

TUESDAY, MAY 31, 2022

4:43 P.M.

ACTING SPEAKER ZEBROWSKI: The House will come to order.

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

(Whereupon, a moment of silence was observed.)

Visitors are invited to join the members in the Pledge of Allegiance.

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

A quorum being present, the Clerk will read the Journal of Monday, May 30th.

Mrs. Peoples-Stokes.

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

dispense with the further reading of the Journal of Monday, May the 3rd [sic] and ask that the same stand approved.

ACTING SPEAKER ZEBROWSKI: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Colleagues and guests that are in the Chambers, if I can just get your attention for a minute. I want to share a quote. I know we all yesterday were doing a lot of -- well, some of us, Memorial Day parades and visiting cemeteries to honor veterans who have given their life, so I want to share this quote. This one is from Jennifer Granholm. She serves as the 16th United States Secretary of Energy. She's also the former Governor of Michigan, she's an attorney, an educator, and an author. Her words for us today, "Ceremonies are important. But our gratitude has to be more than a visit to the troops, and once-a-year Memorial Day ceremonies. We honor the dead best by treating the living well." Again, these words by Jennifer Granholm.

Mr. Speaker and colleagues, you have on your desk -- well, let me start with this first of all. It's my pleasure as always, Mr. Speaker, to have the opportunity to introduce new members, which we will do in a few moments, but we want to start with the resolution that allows us the opportunity to seat our new member, her name is Monique Chandler-Waterman from the 58th Assembly District. Members have on their desks the Calendar and an A-Calendar, and we also have a debate list. I now move to advance the A-Calendar, Mr.

Speaker.

ACTING SPEAKER ZEBROWSKI: On a motion by Mrs Peoples-Stokes, the A-Calendar is advanced.

MRS. PEOPLES-STOKES: Thank you, sir. We're going to begin our work today by taking up resolutions on page 3, and then we're going to consent the A-Calendar, beginning with Rules -- we're going to go to the A-Calendar that we just moved forward and we're going to consent the entire Calendar. It's got 80 bills on it, and it's going to begin with Rules Report No. 435. So I'm going to ask the members' patience, cooperation and tolerance, because this is going to be a long day; as a matter of fact, it's going to be night by the time we're done so we're going to ask for your patience and tolerance. And, Mr. Speaker, there may be additional floor work that we may have to announce at some other point, but right now this is what we have.

So this is kind of a general outline. If there's any housekeeping or introductions, now would be the appropriate time.

ACTING SPEAKER ZEBROWSKI: We do have a piece of housekeeping.

On a motion by Mr. Magnarelli, page 18, Rules Report No. 429, Bill No. 9966-B, the amendments are received and adopted.

The resolution for the seating of the new member. The Clerk will read the title of the resolution.

THE CLERK: Assembly Resolution No. 1027, Mr.

Heastie.

Assembly Resolution in relation to the election and seating of Monique Chandler-Waterman as a member of the Assembly from the 58th Assembly District.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Resolution No. 1027. 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 resolution is adopted.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, it's my pleasure to read a brief bio on our new colleague, Assemblymember Monique Chandler-Waterman has recently been elected to represent the 58th Assembly District in Brooklyn. Monique was born and raised in the East Flatbush section of Brooklyn. She attended PS 135 and Meyer Levin, where her mother also attended, and she had the privilege to start her teaching career there. She graduated from Boys and Girls High School, obtained a Bachelor's Degree in Business Administration from Berkley College and an MBA from Metropolitan College of New York.

Monique began her career in community service in 2005, when she helped form the East 29th Street and East 46th Street Block Associations. She later joined UFT after learning of the lack of services and hearing the concerns from parents struggling for child care. In 2008, Monique co-founded a non-profit organization to address the limited youth services in the community. Over the years, it has grown to include academic, financial literacy, cultural enrichment, and community support and mental health programs. Monique has spent time as a civilian advisor for the New York Police Department's 67th Precinct Council. She graduated from New York's Police Department's Civilian Academy and led the East Flatbush Alliance in the 67th Street, 69th Street and the 70th Street Precincts.

Assemblymember Chandler-Waterman is married to her husband, Eric Waterman. They have four children. Please join me again in welcoming our colleague, Assemblymember Monique Chandler-Waterman to our Chambers.

(Applause)

ACTING SPEAKER ZEBROWSKI: Ms.

Chandler-Waterman, on behalf of the Majority Leader, the Speaker and all the members, we congratulate you. We welcome you to this Body. We look forward to working with you as a colleague, and we look forward to all your future contributions to the people of the State of New York. Congratulations again.

(Applause)

Mr. Santabarbara for the purposes of an introduction.

MR. SANTABARBARA: Thank you, Mr. Speaker. Today I rise to introduce some special guests from my Assembly District here in the Chamber. They're from the City of Amsterdam. Joining us in the Chamber here today is 8-year-old Brody Dodd, his family, his mother Jenna, younger brother Carson, along with his grandmother Lorraine. At a very young age, Brody began collecting flags from every branch of our armed services and assembled them proudly in front of his home in Amsterdam. He began conducting his own daily flag ceremonies for his family, his neighbors, marching in front of his house with the flag, reciting the Pledge of Allegiance, singing the Star Spangled Banner, offering a moment of silence, and ending with the playing of Taps. And word quickly spread about Brody's love for our country, his unwavering patriotism, and he's been involved with a number of annual events in our community on Memorial Day, Veterans Day, our 9/11 memorial services at Riverlink Park in Amsterdam, and I'm very pleased to have him joining us here today to be able to tour the Capitol and join us to watch the proceedings with his family. Mr. Speaker, if you would welcome Brody and his family to the Chamber and extend to him the cordialities of the House.

ACTING SPEAKER ZEBROWSKI: Sure. On behalf of Mr. Santabarbara, the Speaker and all the members, we welcome this distinguished guest and young leaders here to the Chamber. We extend the privileges of the floor, hope you enjoy the proceedings today. And we thank you for all you're doing for your

community and the great State of New York. Thanks so much for joining us here today.

(Applause)

Ms. Chandler-Waterman for an introduction.

MS. CHANDLER-WATERMAN: Hello. This feels great. Thank you, Mr. Speaker. Thank you to Majority Leader, thank you to my colleagues, thank you for everyone here. This is an amazing day. I'd like to introduce my family that's here with me. My father-in-law who served in the Armed Forces, Randolph Waterman, if he could please stand, my father-in-law, thank you.

(Applause)

And I also would like to introduce my mom who is a frontline worker, Yvonne Chandler.

(Applause)

And my husband of over 21 years, Eric Waterman, who is also a union member.

(Applause)

And I have four beautiful children, I have Eynique - please stand - 20 years old; my son, 19 years old, Erique; my daughter, 16 years old, Enay; and Erynn Waterman, the baby, who is 14 years old.

(Applause)

Thank you so much everyone for today. Thank you. Thank you. Thank you. Please extend the cordialities to the floor. Thank you.

(Applause)

ACTING SPEAKER ZEBROWSKI: Thank you.

Thank you. On behalf of Ms. Chandler-Waterman, the Speaker and all the members, we welcome this family here. I know this is an especially proud day for you, and we should let you know that Ms. Chandler-Waterman is a member of our Assembly family now, and so are you. Thanks so much for joining us here today. We extend the privileges of the floor and hope you enjoy today's proceedings. Thanks.

(Applause)

Mr. Tague for the purposes of an introduction.

MR. TAGUE: Thank you, Mr. Speaker. And before I introduce my guests, I just want to shout out to Mr. Jackson and his team here for keeping us safe and taking care of us here just a few minutes ago. So Mr. Jackson, thank you.

(Applause)

With that, Mr. Speaker, it is my honor today to introduce to you Savannah Traverse, Vice President of the Schoharie Valley FFA, a 10th grader at Schoharie Central School, my alma mater and from my hometown. Also, her mom Cynthia Traverse. Cynthia is an active member of the United States Army, First Class Drill Sergeant with over 20 years of active service to our nation. I also want to introduce my Chief-of-Staff's granddaughter, Mollie Goblet-Schubert, also a member of the Schoharie Valley FFA, and she is a 6th grader also at my alma mater, Schoharie Central School.

These two young ladies were here today to help support a bill that I hope will some day make it to this floor and get passed having to do with whole milk. So Mr. Speaker, if you would please, please give the privileges of the floor and all the cordialities of the People's House to my guests today, and thank you very much.

ACTING SPEAKER ZEBROWSKI: Thank you. First to the member of our military, thank you for the service to our nation. And also to these young leaders, it's great to have so many young people today here in the Chambers. On behalf of Mr. Tague, the Speaker and all the members, we welcome these distinguished guests to the Chamber. We extend the privileges of the floor and we hope you enjoy today's proceedings. Thanks so much.

(Applause)

Mr. Goodell for the purpose of an introduction.

MR. GOODELL: Thank you, sir. It is my great pleasure to introduce my predecessor who did a phenomenal job as Floor Leader for the Republican Conference, Tom McKeivitt. And those of who were around back then can recall the good old days when Mr. McKeivitt was at this chair and the current occupant was somewhere else. But Mr. McKeivitt did a phenomenal job both as a representative of his district on Long Island, as well as representing the people in the State of New York. He came up to visit us today and we took no hesitation in bringing him in and having him give us advice on today's Calendar. And I might add that his advice was more accurate to our floor Minority Leader than my advice was, which

should be no surprise to any of you. But if you would please extend the cordialities to my predecessor, my mentor, my friend, and a great public servant, Tom McKeivitt.

ACTING SPEAKER ZEBROWSKI: Mr. McKeivitt, a good friend of the Chamber. Thanks so much for joining us again. It's great to see you. Once an Assemblymember, always an Assemblymember. We hope you will visit us more often. It's been a couple years, but we certainly welcome you back here to the Chambers. On behalf of Mr. Goodell, the Speaker and all the members, we welcome you, you don't need the privileges of the floor from us, you always have them, but thanks again for joining us today.

(Applause)

Mr. Burdick for the purposes of an introduction.

MR. BURDICK: Mr. Speaker, I thank you and I rise for the purpose of an introduction of guests from my district. I'm very pleased to introduce four students who are volunteers in my district office. Nadia Nabeel who is a senior at the Horace Greeley High School, a resident in New Castle, and will be attending Binghamton University in the fall majoring in political science and economics; Isabelle Safarey is a junior at Byram Hills High School and a resident of North Castle and is absolutely passionate about public policy and the law; Flora Elgamin, a senior at John Jay High School, lives in Lewisboro, will be attending Skidmore College in the fall majoring in political science and international affairs; and Jack Quinn who is a senior at Bucknell University majoring in political science and

environmental studies. He is a resident in Bedford and passionate about the environment and sustainability. He also is accompanied by his parents, Claire Quinn and Tim Quinn.

And, Mr. Speaker, I ask that you kindly extend privileges, cordialities, and courtesies of the House to our guests.

ACTING SPEAKER ZEBROWSKI: Thank you to these scholars and future leaders. We look forward to seeing the futures of all the young people that are visiting us here today. On behalf of Mr. Burdick, the Speaker and all the members, we welcome these distinguished guests to our Chambers. We extend the privileges of the floor and we hope you enjoy today's proceedings. Thanks so much for joining us.

(Applause)

Ms. Forrest for the purposes of an introduction.

MS. FORREST: Thank you, Mr. Speaker. Today, in recognition of Haitian Heritage Month and Haitian Unity Day, the Haitian elected officials, the largest Caribbean delegation in New York State Legislature would love to recognize Dr. Monalisa Ferrari for her exemplary community service. Known as an educator, community leader, media expert and philanthropist, Dr. Ferrari started her career in education in 1985 as an adult literacy and ESL teacher. Dr. Ferrari is currently a Director of Professional Development at the New York City Department of Education. She is also President of the Haitian Educators League for Progress, a non-profit community-based organization serving Haitian educators in New York City and in Haiti.

But she does go beyond education. Dr. Ferrari's vision to see a more unified and fortified Haiti and Haitian diaspora, which she works relentlessly in building sustainable partnerships with many organizations in U.S. and in Haiti. Dr. Monalisa is also the Founder and President of Foundation for the Emancipation of Women and Girls, FEWGI, located in ten cities in New York -- in Haiti, Dominican Republic, Brazil, Chile, USA and soon to be in Angola, Africa. She also co-founded DREP, Disaster Relief and Emergency Preparedness, by putting together over 200 professionals from an array of backgrounds to assist in the most recent Haiti earthquake relief -- relief. And soon -- and thereafter, mobilized (inaudible) with the Texas migrant crisis.

She is also accompanied by her daughters, Victoria, who is currently at Howard, and we have -- no, sorry. Princess is at Howard and Victoria is at SUNY Albany. Dr. Ferrari's advocacy and pure commitment to the Haitian diaspora is a wonderful, wonderful thing to do and that's why we say thank you, thank you, thank you. Merci. (Speaking foreign language). You are the epitome of (Speaking foreign language). Thank you.

(Applause)

ACTING SPEAKER ZEBROWSKI: Doctor, to you and your family, thank you so much for what you've done to enrich our community, the State and beyond. On behalf of Ms. Forrest, the Speaker and all the members, we welcome this distinguished guest to our Chambers. We extend the privileges of the floor and we hope you

enjoy today's proceedings. Thank you so much.

(Applause)

Ms. Forrest for another introduction.

MS. FORREST: Also in honor of Haitian Unity Day, I would like to introduce a prominent member of my district, AD 57. Pastor Valentino Davis is a spiritual pillar in the community. He is a pastor at Open Heaven Prophetic International Ministries. He is of Haitian descent and an example when (speaking foreign language) meaning church, school, and home goes right. He is a worthy husband to Willean Davis and a proud father of Anayah, Yanari, Ezekiel and Jamiah. He is a great member of my Assembly District and a wonderful citizen of New York State. Thank you for your service.

ACTING SPEAKER ZEBROWSKI: Pastor, thank you also for your contributions to your community and to the great State of New York. On behalf of Ms. Forrest, we also welcome you, on behalf of the Speaker, also and all the members, we extend the privileges of the floor and we hope you enjoy today's proceedings. Thanks so much.

(Applause)

Resolutions on page 3, the Clerk will read.

THE CLERK: Assembly Resolution No. 1017, Rules at the request of Ms. Solages.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2022 as Trauma-Informed Care

Month in the State of New York.

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

THE CLERK: Assembly Resolution No. 1018, Rules at the request of Mr. K. Brown.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim September 2021 as Recovery Month in the State of New York.

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

THE CLERK: Assembly Resolution No. 1019, Rules at the request of Mr. Jensen.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim November 10, 2022 as NET Cancer Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 1020, Rules at the request of Ms. Rajkumar.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 26th, 2022 as Guyanese Independence Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 1021, Rules at the request of Mr. Cusick.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim August 7th, 2022 as Purple Heart Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 1022, Rules at the request of Mr. Epstein.

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

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

THE CLERK: Assembly Resolution No. 1023, Rules at the request of Ms. Jean-Pierre.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim September 16th-22nd, 2022 as Diversity in STEM and Tech Week in the State of New York.

ACTING SPEAKER ZEBROWSKI: On the

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

THE CLERK: Assembly Resolution No. 1024, Rules at the request of Ms. Solages.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 31st, 2022 as Haitian Unity Day in the State of New York, in conjunction with the observance of Haitian Heritage Month.

ACTING SPEAKER ZEBROWSKI: Ms. Solages on the resolution.

MS. SOLAGES: I say to all my colleagues, friends, guests, welcome. It's Haitian Unity Day. So each year we set aside time to recognize Haitian Unity Day and stand in solidarity with Haitian-Americans. The celebration of Haitian Unity Day and Haitian Heritage Month provides New Yorkers with an opportunity to share and demonstrate pride in Haitian culture and history while maintaining our self-identity. Although we move places like Bassin-Bleu to Brooklyn, or from Port-au-Prince to Spring Valley, or from Cap-Haïtien to Elmont, the Haitian diaspora always is gratifying their love for unity and for the fight of freedom. And as a Haitian-American, I really owe to my ancestors who fought so courageously to continue reminding people of the pride that we have in our -- in our country and also our fight for freedom.

So Haiti, as you know, has suffered from fresh political instability and natural disasters. We had the assassination of

our President, our former President, another earthquake which killed 2,000 people. Every day we pray for stability in our country, but to me this current Federal Administration disrespects the Haitian migrants crossing at the Rio Grande and swiftly deporting thousands of migrants under Title II cannot be, you know, not be looked and glazed over. We need to denounce this terrible, terrible wrong.

You know, I was going to do (inaudible), but for the sake of Session I found a proverb and it's (speaking foreign language), which is what they say is that we are like the sea. We wash away the dirt. It means that no matter what happens to us, we will get up and rise again. So Mr. Speaker, as you know, Haiti has always been the jewel, or as they say the pearl of the Caribbean, a place, a magical, beautiful land. And it's a beacon of Black freedom in the Western Hemisphere. So I know that when we say every day unity makes strength, it is something that we embody and that is true. And so it's really a privilege to work with my colleagues to pass this resolution and commemorate May 31st as Haitian Unity Day. Thank you.

(Applause)

ACTING SPEAKER ZEBROWSKI: Thank you.

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

(Applause)

THE CLERK: Assembly Resolution No. 1025, Rules at the request of Mr. DeStefano.

Legislative Resolution memorializing Governor

Kathy Hochul to proclaim June 2022 as Great Outdoors Month in the State of New York.

ACTING SPEAKER ZEBROWSKI: Mr. DeStefano on the resolution.

MR. DESTEFANO: I'm glad my colleague broke the ice, because I was afraid I was going to have to do it, but thanks, Mr. Speaker, for the opportunity. Now, more than ever, people are feeling the need to get out of the house and go. We've been cooped up for way too long and have to get away from our televisions and our computers. We need to escape to the great outdoors. New York is blessed with an incredibly amount of natural treasures, from the mountains to the sea and vast open spaces and vibrant forests, beaches, parks and vistas, our State has it all. You can go to see Niagara Falls or visit the wine regions of the Finger Lakes, or Long Island's East end, you can hike the Appalachian Trail or visit beaches in the Hamptons that were named the best in the world. Our State has windmills and historical places, the Erie Canal, Lake George, Lake Champlain, and we border two Great Lakes. You can hit the High Line of New York City or check out the Mohonk Mountain in the Hudson Valley and many other mountains in the Catskills, Adirondacks, Taconic, and other ranges. Go walk over the natural stone bridge in Pottersville or stroll through Connetquot State Park, or Wildwood or Taconic Falls, or Watkins Glen, Seneca Lake and Saratoga Spa, Palisades, Peebles Island, another one of 180 state parks this great State has to offer.

I could go on, but why do that? Just go out and enjoy them. To recognize our immense resources and encourage everyone to get out and enjoy them, I introduce this resolution to proclaim the month of June as the Great Outdoors Month in the State of New York. The great outdoors are therapeutic, they are healthy. We can go and clear our minds, reconnect with our family and friends. We can hike, jog, ski, swim, or simply meditate. There are flora and fauna to spark the imagination, waterfalls and crashing waves, sunsets, moon rises, and pallets of color all there for our appreciation. Don't be a homebody, June is National Great Outdoors Month, and we shall have, with the concurrence of this legislative Body, a great outdoor celebration here in the Empire State. Thank you, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Thank you.

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

THE CLERK: Assembly Resolution No. 1026, Rules at the request of Mr. Byrne.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 15th, 2022 as Pregnancy and Infant Loss Remembrance Day in the State of New York.

ACTING SPEAKER ZEBROWSKI: Mr. Byrne on the resolution.

MR. BYRNE: Thank you, Mr. Speaker. I'm proud to rise for this resolution. There's a lot of resolutions that I submit each legislative Session, but this one is a special one for me and many

families. Well, not personally in my immediate family, but certainly my extended family has been affected by stillbirth. And this is a very special day to remember those, you know, those lost loved ones that were lost either due to miscarriage, stillbirth, SIDS, or the death of a newborn.

