

TUESDAY, JUNE 1, 2021

3:25 P.M.

ACTING SPEAKER AUBRY: The House will come to order.

The Reverend Dr. Kirkpatrick G. Cohall will offer a prayer.

REVEREND DR. KIRKPATRICK G. COHALL:

Let us pray. O God, our Creator, we come before You this afternoon seeking Your blessing and Your favor upon the great State of New York. We offer thanksgiving for another day and another Session, and for this new season. We thank You for bringing us safely thus far along our way. You have brought us through one of the most challenging periods in our history where so many people suffered and were deeply affected by the coronavirus, and so we give You thanks for the recovery that we have begun to experience.

O God, we seek Your guidance and wisdom for the

challenges that we continually face as a nation and as a State. We pray for our Governor and for the leadership in the New York State Assembly. We pray for the Speaker, Carl Heastie, Deputy Speaker Catherine Nolan, the Majority Leader Crystal Peoples-Stokes, and we pray for all the other leaders in the Assembly who are called to serve the citizens of this State with integrity, compassion, and justice. We pray for every legislator that have been given the opportunity to serve. We pray that every law that is passed will reflect justice and equity for all of our citizens. O God, we also pray for those who are marginalized in our State, those who depend on just laws so that all may have access to good health care, education, fair housing, and a safe State to call home. We pray for those who do not have a voice and rely on their public servants to speak for them. We pray for those who are on the forefront of the cause of justice. Grant them perseverance and courage to continue in the things that will bring about a better society.

And so we pray that New York State will prosper and that the issues that unite us will take precedent over the things that divide us. As this Session opens and as our public servants deliberate the future of our State, help them to remember that we are all God's children, created in the image to be in partnership, one with the other, working for the cause of all who call this great State their home. And so, O God, we invoke Your blessings and Your grace and Your mercy to continue to rest, remain, and abide with us all now and forever.

Amen.

MEMBERS: Amen.

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

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

A quorum being present, the Clerk will read the Journal of Monday, May 31st.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move to dispense with the further reading of the Journal of Monday, May the 31st and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. This is the point where we usually like to give a quote, but there have been two significant things that happened over the course of this weekend that we all enjoyed. We were gone because we were celebrating Memorial Day, to the credit of Mr. Goodell who shared with me a number today that I did not know before, I think it's a worthy number for New Yorkers to know so I would like to share with you all, that since the War of 1812, one thousand -- three hundred -- 257,000 New Yorkers fought and sacrificed their lives in those wars. And the second thing of significant importance that happened 100 years ago was the Tulsa Race Massacre of 1921. And so I don't know

how many other folks had an opportunity, but I had an opportunity to hear somebody speak who is 107 years old who left her home in Tulsa, went all the way to Washington, D.C., and she spoke. And I want to share her words today as a quote. "I will never forget the violence of the mob when we left our home. I still see Black men being shot, bodies laying in the street. I still smell smoke and see fire. I still see Black businesses being burned. I hear -- still hear airplanes flying overhead. I hear screams. I have lived through the massacre every day. Our country may forget this history, but I cannot." Those words, Mr. Speaker, are from Viola Fletcher, again, she's 107 years old. One of the last known survivors of the 1921 Tulsa Race Massacre. Two very significant pieces of American history, Mr. Speaker, that we should not ever forget.

So now down to business. Members have on their desks a main Calendar as well as an A-Calendar. And the A-Calendar has 125 new bills on it, Mr. Speaker, so I would now like to move to advance that A-Calendar.

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

MRS. PEOPLES-STOKES: Thank you. Oh, I was remiss because I didn't remember to remind folks that this is the first day of the 22nd week of the 244th legislative Session. And after there's any housekeeping that you may have, Mr. Speaker, or introductions, we are going to begin by taking up resolutions on page 3 and then we're going to consent the new bills from the A-Calendar,

beginning with Rules Report No. 154. And we're also going to work from our debate list. That's the general outline, Mr. Speaker. Again, if there are introductions or housekeepings [sic], now would be a great time, and thank you.

ACTING SPEAKER AUBRY: We have an introduction by Mr. Perry on behalf of Ms. Richardson, also.

Mr. Perry.

MR. PERRY: Thank you, Mr. Speaker, for the opportunity to introduce Reverend Dr. Patrick [sic] Cohall could did our prayer. Having known Dr. Cohall for some time, I'm sure that God will answer his prayers and a special blessing he quietly made for me, I look forward to all of them being answered. And I also speak on behalf of my colleague, Assemblymember Diana Richardson, in whose district the church, Lenox Road Baptist Church, is located. Reverend Dr. Patrick -- Kirkpatrick Cohall is a Senior Pastor at the Lenox Road Baptist Church in Brooklyn, and has been the pastor there for 24 years. Prior to his pastoral service, Dr. Cohall worked for 11 years as a medical technologist at the Memorial Sloan Kettering Cancer Research Hospital in New York City. He pridefully made bold and courageous changes in his career path to fulfill a call for pastoral ministry. Dr. Cohall is a graduate of New York Theological Seminary with a Masters of Divinity and Doctor of Ministry, and a Doctor of Philosophy from Fordham University Graduate School of Education. As you can see here, it would take a long time to go through all of the accolades he has earned and received, and all of the

accomplishments. So in interest of time, I'll cut it short, just mentioning a few of his outstanding achievements, accomplishments. Dr. Cohall also taught at Sing Sing Correctional Facility and he is a Chairman for the SUNY Downstate -- SUNY Downstate Medical Center, and has also served at Anchor House, American Baptist Churches of the USA. He's a past President of the Board of International Ministries of the American Baptist Churches, overseeing ministries serving in all six continents. He's the proud pastor of the Lenox Road Baptist Church and we thank his congregation for allowing him to come here and bless us with his prayers today.

Mr. Speaker, I ask you to join myself and Assemblymember Diana Richardson as we welcome -- and all my colleagues to join us as we welcome Dr. Cohall. Sorry he couldn't make it here because of the COVID pandemic protocol, but I promised him that when we return to normality in our State, we'll have him here to do the prayer personally, and I'm sure we will be blessed by his presence. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Perry, Ms. Richardson, Ms. Bichotte Hermelyn, the Speaker and all the members, Reverend Dr. Cohall, we welcome you here to the New York State Assembly. Thank you for sharing those inspiring words with us. We grant you the privileges of the floor, hope that you will always pray for us as we conduct our business, and we certainly will pray for you as you conduct yours. Thank you so very much, and know that you're always welcome here.

