals; Al Vann, Annette Robinson and Roger Green. Former members of the New York State Assembly who made tremendous contributions. So, Al Vann and Roger began to go down memory lane, just like we're doing now. So -- and they inspired me. They -- they go back to my mind the great work that Aurelia not only had done in the earlier years as an activist for children, but then when she got elected to the Assembly in '82, also. Okay. I also got elected in '82 and Al Vann, we share the experience. See, Al Vann, in 1968 he organized a rally, a demonstration against Rockefeller. I think it was '67 or '68. Rockefeller had committed himself and the Administration to invest \$2 billion to build something called LOB. Sound familiar? Legislative Office Building. Now, it's interesting. Al Vann wanted the money to instead to be invested in helping our schools and our children. It was not to be. So strange in '82 I find myself in Albany and I drove up during a snowstorm in my 1968 Chevy -- my Mustang convertible and I got stuck when I got into the parking lot. And security said, *You look like a car stripper. You look like a mechanic. This place is only for the Assembly.* You can ask Al Vann. Al Vann told, *Hey, he happens to be in the Assembly.* So this is a lot of wonderful moments and memories that we can speak of. I found myself in Albany with Aurelia Greene, also a colleague. And you can look it up, it's all documented. She always lived with a blessed smile, but don't get confused because sometimes people confuse a smile with

weaknesses or -- or whatever. She was a strong lady in every fight. The minute we helped Mario Cuomo get elected -- Mario Cuomo only got elected because at that time in '82, the Black and the Puerto Rican in the State of New York, the State realized we could not afford Ed Koch because Ed Koch had abandoned us during those years in the rebuilding of the Bronx. No matter what (inaudible). It's the truth. It's all documented. So now we find ourselves saying in a meeting with Governor Cuomo, the father, *We need your help. You got elected because we defeated Ed Koch together.* Ed Koch was the person that was expected to be elected by those -- by everybody, by all the union --

ACTING SPEAKER AUBRY: Assemblyman -- Assemblyman, will you please -- please wrap it up. You've used way past your time.

MR. J. RIVERA: I'm going to conclude right now. We won. So Aurelia is a mentor. She was involved in every fight. We came out with Martin Luther King Day to celebrate. We came out with \$4 million for the Apollo Theater. We came out with money for the (inaudible) Schomburg library in Harlem. She was at the forefront. And the other thing that we did, we stood up for Mandela and the freedom of South Africa. It's all documented.

Magee, Mr. Magee, I think we worked with him in the agriculture. Thanks to him I was able to take some kids, 50 kids to visit those wonderful farms and the kids learned about farming in the State of New York.

Mr. Speaker, thank you for your patience and I --

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Meeks.

MR. MEEKS: Thank you, Mr. Speaker, for the opportunity to speak on this resolution. I would be remiss if I didn't take the opportunity to recognize the -- the man, the giant in which whose -- whose shoulders I stand upon, and that is Assemblymember David Gantt. I had the opportunity of meeting David when I was much younger. If you were from the Rochester community, you knew of David Gantt. Outside of his politics you often heard about himself and the crew of other brothers who attended Franklin High School who were known as, like, thoroughbreds of their time, running things such as the 440 in which we would often talk about comparing the 440 to the 400. So the younger guys, we ran the 400 and the old-timers ran the 440. And they would often say that, you know, *Ya'll can't compare to us because we -- we ran that 440*. David was the first to sit in that seat in which was the 133rd Assembly District and eventually turned to the 137th. He served in that position for 37 years, representing the Rochester community. In my days of running track, I was often excited about coming in first place and being the first to come across the finish line. But I am honored to be the second individual to hold this seat and to take on this torch. You know, David -- when I was at the age of 16 I had an opportunity to intern in his office and I was working directly under Wade Norwood. And David would often share his different stories, and one of the stories

that he shared made me, you know, really, like, look up to him and which I recognized him as -- as my hero. Part of that was because when I was seven years old and I had an opportunity to go to an amusement park as a child with the summer camp that I attended, I remember being called the "N" word. And I looked and, you know, just didn't know how to respond. It was a group of older White individuals who called me the "N" word and never had been, you know, talked to in that manner and that was my first time ever, you know, being referred to in that manner. So I went home later and told mom about it and, you know, not much came of it. And at the age of 16 I remember interning in David's office and eventually, you know, we built a relationship, and he shared with me, you know, how he came to Rochester. And it stemmed from a White kid in the South where he grew up calling him the "N" word, and he responded by socking him in the face. His mom immediately told him, *We have to leave*. And the reason they had to leave was he could have potentially been lynched for his actions on that day. But one thing that I could truly appreciate is he has always been and always was an activist. He was a visionary and he was a pioneer, and I'm just grateful to be able to stand in this position, not looking to fill his shoes, but looking to continue to run the race.

So I just want to say thank you for David Gantt and the work that he's done and the legacy that he leaves behind. Thank you.

ACTING SPEAKER AUBRY: Mr. McDonald.

MR. MCDONALD: Thank you, Mr. Speaker. You know, I've only been here nine years now, and I remember my first year some advice was imparted on the members on orientation saying, *If you're smart and keep your mouth shut and listen, you might actually learn something.* And I remember my first Memorial Resolution just like I remember today, and how I heard other members talk about individuals they met along the way and the impact those individuals had not only through legislation but also their personal relationships, which I thought was very meaningful. And like our Majority Leader, for some reason -- I guess I must be getting older because I know seven or eight of the individuals we're recognizing today.