And I just wanted to share some information with my colleagues that across our country, stillbirth claims over 26,000 babies every year in the United States. That's 26,000 mothers, fathers and other respective family members who are affected by this terrible loss. That equals one in 160 pregnancies in the United States or in other words, 70 babies, a school bus full of children, every single day. The national average or rate of stillbirth is 5.7 per 1,000, so it's 21,478 total stillbirths across the country. This is from a scorecard that's developed by the Star Legacy Foundation. And sadly, tragically across our country, there's major disparities and nationally if you look at Native Americans, Alaskan Native, Asian/Pacific Islander, White, Hispanic, the average is all under 5 per 1,000 livebirths, but Black African-Americans have over 10 per 1,000 live births. Now, we're fortunate that in New York, that disparity is much less pronounced. It's all in between four and five, but sadly the total number of live births is larger when you compare it to other states proportionately.

This is an important day, and I want to thank my colleagues for supporting this resolution. Thank you, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Thank you.

On the resolution, all those in favor signify by saying

aye; opposed, no. The resolution is adopted.

On the A-Calendar, page 3, Rules Report No. 435, the Clerk will read.

THE CLERK: Assembly No. A00025, Rules Report No. 435, Cahill, Bichotte Hermelyn. An act to amend the Executive Law, in relation to exempting certain utility and other workers from State and local traveling bans during declared emergencies.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Rules Report No. 435. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00276-A, Rules Report No. 436, Zebrowski, Lawler. An act to amend the Executive Law, in relation to minimum standards for code enforcement personnel.

ACTING SPEAKER ZEBROWSKI: On a motion by Mr. Zebrowski, the Senate bill is before the House. The Senate bill is

advanced. The bill is laid aside.

THE CLERK: Assembly No. A00873-A, Rules Report No. 437, Cahill, L. Rosenthal, Thiele, Simon, Colton, Englebright. An act to amend the Public Service Law, in relation to utility intervenor reimbursement; and to amend the State Finance Law, in relation to establishing the Utility Intervenor Account.

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

THE CLERK: Assembly No. A01007-A, Rules Report No. 438, Paulin, Dinowitz, Jacobson, Woerner, Thiele, Walczyk, Morinello, Byrnes, Gottfried, McDonough, Ra, Smullen, Fahy, Steck, Kelles, Durso, McMahon, Forrest, Hevesi, Simon, Burdick, Frontus, Cruz, Glick, Norris, Salka, De Los Santos, González-Rojas, Epstein, Galef, Buttenschon. An act to amend the Vehicle and Traffic Law, in relation to authorizing cities, villages and towns to reduce the speed limit to 25 miles-per-hour.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 1007-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A01431, Rules Report No. 439, Dinowitz, Griffin, Englebright, Galef, Abinanti. An act to amend the State Finance Law, in relation to increasing the amount of the award to a person who initiates a qui tam action where such action includes disclosure of information related to the use of government funds during a state of emergency.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 1431. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A02157-A, Rules Report No. 440, Fernandez, Vanel, Solages, Williams, Epstein, Dickens, Hyndman, Norris, Rozic, Colton, Englebright, Griffin,

Abinanti, Steck, Reilly, Smullen, DeStefano. An act to amend the State Technology Law, in relation to State agency websites.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 2157-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A02620, Rules Report No. 441, Thiele, Ra, McDonough, Stirpe, Galef, González-Rojas, Sillitti, Englebright, Simon, Colton, Gottfried, Jean-Pierre, Abbate, Kelles, Steck, Fernandez, Burdick, J. A. Giglio, Griffin, Otis, Ashby. An act to amend the Public Health Law, in relation to cost recovery by municipalities and other recipients from responsible parties and ensures that responsible parties do not benefit from State assistance payments or grants made by the Environmental Facilities Corporation to municipalities and recipients.

ACTING SPEAKER ZEBROWSKI: On a motion by

Mr. Thiele, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 2620 -- Senate Bill 956. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03040-B, Rules Report No. 442, McDonald, Blankenbush, Tague, Walczyk, Brabenec, Gottfried, Jackson, Stirpe, Gunther, Griffin, Steck, Lupardo, Buttenschon, Woerner, Fahy. An act to amend the Education Law, in relation to the definition of the practice of pharmacy.

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

THE CLERK: Assembly No. A03166-A, Rules Report No. 443, Dinowitz, Englebright, Simon, Dickens, Sayegh, Gottfried, Otis. An act to amend the Public Service Law, in relation to requiring the registration of energy brokers and energy consultants.

ACTING SPEAKER ZEBROWSKI: The bill is laid

aside.

THE CLERK: Assembly No. A03179-D, Rules Report No. 444, Fahy, Gottfried, Jackson, McDonald, Dickens, Thiele, Seawright, Burdick, Simon, Steck, Woerner, K. Brown, Clark, L. Rosenthal, Otis. An act to amend the Executive Law, in relation to requiring electric vehicle charging stations and electric vehicle capable parking spaces.

ACTING SPEAKER ZEBROWSKI: The bill is laid aside.

THE CLERK: Assembly No. A03642, Rules Report No. 445, L. Rosenthal, Steck. An act in relation to determining whether the State can claim Federal financial participation for coverage of and payment for certain prescription digital therapeutics.

ACTING SPEAKER ZEBROWSKI: On a motion by Ms. Rosenthal, 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 ZEBROWSKI: The Clerk will record the vote on Senate Bill 559. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04285-A, Rules Report No. 446, L. Rosenthal, Forrest, Seawright, Aubry, J. Rivera, Bichotte Hermelyn, Hevesi, Carroll, Clark, Zinerman, Simon, Jackson, Mitaynes, González-Rojas, Solages, Reyes, Fernandez, Burgos, Jean-Pierre, Quart, Cruz, Epstein. An act to amend the Public Health Law, in relation to prohibiting drug or alcohol testing and screening of pregnant or postpartum individuals.

ACTING SPEAKER ZEBROWSKI: The bill is laid aside.

THE CLERK: Assembly No. A04454-B, Rules Report No. 447, Abbate, Griffin, Colton. An act to amend the Retirement and Social Security Law, in relation to providing a lung disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 4454-B. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, sir. This bill provides that any member of the New York State and Local Employees' Retirement System that's employed as a correctional officer, a deputy sheriff, patrol officer or a deputy sheriff patrol supervisor who comes down with lung disease has the presumption that that lung disease was related to their employment. And while I'm a strong supporter of both our correctional officers and our police officers, I don't think it's appropriate to say that if you come down with lung disease it's automatically the result of your employment, making you eligible for special disability benefits without any medical nexus. And so the current system says if you can establish that your impairment was as a result of your employment, you get these extra benefits, but if you can't, you don't. This changes the presumption and I don't think there's any medical data to back it.

So while I certainly back our officers, I don't think this is Christmas here in the floor of the Assembly, and I don't think we should make medical presumptions that are not backed by evidence. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Mr. Goodell in the negative.

Mr. Fitzpatrick to explain his vote.

MR. FITZPATRICK: Yeah, thank you, Mr. Speaker. Here we are at the end of Session and we get these bills coming before us and it's not -- I agree completely with what the previous speaker said, but I believe -- you know, when I ask my friends in the unions,

Do we believe in collective bargaining, and they of course say, Yes, we believe very strongly in collective bargaining. Well then, this is a perfect opportunity to use collective bargaining to gain a benefit such as this. This is a very generous benefit and it can be a very expensive benefit, and I do not believe it is unfair or unreasonable to ask that something be put on the table to help cover the cost of this instead of mandating this additional cost on the taxpayer.

As the previous speaker said and I completely agree with respect to our corrections officers, our sheriffs, et cetera, but there have to be limits here. And this is what collective bargaining is established to win, to put something on the table so as to gain something. It's a wonderful benefit. It will help a lot of people I am sure. The fewer the better, frankly, but the -- again, not unfair to ask for the deputy sheriffs and the corrections officers to put something on the table to help the taxpayers cover the cost of this. This is what collective bargaining is all about, it's what it should be used for. It should not come through the Legislature. Thank you, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Mr. Fitzpatrick in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04607-B, Rules Report No. 448, Abbate, Griffin, Durso, Colton. An act to amend the Retirement and Social Security Law, in relation to providing a heart

disease presumption for correction officers, correction supervisors, deputy sheriff patrol or deputy sheriff patrol supervisors.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 4607-B. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, sir. As with the other bill, this extends disability benefits to any sheriff patrol officer, deputy sheriff patrol supervisor, who might not ever leave his office, correctional officers if they come down with heart disease after they've been employed. And again, no medical nexus between their employment and those positions and heart disease. And you might wonder if there's any medical evidence that suggests that inmates, for example, or incarcerated persons have higher heart disease because they're incarcerated, or higher lung disease.

And so for the reasons mentioned by my colleague, if we want to believe in collective bargaining, let's use it. If we want to follow the science, let's look at it, but simply giving away benefits because we're great supporters of our correction officers and the

sheriff patrol I think is a mistake. Thank you.

Oh, one other thing just to mention, of course every time we add these benefits, it's another mandated expense on all of our local governments because their costs go up. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Mr. Goodell in the negative.

Mr. Fitzpatrick to explain his vote.

MR. FITZPATRICK: Mr. Speaker, again, as I mentioned before on the previous bill, this is a benefit that should be negotiated for at the bargaining table using the collective bargaining process. It is not unfair or unreasonable to ask the members of this union to put something on the table to help offset the cost. Thank you.

ACTING SPEAKER ZEBROWSKI: Mr. Fitzpatrick in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05735-C, Rules Report No. 449, Joyner, McDonald, Reyes, Simon, Burgos, Fahy, Septimo, Lunsford. An act to amend the Education Law, in relation to enacting the "Schools Impacted by Gross Highways (SIGH) Act."

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 5735-C. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Goodell.

MR. GOODELL: Thank you, sir to explain my vote. This bill by State law overrides the authority of every single school board in the State of New York to determine where is the best location to locate their school by prohibiting any school within 500 feet of a limited or a controlled access highway. Now, this may make perfect sense if you're in a high density municipality where a controlled access highway is called a parkway because there are so many people that everyone's parking on it, but Upstate we have a lot of controlled access highways that have very low traffic.

And so we here in the Legislature without knowing any of the details of what makes the best sense for a local school board to locate a new school is barring them from locating within a certain distance of a highway. That's not our role, that's their role. They were elected school board members, not us. They can evaluate the traffic ramifications. I live not far from I-86. There are days where I drive home and I'll go for miles, miles and miles without seeing a car in either direction and this bill says we don't care; no school board can locate a school within 500 feet of a controlled access

regardless of the traffic, regardless of the needs of the community, regardless of the traffic patterns that are there, regardless of the ease of access, regardless of the fact that they, not us, were elected school board members. For those reasons, I'm voting no. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Mr. Goodell in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06164-A, Rules Report No. 450, Manktelow, B. Miller, Smullen, Brabenec, DeStefano. An act granting retroactive membership in the New York State and Local Employees' Retirement System to Justin Whitmore.

ACTING SPEAKER ZEBROWSKI: On a motion by Mr. Manktelow, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Senate Bill 4686-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06358-A, Rules Report No. 451, Thiele, DeStefano, Englebright. An act to amend the Vehicle and Traffic Law, in relation to first degree aggravated unlicensed operation (AUO) of a motor vehicle.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 6358-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06442-C, Rules Report No. 452, Abinanti, Sayegh. An act to amend the Public Health Law, in relation to qualifying health care costs under the New York State Medical Indemnity Fund; and to amend Chapter 517 of the Laws of 2016, amending the Public Health Law relating to payments from the New York State Medical Indemnity Fund, in relation to the effectiveness thereof.

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

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Senate Bill 8591-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Abinanti to explain his vote.

MR. ABINANTI: Thank you, Mr. Speaker. Thank you, Mr. Speaker. This bill amends the Public Health Law to improve the State Medical Indemnity Fund that was part of a Medicaid redesign team initiative enacted in 2011 at the instance of the then Governor. Since that time, we found that there have been some problems with this fund that was set up to help those with birth related neurological injuries pay for their medical cares. In exchange for putting them into this fund, they forfeited part of the medical malpractice -- their malpractice (phone ringing) -- their malpractice awards. And we found over the years that we needed to make certain improvements that were necessary to make the fund work better.

The changes that we made will expire in June of this year so this continues the changes, but also makes some other changes

to make sure that the participants will receive the -- what they're supposed to receive. Thank you, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Mr. Abinanti in the affirmative.

Colleagues, please quiet down a bit and silence your phones.

(Laughter)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06551-B, Rules Report No. 453, Solages, Thiele, Woerner, Steck, Englebright, McDonough, Jean-Pierre, Lavine, Smith, Weprin, Stern, Fitzpatrick, Fall, D. Rosenthal, Manktelow, Braunstein, Ra, Ashby, DeStefano, Brabenec, Pheffer Amato, Montesano, Barrett, Gandolfo, Abinanti, Galef. An act to amend the Public Health Law, in relation to requiring specific reserved bed days at the New York State Veterans' Homes.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 6551-B. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously

provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07770-C, Rules Report No. 454, Epstein, Taylor, Quart, Seawright, Kelles, González-Rojas, Cruz, Forrest, Gottfried, Simon, Reyes, Burgos, Jackson, Meeks, Steck, Tapia, Ramos, Fernandez, Aubry, Gibbs, Solages, Weprin, Fahy, Niou, J. D. Rivera, L. Rosenthal, Thiele. An act to amend the Insurance Law, in relation to an immigration bail business.

ACTING SPEAKER ZEBROWSKI: The bill is laid aside.

THE CLERK: Assembly No. A07914-C, Rules Report No. 455, Abbate, Colton. An act to amend the Retirement and Social Security Law, in relation to authorizing service credit for unpaid or reduced paid child care leave for members of the State Police 20 year retirement plan.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 7914-C. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to

contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you. All of us who are familiar with the State Retirement System know that our benefit when we retire is based on our years of service and our average salary. For those of us in the Legislature, it's an average salary going back three years. If you work part-time in compliance with the State Comptroller requirements, you have to document the amount of time you work and your time accrues on a part-time basis.

What this bill says is that members of the State Police can take time off for child care, which is great, and while they're not working for us they still accrue retirement time. So it's my understanding they could take several months off and they're not working for the taxpayers, they're not working at all for us, and they get credit for the entire time that they're not working for us. I think retirement credit should be based on the time you're working for the taxpayers, not the time that you're not working for the taxpayers. And for that reason, I won't be able to support it. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Mr. Goodell in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07962-A, Rules Report No. 456, Abbate, Griffin, Pheffer Amato, Colton. An act to amend the Retirement and Social Security Law and the Administrative Code of the City of New York, in relation to the establishment of 25 year retirement programs for members of the New York City Employees' Retirement System employed as fire protection inspectors and associate fire protection inspectors.

ACTING SPEAKER ZEBROWSKI: On a motion by Mr. Abbate, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Senate Bill 6988-B. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07971-A, Rules Report No. 457, Abbate. An act to amend the Retirement and Social Security Law, in relation to additional member contributions for certain members under the age 57 retirement program.

ACTING SPEAKER ZEBROWSKI: On a motion by

Mr. Abbate, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Senate Bill 6981-B. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08200-B, Rules Report No. 458, Jacobson, Gunther, Simon, Buttenschon, Lunsford, Wallace. An act to amend the General Municipal Law, in relation to prohibiting individuals in certain positions from taking any position with a business or entity doing business with an industrial development authority.

ACTING SPEAKER ZEBROWSKI: The bill is laid aside.

THE CLERK: Assembly No. A08275-A, Rules Report No. 459, Kelles, Burdick, Fahy, Magnarelli, Gottfried, Simon. An act to amend the Highway Law, in relation to the use of pollinator friendly plant species in medians along the highways of the State.

ACTING SPEAKER ZEBROWSKI: On a motion by

Ms. Kelles, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Senate Bill 660-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08292, Rules Report No. 460, Fahy, Englebright, Mitaynes, Dickens, Gottfried, Galef, Sayegh. An act in relation to directing the Superintendent of Financial Services to study overdraft fees.

ACTING SPEAKER ZEBROWSKI: On a motion by Ms. Fahy, 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 ZEBROWSKI: The Clerk will record the vote on Senate Bill 9348. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously

provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08326, Rules Report No. 461, Gallahan, Palmesano. An act to amend the Criminal Procedure Law, in relation to authorizing electronic court appearances in Seneca County.

ACTING SPEAKER ZEBROWSKI: On a motion by Mr. Gallahan, 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 ZEBROWSKI: The Clerk will record the vote on Senate Bill 7433. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08343-A, Rules Report No. 462, J. M. Giglio. An act to amend the Highway Law, in relation to designating a portion of the State Highway System as the

"Staff Sergeant Shawn M. Clemens Memorial Highway."

ACTING SPEAKER ZEBROWSKI: On a motion by Mr. Giglio, 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 ZEBROWSKI: The Clerk will record the vote on Senate Bill 7423-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08369-A, Rules Report No. 463, Buttenschon, Blankenbush. An act to amend the Highway Law, in relation to designating a portion of the State Highway System in Oneida County as the "Oneida County Korean War Veterans Memorial Highway."

ACTING SPEAKER ZEBROWSKI: On a motion by Ms. Buttenschon, 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 ZEBROWSKI: The Clerk will record the vote on Senate Bill 8581-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. Buttenschon to explain her vote.

MS. BUTTENSCHON: Thank you, Mr. Speaker. As many of us spent yesterday honoring our veterans, today we have the opportunity to pass this important legislation that originated from a dedicated veteran in my district that wanted to honor those that have served in the Korean War, or better known as the Forgotten War. This legislation acknowledges those that have served in sacrifice for us and our nation. As the daughter of a Korean War veteran, I vote in the affirmative. Thank you.

ACTING SPEAKER ZEBROWSKI: Ms.

Buttenschon in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08400-B, Rules Report No. 464, J. M. Giglio. An act to amend the Highway Law, in relation to designating a portion of the State Highway System as the "Staff Sergeant David Textor Memorial Highway."

ACTING SPEAKER ZEBROWSKI: On a motion by Mr. Giglio, 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 ZEBROWSKI: The Clerk will record the vote on Senate Bill 7416-B. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08573-B, Rules Report No. 465, Lavine. An act in relation to permitting India Pentecostal Assembly, Inc. to file an application for real property tax exemption.

ACTING SPEAKER ZEBROWSKI: 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 ZEBROWSKI: The Clerk will record the vote on Senate Bill 7610-B. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08608-A, Rules Report No. 466, Morinello. An act to amend Chapter 20 of the Laws of 1985 creating the Sanborn Volunteer and Exempt Firemen's Benevolent Association, Inc., and providing for its powers and duties, in relation to its purpose and the use of foreign fire insurance premiums.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 8608-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08915-B, Rules Report No. 467, Burdick, Meeks, Seawright, Abbate, Santabarbara, Englebright, Gallagher, J. M. Giglio, Davila. An act in relation to directing the New York State Office for People with Developmental Disabilities to establish a voluntary training and certification program

for employers that have taken the EmployAbility Pledge.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 8915-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. Burdick to explain his vote.

MR. BURDICK: Thank you, Mr. Speaker. I want to thank the Speaker, and I want to thank Chair Tom Abinanti of the Committee on People with Disabilities for their tremendous help with bringing this bill forward. This will create a voluntary training and certification program for employers that have taken the EmployAbility Pledge of the Office of People with Developmental Disabilities. We feel that this is going to be a great step forward in providing pilot program and best practices for employers both in for-profit and non-profit sector. So again, my vote is in the affirmative and I'm very grateful that we could move this legislation forward. Thank you, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Mr. Burdick in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08933-A, Rules Report No. 468, Eichenstein. An act to amend the Vehicle and Traffic Law, in relation to limiting the liability of operators and owners of first-response emergency vehicles for monetary penalties for certain traffic violations committed while responding to a medical emergency in a city with a population of one million or more persons.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 8933-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09158, Rules Report No. 469, Thiele, Jacobson. An act to repeal Sections 2, 3, 4, and 5 of Chapter 330 of the Laws of 2011 amending the Town Law relating to

payments for certain school, fire, fire protection, and ambulance districts for lands exempt from real property taxation for purposes which implement the Peconic Bay Community Preservation Fund; and providing for the repeal of certain provisions upon expiration thereof.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 9158. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09216-B, Rules Report No. 470, Otis, Sayegh. An act to amend the Executive Law, in relation to requiring the examination of current and the recommendation of future standardized building code requirements for flood mitigation.