(Applause)

We do have some housekeeping to take care of before we get started.

Without objection, on a motion by Ms. Weinstein to reconsider the substitution of Senate Bill No. 5785 for Assembly Bill No. 2502, said Senate bill is recommitted to the Committee on Judiciary, and said Assembly bill is restored to its place on the order of Third Reading.

On a motion by Ms. Weinstein, page 4, Rules Report No. 82, Bill No. 2502, amendments are received and adopted.

On a motion by Ms. Niou, page 11, Calendar No. 102, Bill No. 2260, the amendments are received and adopted.

On a motion by Ms. Rozic, page 27, Calendar No. 373, Bill No. 6466, amendments are received and adopted.

We will go to page 3 on the main Calendar, the Clerk will read.

THE CLERK: Assembly Resolution No. 344, Mr. Perry.

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

ACTING SPEAKER AUBRY: Mr. Perry on the resolution.

MR. PERRY: Thank you, Mr. Speaker. Mr. Speaker, I rise to add my voice in support of this resolution

proclaiming June 2021 as Caribbean American Heritage Month here in the United States -- in the Empire State. Almost -- although most Caribbean American immigrants did -- did not come through Ellis Island, Lady Liberty's comforting message served as a warm invitation and assurance that America would welcome immigrants from all around the world, all those who came in search of what is known as the American Dream. The promise of liberty, the promise that if you use your God-given talents and work hard, you could determine how successful you would be in life and the quality of your life as a free person. Like other groups of immigrants, Caribbean Americans surely did experience some disappointments and hardships, such as discrimination because most of us had -- have dark complexion. But with our determination and resilience, we know that we could look forward to achievements and accomplishments of the generations of those who came before us, as soon as America's shores were open.

Not only do we celebrate this, our shared heritage, this month, but we also renew our commitment to the growth and welfare of this, our adopted homeland. From a region with a population of just under 40 million, about the same as California, Caribbean Americans have continued to make an indelible mark on the American landscape, and we have weaved our heritage into the fabric of this nation. Generations of New Yorkers from the Caribbean have pursued and earned remarkable achievements across all spectrum of life. We can think of Jean-Michel Basquiat, world-renowned Caribbean American artist, son of Haitian and Puerto Rican parents,

former resident of the 58th Assembly District which I have the honor of representing here in the Assembly. His hard work continues to sell at record prices across the globe. Shirley Chisholm, daughter of Barbadian and Guyanese parents, the first Black woman from New York to be elected to the U.S. Congress, and the first Black woman ever to run and qualify as a candidate for the candidacy of President of the United States. Colin Powell, son of Jamaican parents who rose to the rank of Four Star General of the United States Army, was the first Black National Security Advisor to the President, and also first African-American Secretary of State. Alexander Hamilton, who was born in Saint Kitts and Nevis, a founding father of these great United States and the first U.S. Treasury Secretary. Sonia Sotomayor, born in the Bronx to Puerto Rican parents and rose to become the first woman of color and first Latina to sit on the United States Supreme Court.

These outstanding Caribbean American individuals have another thing in common: They all made New York State their home. Sadly, it has done so many celebrations -- sadly as has been done to so many celebrations, the COVID pandemic has put a damper on this year's Heritage Month celebrations. We have no food. We have no reception. We can only entertain and celebrate today with words. This year, unfortunately, no music, no dance, no food. But we hope to do better as we come out of the pandemic.

Caribbean Americans, thanks to the leadership of our new President, are no longer as worried about the path forward for America, but we all share serious concerns about the Caribbean region

where generations of our family remain. They have been thrust into a struggle as they rebound from devastation brought by this global violence. Vaccinations in the regions are poor, and governments in the Caribbean don't possess the resources to make them much better. My beloved homeland of Jamaica has received enough vaccines to vaccinate less than 3 percent of the population. Thankfully, Haiti hasn't done so badly, but things are getting worse, not better as we move forward. Other nations have been forced to implement lockdowns, destroying their economy.

So as we begin to observe Caribbean American Heritage Month here in New York, and as together we support this resolution, I am making a plea to this Body to join me in the resolution I plan to introduce that would appeal to the President of the United States, President Biden, and the Congress, to help Caribbean nations in our own backyard by providing them with vaccines needed to help them curb the spread of COVID as quickly as possible, saving lives and saving the economy of these nations. In the Caribbean, we need as much help, even more than what is being offered to Mexico or Canada. This is help we cannot afford to pay for with our limited budget and resources. If America is celebrating with us, Caribbean heritage, consuming the great Caribbean food, art and culture, and look forward to once again visiting our beaches and resorts for a vacation, then there's no better time to demonstrate that we care, and that we will help these beleaguered countries that are being devastated by COVID and their inability to pay their way to buy the vaccines they

need.

So I ask my colleagues, as you support this resolution, please join the people in the Caribbean basin, the third border of the United States, to make sure that we can get access to the vaccine that we need that will help bring us out of this pandemic and this deadly virus and save the lives of those who remain. Thank you, Mr. Speaker. I ask all of your support for this resolution.

SPEAKER HEASTIE: Thank you, and I want to acknowledge my colleague for bringing this resolution forward. June was first adopted as Caribbean Heritage Month in 2005 by the United States House of Representatives to recognize the many accomplishments and contributions of Caribbean people have made to our nation's history and culture. Here in our great State, the Caribbean community is vast and varied, from New York City to Buffalo and everywhere in between, Long Island, we've all witnessed the influence Caribbean culture has had in New York. Here in this room, arguably the greatest legislative Body in the nation, we have several members of the Caribbean American heritage, and this month we celebrate you all. As someone of proud Bahamian descent with a sprinkle of Jamaica put in, my Caribbean heritage has played an important role in my life and career, and has made me the person I am today. And I often remember sitting around when I was a little boy, hearing the stories that my aunts and my father would tell about my grandmother being the gateway to a lot of our relatives coming from Nassau in the Bahamas, that they would come and sleep at my grandmother's house

on the floor to begin their lives here in this great country.