Joe Errigo, of course, sat behind me for a couple of years. One of the most quiet, nicest gentlemen who stepped in to serve the community at a difficult time in his district.

Bill Magee. Once again, I still have a hard time understanding how a man of such few words was an auctioneer. But whenever you asked of him for something, he gave it to you without any hesitation.

Dick Gottfried mentioned the fact that the only member he didn't serve with was Jack Tabner. I knew Jack Tabner. Jack Tabner was the longtime Albany County Republican Leader, but he and I served in the early 1990's as the founding members of the Marjorie Doyle Rockwell Center in my hometown of Cohoes, long before I got involved in politics. We thought it was a good idea to

build a residence for individuals who at that time we were still understanding what Alzheimer's was all about. And we built a state-of-the-art, one-of-a-kind facility in Upstate New York. Jack was a true gentleman.

Bill Larkin, I did not know until I got here to the Legislature. What I didn't realize, although he's from the Newburgh area and was referenced earlier was that he knew more about Troy and Cohoes, districts of mine, and my relatives that I actually knew. So he came from our region originally and was a great, great public servant, who if you met him for five minutes you respected him immensely.

Fred Field. Fred Field served in this House, but was also the Supervisor of the Town of Colonie which is the largest town in the Capital Region. And I was the Mayor of the City of Cohoes. We were neighbors. Elected officials working together. You couldn't find a more kinder, charismatic gentleman than Fred Field. My first year or so as Mayor, I was asked to replace Fred Field as he was retiring to be the Chair of what we know was called the Capital District Transportation Committee, which was the Metropolitan Planning Organization that funneled all of the hundreds of millions of dollars for transportation projects throughout the Capital Region. And I remember Fred asking me to take over that position. And I was like, *Geez, Fred. You know, I've only been doing this mayor thing for a couple years. I don't know a lot about this stuff.* He says, *No, John. But you know what? You're a businessman. You want to get things done, and that's what this board is here to do, is to get things done.*

And Fred remained a great friend for several, several years. He would often visit me at the pharmacy because his wife worked at the dentist office down the street.

Richard Brodsky was a very intriguing individual. Yes, he was bright. Yes, he was quick. I remember when he was pushing -- because I was still a mayor at the time and I was the Chair of our IDA and our LDC -- he was pushing his (inaudible). And everybody was moaning and complaining about all of these new regulations. And I said, *Well, hold on a second, folks. All he's asking for is greater transparency and accountability of public dollars. That's not really a heavy lift, by any stretch of the imagination.* And although I didn't serve with him I respected the work that he did. I respected his intrigue in local government and the impact that local government has on people's lives.

And finally, what's a comment without a David Gantt story? As a freshman I inherited a bill from my predecessor, Ron Canestrari, to rename this part of the roadway in Saratoga County from Waterford up to Saratoga, called the Veteran's -- Saratoga County Veteran's Highway. And I remember asking him, *Well, what do you think the chance is?* He goes, *Good luck. Gantt's not going to let it happen.* And as a matter of fact, anybody I talked to around here said, *Good luck. Gantt's not going to let it happen.* And one time I said to the analyst, I said, *What do I got to do to get this bill passed, because it passes in the Senate every year?* She said, *Well, if you feel the courage, go talk to the Chairperson.* Now, David would sit over



there or he would sit in the back of the Conference Room. He wasn't the most warm and friendly person. He really didn't have a sign up there saying "Come visit me." And I remember going over there. I was quivering a little bit because I never really dealt with him before. And I said, *David, I really like this bill. Would you pass it? It would be my first bill that the Governor would sign and it would mean an awful lot to me.* He looked at it, looked up at me and he says, *I hate highway bills. I don't like them.* I said, *Well, David it's a veteran's highway. What's not to like? Oh, I get it but I'm just so sick and tired of these veterans bills.* So I'm walking away a little bit and I turned around and I said, *David, can I ask you something? Does it make a difference that this veteran's highway drives right past the Jerry Solomon National Veterans Cemetery in Saratoga?* He said, *Why didn't you say that to me in the first instance? Your bill is going to get passed.* (Inaudible). And it was a very great moment. And it was actually an opportunity to create a bond with an individual that I didn't think I'd ever have a bond with.

And in closing, you know, it's interesting. I guess when you're around long enough you at least learn a little bit. I remember my first year here and listening to some of the things my colleagues from other parts of the State were saying and I'm like, *Oh my God. Why am I here? I don't want to deal with these things.* But I'm reminded regularly that we're here because the people from our communities elect us to represent their interests. And in order to be a successful Body we have to respect everyone's interests throughout the

State of New York. We don't always have to agree, but we have to respect it. It's days like this when I'm reminded about the greatness of every individual, whether we agree with them or not, who stepped into this Chamber. As you remind us all the time, we, this Body, represent over 19 -- probably now over 20 million people in the State of New York. It's an awesome responsibility. It's something we shouldn't take lightly. And yes, in the heat of the moment, whether it's difficult political sides or whether it's in our own family feuds, we have to remember that we're all here serving the people that elected us.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: On the resolution, all those in favor virtually and here stand for a moment of silence.

(Whereupon, a moment of silence was observed.)

The House stands adjourned.

(Whereupon, at 4:05 p.m., the House stood adjourned until Thursday, May 27th, that being a legislative day, and to reconvene on Tuesday, June 1st at 2:00, that being a Session day.)