ACTING SPEAKER ZEBROWSKI: On a motion by Mr. Otis, 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 ZEBROWSKI: The Clerk will record the vote on Senate Bill 7582-B. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09269-A, Rules Report No. 471, McDonald, Fahy. An act to amend the County Law and the Tax Law, in relation to communication service surcharges applied to Albany County; and providing for the repeal of such provisions upon expiration thereof.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 9269-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. Cruz.

MS. CRUZ: Please record our colleague Mr.

Barnwell in the negative.

ACTING SPEAKER ZEBROWSKI: So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09365, Rules Report No. 472, Peoples-Stokes. An act to amend the Local Finance Law, in relation to the sale of municipal obligations by the County of Erie.

ACTING SPEAKER ZEBROWSKI: On a motion by Mrs. Peoples-Stokes, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk. The bill is laid aside.

THE CLERK: Assembly No. A09367, Rules Report No. 473, Peoples-Stokes. An act to amend the Local Finance Law, in relation to facilitating the marketing of any issue of serial bonds or notes of the City of Buffalo issued on or before a certain date.

ACTING SPEAKER ZEBROWSKI: On a motion by Mrs. Peoples-Stokes, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk. The bill is laid aside.

THE CLERK: Assembly No. A09428-A, Rules Report No. 474, Kelles. An act to amend the General Construction Law, in relation to requiring the use of gender-neutral terms in law.

ACTING SPEAKER ZEBROWSKI: The bill is laid aside.

THE CLERK: Assembly No. A09437, Rules Report No. 475, Lupardo. An act to authorize the County of Broome to offer an optional 20 year retirement plan to Joshua Quinn, a deputy sheriff employed by such county.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 9437. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09461-B, Rules Report No. 476, Paulin. An act to amend the Tax Law, in relation to coordinating extensions of time to file State taxes to any extensions of time to file Federal taxes.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will

record the vote on Senate Bill 8398-B. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09465, Rules Report No. 477, Lavine. An act to amend the Real Property Tax Law, in relation to base proportions in assessing units in Nassau County.

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

THE CLERK: Assembly No. A09490, Rules Report No. 478, Pretlow. An act to amend the Local Finance Law, in relation to bonds and notes of the City of Yonkers.

ACTING SPEAKER ZEBROWSKI: On a motion by Mr. Pretlow, the Senate bill is before the House. The Senate bill is advanced. The Home Rule message is at the desk and the bill is laid aside.

THE CLERK: Assembly No. A09517, Rules Report No. 479, Jones. An act to authorize Nicholas Moore, Joshua Golden and Nathan Kasprzak to receive certain service credit under Section 384-d of the Retirement and Social Security Law.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 9517. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09653-A, Rules Report No. 480, Mikulin. An act to amend the Highway Law, in relation to designating a portion of the State Highway System as the "Trooper John J. Lane Memorial Bridge."

ACTING SPEAKER ZEBROWSKI: On a motion by Mr. Mikulin, 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 ZEBROWSKI: The Clerk will record the vote on Senate Bill 8688-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09690, Rules Report No. 481, Gunther. An act granting retroactive Tier IV membership in the New York State and Local Employees' Retirement System to Mark Pavlak.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote on Assembly Bill 9690. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09702-B, Rules Report No. 482, Griffin, Sayegh. An act to amend the Vehicle and Traffic Law, in relation to increasing the fines for dumping snow or plowing onto handicapped parking places.

ACTING SPEAKER LUNSFORD: Read the last section.

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

ACTING SPEAKER LUNSFORD: The Clerk will record the vote on Assembly Bill 9702-B. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, Madam Speaker. This bill would impose a fine of \$125 for the first offense, \$250 thereafter if any firm or corporation that is engaged in snow plowing plows snow into a handicapped parking space. And the problem with the language is that for those of us who live in the snow belt where you can get a couple of inches an hour and the plowers are doing everything they can conceivably to keep parking lots reasonably open and roadways open, sometimes it's just physically impossible not to keep certain spaces open. It's just physically impossible, it's just too much snow and not enough time.

And so I hope that this bill will be amended at some point. I hope we see an adjustment that provides a flexible exception when you have unusual snowfall for the temporary inconvenience until the lot can be cleared. And what happens is they do their best to

keep it clear, they'll do their best to keep handicapped spaces open, but if they can't we as a State should provide some flexibility to allow them to temporarily impact a handicap space until they get time to bring in a high lift and remove the snow.

So I will be supporting it, but we definitely need to be more flexible with those who deal with some of the most challenging weather conditions in the State. Thank you, Madam Speaker.

ACTING SPEAKER LUNSFORD: Mr. Goodell in the affirmative.

Mrs. Griffin to explain her vote.

MRS. GRIFFIN: Yes, I just wanted to explain to Mr. Goodell, this bill isn't to penalize like a snowfall, *Oh, you didn't plow your snow yet.* It's about people egregiously putting snow that -- in other spots and dumping it into the handicap spot. So some woman that drives by herself, I know a woman who is a constituent, drives by herself, is in her car, gets out on her own, gets in a wheelchair; what is she going to do if that spot's filled with snow?

So this bill isn't for we're in a blizzard right now and you're going to get a fine, this is for store owners and businesses who egregiously do it. For that reason, I think this bill is necessary and this fine is really not too high considering how much it is for speeding and other things like that. So I vote in the affirmative because I think people that have a handicap sticker have -- should be able to park anywhere just like everyone else can. So thank you for -- I encourage everyone to support the bill. Thank you.

ACTING SPEAKER LUNSFORD: Mrs. Griffin in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09745, Rules Report No. 483, Otis, Paulin. An act to amend the Vehicle and Traffic Law, in relation to implementing a residential parking system in the City of New Rochelle.

ACTING SPEAKER LUNSFORD: On a motion by Mr. Otis, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk. The bill is -- oh. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote on Senate Bill 8662. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09791-A, Rules Report No. 484, Fahy. An act to amend the Village Law and the

Public Officers Law, in relation to authorizing the Village of Voorheesville to appoint certain village officers who do not reside within such village.

ACTING SPEAKER LUNSFORD: On a motion by Ms. Fahy, the Senate bill is advanced -- on a motion by Ms. Fahy, 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 LUNSFORD: The Clerk will record the vote on Senate Bill 8683-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09800-A, Rules Report No. 485, Epstein, González-Rojas, Gottfried, Gibbs. An act to amend the Social Services Law, in relation to reporting of youth placed in foster care settings and recruitment of foster parents; and to repeal Section 2 of Chapter 11 of the Laws of 2021, relating to directing the Office of Children and Family Services to make information publicly available on the number of youth placed in foster care settings and recruitment of foster parents and the

effectiveness thereof.

ACTING SPEAKER LUNSFORD: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote on Assembly Bill 9800-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09818-A, Rules Report No. 486, Paulin, Dickens, Gottfried, Cahill, Glick, Epstein, Hevesi, Zinerman, Davila, Englebright, Burdick, Simon, Jackson, L. Rosenthal, Zebrowski, Gallagher, Seawright, O'Donnell. An act to amend the Executive Law, in relation to address confidentiality to protect reproductive health care services providers, employees, volunteers, patients, or immediate family members of reproductive health care services providers.

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

THE CLERK: Assembly No. A09824-A, Rules

Report No. 487, Thiele, Lavine, Englebright, Stern, DeStefano. An act to amend the Civil Practice Law and Rules, in relation to the statute of limitations for public water suppliers to commence an action, civil claim, or cause of action for injury to property.

ACTING SPEAKER LUNSFORD: The bill is laid aside.

THE CLERK: Assembly No. A09922-A, Rules Report No. 488, Abbate. An act to amend the Workers' Compensation Law, in relation to presumptive evidence for individuals who participated in the World Trade Center rescue, recovery and clean-up operations.

ACTING SPEAKER LUNSFORD: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote on Assembly Bill 9922-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09980, Rules Report No. 489, Jean-Pierre, Stern. An act in relation to authorizing the State

University of New York at Farmingdale to lease certain lands to the Farmingdale State Development Corporation.

ACTING SPEAKER LUNSFORD: On a motion by Ms. Jean-Pierre, 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 LUNSFORD: The Clerk will record the vote on Senate Bill 8859. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10029, Rules Report No. 490, Abbate, Colton, Griffin. An act to amend the Retirement and Social Security Law, in relation to authorizing police/fire members of the New York City Fire Department Pension Fund to obtain credit for service as an EMT member.

ACTING SPEAKER LUNSFORD: Read the last section.

THE CLERK: This act shall take --

ACTING SPEAKER LUNSFORD: Oh, I'm sorry. On a motion by Mr. Abbate, the Senate bill is before the House. The

Senate bill is advanced. Home Rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote on Senate Bill 6980-B. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10034-A, Rules Report No. 491, Gottfried. An act to amend the Tax Law, in relation to the Empire State Film Production Credit.

ACTING SPEAKER LUNSFORD: The bill is laid aside.

THE CLERK: Assembly No. A10085, Rules Report No. 492, Solages. An act to amend the Vehicle and Traffic Law, in relation to authorizing the Village of Floral Park in the County of Nassau to establish a residential parking system.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote on Assembly Bill A.10085. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10094-A, Rules Report No. 493, Burdick, Paulin, Sillitti, Galef, Epstein, Kelles, González-Rojas, Niou, Otis, Gottfried, Reyes, Anderson, Dinowitz, Hevesi, Gallagher, L. Rosenthal, Griffin, O'Donnell. An act to amend the Civil Rights Law, in relation to establishing a cause of action for unlawful interference with protected rights.

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

THE CLERK: Assembly No. A10109, Rules Report No. 494, Zebrowski. An act in relation to amending the State construction and commodity contracts to provide equitable relief to contractors who have sustained unanticipated expenses by reason of construction materials price escalation; and providing for the repeal of such provisions upon the expiration thereof.

ACTING SPEAKER LUNSFORD: Read the last

section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote on Assembly Bill 10109. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10144-B, Rules Report No. 495, McDonald. An act to amend the Public Officer's Law, in relation to the creation of vacancies in a public office upon entering a guilty plea in Federal Court to a felony or crime involving a violation of an oath of office.

ACTING SPEAKER LUNSFORD: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote on Assembly Bill 10144-B. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10145, Rules Report No. 496, Committee on Rules, Otis. An act to amend a chapter of the Laws of 2021 relating to authorizing the City of New Rochelle, County of Westchester, to sell, convey and alienate certain land, in furtherance of an economic development interest of the State and/or City of New Rochelle, as proposed in legislative bills numbers S.7184 and A.8014, in relation to authorizing the City of New Rochelle, County of Westchester, to sell, convey and alienate certain land, in furtherance of an economic development interest of the State and/or City of New Rochelle.

ACTING SPEAKER LUNSFORD: On a motion by Mr. Otis, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote on Senate bill 8986. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

ACTING SPEAKER ZEBROWSKI: Are there any

other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10158, Rules Report No. 497, Committee on Rules, Braunstein. An act to amend the General Municipal Law, in relation to monies withdrawn from the Revenue Stabilization Fund of the City of New York.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 10158. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10170, Rules Report No. 498, Committee on Rules, Buttenschon. An act to authorize Jeffrey Chase of the Village of New York Mills to take the competitive Civil Service examination for the position of police officer and be placed on the eligible list for employment as a full-time

police officer for the Village of New York Mills Police Department.

ACTING SPEAKER ZEBROWSKI: On a motion by Ms. Buttenschon, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Senate Bill 8974. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly A10218, Rules Report No. 499, Committee on Rules, Jones. An act granting retroactive -- retroactive Tier IV status to New York State and Local Retire -- Local Employees' Retirement System to Kimberly Kin -- Kinblom.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 10218. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to

contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10225-A, Rules Report No. 500, Committee on Rules, McDonald. An act to authorize the Commissioner of the Office of General Services to convey certain unappropriated State land to KIPP: Albany community Public Charter Schools; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 10225-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10230, Rules Report

No. 501, Committee on Rules, Paulin. An act to amend the Vehicle and Traffic Law, in relation to expanding the residential parking system in the Village of Pelham in the County of Westchester.

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

Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 10230. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10231, Rules Report No. 502, Committee on Rules, Jones. An act to authorize the County of Clinton to offer an optional 25-year retirement plan to certain deputy sheriffs employed by such county.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 10231. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10236-A, Rules Report No. 503, Committee on Rules, Paulin. An act to amend the Village Law and the Public Officers Law, in relation to qualifications to hold certain positions in the Village of Scarsdale.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act -- this act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote Assembly Bill 10236-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10237, Rules Report No. 504, Committee on Rules, Hunter. An act to amend the Not-for-Profit Corporation Law, in relation to exempting the Salina Consolidated Fire District 2 from the 45 percent limit on non-resident members.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 10237. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10239-A, Rules Report No. 505, Committee on Rules, Simon, Cruz. An act to amend the Criminal Procedure Law, in relation to releasing individuals charged with a crime under non-monetary bail conditions in order to receive mental health screening or be admitted to a hospital as a result of a mental illness which is likely to result in harm to such individual or others; and to repeal subdivision 3-c of Section 500.10 of the

Criminal Procedure Law relating to the release for mental health assessment and evaluation and involuntary commitment pending release.

ACTING SPEAKER ZEBROWSKI: The bill is laid aside.

THE CLERK: Assembly No. A10330, Rules Report No. 506, Committee on Rules, Englebright. An act to amend the Tax Law, in relation to increasing and providing for the distribution of the revenue from extending the authorization for the hotel and motel taxes in Suffolk County.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 10330. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker. Please record my colleagues Ms. Giglio, Mr. Reilly and Mr. Smith in the negative. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: So noted.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, would you please record our colleagues Mr. Burke and Mr. Barnwell in the negative on this item?

ACTING SPEAKER ZEBROWSKI: So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10372-A, Rules Report No. 507, Committee on Rules, Lavine, Wallace, Steck, Gottfried, Sillitti, Fahy, L. Rosenthal, O'Donnell. An act to amend the Criminal Procedure Law, the Executive Law and the Civil Practice Law and Rules, in relation to protection of abortion service providers.

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

THE CLERK: Assembly No. A10383-A, Rules Report No. 508, Committee on Rules, Abinanti. An act authorizing the alienation of certain parklands in the Town of Greenburgh in the County of Westchester.

ACTING SPEAKER ZEBROWSKI: On a motion by Mr. Abinanti, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Senate Bill 9325. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10417, Rules Report No. 509, Committee on Rules, Thiele. An act in relation to authorizing the County of Suffolk to convey by appropriate instruments to the Hampton Bays Water District an easement in Meschutt Beach County Park for installation of a subaqueous water pipe crossing.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 10417. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10418-A, Rules Report No. 510, Committee on Rules, Abinanti. An act to amend the Village Law, in relation to exempting the Ardsley Volunteer Fire Department from the requirement that the percentage of non-resident fire department members not exceed 45 percent of the membership.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Senate Bill 9316-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10419, Rules Report No. 511, Committee on Rules, Griffin. An act authorizing the Bais Torah U'tefillah to receive retroactive real property tax-exempt status.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 10419. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10421, Rules Report No. 512, Committee on Rules, Paulin. An act to amend the Vehicle and Traffic Law, in relation to owner liability for failure of an operator to comply with traffic-control devices in the Village of Pelham Manor.

ACTING SPEAKER ZEBROWSKI: On a motion by Ms. Paulin, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk.

Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Senate Bill 9340. 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 vote.)

The bill is passed.

THE CLERK: Assembly No. A10425, Rules Report No. 513, Committee on Rules, Abbate, Sillitti, Englebright, Thiele, Braunstein, Jones, Colton, Gunther, Otis, Burdick, Santabarbara, Abinanti, Dinowitz, Griffin, Lavine, Woerner, Stern, Jean-Pierre. An act to amend the Civil Service Law and the Labor Law, in relation to clarifying the vesting of retiree health insurance within collective bargaining agreements.

ACTING SPEAKER ZEBROWSKI: The bill is laid aside.

THE CLERK: Assembly No. A10439, Rules Report No. 514, Committee on Rules, Fahy, Thiele, L. Rosenthal. An act to amend the Energy Law, the Executive Law and the State Finance Law, in relation to establishing the "Advanced Building Codes, Appliance and Equipment Efficiency Standards Act of 2022."

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

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if we could now have members take their attention to Rules Report No. 486. That one's by Ms. Paulin. Rules Report No. 493 by Mr. Burdick, followed by Rules Report No. 507 by Mr. Lavine. In that order, Mr. Speaker.

Thank you.

ACTING SPEAKER ZEBROWSKI: On the A-Calendar, page number 13, Rules Report No. 486, the Clerk will read.

THE CLERK: Senate No. S09384-A, Senator Cleare (A09818-A, Paulin, Dickens, Gottfried, Cahill, Glick, Epstein, Hevesi, Zinerman, Davila, Englebright, Burdick, Simon, Jackson, L. Rosenthal, Zebrowski, Gallagher, Seawright, O'Donnell). An act to amend the Executive Law, in relation to address confidentiality to protect reproductive healthcare services providers, employees, volunteers, patients or immediate family members of reproductive healthcare services providers.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Senate bill 9384-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Ms. Walsh to explain her vote.

MS. WALSH: Thank you, Mr. Speaker. I believe that this bill is very well-intentioned. It -- it intends to protect reproductive healthcare providers and those people seeking their services. My concerns with the bill -- although I will support this bill, my concerns with the bill are -- have to do with some definitions that I think could be tightened up with either an amendment or -- or something of that nature. First of all, as far as reproductive healthcare service providers, what reproductive healthcare services are encompassed is something that I think could stand some clarification in the bill. And also, as far as the Address Confidentiality Program, I think that this bill expands it to a great extent. So it includes not just the individuals providing the services, however those are defined, but also any volunteer or any patient. It goes into -- immediate family members could mean spouse, parents, children and siblings, stepparents, stepchildren and siblings, in-laws grandparents and grandchildren. That's very broad, and I think that a more narrow scope would be beneficial.

But again, I will support the bill in its current form. I do think that some amendment would be beneficial in order to achieve the legitimate purpose of trying to protect those individuals who are providing these -- these services. Thank you, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Ms. Walsh in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 14, Rules Report No. 493, the Clerk will read.

THE CLERK: Senate S09039-A, Senator -- Rules Report No. 493, Senator Biaggi (A10094-A, Burdick, Paulin, Sillitti, Galef, Epstein, Kelles, González-Rojas, Niou, Otis, Gottfried, Reyes, Anderson, Dinowitz, Hevesi, Gallagher, L. Rosenthal, Griffin, O'Donnell. An act to amend the Civil Rights Law, in relation to establishing a cause of action for unlawful interference with protected rights.

ACTING SPEAKER ZEBROWSKI: An explanation is requested, Mr. Burdick.

MR. BURDICK: Thank you, Mr. Speaker. This is an act to amend the Civil Rights Law in relation to establishing a cause of action for unlawful interference with protected rights.

ACTING SPEAKER ZEBROWSKI: Mr. Goodell.

MR. GOODELL: Thank you, sir.

On the bill.

ACTING SPEAKER ZEBROWSKI: On the bill.

MR. GOODELL: I appreciate that very brief explanation and I'll try to be brief as well. Thank you, sir. This bill establishes a cause of action for interference with anyone's attempt to exercise or facilitate or attempt to facilitate accessing medical services. And the bill talks specifically about reproductive health, but

it goes on to say that it is not in any way limited to reproductive health. And so unfortunately, this bill would apply in situations where you may have a family that is not in agreement over an aging parent who's unconscious. And -- and this happens sometimes with families. And they don't know whether they should keep the aging parent on life support or to terminate the life support. And the actual language of this bill would trigger in that situation and could potentially create liability for one son or daughter against a different son or daughter based on the healthcare decisions they might make. And I think that's way beyond what the sponsor intended, but that's actually what the language provides. It would also apply in wrongful death situations. So, it's -- it's got very broad ramifications inside New York that go way beyond just reproductive health. But the last thing I would mention is that this bill purports to give you a cause of action if a court in a different state or a lawsuit in a different state involves some of the other parties. And New York just does not have the jurisdiction to create a cause of action in New York that applies to people who are not residents of New York that are doing activities outside the boundaries of New York.

And so because of those constitutional restrictions and the very broad language, I would recommend my colleagues vote against it and that's why among other reasons I'm suggesting that this be a Party vote in the negative. Thank you, sir. And thank you to the sponsor for that very succinct explanation.