The Caribbean immigrants have contributed to the well-being of American society since its founding, and I believe we will continue contributing not only here in New York State, but across the nation and the world. And I would also say in agreeing with my colleague not only in vaccinations, but also every time there's a devastating hurricane that hits one of the beautiful islands in the Caribbean, I do think it is very important for this country to step up and be a big brother to our Caribbean nations and our brothers and sisters. So I want to thank my colleague for bringing this resolution.

Ms. Richardson on the resolution.

MS. RICHARDSON: Mr. Speaker, I proudly rise as the representative of the mighty 43rd Assembly District always, but as the daughter of Caribbean parents. And I've had the pleasure of growing up in my district in Central Brooklyn, which is home to a madrid [sic] of people from a variety of Caribbean countries. Located in my district as well is the West Indian American Day Carnival Association which hosts the annual Labor Day parade which, of course, is also in my district, as we portray to the world the beauty of the culture and the diversity of the Caribbean. We have a phrase that says, "One Love," one love because we understand that although we come from many countries, we are all connected by one ocean and all of our blood is red, and that in unity there truly is strength.

So as we proclaim June to be Caribbean Heritage Month, let us honor people from all islands, let's call them out: Puerto

Rico, Cuba, Jamaica, Haiti, Dominican Republic, Saint Thomas, Saint John, Saint Croix, the Bahamas, Bermuda, Barbados, Saint Lucia, Saint Vincent and the Grenadines where we are sending prayers as they go through recovery with that volcano. We bring up Saint Martin, Curaçao, Bonaire, Dominica, Trinidad and Tobago, Antigua and Barbuda, Saint Kitts and Nevis, Turks and Caicos, Aruba, where my mother is from, Guadeloupe, Martinique, the Cayman Islands, Montserrat, Saint Barts, Saba, the U.S. Virgin Islands, and let us not forget Guyana, Panama, Costa Rica and the Garifunas from Saint Vincent who now live in Honduras, Nicaragua, and Belize. All of those countries together are united as the Caribbean and today, we say one love, one love, one love. Thank you.

ACTING SPEAKER AUBRY: Ms. Bichotte Hermelyn.

MS. BICHOTTE HERMELYN: Thank you, Mr. Speaker, for allowing me to say a few words on this resolution. As the daughter of Haitian immigrants, I want to thank the Speaker for -- I want to thank the sponsor for introducing this resolution in having the month of June be recognized (inaudible/technical difficulty) -- and Caribbean Americans make up one of the largest immigrant group and the largest Black immigrant group in the State of New York. I represent one of the largest immigrant populations in the 42nd Assembly District. I represent many countries like Trinidad, Jamaica, Haiti, Grenada, Saint Vincent, Saint Croix, Saint Kitts, Aruba, Barbados, Bermuda, Cuba, we could go on and on and on. And I

want to the say that although we're one (inaudible/technical difficulty) -- sorry. Although we're one, we should also recognize that we should be teaching each other about our culture and our Caribbean heritage.

In 2018 in Brooklyn, Little Haiti BK was established. That was the foundation for recognizing other countries to do the same. Just yesterday, Little Guyana in Queens was recognized and we are excited that the movement is pushing forward. Yes, we are all one Caribbean, but we should also love where we come from and educate each other on our country. I would like to say that in the history of Haiti, Haiti was the first country to get their independence, but they didn't do it alone. We should all know that this was a collaborative effort that came from Jamaica. We all know Boukman. It came from Grenadians, we all know Henri Christophe. And so many others, in the spirit of Marcus Garvey, we all come together to share, fight for each other, and love for each other.

So today I'm just really excited that about this resolution as it recognizes the many, many immigrants, Black immigrants who have contributed to the State of New York, to our country. I'm really proud that the Assembly has passed the Excluded Workers bill so that many of these Black immigrants who typically don't get recognized are recognized and will take part of the contribution and the allocation of the excluded workers compensation. So I'm just really excited and I stand strong, and I would just want to tell everyone no matter where you come from, don't let anyone

discourage you from loving where you come from. We are to educate and embrace, the way I embrace Haiti, embrace other countries, embrace the Caribbean. You should never ever discourage where you come from. No one should shut you down and no one should be discriminating against you because you're from a country. And as a Haitian American, I constantly experience that, my people experience that, but you know what? We know together, we are one. So thank you, Mr. Speaker, for allowing me to speak on this resolution on Caribbean Heritage Month. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Ms. Williams on the resolution.

MS. WILLIAMS: Thank you, Mr. Speaker, as I rise to speak on this resolution. I was born in the country of Trinidad and Tobago, as many of you know. The proud country of Carnival and steelpan, and today I am proud to lend my signature to this resolution in regards to Caribbean Heritage Month. It is important and vital for us to preserve our Caribbean culture and again, we have so many Caribbean islands and, at the end of the day, I believe in this one saying, one people, one voice, one Caribbean, and it's imperative that we preserve our Caribbean culture and I thank you, Mr. Speaker, for allowing me to speak on this resolution.

ACTING SPEAKER AUBRY: Thank you.

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

THE CLERK: Assembly Resolution No. 345, Ms.

Richardson.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim June 2021, as Gun Violence Awareness Month in the State of New York.

ACTING SPEAKER AUBRY: Ms. Richardson on the resolution.

MS. RICHARDSON: Mr. Speaker, today I stand here before you proclaiming June 2021 as Gun Violence Awareness Month here in the great State of New York. I'm raising my voice with a sense of urgency that we bring our hearts and minds together to bring real resources to bare in the fight to save the lives of countless men, women, and children, particularly in urban communities across our State. Nationally and here locally, gun violence has risen to a state of a national, public health crisis. And it is upon us in this great Legislature to put in motion the necessary steps that will combat this problem while empowering community-based solutions on the ground.