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

ACTING SPEAKER ZEBROWSKI: Mr. Burdick on the bill.

MR. BURDICK: I would respectfully disagree with my colleague who just spoke. These are simply to safeguard rights that are protected under New York law. So if a person from another state attacks those rights, then the State of New York has what I believe to be both a moral obligation and has the legal right to defend those rights. And the individual whose rights are being attacked can simply have a cause of action against the person who's attacking those rights. It's a very simple approach. It really doesn't involve the State at all. And I do think that the previous speaker's concerns are a bit overblown. I believe this bill is very much needed so that we could protect those who come within New York State to seek services that may not be available to them or may be illegal in their home state.

So I -- I vote in the affirmative. Thank you, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate bill 9039-A. This is a Party vote. Any member who wishes to be recorded as an exception to the Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Party is generally opposed to this legislation. Those who support it are certainly encouraged to vote in favor on the floor or by contacting the Minority Leader's Office. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Majority Conference is generally going to be in favor of this piece of legislation. However, there may be those of us who would like to be an exception. They should feel free to either contact the Majority Leader's Office and say so or do so on the floor. We'll make sure their vote is properly recorded, sir.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 17, Rules Report No. 507, the Clerk will read.

THE CLERK: Senate No. S09077-A, Rules Report No. 507, Senator Krueger (A10372-A, Committee on Rules, Lavine, Wallace, Steck, Gottfried, Sillitti, Fahy, L. Rosenthal, O'Donnell). An act to amend the Criminal Procedure Law, the Executive Law and the Civil Practice Law and Rules, in relation to protection of abortion service providers.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Senate Bill 9077-A. This is a Party vote. Any member who wishes to be recorded as an exception to the Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed to this legislation. Those who support it are welcome to vote in favor of it on the floor or by contacting the Minority Leader's Office.

Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, the Majority Conference is generally going to be in favor of this piece of legislation. However, there may be those of us who would choose to be an exception. They should feel free to contact the Majority Leader's Office, their vote will be properly recorded.

Thank you, sir.

(The Clerk recorded the vote.)

ACTING SPEAKER ZEBROWSKI: Mr. Lavine to explain his vote.

MR. LAVINE: I will be voting in the affirmative. I never thought in my lifetime that I would see the Supreme Court of

the United States utterly gut, eviscerate a fundamental human right. But that is what's happening. And we in New York must prepare ourselves to protect our citizens and to protect citizens of other states who come to New York State to have medical procedures consistent with and pursuant to our laws. And that's what this bill does. We in New York are not going to cooperate with other states that are robbing women of their human rights. And we are not only not going to cooperate with them, it's about time that everyone in this country, whether they're in New York or any other state, stands up for rights because they're not simply human rights, they are not simply women's rights, they are the rights of each and every American. American women and American men. We are not going to stand idly by while our rights are robbed of us.

I vote in the affirmative.

ACTING SPEAKER ZEBROWSKI: Mr. Lavine in the affirmative.

Mr. DiPietro to explain his vote.

MR. DIPIETRO: I rise to explain my vote. Mostly this is political theater, this bill. It's so funny how we talk about rights in this Chamber but we never talk about the human right that's in the woman's womb. And let's make no mistake that that is a human being. It's never been anything else in the history in the world. It's a baby. It's boy or it's a girl. End of story. It's not a dog, it's not a cat, it's not an ameba, it's not a speck of dust. But in this Chamber we sit back and talk about politics, it can be killed up to birth and after birth

as long as it's still on the umbilical cord. And that's somehow a human right. That's not a human right, that's murder. Always has been, always will be. You got your opinion, I have mine. And I'll stand very firm on my belief that this is nothing but murder. And we've gone way overboard in New York State, way over the top. There's no morality in this Chamber. The plumb line is gone when we start passing crap like this.

I vote in the no. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Mr. DiPietro in the negative.

Mr. Fitzpatrick to explain his vote.

MR. FITZPATRICK: Thank you, Mr. Speaker. Ever since the *Roe v. Wade* decision there's been debate between attorneys on both sides of the issue as to whether there is a right granted in the Constitution to abortion. And even attorneys on the left have agreed that it's really not outlined in the Constitution as a -- as a human right or a -- a right in that Constitution. And when that occurs in the U.S. Constitution, you are required to return this issue to the states where it will be decided in the State Legislatures of the 50 states. That is what the Supreme Court did. It followed through and corrected what was originally bad law. It will not affect the people of the State of New York, unfortunately - I'm on the other side of the issue - but the Supreme Court did the right thing, they made the correct decision and now 50 State Legislatures and the people of the 50 states will have this debate and make those decisions at the state level, not at the

Federal level where it was never supposed to have taken place.

Thank you.

ACTING SPEAKER ZEBROWSKI: Mr. Fitzpatrick
in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker and my
colleagues, we're going to continue our work on the floor day off the
debate list. And we're going start with Rules Report No. 220 by Ms.
Griffin, followed by Rules Report No. 275 by Mr. Lavine, followed by
Rules Report No. 349 by Mr. Epstein, Rules Report No. 353 by Ms.
Woerner, Rules Report No. 354 by Mr. Abbate, Rules Report No. 361
by Mr. Eichenstein, Rules Report No. 423 by Mr. Abbate, Rules
Report No. 429 by Mr. Magnarelli, and Calendar No. 121 by Mr.
Epstein, Calendar No. 272 by Mr. Englebright and Calendar No. 594
by Mr. McDonald. In that order, sir. Thank you.

ACTING SPEAKER ZEBROWSKI: Thank you.

Off the debate list, page 7, Rules Report No. 220, the
Clerk will read.

THE CLERK: Assembly No. A09307-B, Rules
Report No. 220, Griffin, Solages. An act to amend the General
Municipal Law and the Public Authorities Law, in relation to
countywide shared services panels.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Senate Bill 7864-B. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 8, Rules Report No. 275, the Clerk will read.

THE CLERK: Assembly No. A10220-A, Rules Report No. 275, Committee on Rules, Lavine. 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 ZEBROWSKI: 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 ZEBROWSKI: The Clerk will record the vote on Senate Bill 9035. 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.)

Page 13, Rules Report No. 349, the Clerk will read.

THE CLERK: Assembly No. A09523-B, Rules Report No. 349, Epstein, Englebright, Steck, Simon, Aubry, Wallace, Clark, Sayegh, Sillitti, Davila, Burdick, Reyes, Gibbs, Solages, Abinanti, Cruz, Thiele, Glick, L. Rosenthal, Colton, Lunsford, Otis, Gottfried. An act to amend the Labor Law, in relation to certification of employment with public service employers for purposes of the Federal Public Service Loan Forgiveness Program.

ACTING SPEAKER ZEBROWSKI: On a motion by Mr. Epstein, 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 ZEBROWSKI: The Clerk will record the vote on Senate Bill 8389-C. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Epstein to explain his vote.

MR. EPSTEIN: Thank you, Mr. Speaker. I rise to explain my vote. This is a really important bill to help State employees to be eligible for Federal loan forgiveness. I want to applaud the Speaker and our colleagues who moved this forward. I encourage everyone to vote in the -- in the affirmative to help so many people get their own loan forgiveness.

ACTING SPEAKER ZEBROWSKI: Mr. Epstein in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 13, Rules Report No. 353, the Clerk will read.

THE CLERK: Assembly No. A09649-A, Rules Report No. 353, Woerner, Lupardo, Griffin, Fahy, Stirpe, Gottfried, Dickens, Buttenschon, Jones, Glick, Colton, Kelles, DeStefano, J.A. Giglio, Lemondes. An act to amend the Economic Development Law, the State Finance Law and the Agriculture and Markets Law, in relation to enacting the New York Textile Act.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 9649-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. Woerner to explain her vote.

MS. WOERNER: Thank you, Mr. Speaker. Mr. Speaker and my colleagues, this bill will serve to lay the foundation to accelerate the growth of the textile industry in New York. We've seen in the Hudson Valley how by building out the supply chain that produces textiles on a industrial level, we can grow the -- the fiber production from the farms all the way to the fashion industry in New York City.

So, I appreciate your support, Mr. Speaker, for this bill and ask that all my colleagues join me in growing this particular Upstate and Downstate industry in New York State. Thank you.

ACTING SPEAKER ZEBROWSKI: Ms. Woerner in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 14, Rules Report No. 354, the Clerk will read.

THE CLERK: Senate S08532-A, Rules Report No. 354, Senator Jackson (A09668-A, Abbate, Pheffer Amato). An act to amend the Retirement and Social Security Law, in relation to investments by public pension funds.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Senate Bill 8532-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.

Rules Report -- page 14, Rules Report No. 361, the Clerk will read.

THE CLERK: Assembly No. A09749-B, Rules Report No. 361, Eichenstein, Rozic, L. Rosenthal. An act to amend the Social Services Law, in relation to requiring that two electronic benefit transfer credit or debit cards be available to certain households receiving Supplemental Nutrition Assistance Program (SNAP) benefits.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 9749-B. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 17, Rules Report No. 423, the Clerk will read.

THE CLERK: Assembly No. A09851, Rules Report No. 423, Abbate, Lupardo, Colton, Abinanti, Griffin. An act to amend the Retirement and Social Security Law, in relation to the calculation of final average salary for certain members of the New York State and Local Police and Fire Retirement System.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 9581. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to

contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, sir. All of us here in this Chamber who are in the State Retirement System know that our retirement is based on the average of the three -- the three years. It's a three-year average. And for those who are in Tier 6 it's a five-year average. And they switched it from one year in some cases and three years in others to five years on Tier 6 because they realized there's a potential for fraud and abuse. And what happened is when an individual is thinking of retiring they would take on massive amounts of overtime or through the cooperation of their employer or their department they would get a temporary raise. They would then boost their last year's income well above their base, and oftentimes we had the situation where someone was retiring with a pension that exceeded their base salary. And so there are a series of reforms made to Tiers -- to Tier 5, and one of the reforms said that instead of going off in just in one year or three years like we do, it would be five years. Now personally I think five years is a lookback that's too long. This takes it from five years to one year, which means the final pension is based on your final year in office. And it's an invitation for fraud and abuse because what happens is during that one year you go to your boss and say, *Hey, I want all the overtime you can give me and I -- I want a temporary raise* and -- and you do everything you can to boost your

one last year so that you can retire at taxpayer expense with a pension that sometimes exceeds your base salary for your entire career.

And that's why I cannot support this bill. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Mr. Goodell in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 28, Calendar No. 121, the Clerk will read.

THE CLERK: Assembly No. A03298-A, Calendar No. 121, Epstein, Seawright, Sayegh, McDonough, Ashby, Gottfried, L. Rosenthal, McDonald, Sillitti, Durso, Zinerman, Otis. An act to amend the Public Health Law, in relation to information provided to patients regarding sudden unexpected death in epilepsy.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 3298-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 37, Calendar No. 272, the Clerk will read.

THE CLERK: Assembly No. A07710-A, Calendar No. 272, Englebright. An act to amend the Environmental Conservation Law, in relation to the regulation of taking crabs.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 7710-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 45, Calendar No. 594, the Clerk will read.

THE CLERK: Assembly No. A05411-D, Calendar No. 594, McDonald, Thiele, Englebright, Burdick, Montesano, Schmitt, Reilly, Lawler, McDonough, Lemondes, Dickens, Sillitti, Cusick, Simon, Angelino, Salka, Hawley, Forrest, Conrad. An act to amend the Insurance Law, in relation to enacting the "Patient Rx

Information and Choice Expansion Act."

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

Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Senate Bill 4620-C. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker and colleagues, if we can continue our work, we're going to go to Calendar No. 62 by Ms. Buttenschon, followed by Calendar No. -- no, Rules Report No. 135 by Mrs. Galef, Rules Report No. 176 by Magnarelli, Rules Report No. 277 by Mr. Cahill, Rules Report No. 286 by Mr. Cahill, and Rules Report No. 280 by Mr. Quart. In that order, Mr. Speaker.

Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Page 24,
Calendar No. 62, the Clerk will read.

THE CLERK: Assembly No. A01121-C, Calendar No. 62, Buttenschon, Jackson, Fall, Gunther, Abinanti, Sillitti, Jones, Jacobson, Conrad, Griffin, Cusick, Galef, Dinowitz, Santabarbara, Simon. An act to amend the Penal Law, in relation to creating the certain offenses and provisions related to the unlawful dissemination of a personal image; and to amend the Civil Rights Law, in relation to creating a private right of action for such offenses.

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

An explanation is requested, Ms. Buttenschon.

MS. BUTTENSCHON: This is an amendment to a bill that we passed earlier in the Session to add another murder victim to this bill, Caroline Wimmer. This bill will amend the Penal Law, the Civil Rights Law to enact Bianca's and Caroline's Laws, which would establish the crime of Unlawful Dissemination of a Personal Image in the First and Second Degree and a right of private action for these offenses: Intending to degrade or abuse a person who has been a victim of a crime described in the Penal Law Title H.

ACTING SPEAKER ZEBROWSKI: Ms. Walsh.

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

ACTING SPEAKER ZEBROWSKI: Ms.

Buttenschon, will you yield?

MS. BUTTENSCHON: Yes.

ACTING SPEAKER ZEBROWSKI: The sponsor yields.

MS. WALSH: Thank you very much. So, we spoke a little bit ago about this bill, and I'm wondering if for the benefit of our colleagues you can just explain why you developed this bill and the individuals and the conduct underlying that -- that kind of created the bill.

MS. BUTTENSCHON: Absolutely. So both Bianca Devins and Caroline Wimmer were brutally murdered with their families left to suffer immensely due to the images of their loved ones that were murdered being disseminated not just through their communities, but across the nation via social media. In July 2019, 17-year-old Bianca Devins of Utica, New York was stabbed to death after attending a concert with her attacker. Bianca was an outgoing, caring young woman with an incredible bright future. She had the power to put a smile on anyone's face. After her attacker committed this horrendous crime he uploaded gruesome photos of her corpse on to social media platforms. The Devins family initially became aware of Bianca's death through the images being sent to them on their social media accounts and have been harassed with images ever since. In March of 20 -- 2009, Caroline Wimmer was brutally murdered in her West Brighton, Staten Island apartment. Caroline was a charming, fun-loving young woman. She was popular among her friends and

family and clearly was a giving individual. Emergency personnel arrived on the scene shortly after her murder, and Caroline's horrific -- was horrified -- excuse me, her mother was horrified as she found her on the floor as a medical provider took pictures of Caroline and later posted them on his personal Facebook page. It would be known that in this unacceptable act for each one of these individuals that disseminated these images of the crime, they had the intent to glorify violent actions, humiliate, demean and degrade or abuse these individuals and their families. These images have no place on the internet or social media sites. And individuals who share these gruesome images with the intent to alarm and annoy individuals should face the consequences.

MS. WALSH: And I appreciate that explanation. If you'll continue to yield, I do have a couple of more questions for you. Just -- just to try to get at -- I mean, I think that from your description of the two separate instances that kind of led to the creation of this bill, I think that there would be general agreement amongst our colleagues that that's absolutely disgusting, what happened, behavior and that it -- that there should be consequences for it. My questioning is going to have to do with the kind of -- the -- the possible unintended consequences of the -- of the legislation and try to get at that a little bit. So, first of all, this -- this bill creates both criminal and potential civil liability; is that correct?

MS. BUTTENSCHON: Yes.

MS. WALSH: So under the -- the criminal liability

section there are -- there's a requirement that the -- it defines broadcast meaning electronically transmitting a visual image with the intent that it be viewed by a person. Can you talk a little bit about the intent requirement under the -- the section of the bill that creates criminal liability?

MS. BUTTENSCHON: So, if you refer to the Penal Law 250.71 in the Second Degree, again, the key word is intending to degrade or abuse a person who has been a victim of a crime described in the Penal Law Title H. So clearly, we're talking about causing harm and emotional, financial or physical welfare of such victims or the victims' families.

MS. WALSH: Okay. So for -- so, for example, if you had a videotape or a still image of a victim and you provided it to law enforcement, would that be criminal under this legislation?

MS. BUTTENSCHON: Under a law enforcement investigation?

MS. WALSH: Yeah. Or just to -- just as part of a law -- yes, as part of a law enforcement investigation.

MS. BUTTENSCHON: Again, if you look that is not considered within this legislation.

MS. WALSH: Right. So that's carved out. Which is a good thing. I think that that's a --

MS. BUTTENSCHON: Yes.

MS. WALSH: -- that's a very good thing. Now, does it matter whether the image is blurred or not blurred?

MS. BUTTENSCHON: So again, if we reflect back to 250.71, the victim is identifiable in the form, so the blurring would be acceptable. Again, another carveout.

MS. WALSH: Because we know that, like, for example, on -- on television if they're reporting a crime or if there's a docu -- a documentary perhaps about a particular crime that they're showing images, usually there's some type of a warning before it's shown or there's a -- there's a warning to the viewers. But if the -- if the image is shown and they say this -- unfortunately, the crime victim is and they name the crime victim so in that way the victim is identified through the reporting but the image itself is blurred, that would not create liability to the news station or to the publisher of the paper; is that correct?

MS. BUTTENSCHON: So, the victim is identifiable from the still or the video's image itself or is from the information displayed in connection with the still or video image. And it has to have, again, the clear intent to degrade, to abuse the person or, again, to cause that dissemination in regards to the harm to the individuals.

MS. WALSH: And the harm can be to the individual who was actually the victim or it could be to the victim's family --

MS. BUTTENSCHON: Exactly.

MS. WALSH: -- as well. As -- as was the case in the -- in the case that you talked about earlier. Okay.

So, there -- let me give you an example from last week in my district. At the high school there was a fight that occurred

in a -- in a bathroom between two young men. One -- one guy beat -- beat up the other guy while a bystander took a video of the fight as it was taking place and provided that video to school officials and they used it as part of identifying who the, you know, person was who -- who was dealing out the beating. But also, that video found its way around. I don't know how they did it, whether on Snapchat or some social media platform. If -- if that were proven and shown, would that be something that would be encompassed by this legislation? Would there be potential criminal responsibility on the part of the individual that took the video and disseminated the video?

MS. BUTTENSCHON: So again, I reflect back on the word of the intent. But if you look within a discussion in regards to 250.72, it talks about the importance of judicial discretion. So again, those decisions would be made in a courtroom and the importance of ensuring that justice -- the courts have that judicial discretion when making that that determination.

MS. WALSH: So, yeah, understanding that we would -- there would be a need to show that there was an intent to -- an intent to degrade or abuse the person who had been the victim of the crime. But that is something that could be encompassed by this legislation, though, correct?

MS. BUTTENSCHON: But again -- yes. Again --

MS. WALSH: Be subject to judicial discretion.

MS. BUTTENSCHON: Right. And including the families. So the court may order permanent or remove such images

from the website, but only if the images are reasonably within the website's control. So again, it's explicitly to the courts to make those decisions.

MS. WALSH: Okay. Or to the charging authority. It could be to the DA's office or --

MS. BUTTENSCHON: Yes.

MS. WALSH: -- the prosecuting authority.

MS. BUTTENSCHON: Absolutely.

MS. WALSH: Okay. So, now I want to just talk a bit -- a little bit about the concerns that have been previously raised about the -- you know, about the legislation from, generally speaking, the Motion Picture Association of America and the New York News Publishers Association. Their concern -- they acknowledge, as I do, the very laudable goal of trying to protect crime victims and their loved ones from further pain by those who would publish their images solely for prurient interests or -- but this bill also speaks to the publishing of images for profit and clearly, print media and Motion Picture Association, they would be potentially -- they're in the profit-making business and they could be publishing these images or disseminating these images as part of the work that they do, whether it's documentary, news, print media. So have you -- have you reflected upon the concerns raised by the Motion Picture Association and the New York News Publishers Association? They've -- they've asked for amendments to the bill and you had stated during your explanation that the bill was amended but it did not -- it was not

amended in response to their concerns, it was amended to add another person's name to the -- the -- kind of the title of the bill; is that correct?

MS. BUTTENSCHON: Yes. And we -- and we are aware of those concerns. It -- could there be future amendments? Absolutely, in regards to the importance of what they have brought forward.

MS. WALSH: I mean, do you acknowledge that they -- that they have a concern that there's -- I'm just reading a little bit from the Motion Picture Association's memo and they state that, *There's a longstanding journalistic practice of including crime victims' images in their news or historical reporting. Such images appear not only in news reporting but also in history-based documentaries that cover wars, genocides, systemic racism, instances of domestic violence and notorious as well as lesser-known crimes.* So that -- that's their concern, that they could be -- that in addition to creating criminal responsibility under your legislation there's also the possibility of a private right of action and civil responsibility where they could be held responsible for money damages for -- for publishing these -- or disseminating these images. Do you acknowledge that -- that they could have a legitimate concern here with the -- the possible exposure that they could have?

MS. BUTTENSCHON: I understand the concerns but we do have exceptions.

MS. WALSH: Okay.

MS. BUTTENSCHON: And -- and again, the exempt activities include reporting of unlawful conduct as well as sharing the images made for legitimate purposes.

MS. WALSH: But is -- legitimate purposes is not defined.

MS. BUTTENSCHON: But again, we would reflect to our courts with the importance of judicial discretion. It is -- is imperative that judicial discretion is there to make these decisions.

MS. WALSH: All right. Very -- very good. Thank you so much.

MS. BUTTENSCHON: Thank you.

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

ACTING SPEAKER ZEBROWSKI: On the bill.

MS. WALSH: So as I said, I think that this -- this piece of legislation comes from a very good -- good place in trying to prevent and punish the kind of behavior that happened to these poor -- these poor families that were -- that were here last week actually, that you introduced on the floor. And to have to -- on the anniversary of their family member's passing to have to have these -- these disturbing images continually sent to them is really, really just horrendous and I can understand why the bill was developed in response to that. My -- my concern really is also reflected in the memos that we received from print media and from the Motion Picture Association. Because I think that even if that in the end it was not found that they did anything wrong because there was no intent to injure, it does speak to

the dissemination of images for profit, which they clearly are in a profit-making industry. And, you know, we attorneys and others in the room know that just because you're ultimately exonerated from any wrongdoing and you're not held responsible criminally or civilly, you still have to defend yourself. You still have to have your attorneys get involved, you're still potentially brought into court, you have to go through different motions. I don't know if you would be able to insure for this type of risk or liability. And there's the possibility that people just -- on a jury if this -- if this would be a jury trial and not a bench trial, could assess penalties against the media just because they are deep pocket, and it would be -- and if it's a particularly bad underlying crime then there -- maybe there's going to be -- they're going to get hit with a pretty significant verdict where there was really no intent to injure, there was really just an intent to report the news. I do think that it calls into question issues of free speech as well.

So while I do completely understand the -- the sponsor's intent, I do have concerns with the bill as it's currently worded and I think I would encourage the sponsor to consider working with those who have indicated concerns with the bill and try to work out some amendment language to try to strike that appropriate balance that achieves a balance between free speech and First Amendment and the right of free press and the rights and needs of victims and their families to be protected from further harm.

Thank you, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Mr. Cusick.

MR. CUSICK: Thank you, Mr. Speaker.

On the bill.

ACTING SPEAKER ZEBROWSKI: On the bill.

MR. CUSICK: Thank you, Mr. Speaker. I want to commend the sponsor of this bill, and Senator Savino who spent -- who sponsored it in the Senate. This is a long-standing issue that I have been working on also since 2009. When Caroline Wimmer was murdered and then her image of her body was disseminated all over the social media, and her family had to suffer, still suffers to this day. Many of you met her mom Marti here in the Chamber last week. She came up with the family of Bianca to advocate for this bill. And this has been a long time coming that we've gotten to this stage where we are actually voting on it here in the Assembly, in this Chamber, and I just want to take this opportunity to thank the sponsor for taking this over the finish line because this is a bill that when it becomes law will be very, very helpful and will give peace of mind not only to Marti Wimmer and her family, but to many families that may experience this in the future if we don't do this bill. So Mr. Speaker, I proudly vote yes on this bill.

ACTING SPEAKER ZEBROWSKI: Ms.

Buttenschon.

MS. BUTTENSCHON: Again, I stand here representing these two families that have gone through difficult hardship, and clearly I just want to reconfirm the importance of the

intent of the individual that places this gruesome image for others to witness on social media. So to identify the importance of issues that have been brought forward by my colleague regarding possibilities of changes, there's always opportunity to improve legislation that I welcome, but more importantly, I'm here for the families and looking at the importance to ensure that anyone that has the intent to cause harm to a family that has gone through these horrific murders, we have to be there for them. I vote in the affirmative. Thank you.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect in 60 days.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Senate Bill 7211-B. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 6, Rules Report No. 135, the Clerk will read.

THE CLERK: Assembly No. A08427, Rules Report No. 135, Galef. An act to amend the Real Property Tax Law, in relation to including certain spent fuel rods within the definition of real property.

ACTING SPEAKER ZEBROWSKI: Mrs. Galef, an explanation has been requested.

MRS. GALEF: This bill (inaudible/mic off) -- spent nuclear fuel pending further or final disposal from a nuclear plant that has ceased power operations as definition of real property. And we had passed a bill in 2020 that included the taxing of the spent -- the spent fuel pools that the rods are in, and also the dry cast. And at the time, originally I had included the spent fuel rods, but I was told that the Nuclear Regulatory Commission owned them. I was at a hearing in -- last summer and I guess I accused the NRC of owning these spent fuel rods and not doing anything with them, and they told me they don't own any property. And so it is owned by the company that owns the energy plant and until they leave the site they would be taxed.

ACTING SPEAKER ZEBROWSKI: Mr. Palmesano.

MR. PALMESANO: Yes.

On the bill, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: On the bill.

MR. PALMESANO: Yes. Thank you -- thank you, Mrs. Galef, for your explanation. And I know we debated this bill last year so there's really no need to go through it again, so I just kind of wanted to just speak on the bill a little bit about some of my concerns. I certainly understand why the sponsor's introducing this legislation to help the -- the residents and the taxpayers of the community. Last year, like the sponsor said, we dealt -- this bill we dealt with the dry cast storage systems which housed nuclear fuel rods. And this is now

to deal with the spent fuel rods.

Obviously this is being done, quite frankly, because of the closure of Indian Point that took place, which I believe still to this day was one of the biggest mistakes this State has made. We're talking about 2,000 megawatts of power, reliable power that provided 25 percent of the power to New York City, emission clean power. Emission free clean power, 1,000 jobs, significant taxes, millions of dollars all gone and I believe for political purposes.

So last year we did this legislation and my reasons for opposing it last year was I think I believe it created a dangerous precedent because now we're talking about -- talking about personal property being basically taxed as real property, moveable property, whether it's the cast storage systems or anything else. I think that really kind of just sends a dangerous message to the business community from that perception. And I guess another question is how will these spent full rods be assessed? I mean, do they really have any value? How's that going to work? I mean, I think there's questions for that.

I just think this is really not a good message for the business community, as well, although I understand why this legislation has been introduced once again to help the residents of that community. Certainly, probably if I was in that community I'd probably -- and I know others would want to help, but I do agree 100 percent with the sponsor that the Federal government needs to step up and deal with these spent fuel rods to get these out of these

communities and take care of it and that should be the responsibility, they should be doing it. I think my concern with this is I just think it was the wrong approach. I think the message it sends that okay, now we're doing it for this, maybe if you're looking at being tailored just for personal property for the nuclear system, but if it can be used for this, we can take personal property and make it defined as real property for this, what's going to stop it from being done again in the future, and I think that's -- that's where my concern, my opposition came to this bill.

So that's what I kind of want to say, and Mrs. Galef, obviously I'm voting no for this bill, but I do want to say to you, Sandy, if I may, it's been an absolute privilege and honor for me to serve with you in this Chamber since I walked on this floor in 2011. You've been -- always been so kind and gracious to me on Committee, on the floor, everywhere. And I just wanted to thank you for that. I just wanted to wish you and your family the very best as you prepare for a well-deserved and well-earned retirement; well deserved. You have certainly been a true advocate and fighter for the residents of your district that you represent, which is obvious by this bill here that we have before us, and certainly the issues that you care about, that you're passionate about. So I just wanted to say thank you to you again for how you treated me and my colleagues over the years and I've learned a lot from you and I appreciated working with you, and I just wanted to say congratulations, I wish you, again, you and your family the best and God bless you. Thank you.

(Applause)

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 8427. This is a Party vote. Any member who wishes to be recorded as an exception to the Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, sir. For the reasons mentioned by my colleague, the Republican Conference is generally opposed to this bill, but those who support it can certainly vote in favor here or by calling the Minority Leader's Office, notwithstanding our great respect and admiration for the sponsor. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Majority colleagues are going to be in favor of this piece of legislation; however, there may be a few who desire to be an exception. They should feel free to contact the Majority Leader's Office, we'll make sure their vote is properly recorded. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Thank you.

(The Clerk recorded the vote.)

Mr. Goodell.

MR. GOODELL: Thank you, sir. Please record my colleague Mr. Schmitt in the affirmative. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 6, Rules Report No. 176, the Clerk will read.

THE CLERK: Assembly No. A01287-B, Rules Report No. 176, Magnarelli, Hunter, Stirpe, Woerner, Conrad, Wallace, McMahon, Steck, Englebright, Griffin, Burke, Dickens. An act to amend the Railroad Law, in relation to requiring certain trains and locomotives to have a crew size of not less than two persons; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER ZEBROWSKI: On a motion by Mr. Magnarelli, the Senate bill is before the House. The Senate bill is advanced. Mr. Magnarelli, an explanation has been requested.

MR. MAGNARELLI: Yes, sir. Basically this bill prohibits a freight train from being operated unless it has a crew consisting of at least two individuals.

ACTING SPEAKER ZEBROWSKI: Mr. Goodell.

MR. GOODELL: Thank you.

On the bill, please.

ACTING SPEAKER ZEBROWSKI: On the bill.

MR. GOODELL: Thank you for the explanation to

my colleague. At first flush, it seems like why not require trains to have two crew members; right now they operate with one. But when you look at it a little bit more, you realize that in May of 2019 the Federal Railroad Administration, after conducting a five-year study analyzing railroads all across our nation, came to the conclusion that it was unnecessary to have two-member crews in trains. As you can appreciate, the Federal Railroad Administration has exclusive jurisdiction over the operation of trains because they're involved in interstate commerce. You know, unlike a car like you and I might drive, you can't stop a train right away, so you can't stop a train at the border of New York and add a crew member.

So we know that the rules regulating railroads have to be on a nationwide basis and, indeed, they are, and when the Federal Railroad Administration ruled after that extensive study that two-member crews were not necessary, they went on and said the Federal -- and I quote, "the Federal Railroad Administration has determined that no regulation of train crew staffing is necessary or appropriate at this time," and it, quote, "intends for the withdrawal to preempt all state laws attempting to regulate train crew staffing in any manner." So not only did the Federal regulation say two-member crews are not necessary, they went on and took that extra step and said and we affirmatively preempt any state regulation.

Well, not deterred by that obvious language, the State of Illinois a few years later passed identical legislation to this to require a crew size of two. And they were sued in Federal court and

the Federal court threw it out. The Federal court said no, states cannot regulate interstate transportation involving railroads. They appealed it, it was upheld on appeal and it was thrown out. It's important to note that New York State is part of the Federal Railroad Revitalization and Regulatory Reform Act catchment area and so we are -- we are bound by that decision.

Now, there's a good reason why trains no longer need larger crews, and that is because the industry has implemented a number of technological changes that improved the safety of trains, including positive train control. And so these safety systems are built in today. What I find interesting is that at the same time we're considering legislation to require train crews to double in size, New York is also participating in a demonstration program for driverless cars and tractor trailers. Now, think about that. We want twice as many people on a locomotive with all their safety features that runs on tracks where there's no risk of collisions at the same time we're proceeding with demonstration programs for driverless trucks and cars. Now, that's important to all of us because, as you know, we're all concerned about the environment, and the great things about trains is they use a fraction of the energy that tractor trailers do. And so when you ship more by train, you really have a positive impact on greenhouse gases.

So because this is not necessary since extensive studies have shown it's not necessary because the technology has advanced to the point where it's not necessary, and because it's clearly

preempted by Federal law regulation and, of course, upheld by the Constitutional limitations on our power, I would recommend against it to my colleagues. But again, I appreciate the concerns of my colleague who is obviously very much focused on safety, as we all are. Thank you very much, sir.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect in 30 days.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Senate Bill 3953-B. This is a Party vote. Any member who wishes to be recorded as an exception to the Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed to this legislation. Those who support it are certainly encouraged to vote yes on the floor or by contacting the Minority Leader. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. Majority colleagues are generally going to be in favor of this piece of legislation; however, there may be some who would desire to be an exception. They should feel free to contact the Majority Leader's Office and we will make sure their vote is properly recorded.

(The Clerk recorded the vote.)

ACTING SPEAKER ZEBROWSKI: Mr. Montesano to explain his vote.

MR. MONTESANO: Thank you, Mr. Speaker. While I understand the analysis by Mr. Goodell, I still believe that within this State we're better off with the two-person crews on a freight train. If anybody just coming in to Albany watches those freight trains moving, most of those locomotives are hauling 100 to 150 cars with them, if not more. And where I come from out on Long Island, I watch the freight lines move all the time and watch the amount of cars they're pulling through our communities, running on our regular railroad tracks and the Long Island Railroad, and they're pulling at least 100 cars.

So while there's technology out there today, positive train control, and those are the great things so if the engineers touch the pad, you know, every minute the way he's supposed to, it shuts the train off, the fact is he's still dead in the locomotive with nobody else there. And that's if the system is working the way it was designed to work. Not everything is perfect because it's run by a computer or technology and I just don't fathom how any railroad wants to put that amount of merchandise and equipment on without having a second person on there to assist the engineer himself or riding the back to make sure there's clearance and there's no accidents, there's no uncoupling of the cars. This is all mechanical stuff they're dealing with.

So while maybe New York is preempted because of Federal law about the trains going over to go into another state, at least by this piece of legislation they're regulated within the State of New York to address the safety concerns we may have. So on that note, I'll be voting in the affirmative. Thank you.

ACTING SPEAKER ZEBROWSKI: Mr. Montesano in the affirmative.

Mr. Goodell.

MR. GOODELL: Thank you, sir. Please record my colleague Mr. DeStefano in the affirmative. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 9, Rules Report No. 277, the Clerk will read.

THE CLERK: Assembly No. A10222, Rules Report No. 277, Committee on Rules (Cahill). An act to amend the Vehicle and Traffic Law, in relation to requiring certain safety features for commuter vans.

ACTING SPEAKER ZEBROWSKI: Mr. Cahill, an explanation has been requested.

MR. CAHILL: Thank you, Mr. Speaker. This bill would require commuter vans to maintain a bond or insurance policy with a combined single limit of at least \$1.5 million, and also require these vehicles to submit to a number of different safety features.

ACTING SPEAKER ZEBROWSKI: Mr.

Blankenbush.

MR. BLANKENBUSH: Yes, sir.

On the bill.

ACTING SPEAKER ZEBROWSKI: On the bill.

MR. BLANKENBUSH: As a lot of bills that we see come through this Assembly, there's some really good points in this bill and there's some that I don't think are so good. But the first one is that safety issues that the sponsor talks about. Now, some of the safety issues that they're putting on this bill are no-brainers, they're really important. One is fully operational brake system, all right. Appropriate seat belts; security backup cameras; silent alarm system; a GPS system, all the things that you would expect the commuter van industry to already be implementing, but now we're putting it in so that they must. Now, they're not limited to that, they can add their own other safety issues, but those safety issues are important and we all agree on those.

The problem then comes with the limit of liability. So we'll go back to 2019. In 2019, this Legislature amended the Vehicle and Traffic Law to increase the single limit of liability from 80,000, which I think every one of us think that's low, to half a million, 500,000. Now, just in two-and-a-half years now we're going to increase another million on top of that. So we want it to now go to 1.5 million from the 500,000 that's mandated today. With an industry that just came off of COVID, with an industry now that is increasing

with inflation, price of gas, this is just another financial burden on that industry. The premiums will have to go up.

But not only that, when you talk about the premiums on -- on their insurance policies going up for the limited liability, you also have to take into consideration that the supplemental underinsured section of the policy also has to follow the million/five, which is also going to be another rate increase for this industry. So the -- so even though they're in the challenging market right now, this isn't going to help them at all.

And here's the other point that we did in the '22-'23 State Budget. We gave this industry \$11 million allocated to the Commuter Van Stabilization Program. Now, so we gave them money to maybe help them pay for the increases in the premiums, or whatever expenses, the safety issues and so forth. The problem with that is that that 11 million is unconstitutional. By Article VII of the Constitution, it prohibits money to be paid to any private industry or entity.

So we increase the premiums, we are making them become more safe, which is a good thing, and yet we're depositing \$11 million into that fund which is unconstitutional. The bottom line is that this industry is going to have another financial burden on them. That's why, for the reasons I have stated, that I will be voting no on it, one, because we're only two-and-a-half years from we upped it from 500,000 to a 1.5 million, and we also gave them the \$11 million which is unconstitutional under Article VII of the Constitution. Therefore,

I'm not supporting this bill, even though, like I said, there's some good things in this bill. The safety features are really a good idea. So I recommend that this bill, we vote no on this bill. Thank you, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 10222. This is a Party vote. Any member who wishes to be recorded as an exception to the Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference will generally be opposed to this legislation for the reasons mentioned by my colleague. Those who support it can vote in favor here on the floor or by contacting the Minority Leader. Thank you.

ACTING SPEAKER ZEBROWSKI: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir. The Majority Conference is going to be in favor of this piece of legislation; however, there may be colleagues that would like to be an exception. They should feel free to do so from their seats and/or call the Majority Leader's Office and we'll be happy to record your vote. Thank you,

sir.

(The Clerk recorded the vote.)

ACTING SPEAKER ZEBROWSKI: Mr. Cahill to explain his vote.

MR. CAHILL: Thank you, Mr. Speaker. A couple of quick points. First, I want to thank my colleague, the Ranking member of the Insurance Committee for pointing out the very important safety considerations in this legislation. We put them in the bill because while they already exist and they are common sense, and we've already imposed these same regulations on livery drivers in New York, on Ubers and other (inaudible) drivers in New York, we have yet to do so on the commuter van industry. This piece of legislation will do that.

I also want to thank several of our colleagues who have been working very closely on this issue who represent our transit deserts. And those are the places in the New York-Metropolitan area that are not served by the public transportation system, but instead rely upon this industry called the commuter van industry. In 2019 after that tragic limousine accident in Upstate New York, we increased the liability limits for all vehicles with the capacity of eight or more to \$1.5 million. We found out that we created an untenable position for the commuter vans in New York City so in 2021 we temporarily reduced that amount down to \$500,000. In our 2022 Budget, we gave -- we put aside \$11 million to build this industry back up and to make those vans even safer. And now that that's in place, this piece of

legislation would restore the same \$1.5 million limit that vans with the capacity of over eight passengers have across New York State, and will then provide reasonable recompense for those who are unfortunately injured in an accident in one of these commuter vans. Hopefully we will be reducing the number of accidents because of the safety features, and by reducing the accidents we will also be reducing insurance costs.

We believe that this is part of the fix for the commuter van industry and a transportation solution for those folks living in parts of New York City who aren't otherwise served with transportation. I withdraw my request and vote in the negative -- in the affirmative.

ACTING SPEAKER ZEBROWSKI: Mr. Cahill in the affirmative.

Mr. Kim to explain his vote.

MR. KIM: Thank you, Mr. Speaker, to explain my vote. These commuter vans in my district have become a lifeline for many immigrant communities to travel from within cities as they fear some of the -- the violence and hatred that they are experiencing every single day. And instead of making sure that they're receiving the \$11 million, they still haven't -- many of them have not seen any of those dollars allocated for their needs. And to increase the insurance premium to 1.5 million is making it very difficult for some of these commuter vans that are serving predominantly immigrant and Asian-American communities in my district in parts of Brooklyn and

Lower Manhattan. So I do applaud the sponsor. There are many good safety measures that I agree with, but I want to just take a pause to make sure that we're not bankrupting these commuter vans that have become a lifeline to so many of my constituents. So for today, I will vote in the negative. Thank you, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Mr. Kim in the negative.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if you would please record our colleague Mr. Anderson in the negative as well on this one.

ACTING SPEAKER ZEBROWSKI: So noted.