Mr. Speaker, let us not miss the gory intersectionality that gun violence has on other sectors, because gun violence has an impact on housing; gun violence has an impact on education; gun violence has an impact, of course, on public safety; gun violence has an impact on mental health and in our communities that are experiencing trauma, the cycles of violence is sending negative ripples. Just last night there was a mass shooting in my district, just last night. One has to wonder how many more lives have to be lost

before we stop putting profit over people. I urge, I urge this Body, as the summer months are approaching, to move swiftly and for us to move collectively for legislative solutions that will keep our families and keep our communities safe while holding the gun industry accountable.

I stand here declaring my commitment alongside my colleagues to work towards meaningful solutions as we recognize June as Gun Violence Awareness Month. Unfortunately, in many communities, we're reminded daily, but I thank you for the opportunity to speak here, Mr. Speaker. We honor the lives that are lost, we're bringing awareness, and asking for aid. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mr. Anderson on the resolution.

MR. ANDERSON: Thank you, Mr. Speaker. You know, this month we recognize gun violence awareness, but for every day if you're someone who lives in Far Rockaway, if you're someone who lives in the 31st Assembly District, any part of it, if you're someone who lives in any part of New York City and across New York State and across this nation, you're reminded every single day that gun violence plagues our communities. And this is our moment as we have declared as a State that gun violence is a public health issue. And with that public health issue, there needs to come investment in our communities so that we can fight gun violence in a more effective way. And I truly believe that this is the moment where we can actually get that done while investing in our communities and

get at the root cause of why gun violence exists.

And so I'm thankful for the legislation that we passed in the budget. I'm also thankful for this moment to speak, but I'm hopeful that the young people that have lost their lives to bullets, to gun violence, for the inability for them to resolve conflict without using weapons that we can now work towards solutions by declaring gun violence a public health crisis and allowing investment to flow into our communities.

I also want to -- every time I speak about gun violence, I have to acknowledge the Plummer brothers who were shot and killed three years apart from each other on the same block in Far Rockaway. Those two young men had their entire lives ahead of them but it was cut short because we don't know how to resolve conflict without weapons. And by declaring gun violence a public health crisis, we will begin to turn back some of the disinvestment that has happened in our communities and invest directly into neighborhoods who need it the most. Thank you, Mr. Speaker. I withdraw my time and my -- thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

Ms. Jackson.

MS. JACKSON: Thank you, Mr. Speaker. I want to thank the sponsor of this resolution. Growing up in Harlem, it was pretty normal to hear gunshots and during this time, Memorial Day 'til the 4th of July, we had to wonder if that was firecrackers or gunshots and sometimes we actually knew the difference, right. And to

normalize that lets me know that we have a problem. As you all know, I'm hoping to bring a child forth, and one of the fears I have in having a Black child in this world is wondering if my child will live to see adulthood. I would love for my child to be able to walk through the South Bronx without being gunned down, walk through Harlem without being gunned down. And this is something that most Black and Latino parents have to worry about. This is a public health crisis and we have to take it as such. We have to treat it as such. I understand that now a number of communities are experiencing gun violence and to them it's important, but this is something that I have been experiencing since I was a teenager, watching friends and family disappear, legacies gone because of a gun. And we don't have gun manufactures in Harlem or in the Bronx. So that's part of the problem and something that we have to start addressing.

There are way too many names for me to call out from my district of young people that have lost to gun violence, but one name in particular stays with me forever and a day, and that's Brandon Hendricks, and his mom, Eve Hendricks. This young man received a scholarship to go to St. John's. He was out partying, enjoying the summer, he just got his diploma on Friday, lost his life on Sunday by a bullet that was not meant for him. I remember my brother's friend, Nu-nu, who turned 21; on his 21st birthday, he was outside of his building and was shot in the head, killed, and his mother watched his brains being splattered on the ground in front of the building that she raised him in front of.

So on this day I just say thank you to our Cure Violence sites who are out there doing the work, but we are clear that there's so much more we have to do because I want my child to live and I want everyone else's children to live. We must, must, must, start investing in our social services and crisis -- in these crises so that we can stop losing our young people to gun violence. We have to invest in our communities, we have to give our children something to live for. So I thank the sponsor of this resolution and thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Ms. Frontus.

MS. FRONTUS: Thank you so much, Mr. Speaker.

I rise today to thank my colleague for introducing this very important resolution. Whenever there are conversations happening about gun violence, I always take a moment to pause and reflect because gun violence has loomed over my life since I was a little girl. My mother and father moved to Coney Island, Brooklyn. I live in the most southern section of Brooklyn right by the beach and Boardwalk. They moved here in '85 to purchase their first home as a young immigrant couple. I often tell the story that what I heard through my windows the very first night when I slept in my bedroom was the sound of gunshots. I would spend my youth, my adolescence, my young adulthood really just grappling with gun violence, what was going on and why were people shooting. It just really was something that played such a large role. Every single day, there was a story of

someone getting hurt. So many instances, children as young as two, going all the way up to senior citizens. Some of you know that in my 20s, I founded two anti-gun violence organizations in Coney Island, which I remain very proud of 'til this day.

I want to say that this issue is so serious. It's a multi-pronged problem. I'm really proud of the Black and Latino Asian Legislative Caucus here in the New York State Legislature for putting together a package of bills to address this issue legislatively, but I also want to say that for those of us who are on the ground, those of us who have bullets flying on our blocks where we live, in front of our homes, people like me who lost a neighbor in 2000, I lost my neighbor Gary Wong who was a 18-year-old young man who was a student at Hunter College. He wanted to become a doctor and had a full ride to college, never got to graduate high school, never got to attend college because he was gunned down right in front his home, and Gary died just a couple of doors away from me.

To all of those people who have lost their lives in Coney Island, I want to, you know, say that we continue to stand with those families. I want to thank the two anti-gun violence organizations on the ground as of today doing the work. We have a Cure Violence provider called Operation H.O.O.D., Helping Our Own Develop, who's doing some good work, and we also have the Coney Island Anti-Violence Collaborative, the organization I started in 2013, which is under new capable leadership at this time.

We are not going to give up. We are not going to

hide from gun violence. We have to push back, we have to fight back. I'm going to keep fighting. I'm making that renewed commitment today, and I want to ask everyone to join me in really thinking out of the box. We need legislation, it's a public health issue, but we also need more funding for youth programs because at the end of the day, it all starts in the mind when you decide to pick up that gun. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, Ms.

Frontus.

Mr. Barron.

MR. BARRON: Thank you, Mr. Speaker.

Unfortunately for us, when the sun comes out the gun comes out. And while we can commend the sponsor of this resolution and certainly commend Man Up! Inc. in my community under the leadership of Andre T. Mitchell, the great work they do with Cure Violence. But you know what's more violent than guns? Poverty. You know what's more violent than guns when we in the richest nation in the world, one of the richest Cities and States in the country, and if not the world, unemployment is violent, more violent than a gun. More violent than a gun is poverty, more violent than a gun is homelessness. More violent than a gun is a system that creates the poverty, that creates the unemployment. And the meager addressing of that in a \$212 billion budget, we give to my colleague and us \$10 million for Cure Violence out of \$212 billion, you will cure nothing.

So every year we come and bleed our hearts to this

Body and give you personal anecdotes on people who have died, but this violence has a demand and this violence has a supplier. Supply and demand. Who's supplying the guns? It's not these low-level dealers in the streets of our neighborhoods, it's big time gun dealers that get away with supplying it. And why is the demand for it as high as it is? People in our community don't get up in the morning and say, *You know, I think I'll buy me a gun and kill somebody. I think I'll commit some crimes because they don't have enough prisons, or the sentences are too lenient. I think I'll commit some crimes because there's not enough cops on the street.* No. They do it out of desperation. And they are mentally hurt, many of them. So every time we raise those issues they said, *Yeah, Barron, but that's the long range, we have to do something immediate. Let's do a gun buyback, let's do this, let's have some legislation on A, B, C, D.* And then when it comes time when you can really deal with it during that budget time, you want to deal with violence, deal with poverty and I'll guarantee you, we'll cut violence down tremendously in our communities. Put some Black history in our schools so that they know who they are, where they came from, and be so proud of who and what they are, it will be cut back tremendously. We have not done that to the level that it should be done which is why every year we come to tell you our stories of gun violence.

There's nothing more violent than a Capitalist system that's based on greed and will not address the need of our people to have jobs, to have cultural programs. I have a \$12 million youth

center in my district doing some great stuff. Andre Mitchell and Man Up!, they run it, doing great work. That should be in every community. Every community should have a \$20 million state-of-the-art -- we can do that out of a Capital Budget of \$16 billion in the State and billions in the City. We can't even get them to build a \$12- to \$15-, \$20 million youth center, state-of-the-art in every community that has violence. It does not exist.

I compliment my colleague. Every year she speaks her heart out on this question, and some things have happened but, no. The addressing to violence in our neighborhoods is pathetic. It's unconscionable. Unacceptable. In one of the richest States in the world and it angers me that we have to come every year and tell you how many people died in our neighborhoods just to hear you say, *Hey, sorry to hear that, we got to do something about it, we need more legislation.* Let's remember this next budget time. Every one of us should stand up and say if we don't have a multi-billion dollar anti-poverty program, we're not passing any budgets. So I commend the sponsor of this resolution. I will continue to support her and supporting her supporting us, all of us in our community, and I'll be voting in the affirmative -- or voicing in the affirmative on this resolution.

ACTING SPEAKER AUBRY: Mr. Epstein on the resolution.

MR. EPSTEIN: Thank you, Mr. Speaker. I rise in support of this resolution. You know, as we all think about gun

violence and how it's plagued our City, State, and country, we have to think about the roots of gun violence. And as prior speakers talked about, poverty is a real problem. We see it happening in my community, but what we see is real opportunities for change. And those opportunities play out in real, concrete ways. Getting to people early, giving them opportunities, working in communities makes a difference.

So what we need to do is make a difference. And how do we do that? By collective effort, by putting laser focus on the issues of gun violence. And it plays out in two ways. The gun violence that we see in communities and the gun violence we see across our City, State, and country by perpetrators who have access to weapons. So what we need to do with our law enforcement is ensure that there's training, the appropriate education so they can do the right thing. And in communities where we've seen a large growth in gun violence, we need to ensure opportunities exist, after school programs, education programs, training programs to really deal with the systemic inequality and systemic racism that exists in our society to make a change. I'm proud to stand here in support of this resolution. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Ms. Simon on the resolution.

MS. SIMON: Thank you, Mr. Speaker. I rise to support this resolution to proclaim June as Gun Violence Awareness Month. Gunshot injuries are a major cause of death for children and

adolescents in the United States, accounting for 12 percent of premature deaths and, quite frighteningly, for every young person who dies as a result of a gunshot injury, five others are seriously injured by a gunshot. A recent analysis shows that of 20 children aged 19 and younger are hospitalized with gun injuries every day, and Black children are four times more likely to be killed or injured than their White peers.

Gun violence affects all of our lives in multitude of ways. Guns have always been plentiful in this country, but the level of gun violence has increased astronomically in recent years. What do we know about the trauma of communities? What do we know about why gun violence occurs? What are the precipitators, and what are the things that will help reduce gun violence? We all have many ideas, but we don't really know without the correct research, the same level of research into every other major public health crisis such as tobacco, automobile accidents. It is research that gives us those answers. And so what we must do is invest in our communities, in education, in mental health care, in jobs, in housing, and in gun violence research. Thank you.

ACTING SPEAKER AUBRY: Mr. Reilly.

MR. REILLY: Mr. Speaker, I rise in support of this resolution and I thank the sponsor. Some of the things that were said here today actually ring true. We need more collaboration, collaboration amongst the community and law enforcement. I bring myself back to December 31st, the year 2000. It was the first time

that I was working New Year's Eve in the 67th Precinct in East Flatbush, Brooklyn. I worked in Midtown before that. I grew up in Brooklyn on 59th Street and 9th Avenue. I was amazed, and it was a little bit of culture shock because at the stroke of midnight, the rattle of gunfire was outrageous. It was sheer terror because every time you turned to the left or to the right, you heard gunshots and you saw the muzzle flash. If I could tell you how many guns were recovered that night, you'd be astonished. There were no less than 25 illegal firearms recovered on that night in the 6-7 Precinct alone.