MRS. PEOPLES-STOKES: Thank you, sir.

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

(The Clerk announced the results.)

The bill is passed.

Page 9, Rules Report No. 286, the Clerk will read.

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

ACTING SPEAKER ZEBROWSKI: Mr. Cahill, an explanation has been requested.

MR. CAHILL: Thank you, Mr. Speaker. This piece of legislation would require that all motor vehicle liability insurance policies include supplemental spousal liability coverage unless the insured affirmatively declines the coverage in writing.

ACTING SPEAKER ZEBROWSKI: Mr. Hawley.

MR. HAWLEY: Yes, Mr. Speaker.

On the bill.

ACTING SPEAKER ZEBROWSKI: On the bill.

MR. HAWLEY: So currently I would say for the past 15 to 18 years spousal liability has been available under personal automobile life insurance policy, or automobile insurance policy. Life insurance is another deal with regard to spouses, but we won't get into that right now. And it's been an option for individuals to either take it or not. Unless you opt in to take spousal liability, you don't have coverage for it. What it allows folks to do in essence is if Assemblyman Jensen was driving with his spouse down a highway and Assemblyman Jensen was driving erratically and not in full control of the actual vehicle and had an accident that caused pain and suffering to, yes, Mrs. Jensen, Mrs. Jensen could sue him under the liability if he opted into carrying spousal liability.

Now, many of the folks in here are attorneys, my youngest son is an attorney, and attorneys will love this because it creates another lawsuit, and when you're taking a certain percentage of that, you are earning a livelihood, if you will. But the important thing in this bill is -- or the coverage is you've been allowed to opt in before.

This bill would change it completely and require that everyone be covered for spousal liability which, of course, is an increase in premium and a cost, and says to individuals who insure their automobile that you don't have the ability to discern for yourself what's best for you, or in this case, your spouse, it mandates it. You have to opt out if you don't want it. If you don't, you pay the premium, you got the coverages, and the attorneys love it.

So I'm opposed to this. I'm for policyholders and insureds for making up their own mind on the coverages that they want and desire, and I'm sure that Mr. Cahill will have something to say about this, and I eagerly await his comments. I oppose this. I'll be voting in the negative.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 1029. This is a Party vote. Any member who wishes to be recorded as an exception to the Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, sir. First as a matter of personal privilege, I want to reassure all of my colleagues that Assemblyman Jensen is an excellent driver.

ACTING SPEAKER ZEBROWSKI: So noted.

MR. GOODELL: And I would feel perfectly comfortable, even though I'm not his spouse, in riding in his car.

But for the reasons explained my colleague, the Republican Conference is generally opposed to this legislation. Those who support it can certainly vote in favor here on the floor or by contacting the Minority Leader. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Also noted.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, the Majority Conference is going to be generally in favor of this piece of legislation; however, there may be a few that would like to be an exception. They should feel free to contact the Majority Leader's Office and/or vote in the Chambers and their vote will be properly recorded. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: So noted.

(The Clerk recorded the vote.)

Mr. Cahill to explain his vote.

MR. CAHILL: Thank you, Mr. Speaker. And I thank my colleagues for bringing this bill forward and having it on the floor. It is part of a process that we have in this House that if a bill is submitted into the hopper, it gets considered by a Committee and then it comes out to the floor. But occasionally, a bill is submitted and it goes to a Committee and that Committee doesn't want to take it up. But we have a process in this House, we call it 99, where you can ask for an affirmative decision on whether that bill gets taken up. And I

respect that process very much; in fact, I'm sure we'll be taking it up quite a bit in the next couple of days, particularly on the Ways and Means agenda that's coming up tomorrow.

So we understand the value of having people take affirmative acts, and that's basically what this bill does. It says that this is a common sense part of your insurance, but many people are not aware of it and right now if you don't ask for it, you may not even know it exists. But more importantly, you may not even know that it doesn't exist in your policy and unless you ask for it, you will not be covered if your spouse acts -- is injured or killed in an accident because of you. So what this bill does is it serves as an affirmative reminder to not just the insured, but also to the company that's selling them the insurance to make sure that there's an understanding of what is and is not in that policy, and to make sure, like in the 99 process, that it gets full and due consideration if we think it's appropriate.

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

ACTING SPEAKER ZEBROWSKI: Mr. Cahill in the affirmative.

Mr. Lawler to explain his vote.

MR. LAWLER: Thank you, Mr. Speaker. I found it amusing to hear about the 99 process, considering that every 99 that gets put forward pretty much is not a vote on the merits of the bill, it's a vote on whether or not the bill should be held for consideration. So I'm sure when the Ways and Means Committee comes up, I'm sure

they will take up those 99s and allow a yay or nay on the actual merits of the bill as opposed to a motion to hold. I'm sure the sponsor of this bill will be pushing for that to happen. I vote no.

ACTING SPEAKER ZEBROWSKI: Mr. Lawler in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 9, Rules Report No. 280, the Clerk will read.

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

ACTING SPEAKER ZEBROWSKI: Mr. Quart, an explanation has been requested.

MR. QUART: Yes, good evening. New York State ranks third lowest amongst 50 states in this country in wrongful convictions. New York City paid out \$500 million in ten years for those wrongfully incarcerated. Unfortunately, the Court of Appeals in

People v. Tiger in 2018 limited the relief for those with innocence claims only to DNA evidence. This legislation changes that. This legislation sets up a judicial framework to allow for innocence claims broader than just DNA evidence. Specifically, it allows for post-conviction discovery, a due process aspect.

Secondly, assignment of counsel for which no other right is real or tangible without the right to counsel, and a more detailed motion practice, and requiring a court hearing all to allow innocence claims, not a second bite at the apple, but only claims of innocence.

MR. MORINELLO: On the bill, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: One second, Mr. Morinello. If everybody could lower the noise just a bit. Thank you.

Mr. Morinello, on the bill.

MR. MORINELLO: Thank you, sir. The New York State Criminal Procedure Law provides many, many vehicles for those who were convicted through collusion, who were forced, who may have been incarcerated because they couldn't afford bail, and many other reasons. What this one basically says is you were convicted because you broke the law, you didn't follow the rules. And what this is now saying is it's okay, we're going to give you a do-over.

You know, we are embroiled in a State that is rife with crime, and what is happening is this, no one wants to be responsible for the consequences of their actions. Our youth are

confused. We talk about mental health, but what are we doing to them? In one hand we tell them don't break the law and the other hand we tell them it's okay, there's no consequences for you. You can get away with it, you can do this.

So this bill here really and truly does not have a basis in not breaking the law. It does not have a basis. And you committed a crime, but we're going to tell you it's okay. You know, growing up, I grew up in a Roman Catholic household and there was a principle that you couldn't eat meat on Friday, and if you ate meat on Friday, we were taught you committed a mortal sin and if you passed away and went on to your reward, you would go to eternal damnation. They ended up changing that, so now do we go to God and say take them out of eternal damnation and bring them up to glory because they changed the law? That's what this is doing.

What we have to do is recognize that we have laws and you can't break the law. And nobody ever wants to say just don't break the law, it's like oh, the poor criminals, oh, the poor person. Well, they were in jail for awhile, so we should tell them it's okay to go home. You know, used to be for burglary it didn't matter whether somebody was in their residence or they were not. It was a serious felony, and then this Body decided to change it. If you're not home, we're going to make it a reduced charge. What difference does it make? They broke into someone's home. They invaded their privacy. The trauma to the victim is going to be the same whether they're home or not because somebody went in to what they believed was their

sanctuary.

So this is just another way of saying everything's okay, you can break the law, we're going to come up with a way to exonerate you and you have no responsibility for the consequences of your actions. Mr. Speaker, I vote no and I urge my colleagues to vote no on this bill. Thank you.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 98-A. This is a Party vote. Any member who wishes to be recorded as an exception to the Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed to this legislation for the reasons mentioned by my colleague. Those who support it are certainly free to vote in favor here on the floor or by contacting the Minority Leader. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: 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 a few of our colleagues that

would choose to be an exception. They're certainly welcome to do that either by casting their vote in the Chambers or calling the Minority Leader's Office. Thank you, sir.

By the way, sir, you're doing a really great job up there.

(Applause)

(The Clerk recorded the vote.)

ACTING SPEAKER ZEBROWSKI: Mr. Quart to explain his vote.

MR. QUART: Thank you very much. Just two quick points: One, the only people who are being -- letting go from a State correctional facility are for crimes that are no longer criminal conduct. For example, this Legislature, and near unanimity in this Legislature, voted to decriminalize gravity knives. So a crime like that that is no longer a crime, if someone is in a State correctional facility, that's the only people who would, quote/unquote, get out of a State correctional facility because we decriminalized something.

Secondly, just a point for the legislative record when someone looks back at this is that this really deals with plea agreements. Ninety-eight percent of cases are resolved by plea agreements, there is no trial record. So this is really dealing with the gap, I would argue, that the Court of Appeals left in 2018 in People v. Tiger to expand innocence claims to where it isn't DNA evidence, specifically in the idea of plea agreements where there is no trial record and we're looking at new evidence. Thank you, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Mr. Quart in the affirmative.

Mr. Kim to explain his vote.

MR. KIM: Thank you, Mr. Speaker. I just rise to thank the sponsor of this bill, my seatmate; this might be his last piece of legislation in this Body, he is moving on to better roles in the future. And you know, he's been a passionate public servant for criminal justice reform over the years. Many of us heard him debate on these topics and I, for myself, learned quite a bit not only sitting next to him but conversing with him day in and day out about all these issues. So we will definitely miss him moving forward. Thank you, Mr. Quart.

(Applause)

ACTING SPEAKER ZEBROWSKI: Thank you, Mr. Kim; yes, thank you, Mr. Quart.

Mr. Kim in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if we could continue our work this evening, we're going to go to Rules Report No. 287, that one's by Mr. Abinanti; then we're going to go to Rules Report No. 288 by Mr. Dinowitz; 293 by Mr. Kim; and 299 by Ms. Paulin. In that order, Mr. Speaker. Thank you.

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

Page 9, Rules Report No. 287, the Clerk will read.

THE CLERK: Senate No. S07535-A, Rules Report No. 287, Senator Sanders (Abinanti, Sayegh--A01082-A). An act to amend the Banking Law, in relation to check cashing policies.

ACTING SPEAKER ZEBROWSKI: Mr. Abinanti, an explanation has been requested.

MR. ABINANTI: Thank you, Mr. Speaker. This bill would amend the Banking Law of the State of New York to require banking institutions governed by the State of New York to cash cashier's checks, payroll checks, or certified checks up to the amount of \$500 when presented with appropriate identification by the person to whom the check is addressed.

ACTING SPEAKER ZEBROWSKI: Mr. Lalor.

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

ACTING SPEAKER ZEBROWSKI: Mr. Abinanti, will you yield?

MR. ABINANTI: Yes, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: The sponsor yields.

MR. LALOR: Do we know how often it happens that a bank refuses to cash a check from someone who isn't a customer?

MR. ABINANTI: Well, under the present law there's

no obligation to cash the check and we don't have any evidence on how many people have been turned away, but I have heard of circumstances personally where people have been unable to cash a check. Let's remember that there are many people that who do not have checking accounts in this day and age, either by choice or by circumstance.

MR. LALOR: So is it thousands of people around the State, is it tens of people around the State? Is it a widespread problem that we need Statewide legislation?

MR. ABINANTI: Well, we're trying to help the consumers. We haven't taken a survey, but this is not an imposition. These are checks that are drawn on a bank, they're guaranteed in one way, shape or form. The bank is getting the business of the company that issues the payroll check or somebody has come in and paid for a cashier's check. So the bank has already gotten the business. It's their check, it's the account there, they should have an obligation to cash a properly presented check, and we're only talking up to \$500.

MR. LALOR: And is there a concern about the potential for fraud? A stranger walks into a bank and asks for a check to be cashed?

MR. ABINANTI: I would think that someone who shows up with a valid government-issued photo ID and some kind of other proof of their address will have more difficulties than having a bank get compliant about the \$500. I think that's probably a Federal violation and they could be doing serious time just to cash a \$500

check. So I'm not too worried about the -- about the possibility of fraud.

MR. LALOR: Do you think the banks and the other State-chartered institutions are concerned about fraud?

MR. ABINANTI: I would suggest that if they have that concern, it's misplaced. They can have their tellers trained on recognizing a valid government-issued ID, and peruse what other evidence demonstrates the address of the person who presents the check.

MR. LALOR: Are the many Federal-chartered banks in our State required to do this?

MR. ABINANTI: I'm not aware that they are required to do this, but this could be an advantage for the State banks. Recall that I was the Banking Chair for quite some time, and we thought that some of these things would be helpful to our banks because it offers services that the Federal banks don't offer.

MR. LALOR: Thank you.

On the bill, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: On the bill.

MR. LALOR: Like so many of these banking regulations because of our Federal system we're only allowed to regulate the State-chartered institutions. So we have a different set of rules and a different set of burdens which could put our State-chartered institutions at a disadvantage. And I know the sponsor says that concerns about fraud are misplaced, but the independent

bankers, the smaller bankers that I talk to and who provided feedback for this bill are concerned. For those reasons, I encourage a vote in the negative. Thank you, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Senate Bill 7535-A. This is a Party vote. Any member who wishes to be recorded as an exception to the Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed to this legislation. Those who support it can vote in favor on the floor or by contacting the Minority Leader's Office. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Majority Conference is generally going to be in favor of this piece of legislation; however, there may be colleagues who would choose to be an exception. They're certainly welcome to call the Majority Leader's Office, their vote will be properly recorded, or they can make their vote in the Chambers. Thank you, sir.

(The Clerk recorded the vote.)

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

MR. GOODELL: Thank you, sir. As mentioned by my colleague, this legislation only applies to the State-chartered banks. These are typically the smaller, local community banks. These banks do everything they can to serve the local community. So you might say, well, why wouldn't they cash a check for \$500 if it walks through the front door? And the answer is they hesitate when a person who comes in the front door is not a customer of the bank and they don't know who they are. And you say, well, this bill only requires them to cash payroll checks, for example, or cashier's checks or others, but there's no guarantee that the payroll check is going to clear, and we all know those bounce from time to time. And if it's not a bank customer, it's impossible or very difficult, I shouldn't say it's impossible, but it can be very difficult for the bank to -- to cover it.

A few years ago, there was a scam going around that was maddening lawyers; I got a notice by my malpractice carrier to be wary of it. And the scam went like this. You got a call from a company, they say would you collect a debt for us, you negotiate with another company, reach a settlement, they sent you a certified check or a cashier's check. You put that in your trust account, you then send your trust account check on to the customer after deducting your fee only to find out later that your trust account check cleared, but their cashier's check or their certified check didn't because it was

fraudulent. And this was a scam that was nailing attorneys all around the area to the point where, you know, we were receiving notices about it. And that's exactly what this bill sets up.

There's a reason that if a bank -- there's a reason that a bank who doesn't know the customer might not want to cash the check, and it's because they don't have that business relationship, they're not confident that there's enough funds in the account, they're not confident of the deposits that went into the account that backed that check. And a lot of people don't realize that if you take a check and you deposit it with a bank, that check could bounce any time in the next several weeks leaving the bank without an account balance to cover these checks. And so we should stop focusing on laying more and more burdens on our own local, community banks that set them up for fraud, and that's what this does. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Mr. Goodell in the negative.

Mrs. Peoples-Stokes to explain her vote.

MRS. PEOPLES-STOKES: Thank you, sir, for the opportunity to explain my vote. I want to applaud my colleague for introducing this piece of legislation. And, you know, I am often surprised that there are so many people in our society that don't understand that there are some people who are underbanked and, quite frankly, redlined, not even allowed to have access to a bank account. And because of that, the same \$500 check that they may get, somebody else gets that same check, they can go to the bank and get

\$500. These other people who can't go to a bank have to go somewhere where they've got to pay \$10 to get \$500, so now they've only got 490. And by the way, that's the way that we keep people in perpetual poverty because we won't allow them to be full participants in society like everybody else.

Now, I understand that people are sometimes concerned about fraud, but that's not always the first thought on somebody's mind when they want to get their work check cashed. They want to get their -- they want to get their check cashed. And why would the sponsor focus on just State-chartered banks? It's because we don't have the authority to tell Federally-chartered banks what to do. We only can talk to State-charted banks. Perhaps some of our colleagues at the Federal level will take our example and figure out a way to force Federally-operated banks to do the same thing because what you are perpetually doing to people who are unable to bank because of all the kinds of decisions that you've made that's not based on anything but what you think about their color or what you think about their zip code, what you think about their capacity to have money and control money and be financially literate. Those thoughts are ruining people's lives.

And so I want to commend the colleague for trying to figure out how to change some of that and give people an opportunity to earn \$500, take their check to the bank and get \$500. Thank you, Mr. Speaker. I'm pleased to vote in favor of this.

ACTING SPEAKER ZEBROWSKI: Mrs.

Peoples-Stokes in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 10, Rules Report No. 288, the Clerk will read.

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

ACTING SPEAKER ZEBROWSKI: Mr. Dinowitz, an explanation has been requested.

MR. DINOWITZ: Certainly. The purpose of this bill is to require Housing Community Renewal to prepare a report on non-rental fees imposed by landlords of housing accommodations subject to rent regulations Statewide. The report would include a description of fees commonly or frequently charged, the amount of fees, how the fees are determined, and any other data or information deemed pertinent and would be due to be submitted to the Legislature by April 1st, 2024.

ACTING SPEAKER ZEBROWSKI: Mr. Fitzpatrick.

MR. FITZPATRICK: Thank you, Mr. Speaker.

Would the sponsor yield?

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

MR. DINOWITZ: I will.

ACTING SPEAKER ZEBROWSKI: The sponsor yields.

MR. FITZPATRICK: Thank you, Jeff. It's -- what is the purpose of your bill here? What is the goal, ultimately?

MR. DINOWITZ: Well, first if you like this bill you're going to love my next bill, which I hope we debate, but...

(Laughter)

MR. FITZPATRICK: I have never liked one of your bills, so...

(Laughter)

MR. DINOWITZ: I know, and yet they all pass.

(Laughter)

The purpose of this bill is as follows: We have a problem whereby some landlords are putting -- in addition to the exorbitant rent increases they've gotten over the years -- and I admit the past few years have been a bit of an abhorration.

MR. FITZPATRICK: You can say exorbitant, exorbitant --

MR. DINOWITZ: Over the years, landlords --

MR. FITZPATRICK: We're talking rent stabilized.

MR. DINOWITZ: Yes, we're talking about -- I'm sorry, we're talking about --

MR. FITZPATRICK: -- exorbitant then. They're below market.

MR. DINOWITZ: Well, that's a matter of opinion.

MR. FITZPATRICK: But they're not exorbitant, you can't say a rent stabilized apartment is getting an exorbitant --

MR. DINOWITZ: Well, let me answer it, he who lives in a district where there's only one or two story buildings.

MR. FITZPATRICK: We have some three and fours.

MR. DINOWITZ: Oh, you have -- okay.

MR. FITZPATRICK: Yeah.

MR. DINOWITZ: So landlords over the years have been able to get not only the rent stabilized allowable increases, let's say in New York City, but they were able to, until we thankfully changed the law in 2019 June, they were able to get other huge increases on their apartments through Major Capital Improvements and inside the apartment improvements, and a whole bunch of other things. But in addition to all that, they have all too often charged additional fees above those increases. Say if you put an air conditioner in the window or the unilateral until we changed the law thanks to legislation that we passed - let me finish - to put on legal fees, charging for I don't know, washing machines or dryers or dishwashers, things like that. So what this bill does is it asks for a report so we can find out exactly what's going on. And as you noticed, the bill is only eight lines long, it's simply trying to get information.

MR. FITZPATRICK: Yeah, no, understood. But as we both know under the New York City Administrative Code, there is a limit of \$15,000 for any type of capital improvement, not more than

three over 15 years, all right, so -- and the base rent goes up only by, what, one -- 168th for that 30-year period? So they're not sneaking these charges in, these are already outlined in the Administrative Code and permitted if -- with the consent of the renter.