So when we talk about the cures for gun violence, it is absolutely a community collaborative effort, and that efforts starts with having a great relationship between our community members, leaders, and law enforcement because that's where we can really set the partnership to truly protect our communities. Thank you, Mr. Speaker; thank you, sponsor.

ACTING SPEAKER AUBRY: Mr. Meeks.

MR. MEEKS: Thank you, Mr. Speaker. I rise in support of this resolution, it's absolutely necessary. And I also rise in support of the legislation that the Caucus will introduce regarding gun violence in our communities. I'm from the City of Rochester, representing the 137th Assembly District, and it's just something that plagues our community. Just two weeks ago, we had a shooting right outside of a classroom and the teacher mentioned that one of the most disturbing things to her was the fact that it seems as if the students are desensitized to gun violence. And then just last week, we had a

shooting in which bullets tore through a church and we had two victims. Luckily they survived.

So I stand in support of this resolution and it's time that we, as legislators, do our due diligence to effect needed change regarding gun violence in New York State. Thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

Ms. Buttenschon.

MS. BUTTENSCHON: Thank you, Mr. Speaker. I rise to commend the sponsor on this resolution as it is so important. The district that I represent today is dealing with a very significant issue as yesterday, a 16-year-old, as she rode her bicycle was shot. And she's in the hospital today. As we talk about gun violence, it is a State issue. It's an issue we see across the country. We must work together. We must identify the issues and come together in every aspect to ensure that our children are safe, as well as our residents of the State of New York. Again, I support and thank the sponsor.

ACTING SPEAKER AUBRY: Thank you.

Ms. Zinerman.

MS. ZINERMAN: Good afternoon, Mr. Speaker. I rise in support of this resolution and in -- and I'd like to commend the sponsor for her leadership in bringing this to the floor. And I also would like to thank all of the members of the Black, Latino and Asian -- Puerto Rican, Hispanic and Asian Caucus for the hard work that they have put in this year to put together a package of legislation and in support of funding that will help to cure violence in our

community.

We've all dealt with a year worth of a -- the coronavirus, but before the coronavirus, many of our communities were dealing with a virus of violence, which is the history -- a troubling history in this country. And we all know what the solutions are. We need to pass commonsense gun legislation. We need to provide education. We need to provide comprehensive conflict resolution training so that people are able to resolve issues in their community and in their personal lives without picking up a gun.

When I was running for office last year, I had to attend a funeral in the middle of a pandemic, and it was the funeral of a one-year-old who was murdered across the street from his house in the presence of his parents. Last week, unfortunately, we lost a 40-year-old who was standing at a bus stop and literally, during the day time, somebody just rode past on a bike and shot him in the head. So we know that there is a culture of violence that is happening in this country and communities, and it is time for us all together -- to stand together and not only demand peace, but put together all of our resources so that we can shift the culture, provide those resources so that people know how to deal with their pain and the trauma that they've experienced in this country so that they're not murdering each other.

So I ask us all today not just to wear orange, as some of us are wearing today, not just to talk about the fact that it's Gun Violence Awareness Month, but for each of us to do everything that

we can to resolve conflicts as we see them, to provide alternatives to violence, to be the example of what peace and prosperity looks like in the United States of America. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mr. Jacobson.

MR. JACOBSON: Thank you, Mr. Speaker.

Unfortunately every month is gun awareness month because we all are affected by it. In my district alone, the weekend before last, a 14-year-old girl was shot. The following Monday, a 21-year-old man was shot who later died that Friday. And just yesterday, another person was shot in Poughkeepsie. So I represent Poughkeepsie and Newburgh and we've been suffering through gun violence. I want to say -- commend the sponsor not just for the resolution, but for the different bills that we're all on. So I think we have to remember that these guns are not manufactured in Newburgh or Poughkeepsie, or any place in New York State, and so we have to really commit ourselves to a multi-state anti-gun trafficking task force because we need to get rid of the guns, where they're coming from. They're coming up Route 95, so let's -- let's work with the other states and not allow these guns in.

And so I think that perhaps the resolution should be renamed as Gun Violence Awareness That We Have To Act. And so with that, I commend the sponsor and hope that we will act so that we just do not talk about resolutions in the future.

ACTING SPEAKER AUBRY: Thank you.

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

THE CLERK: Assembly Resolution No. 346, Ms. Rosenthal.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim June 2021, as Cytomegalovirus Awareness Month in the State of New York.

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

THE CLERK: Assembly Resolution No. 347, Ms. Solages.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim June 5, 2021, as Belmont Stakes Day in the State of New York, and commending the New York Racing Association upon the occasion of the 152nd running of the Belmont Stakes.

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

THE CLERK: Assembly Resolution No. 348, Ms. Griffin.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim September 17-11, 2021, as Suicide Prevention Week in the State of New York.

ACTING SPEAKER AUBRY: Ms. Griffin on the resolution.

MS. GRIFFIN: Thank you, Mr. Speaker, for permitting me to speak on this resolution. I'm proud to introduce September 5-11, 2021 as Suicide Prevention Week in the State of New York. Tragically, there's no area of the State that has not been impacted by suicide. Sadly in my district, there have been numerous young men and women whose lives have been lost to suicide. In recent years in the town I live in, Rockville Center, many of my kid's friends have taken their lives, and my heart goes out to these families. The age range from teenagers to 30 seems particularly vulnerable. In addition, suicide is very prevalent among many veterans, police officers and more. Last September, my cousin and his wife lost their son to suicide, which devastated the entire family.

This crisis is only growing and my deepest condolences to all the families who have suffered this tragic loss of a loved one. We have much work to do in regards to mental health and having New York State focus on suicide prevention is one way to garner attention to this severe crisis that we are all facing. Thank you to all my colleagues for supporting this resolution, and I just hope we really begin to really put action -- words to action and solve this major issue and crisis. Thank you very much.

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

THE CLERK: Assembly Resolution No. 349, Mr. Brabenec.

Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim September 17-23, 2021, as Constitution Week in the State of New York, in conjunction with National Constitution Week.