MR. DINOWITZ: No, renters don't really consent to these kind of increases. I'll give you an example. Now, we passed -- I'm not going to, we don't want to debate a bill that we have already debated in the past, but over the years landlords have unilaterally charged legal fees and just tacked it on to the rent, no discussion, nothing in the lease to say they could do it, but they did until we changed the law thanks to most of us. And those were over and above the types of increases which they could get through -- through the regular rent stabilization process. Now, of course, three years ago we made significant changes to level the playing field in terms of some of the things you just described, Major Capital Improvements, but what we didn't do is change some of these additional fees that landlords charge. So for example, and that's not specifically the subject of this bill, but if somebody puts in an air conditioner currently, even though they buy the air conditioner, pay for the air conditioner, pay for the electricity, a landlord could still put an additional fee on the rent. Now, what this bill does is it just asks for a study.

MR. FITZPATRICK: Understood, but it is permitted.

MR. DINOWITZ: At the moment, yes.

MR. FITZPATRICK: So at the moment, so...

MR. DINOWITZ: Well, that could change, I mean, but that's not what this bill does. This bill does not change that.

MR. FITZPATRICK: No, it just studies it. I think that the goal might be to change that.

MR. DINOWITZ: Well, yes, but I believe in studying, but I also believe in action, but this bill is a study because we want to get the facts and information to know exactly how widespread some of these charges are and how significant the costs are. And so the bill, I mean it says what should be in the study, including how the fees are determined, the amounts of the fees, and other -- other relevant information.

MR. FITZPATRICK: So based on -- based on the number of the housing units, rental units we have in the City of New York, you know, for this bill to which it applies, are we looking at is it -- would ten percent trigger action by you, 20 percent, 50; what are you -- what are you looking for here, where do you see a problem? I've read nothing in the press about -- or the business press or the real estate press about this being a problem. The code is pretty specific about what can be charged and for how long, and how many times in a 30-year period. It seems to me there's a, you know, solution looking for a problem here.

MR. DINOWITZ: No, we have a problem that needs a solution. The -- the issues that we addressed three years ago in the legislation which I think was among the most important pieces of legislation we passed in a long time --

MR. FITZPATRICK: But we solved that problem.

MR. DINOWITZ: -- dealt with certain increases. It didn't deal with this. So State Housing, HCR, formerly DHCR, they put out regulations, it's not -- it's their regulations that dictate what can be done and what can't be done. And so landlords, of course, take full advantage of what they're allowed to do, and we want to make sure we know what's going on.

MR. FITZPATRICK: Okay. Very good. Jeff, thank you very much.

Mr. Speaker, on the bill.

MR. DINOWITZ: That's it?

MR. FITZPATRICK: That's it.

MR. DINOWITZ: Okay.

ACTING SPEAKER ZEBROWSKI: On the bill.

MR. FITZPATRICK: Mr. Speaker, my esteemed colleague and dear friend is a very cagey veteran of the rental, you know, the rental wars over the years, and we've enjoyed our debates, but I really think he's reaching for straws with this bill. Yes, back in 2019 we had a lot of -- made a lot of changes to the rental laws here in the State of New York, especially in the City of New York. Some problems were not quite as bad as I think the sponsor made them out to be, but they were corrected nonetheless.

In this situation, we have very specific and a very specific Administrative Code in the City of New York that outlines what can be charged, or how much for how long. There is no

evidence out there that there's a problem or a growing problem with these charges; however, if you want to study them, fine. Some poor soul at DHCR is going to draw the short straw and have to conduct this study, waste a lot of his time, waste a lot of resources and probably not find a problem at all. Which is I think, I think is what's going to happen here.

So be that as it may, this is a bill, in my opinion, that is not necessary, that is looking for a problem that if it exists at all may be a minor problem at worst, but I don't think is a problem at all and I would strongly urge my colleagues to consider a no vote. Save this poor soul at DHCR from doing this job and save the time and expense.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 1194-A. This is a Party vote. Any member who wishes to be recorded as an exception to the Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed for the reasons mentioned by my colleague. As you mentioned, if you want to vote in favor of it, do so here on the floor or by contacting the Minority Leader's Office. Thank

you, sir.

ACTING SPEAKER ZEBROWSKI: Mrs.

Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. The Majority Conference is generally going to be in favor of this piece of legislation; however, there may be some colleagues who are not in the Chambers with us today that would be interested in being an exception. They should please free to contact the Majority Leader's Office and I'm sure their vote will be properly recorded.

Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Thank you.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 10, Rules Report No. 293, the Clerk will read.

THE CLERK: Assembly No. A03495-B, Rules Report No. 293, Kim. An act to amend the Labor Law, in relation to student loan repayment information.

ACTING SPEAKER ZEBROWSKI: Mr. Goodell.

MR. GOODELL: Thank you, sir.

On the bill.

ACTING SPEAKER ZEBROWSKI: On the bill.

MR. GOODELL: As with many bills we have, this bill has multiple parts. The first part, which is a great part and I

commend the sponsor, would require the Department of Labor in consultation with the Commissioner of Higher Education to develop a pamphlet to help students figure out how to repay their student loans, what options might be available, what programs might be available to help. And I think that's a great idea and I think it could be very helpful for our students.

The concern I have is in paragraph two which requires every employer in New York State to provide that information to their employees upon request, every single employer. Now, I'm not quite sure why we want to burden our employers with more responsibilities and obligations at a time when our employers are struggling to recover from COVID. And it's not the employer that was involved in the student getting a student loan. So what we say to employers, if you hire a student that might have student loans, we're going to impose one more requirement on you.

So it's a great idea to provide information to students, and I think it's a great idea to encourage students to get on the Department of Labor's webpage and talk to their bank about all the options that are available. I just don't think it's a great idea to require every single employer in the State of New York to have to look up student loan repayment information for their employees upon request. It's not their employer's responsibility. New York has the dubious distinction of having some of the highest regulations and burdens on employers, we don't need to add more. So let's encourage students to reach out on their own, get the information they need, and let's

encourage employers to hire students that might have student loans and not impose more burdens on them if they should hire such a student.

So again, I commend the sponsor for paragraph one, great idea, not so happy about paragraph two. Maybe if we get time we can tweak this bill in the future. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 3495-B. This is a Party vote. Any member who wishes to be recorded as an exception to the Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed to this mandate, but those who support it, certainly understand why, can vote in favor here on the floor or by contacting the Minority Leader's Office. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir. The Majority Conference is generally going to be in favor of this piece of legislation; however, there may be those who would like to be an

exception. They should feel free to call the Majority Leader's Office if they're not in Chambers and we will record their vote and we'll make sure it happens. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Thank you.

(The Clerk recorded the vote.)

Mr. Kim to explain his vote.

MR. KIM: Thank you, Mr. Speaker. The student debt crisis touches all communities in the State of New York and this country, we read about it every single day. There's \$1.5 trillion, we're the only country that has this type of debt anywhere in the world. We need to do a lot more to connect the dots and help students get out of a lifetime of debt, and this isn't charity, this isn't sympathy, this is just good economics because on average, with student debt in New York has reached \$1,000 of debt, and the debt money can be spent otherwise if we help them write down or re -- refinance or do a better job with payments. You know, this is money that could be spent toward building a home, buying an automobile, whatever, you know, to -- that will be -- that will be reinvested in our communities.

This bill, at request, you know, requires the employer to share information about repayment options that's already done by DFS, Department of Education, Department of Labor on their website. It's basically a referral to the work that's already done by the State. When people go to a new job, they get benefits, they get transportation options, all sorts of information to be shared to them upon request. We're just asking the employer to refer them to the website that's

already done all the work to help them guide through paying back their student debt. That's why we should support this bill. Thank you so much, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Mr. Kim in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 11, Rules Report No. 299, the Clerk will read.

THE CLERK: Assembly No. A06246-C, Rules Report No. 299, Paulin, Griffin, Kelles, Englebright, Fahy, Lupardo, Otis, Woerner, Hevesi, Simon, Stirpe, González-Rojas, Bronson, Seawright, Wallace, Byrne, Thiele, B. Miller, Jean-Pierre, Reyes, Colton, Tague, Zebrowski, Lucas, Brabenec, Fitzpatrick. An act to amend the Agriculture and Markets Law, in relation to standards of care for animals held in, or being transported by, animal shelters; to amend the General Business Law, in relation to pet dealers; to amend the State Finance Law, in relation to establishing an animal shelter regulation fund; and to repeal certain provisions of the Agriculture and Markets Law relating to pet dealers.

ACTING SPEAKER ZEBROWSKI: On a motion by Ms. Paulin, the Senate bill is before the House. The Senate bill is advanced. An explanation has been requested, Ms. Paulin.

MS. PAULIN: This bill would create comprehensive standards of care for municipal shelters, not-for-profit humane

societies, SPCAs, and animal shelters, and not-for-profit animal rescues.

ACTING SPEAKER ZEBROWSKI: Mr. Tague.

MR. TAGUE: Would the sponsor yield for some questions, please?

ACTING SPEAKER ZEBROWSKI: Ms. Paulin, will you yield?

MS. PAULIN: I'd be happy to.

ACTING SPEAKER ZEBROWSKI: The sponsor yields.

MR. TAGUE: Thank you, Ms. Paulin. Can you first of all tell me where did the standards in this legislation come from?

MS. PAULIN: Absolutely. The standards are based on the Association of Shelter Veterinarian's 2010 guidelines for standards of care in animal shelters.

MR. TAGUE: And has the sheltering community been consulted on this legislation, and if so, what -- do you know what their position is?

MS. PAULIN: The shelter community has been actively involved in this legislation, I believe watching it right now on Zoom or whatever they get to watch it on, and very excited about creating standards in New York State.

MR. TAGUE: Thank you. Now, how does the companion -- animal capital fund help shelters and rescues implement facility standards that is called for in this legislation?

MS. PAULIN: The -- there'll be a fee charged, and that will be \$150 annually, and that fund then will be created to administer the program. But the legislation actually doesn't only limit it to that. So for example, I could see if the fund grew it could actually help shore up some of the animal shelters perhaps that are in need.

MR. TAGUE: And where does the majority of their funding come from?

MS. PAULIN: The majority of funding for this fund that we're creating?

MR. TAGUE: Yes, for the -- where will the majority of that funding come from, from the money that you just spoke about?

MS. PAULIN: From the shelters themselves.

MR. TAGUE: Okay, okay. Are there any organizations out there that are going to help the shelters and rescues be prepared for these new standards?

MS. PAULIN: I'm sorry, just -- what did you say?

MR. TAGUE: Are there any organizations out right now that are going to help some of our shelters and rescues be prepared for the new standards, because I'm sure there are --

MS. PAULIN: Yes.

MR. TAGUE: Okay.

MS. PAULING: The shelter community is planning on being very active to help each other.

MR. TAGUE: Now, what will happen if a local

shelter can't meet the requirements?

MS. PAULIN: So if there's a violation then the Department of Ags and Markets will come in and itemize exactly what those things are that they are violating and how they need to correct them. And they get quite a lot of time; in fact, it's not specified how much time, nor how many violations it would take, frankly, for it to go beyond that stage. So I think it's anticipated that at first there's going to be a learning curve on the part of the shelters to get up to speed on a lot of the standards that we're creating, and there will be an ability for those shelters to correct those problems.

MR. TAGUE: Now, let's say we have an issue and the shelter is shut down - this is one of my major concerns as somebody who is an animal lover - what will happen to those animals?

MS. PAULIN: So right now there are animal shelters that have shut down and because there is such a large network of shelters, those animals are usually, or often or always taken by other shelters. So if it's a shelter that happens to be a shelter that has contracts with a municipality, the municipality would have to then contract with a different shelter. And -- but I don't have a concern; in fact, quite the opposite -- you know, I don't have a concern that those animals won't get taken care of, just as they would now if the shelter closed their door, which has happened.

MR. TAGUE: And then one -- one last question, Ms. Paulin. Some of my colleagues, as we have talked about this bill,

have questioned whether this is just another erroneous mandate on local government. Would you -- would you agree with that statement or disagree, and if you disagree please tell me differently.

MS. PAULIN: So you don't often have a situation where those people who are going to have to do the mandate want the mandate, and we have that here. It is the shelters themselves that came to us and said, *We want to have to ensure -- to make sure that dogs and cats are treated humanely, safely, and we can only do that if we collectively outline what those standards should be.* So it's a mandate, yes, but it's a mandate that the shelters themselves want. And as far as the municipalities, there are municipal shelters, there's 123 of them in New York State. Those shelters are part of the same network of shelters, so collectively they want these standards set in law so that people can feel most comfortable about where their dogs and cats would land if they were lost in the street or what have you.

MR. TAGUE: Well, Ms. Paulin, I just want to say thank you. Thank you for answering my questions and my concerns. I am going to be supporting your bill and want to commend you for bringing it to the floor. And I'm going to close with that and thank you, Mr. Speaker, for the opportunity to debate with Ms. Paulin.

MS. PAULIN: And I will just close with there's no farms involved.

(Laughter)

MR. TAGUE: You know, I was going to say that earlier, this is the first time we have debated, but we could argue that

some of the animals may be from the farm.

MS. PAULIN: Only if they're dogs and cats.

MR. TAGUE: But it's always an honor and a pleasure to respectfully debate with you, and on this one I'm going to be supporting you and -- with your bill. I appreciate it, thank you.

ACTING SPEAKER ZEBROWSKI: Ms. Byrnes.

MS. BYRNES: Thank you. Will the sponsor yield?

ACTING SPEAKER ZEBROWSKI: Will the sponsor yield?

MS. PAULIN: Yes.

ACTING SPEAKER ZEBROWSKI: The sponsor yields.

MS. BYRNES: Normally -- a week ago I would have had no question whatsoever about this bill, but with all due respect, I do want to lay out a brief scenario and ask you whether or not this group that is in my district would fall under this. I actually have a volunteer fire department that I went for a tour of their fire department facilities and at the end of the tour they're like, *Do you want to see where we have the dog kennels, where when we find animals, dogs and cats that are lost where we take care of them*, and they showed me literally where they built two dog kennels, where they have beds. They told me that when they find animals, the volunteer fire department members take them out for walks. Are we going to put good samaritans like these volunteer firemen in a position where they're going to become classified as a shelter, and if they can't meet

these requirements that a training and everything else that instead animals that are cared for will either be sent to an artery, a lollypop farm where most of them end up getting killed if they can't be adopted. How do you handle this type of a hybrid good samaritan trying to do the best thing?

MS. PAULIN: I would probably need to know a little bit more about whether this was the option that the municipality chose, you know, because under the law, the municipality has to contract or figure out how they're going to take care of abandoned dogs and cats. So if this is the method by which they -- if they're contracting with the fire department, if they're considering this their municipal shelter --

MS. BYRNES: No; oh, no. This is just the firemen set this up in their own fire department, volunteers to save animals.

MS. PAULIN: The law is so broad that I don't see how -- if they're not classified as a shelter, if they're not considering themselves a shelter, if they're not registered as a shelter -- right now -- in 2017 we did a law that required these same entities to register, so I guess the question I would ask them is did they register as a shelter and, therefore, would fall under this law. If they didn't register as a shelter and they're just doing this as good samaritans, then, you know, we can all be good samaritans and we wouldn't fall under this provision.

MS. BYRNES: But is there some organization out there that could say, *We know that they've got two kennels in there*, so

even if they're not -- haven't registered themselves, they're operating as if they were on an occasional basis, and then come down on them?

MS. PAULIN: Fire departments, you know, are an arm, unless they're independent, I guess, of the municipality most often, I don't know in this case. I mean, again, Ags and Markets is going to be looking at those same registered shelters. You know, if they're outside that provision or outside that -- if they're not registered shelters, I don't -- I don't really think that they're going to fall under this. I mean, you know, I probably -- I mean, I hate to be stymied, but I'm happy to get back to you on this, but I'm not sure I know enough detail about this specific --

MS. BYRNES: No, and I would appreciate it. Again, if I hadn't been on a tour for an independent reason and they were so excited to see me, to show me what they had done with the back room --

MS. PAULIN: I think if it's just they're finding abandoned animals and they're taking care of them, I don't know see how that falls under this, but if they're -- the official shelter that the municipality is using then they would.

MS. BYRNES: No, absolutely not. All right, thank you.

ACTING SPEAKER ZEBROWSKI: Mr. Goodell.

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

MS. PAULIN: Yes, of course.

ACTING SPEAKER ZEBROWSKI: The sponsor yields.

MR. GOODELL: I think you mentioned there were 153 shelters currently in the State of New York; is that correct?

MS. PAULIN: One hundred and eleven not-for-profit and 123 municipal shelters, so there's more.

MR. GOODELL: One hundred and eleven not-for-profit.

MS. PAULIN: Yeah.

MR. GOODELL: And 123 municipal.

MS. PAULIN: Yeah.

MR. GOODELL: So roughly 234.

MS. PAULIN: Yes.

MR. GOODELL: Is it -- is it your view that the 234 animal shelters that we have now are not operating in an appropriate manner?

MS. PAULIN: I think probably most are. Many might not even be aware of some of the standards that are considered the state-of-the-art standards, so -- which is why I think they're going to have a learning curve. Some are, but for those that don't meet all of those -- or the provisions that we have outlined, they're going to need some help and guidance to get up to snuff.

MR. GOODELL: Do you have an estimate of how many you believe do not meet these standards currently?

MS. PAULIN: I think that, you know, what we hear

from the shelters themselves is that, again, they believe most are and that, you know, with some tweaking or some help they're going to -- the rest of them will be. So I don't have the exact number, but, you know, I'm not that concerned based on the conversations we've had from the organization.

MR. GOODELL: You mentioned there's \$150 annual licensing fee and that goes into a fund designed to basically enforce this provision. Is there any - excuse me - is there any other State funding available?

MS. PAULIN: That's up to us, you know, going forward and, of course, the shelters themselves are paid by municipalities when they have those contracts so they -- they get revenue to support themselves, they fundraise. There will be, you know, if we feel that we have a problem then it's certainly up to us in the State government to put some initial money in the fund if we believe by the time -- you know, they have three years to get there. So if during those three years we're hearing that, you know, there needs to be some resources to help some of the shelters get to the standards that we have outlined which, again, are standards that most states, many states, a significant number of states have already implemented and that have been out there since 2010 that, you know, we will have an opportunity to shore up the shelters.

MR. GOODELL: But as it stands now, there's nothing in this year's budget and nothing in this legislation that would provide State funding; is that correct?

MS. PAULIN: Well, there's capital funds, you know, that were -- that we put in the budget, you know, to --

MR. GOODELL: How much was that?

MS. PAULIN: Twenty million dollars since 2017.

MR. GOODELL: And that's been every year?

MS. PAULIN: Yeah.

MR. GOODELL: So in other words, without these standards, funding that we provide is already being used, correct?

MS. PAULIN: Yeah, it says -- I have on my cheat sheet here, 41 projects have been awarded, among those, 20 projects have been fully completed.

MR. GOODELL: Do municipalities have a statutory duty to house these animals?

MS. PAULIN: They do. They have a statutory duty to deal with abandoned animals, they have to have a method for doing that. They usually contract out, if they don't have a municipal shelter, with a not-for-profit.

MR. GOODELL: Do they have any mandatory duty to avoid euthanasia after the redemption period?

MS. PAULIN: To what?

MR. GOODELL: To avoid euthanizing pets after the redemption period?

MS. PAULIN: I think it's our goal that, you know, this bill will help improve and make sure that fewer animals are actually euthanized because, you know, what causes problems is

overcrowding, disease that can permeate a shelter when animals are too close together or can't be separated. So there's probably, we're going to save animals, you know, by having these standards.

MR. GOODELL: I certainly hope so. Thank you, Ms. Paulin.

On the bill.

ACTING SPEAKER ZEBROWSKI: On the bill.

MR. GOODELL: This legislation goes on for ten or 15 pages, I forget the exact number, about detailing the statutory requirements for housing animals at pounds, these would be feral cats, for example, or dogs that were lost or abandoned or otherwise picked up by a municipality. And by and large, I think all of us agree that we certainly want all these animals to be treated as best as possible. And so for that, I commend the sponsor.

The concern I have is that when we impose extensive statutory requirements on pounds, there are some pounds that already meet them, as mentioned by my colleague, and there are some that don't. And so the question then is what happens to those who don't meet these criteria? Well, they can either bring it in line or close, and if they close, what happens? Well, either other pounds expand or they don't. And if they don't, what happens?