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

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. I really want to honor all of the topics that we've discussed this afternoon as it relates to resolutions, but we do have 125 bills on our agenda in front of us and multiple debate bills. And so if I could, you know, just ask colleagues to remember that what we do in terms of legislation is one of the reasons that we're here. The other reason clearly is to raise the issues, which proclamations and resolutions do, but the work before us now is critically important. And so again, Mr. Speaker, if we can go to page 3 on the A-Calendar and begin with Rules Report No. 54, and we'll go through 125 pieces of legislation and then we're going to go to our debate list, of which that is extensive, as well. So I want to thank colleagues for their patience. I would ask folks to stay in and around the Chambers so that we can keep this moving with some expediency, and thank you in advance for your cooperation.

ACTING SPEAKER AUBRY: Certainly. Page 3, Rules Report No. 154, the Clerk will read.

THE CLERK: Assembly No. A00181-A, Rules Report No. 154, Gunther, Colton, Perry, Englebright, Steck, Cook, Abinanti, Barron, Jacobson. An act to amend the Labor Law and the Education Law, in relation to the hours worked by nurses.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00354-A, Rules Report No. 155, Magnarelli, Seawright, Abinanti, Epstein, Anderson, Englebright, Simon, Galef, Kelles, Bronson, Cruz. An act to amend the Real Property Actions and Proceedings Law, in relation to special proceedings by tenants for judgment directing repairs of conditions and other relief in residential real property; and to amend the Uniform City Court Act, the Uniform District Court Act, and the Uniform Justice Act, in relation to summary proceedings relating thereto.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00372, Rules Report No. 156, L. Rosenthal, Jacobson, Carroll, Weprin, Richardson, Gottfried, Griffin, Epstein, Braunstein, Stirpe. An act to amend the Insurance Law, in relation to prohibiting co-payments for treatment at an opioid treatment program.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00665, Rules Report No. 157, Paulin, Galef, Dinowitz, Seawright. An act to amend the Civil Rights Law, in relation to creating a private right of action for

unconsented removal or tampering with a sexually protective device.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00770-A, Rules Report No. 158, L. Rosenthal, Perry, Rodriguez, Otis. An act to amend the Civil Rights Law, in relation to privacy of electronic fare and toll records.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00795, Rules Report No. 159, Wallace. An act to amend the General Municipal Law, in relation to fees charged by municipal industrial development agencies.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 795. 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.

First vote of the day, members.

(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. A00894-C, Rules Report No. 160, Zebrowski, Woerner, Galef, Brabenec. An act to amend the Real Property Tax Law, in relation to requiring assessors

using the comparable sales method for assessments to consider certain comparable properties in formulating the assessment.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 89 -- 894-C. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A01442-B, Rules Report No. 161, Carroll, Anderson, Jackson, Epstein. An act to amend the Public Authorities Law, in relation to enacting the Metropolitan Transportation Authority Open Data Act.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 1442-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. A01464, Rules Report No. 162, Dinowitz, Seawright, Stirpe. An act to amend the Civil Practice Law and Rules, in relation to arbitration agreements.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01677-A, Rules Report No. 163, Gottfried. An act to amend the Insurance Law, in relation to requiring specification between partial approval of medical claims and a denial of medical claims on written notices to an insurer.

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

THE CLERK: Assembly No. A02202, Rules Report No. 164, Barnwell. An act to amend the General Business Law, in relation to requiring contractors and subcontractors to disclose the existence of property and casualty insurance.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 2202. 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. A02396-A, Rules Report No. 165, Woerner, DeStefano, Montesano, Stirpe, Barron. An act to amend the Public Service Law, in relation to requirements for certain contracts for attachments to utility poles and the use of utility ducts, trenches and conduits.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02528-A, Rules Report No. 166, Cymbrowitz, Griffin. An act to amend the Mental Hygiene Law and the Racing, Pari-mutuel Wagering and Breeding Law, in relation to compulsive gambling assistance.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 2528-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. A02530, Rules Report No. 167, Barron, Vanel, Cahill, Bichotte Hermelyn, Hyndman, Taylor, Colton, De La Rosa, Williams, Weprin, Jackson, Darling, Forrest, Kelles, Perry. An act to amend the Correction Law, in relation to establishing a commission on improving education in State Prisons.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 2530. 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. Barron to explain his vote.

MR. BARRON: Thank you, Mr. Speaker. To explain my vote. You know, the 13th Amendment transferred really -- we went from the plantation to the penitentiary and started to populate the prison system tremendously, and a lot of us are calling for abolishing of that type of system. But in the meantime, I believe that a strong education program within instead of just punishment and keeping people in and warehousing our people and having them come out with no education and no benefits of the time in there only increases recidivism. So this bill will say that we need to turn or increase the education program within the prison system as we work to abolish as it exists and reimagine how we deal with crime. But in

the meantime, we want to make sure we don't have repeat offenders so that when they come out, that they'll have some tools in order to adjust to their community and change the system that caused them to be put in there in the first place. I want to thank all of you for supporting this bill and I'll be certainly voting in the affirmative.

ACTING SPEAKER AUBRY: Mr. Barron in the affirmative.

Mr. Goodell.

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

ACTING SPEAKER AUBRY: So noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03202-C, Rules Report No. 168, McDonald, O'Donnell, Steck, Palmesano, Jensen, Gottfried, Meeks, Forrest, Jacobson, Ashby, Fahy, Griffin. An act to amend the Education Law, in relation to allowing patients to receive certain treatment by an occupational therapist without a referral from a physician or nurse practitioner; and to amend the Insurance Law, in relation to eliminating the need for referrals for certain treatment.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record

the vote on Assembly print 3202-C. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03227, Calendar -- Rules Report No. 169, Hunter, Reyes, Clark, Bronson. An act to amend the Social Services Law, in relation to conciliation and non-compliance with public assistance employment; and to repeal certain provisions of such law relating thereto.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03930, Rules Report No. 170, Englebright, Otis, Colton. An act to amend the Environmental Conservation Law, in relation to increasing certain penalties relating to endangered and special species, species of special concern and illegal ivory articles and rhinoceros horns.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 4866. 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?

(Pause)

Are there any other votes?

Mr. Goodell.