And so the problem is when you follow this, you connect all the dots and say, okay, we make it much more expensive, much higher quality care, much more expensive, but if the municipalities aren't willing to up the ante and pay more, or the

not-for-profits aren't willing or able to raise the funds and we're not providing any additional assistance over what we have been doing since 2017, then I'll tell you what happens. And you all know it. What happens is these animals get euthanized. So it would be interesting, wouldn't it, if we can only poll the animals. If you had a choice, would you like to live in the Ritz Carlton or face a higher risk of being killed, or would you rather live in a cheaper hotel where you could live as long as you want? It'd be an interesting poll, wouldn't it?

I'm mindful that the State, in its wisdom, dramatically increased the requirements for EMTs. And, you know, if we call for an EMT because we're having a medical emergency, of course we want a highly qualified EMT to show up. The problem is, those standards became so high and so difficult and so expensive that many rural areas of our county and our State, you can't get an EMT to respond, they just don't exist anymore. If you get -- if you're injured in my county, you better hope your spouse will drive you to the emergency room because otherwise you might be waiting 15, 20 minutes for mutual aid to try to find an EMT.

And so my concern with this bill is I absolutely support all those standards that are in the bill, I think they're great, I love them, but without funding we're going to see a whole bunch more animals euthanized. And I'm not sure even the animals would prefer euthanasia as an option to being able to be housed in a top of the line pound. And so that's the difficult dilemma we rest with, and certainly my colleague pointed out great standards, no cash unless you make it

a reality, it's not a good situation. Thank you.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Senate Bill 6870-B. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, colleagues, let me thank you for your patience in getting us through quite a bit of our debate list today, this evening, but we do have one last bill we'd like to take up before we adjourn, Mr. Speaker. So if we could go to Rules Report No. 301, that one's by Mrs. Barrett.

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

Page 12, Rules Report No. 301, the Clerk will read.

THE CLERK: Assembly No. A06755-C, Rules Report No. 301, Barrett, Thiele, Kelles, Norris, Woerner, J. D. Rivera, Wallace, Brabenec, Smith, J. A. Giglio, Epstein, Meeks, Gandolfo.

An act to amend the Real Property Law, in relation to increases of rent in manufactured home parks.

ACTING SPEAKER ZEBROWSKI: Mrs. Barrett, an explanation has been requested.

MRS. BARRETT: Thank you. This bill is a clarification. It requires that when a manufactured home park community owner notifies the homeowners in the park of a rent or fee increase in excess of three percent, the community owner must provide a written justification for the increase and make sure that such documentation is available to any resident by request that show the cost and commencement of work that justify the increase.

ACTING SPEAKER ZEBROWSKI: Mr. Fitzpatrick.

MR. FITZPATRICK: Thank you, Mr. Speaker.

Would the sponsor yield?

ACTING SPEAKER ZEBROWSKI: Mrs. Barrett, will you yield?

MR. FITZPATRICK: Thank you, Mrs. Barrett.

ACTING SPEAKER ZEBROWSKI: Mrs. Barrett yields.

MR. FITZPATRICK: We are the last bill, it's late, and so there's pressure on us to get this over with quickly, I'm sure. Just as you said, it's a clarification bill. As we know in the laws we changed in 2019, a tenant can challenge a rent increase above three percent and that's based on an increase in operating expenses, the park's real estate, you know, property taxes, or capital improvements.

So these are small property owners, generally small operations?

MRS. BARRETT: No, actually not. These are generally large corporate entities that have been buying up many of our mobile home communities throughout the State of New York.

MR. FITZPATRICK: So these are REITs, or mostly REITs, would you so, or...

MRS. BARRETT: Mostly, what?

MR. FITZPATRICK: Real estate investment trusts, or...

MRS. BARRETT: Yes, yes, and with not -- with no local ties and no local roots at all.

MR. FITZPATRICK: Okay. So how many, if I could ask you, how many small operators are there left?

MRS. BARRETT: Increasingly fewer and, you know, the reason that these clarifications were, you know, that we developed them into this legislation was because a lot of these big, outside groups were really taking advantage of what we didn't cover in that legislation and, you know, doing other things and increasing without helping any of these small owners. Because you know that in these mobile home parks, the property, the mobile home is owned by the individual and then the property is owned by the, you know, the property owner or the corporation, whoever it is. So these people were, you know, were finding that, and this is affordable housing in our rural areas, this is, you know, not -- not luxury housing. So they were finding that the kinds of expenses that were adding up were

things that they couldn't handle and there was no an explanation for why that was happening.

MR. FITZPATRICK: Okay. Very good. So -- all right. So the impact on the small operator is a minimal, you believe, it's...

MRS. BARRETT: Yes.

MR. FITZPATRICK: I mean, if you had to guess, are we talking --

MRS. BARRETT: I don't have a percentage.

MR. FITZPATRICK: -- you know, is it 80/20, 80 percent of these properties are owned by large entities versus 20 small owners, or how would it break out? I have no idea.

MRS. BARRETT: I don't really have a number, but I know, you know, we worked with Homes and Community Renewal on this, they were very concerned about it because they have been seeing this kind of abuse across the State. And this is something, you know, that we all seem to be on the same page to try to protect these tenants and not at all -- I mean, I think if there are smaller businesses, we want to work with them and support them. That's what we'd like to see and not see this, you know, just pure investment happening across the State.

MR. FITZPATRICK: So with this growth in the REITs and large entities coming in and buying these properties, has there been a decrease in the quality of the environment in these parks because of that, or have things improved? Or, the owners of the

mobile home --

MRS. BARRETT: No, there's a very, you know, sort of a disconnected approach because people, you know; no, not necessarily. They're adding expenses on if there's no understanding by the, you know, the community in living there what they're doing. And there's no, you know, there's been no path for them to find out what the landlords are doing and so this is what this legislation is meant to do is sort of give them that.

MR. FITZPATRICK: But under current law, they do, anything over three percent they're able to challenge within 90 days. So have -- how many of those cases have been brought?

MRS. BARRETT: I don't -- do we have a number of cases? It's basically that they're just not complying with that 2019 law, and this is -- was just kind of an unintended gap that was left in the -- you know, that we -- that we hadn't anticipated and so, you know, it's something -- it's basically just sort of filling that gap in the legislation to protect the tenants in the same way that we had intended to at the outset two years ago or three years when we did this original bill.

MR. FITZPATRICK: All right. So if there's non-compliance now, there's -- what are the authorities doing or, you know, to help the situation out? If now we go to mandatory explanation for all rent increases and there's non-compliance, how do you combat that? Where is -- it's going to let down somewhere if they're not complying, then who's enforcing that? Who is supposed to

enforce it?

MRS. BARRETT: Well, there wasn't a law to enforce before. Now we, obviously if we're asking for them to show this information to the, you know, to the residents they, you know, this will help them comply. I mean, the guidelines and the legislation that we passed in 2019 didn't address that part of it, so...

MR. FITZPATRICK: What I'm trying to say is we passed the law in 2019, it went into effect immediately. The current rule, as you say, they're not complying with the current rule. So who is enforcing the current rule now? And if you change the law, as you desire here and there's still non-compliance, who is responsible for enforcing this?

MRS. BARRETT: So this is sort of making it clearer for them to understand how to comply and giving the residents an understanding of what it -- I mean, if they're spending it and it's all justifiable, then that's fine, but there's no way for the residents to know currently. So that compliance is partly the relationship between the owners and the work being done there and what they're doing and why they're doing it, and the communication with the tenants, residents.

MR. FITZPATRICK: Okay. Very good. Mrs. Barrett, thank you very much.

Mr. Speaker, on the bill.

ACTING SPEAKER ZEBROWSKI: On the bill.

MR. FITZPATRICK: The -- when the law was changed in 2019, again, we wanted to tighten things up to make sure

that people could understand that when a rent increase was proposed or when a rent increase was granted, the law allows people who object to an increase over three percent to file a request for information within 90 days. So if -- I don't know how many cases there are, it doesn't seem to be any evidence to see any uptick in that kind of activity. The sponsor claims there's a problem, but there may not be as big a problem as she claims. By putting more regulation on this industry right now, I'm sure it will have a negative impact on the smaller owners because increased regulation will increase cost.

It is very expensive to operate a mobile home park, property taxes, capital improvements, septic systems, asphalt for driveways and other lawn maintenance, tree maintenance, et cetera. A lot goes into keeping these facilities in good operating condition. Yes, that's why -- maybe that's why real estate investment trusts and large institutional investors are coming in and buying up these properties, the danger is down the road if those properties are more valuable with another use, these people may be in danger of being forced to move. You know, they do provide significant affordable housing around the State, we have some on Long Island, as well, but I think if we continue to push the cost of operating these facilities higher and higher through this increased regulation, we run the risk of making, you know, making affordable housing less affordable for the people who need a mobile home operation.

So with that, I urge a negative vote. I think this bill could use a little more work and maybe some increased or better

enforcement for non-compliance. Thank you.

ACTING SPEAKER ZEBROWSKI: Ms. Giglio.

MS. GIGLIO: Thank you, Mr. Speaker.

On the bill.

ACTING SPEAKER ZEBROWSKI: On the bill.

MS. GIGLIO: With all due respect, I would like to thank Mrs. Barrett, or my colleague, for this legislation. Being a representative of over 2,500 manufactured home parks within my district, they are struggling every day with not rent increases of three percent, but with additional charges for garbage pickup, for increase in property taxes, but they don't even have access or the break out to what the tax bill actually is for their unit unless they're a veteran. So there are a lot of disadvantages and where most of these homes are being bought up and most of these parks are being bought out by companies in Utah or Montana or other places that are big monopolies and really don't care about the residents that are there, and it's up to local law enforcement to make sure that they're abiding by the laws and that the living conditions are good, that there's not sitting water, that trees are not about to fall on the people's homes, that the manufactured homeowner -- park owners do not want to be responsible for the trees even though they own the land.

So there have been several complaints that have been made to the Attorney General, and that office has been responsive, thank goodness, because the rights of these property owners is being protected. So again, I want to thank the sponsor for this bill, and it's

important that we keep this affordable housing not only for our seniors, but for people that can't afford to buy a dwelling. Thank you.

ACTING SPEAKER ZEBROWSKI: Mr. Goodell.

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

ACTING SPEAKER ZEBROWSKI: Would the sponsor yield?

MRS. BARRETT: Yes.

ACTING SPEAKER ZEBROWSKI: The sponsor yields.

MR. GOODELL: Thank you. I was looking over the memorandum of support that accompanied this bill, and it stated that there are approximately 84,956 mobile homes located on nearly 1,818 mobile home parks. That -- that averages to less than 47 mobile homes per park, right?

MRS. BARRETT: I think there are different size parks. I don't know about your district, but I have many different size mobile home communities in mine.

MR. GOODELL: So there are large parks and then there are small parks, but on average using the data in your memo, the average is less than 47, right?

MRS. BARRETT: If you say so.

MR. GOODELL: So isn't this more of an extension of rent control on mobile home parks?

MRS. BARRETT: No. This is really, as our

colleague said, it's really making sure that people who are living in an affordable community are protected with the rights that they're entitled to, and there's communication between these absentee landlords and the people living there.

MR. GOODELL: Now, this limits any rent increase to the actual cost of maintenance and repair?

MRS. BARRETT: No. It just requires an explanation of what it is. You can ultimately increase above three percent, but there needs to be clarity on what it is and there's only certain things -- this bill also clarifies that in order for an increase in cost to justify a rent increase above three percent, the community owner must demonstrate that the cost incurred for ordinary maintenance including preventative maintenance or repair of the roads, infrastructure, or other community property or services was necessary to meet the community owner's warranty of habitability obligations and demonstrate that the rent increase imposed was no more than was necessary to cover the actual and reasonable cost of the work performed.

MR. GOODELL: Thank you.

On the bill, sir.

ACTING SPEAKER ZEBROWSKI: On the bill.

MR. GOODELL: I understand that mobile home parks vary in size across the State, certainly. In my district, they are not large mobile home parks owned by large corporations, they're small mom and pop operations. And what we are doing is we are

squeezing them financially. So we limit their rent increases of three percent a year even though everyone in this room knows that inflation is running, what, eight or nine percent? So we start out by telling all the mobile home park owners, you can't even keep up with inflation, that's what we say to them. You can't even keep up with inflation. And then we say you can collect additional funds if you make investments, but only based on your actual and reasonable expenses. And we limit that to warranty of habitability, which those of us in the real estate business know is very limited when it comes to mobile home parks. That's water, sewer, roads; and at the same time, we complain that they're not being maintained, that they're not taking care of the trees and not mowing the lawn enough. Guess what? Lawn mowing, tree trimming, not part of the warranty of habitability.

So I appreciate the desire of every tenant in every mobile home park to have the best of both worlds. They want low rent and high maintenance. They want high-quality, low rent. Unfortunately, you know, it's a balancing act and when we pass Statewide legislation that affects all these small mobile home parks, and the average Statewide is less than 47 trailers in a -- and if you have big ones, that means there's a lot more smaller ones. So we need to be very sensitive that these regulations can have a really negative, long-term impact on the availability and the quality of mobile home parks which ultimately hurts the very people we want to protect. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Read the last

section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote on Assembly Bill 6755-C. This is a Party vote. Any member who wishes to be recorded as an exception to the Conference position is reminded to contact the Majority or Minority Leader at the numbers previously provided.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed to this legislation; however, we do have members that support it and speak on its behalf. And so for those who support it, please vote yes on the floor or by contacting the Minority Leader's Office. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Majority Conference is going to be in favor of this consumer-friendly piece of legislation; however, should there be exceptions, they should feel free to contact the Majority Leader's Office and we will make sure their vote is properly recorded.

(The Clerk recorded the vote.)

ACTING SPEAKER ZEBROWSKI: Mr. Jacobson to explain his vote.

MR. JACOBSON: Mr. Speaker, to explain my vote. I would like to commend the sponsor for this bill. Manufactured

homes are referred to in the slang, in the vernacular as mobile homes, where they're not very mobile. You can't like not moving a car, or it's not like moving an RV. No, they're on the property, there's a foundation. And the problem is that the owners of manufactured homes start out behind the 8 ball. They're already behind because they don't own the property. And so they're at the mercy of a landlord. That's why we have other protections in the law, because this is -- you just can't get up and move. And so I think this is a very important bill, I'm happy to support it, and I vote in the affirmative.

ACTING SPEAKER ZEBROWSKI: Ms. Giglio to explain her vote.

MS. GIGLIO: Thank you, Mr. Speaker. Where I indicated that there are several bad actors that exploit families and individuals that are living in these manufactured home parks, there are good owners of manufactured home parks, the smaller manufactured home parks that live in town, that care about their residents and care about their well-being. So I -- and I guarantee you that none of those good home park owners would have a problem with explaining why they were increasing the rent. So I think this is a good bill and I will be voting in the affirmative. Thank you.

ACTING SPEAKER ZEBROWSKI: Ms. Giglio in the affirmative.

Colleagues, as we finish up the order of the day, if we have some order in the House.

Mr. Braunstein to explain his vote.

Mr. Braunstein in the affirmative.

Mrs. Peoples-Stokes to explain her vote.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. I want to commend the sponsor of this piece of legislation. I know it's always a challenge --

ACTING SPEAKER ZEBROWSKI: Colleagues, colleagues, the Majority Leader is explaining her vote.

MRS. PEOPLES-STOKES: I know it's always a challenge, Mr. Speaker, when some folks really want to look out for the consumer and their ability to live a decent quality of life, and by the way, I understand that there is no free rent, everybody has to pay something, but to put a minimum amount that can be added to the cost of living, particularly when people's incomes aren't growing at big levels, I think it's fair and I think that the sponsor has been very responsive to doing all the detailed research to figure out how do you make this work for everybody and not casting the blame on anybody, but sharing the wealth across the board and what an opportunity to live in affordable living. So I think it's a great bill and I'm pleased to be in support of this consumer-friendly piece of legislation. Thank you, Mr. Speaker.

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

Mr. Goodell.

MR. GOODELL: Thank you, sir. Please record the following colleagues in the affirmative: Mr. Brabenec, Mr. Gandolfo,

and Mr. Smith. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, this is probably the first time during the course of this particular Session that we have put in this long hours. We have some history of doing this sort of thing in the past, but this is the first time this Session we have done it so I really want to thank all of my colleagues for their patience and desire -- willingness to stay in the Chambers, let's just, you know, get this done.

I will make one note though, Mr. Speaker, I'm a little concerned about local bills being laid aside. All of us in here have local bills. Not one person is not from an area they represent. We're elected people who send Home Rule messages. I have a problem with local bills being laid aside. Now, I don't have a problem with people who want to vote no on it, I don't, but I have a problem with it being laid aside because I think it's a horrible precedent to set. And by the way, the bill that I'm speaking of has been passed in this House every year with the exception of '21, and the only thing that happened different in that year was the name of the sponsor changed. I have a problem with that. I hope that we don't repeat that ever again, it's not a good precedent to set.

With that, Mr. Speaker, do you have any further housekeeping or resolutions?

ACTING SPEAKER ZEBROWSKI: We do have housekeeping.

MR. GOODELL: Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Mr. Goodell, why do you rise?

MR. GOODELL: May I respond? Point of order. We all have local bills, they all come up for a vote. Some of those local bills barely pass, some of them pass with no opposition. I have a number of local bills, Mr. Speaker, that have been held in Committee for consideration. Local bills, for example, that correct an obvious mistake where I have one full-time judge in my city that's elected and one full-time judge that's appointed. And everyone from Republican and Democrats on both sides of the aisle in my city are asking for a local bill, and it's held for consideration. I have multiple local bills that are being held for consideration without moving forward. And I understand that. If a Committee wants to hold a bill, a local bill, because there's a concern about it or they think they can improve it, that's the way the process work.

And the same rules apply here on the floor of the Legislature. If a local bill comes up for a vote here and we have dozens of them, don't we? Sometimes it's a tax increase, sometimes it's an extender, sometimes we have dozens of Democrats voting against a local bill because they don't like the tax increase.

MRS. PEOPLES-STOKES: Yeah, but we never laid it aside.

MR. GOODELL: Ahh. But the rules of the Majority, sir, are that when we're on consented Calendar, unless the vote is a unanimous yes, the rules of the Majority are if it's a Party vote it must be laid aside. And if the Majority wants to change the rules --

MRS. PEOPLES-STOKES: (Inaudible/cross talk) -- precedent to set.

MR. GOODELL: -- that have been in place for as long as I have been Floor Leader, that's fine, let me know. But in the meantime, when we're following the rules of the Legislature, we should not be criticized for following the rules of the Majority that they have set. Thank you, sir.

MRS. PEOPLES-STOKES: It's not a critique, Mr. Goodell, it's just a commitment. It goes both ways.

ACTING SPEAKER ZEBROWSKI: Thank you, colleagues.

We have housekeeping; sorry, Madam Majority Leader.

We have housekeeping.

On a motion by Mr. Schmitt, page 31, Calendar No. 181, Bill No. 5585-A, the amendments are received and adopted.

On behalf of Ms. Buttenschon, Bill No. A10208, Assembly bill recalled from the Senate. The Clerk will read the title of the bill.

THE CLERK: An act to amend the Not-for-Profit Corporation Law.

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

(The Clerk will record 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.

On behalf of Mr. Carroll, Bill No. A1932-B, Assembly bill recalled from the Senate. The Clerk will read the title of bill.

THE CLERK: An act to amend the General Business Law.

ACTING SPEAKER ZEBROWSKI: 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.

On behalf of Mr. Gottfried, Bill No. A7326, the Assembly bill is recalled from the Senate. The Clerk will read the title of the bill.

THE CLERK: An act to amend the Public Health Law.

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

(The Clerk will record 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 also have a number of resolutions which we will take up with one vote. On the resolutions, all those in favor signify by saying aye; opposed, no. The resolutions are adopted.

(Whereupon, Assembly Resolution Nos. 1029-1039 were unanimously approved.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I now move that the Assembly stand adjourned until 10 a.m., Wednesday, June the 1st, tomorrow being a Session day.

ACTING SPEAKER ZEBROWSKI: The Assembly stands adjourned.

(Whereupon, at 11:31 p.m., the Assembly stood adjourned until Wednesday, June 1st at 10:00 a.m., Wednesday being a Session day.)