MR. GOODELL: Sir, please record Ms. Byrnes in the negative on this.

ACTING SPEAKER AUBRY: So noted. Thank you.

Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03965, Rules Report No. 172, Abinanti. An act to amend the Tax Law, in relation to the withdrawal of tax liens upon payment of taxes due.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03967, Rules Report No. 173, Pretlow. An act to amend the General Municipal Law, in relation to requiring a New York State legend on all bell jar tickets sold in New York State.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record

the vote on Assembly print 3967. 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. Ra to explain his vote.

MR. RA: Thank you, Mr. Speaker, just quickly.

This was subject to a veto a few years ago, and one of the concerns really was that this bill been around a long time, certainly any effort to make sure these tickets, which if anybody's familiar, you go to like a local organization, maybe they're having a festival or whatever and the little pull tab tickets that you can win money on. Charities certainly rely on them and utilize them for fundraising and especially after the past year I think will continue to do so. So there's one good thing in this version of this bill in that it will allow tickets that those organizations already have in hand to continue to be used despite not having this New York State legend on them.

I do still, however, have the following concern: It's 2021. We have so many different measures now to authenticate things whether it's bar codes, we've all gotten used to using the QR codes again over the last year, you know, for menus at restaurants to not give out paper. So I'm just not sure that the best way to do this is through a written legend that's going to have be printed on these tickets which, again, is going to mean that those tickets that are printed by these manufacturers have to be printed specifically for New York State and as such, it may limit the number of manufactures who will do business

in New York State. And at the end of the day, it's about making sure that our charitable organizations have options and opportunities to -- to utilize this -- this, which is one of the fundraising mechanisms at their -- at their disposal.

So for that reason, I'm not going to be supporting it. I think that we can utilize technology to better track and authenticate these tickets for our organizations. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Ra in the negative.

Mr. Goodell.

MR. GOODELL: Thank you, sir. In addition to the negative votes on the floor, please record Mr. Fitzpatrick in the negative. Thank you, sir.

ACTING SPEAKER AUBRY: So noted, thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04136, Rules Report No. 174, Aubry, Galef. An act to amend the Election Law, in relation to directing that the use of a candidate's alternate, familiar or anglicized name is permissible on electoral nominating petitions and ballots.

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

THE CLERK: Assembly No. A04257-A, Rules Report No. 175, Epstein, Zinerman. An act to amend the Election Law, in relation to providing for online and in-person instruction and examination of election inspectors, poll clerks, and election coordinators.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 4257-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. Epstein to explain his vote.

MR. EPSTEIN: Thank you, Mr. Speaker, I rise to explain my vote. I want to appreciate the work of the Speaker to allow this bill to come to the floor. This is a really simple thing that right now we have so many people who need to ensure that we have -- our elections work properly. This creates an opportunity to have online instructions for those election inspectors. It's a really simple change. We know over the last year we've moved a lot to online. It just -- this allows us to have classes and other things available online for people who are monitoring our critical elections in New York State. I encourage my colleagues to support this legislation. Thank

you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Epstein in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04403, Rules Report No. 176, Thiele, Griffin. An act to amend the Public Service Law and the Public Authorities Law, in relation to requiring a compensation statement to be filed by certain gas corporations, electric corporations, water-works corporations and service providers.

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

THE CLERK: Assembly No. A04629-B, Rules Report No. 177, Sayegh, Englebright, Epstein, Griffin, Magnarelli, Dickens, Abinanti, Jackson, DeStefano. An act to amend the General Business Law, in relation to fees for gift cards.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A04635, Rules Report No. 178, Thiele. An act to amend the Public Authorities Law, in relation to requiring the Long Island Power Authority to prepare a semi-annual expenditure and lobbying report.

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

advanced. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 1311-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. A04662-A, Rules Report No. 179, Burdick, Fernandez, Otis, Clark, Jackson, Richardson. An act to amend the Public Health Law, in relation to competency exams offered to qualified home care services workers residing outside this State.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 4662-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. 4677-A, Rules Report No. 180, Paulin, Gallagher, Seawright, Jackson, Galef. An act to amend the Public Officers Law, in relation to prohibiting agencies from charging a fee for records where an electronic copy is already available from a previous request made within the past six months.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 4677-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. A04801-A, Rules Report No. 181, Abinanti, Simon, Gottfried, L. Rosenthal, Paulin, Aubry, Fahy, Gunther, Sayegh, Mikulin, Stirpe, Davila, DeStefano, Dickens, Brabenec, Weprin, Lavine, Zebrowski, Ashby, Frontus, Seawright, McDonald, Griffin. An act to amend the Public Health Law, in relation to the provision of certain professional services to children's camps and camps for children with developmental

disabilities.

ACTING SPEAKER AUBRY: 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 June 1, 2021.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 4345-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. A04938, Rules Report No. 182, Epstein, Gallagher, Steck, Jackson. An act to amend the Civil Practice Law and Rules, in relation to limited scope appearances.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A04979, Rules Report No. 183, Griffin, Simpson, Sillitti. An act to amend the Town Law, in relation to the date of the public hearing to discuss the contents of the proposed budget of fire, fire alarm, and fire protection districts.

ACTING SPEAKER AUBRY: On a motion by Mrs. 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 AUBRY: The Clerk will record the vote on Senate Print 1209. 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. A05029-A, Rules Report No. 184, Paulin, Englebright, Thiele, L. Rosenthal, Glick, Galef, Epstein, Steck, Perry, Otis. An act to amend the Environmental Conservation Law, in relation to prohibiting the use of certain grades of fuel oil.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05393-A, Rules Report No. 185, Epstein, Cymbrowitz, Burdick, Magnarelli. An act to amend the Private Housing Finance Law, in relation to including landlord training classes in the definitions of neighborhood preservation activities and housing prevention and community renewal activities.

ACTING SPEAKER AUBRY: 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 AUBRY: The Clerk will record the vote on Senate print 4485-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. A05423-A, Rules Report No. 186, Cruz, Dickens, Fernandez, Abbate, Simon, Davila, Otis. An act to establish a private student loan refinance task force; and providing for the repeal of such provisions upon expiration thereof.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 2767-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. A05438, Rules Report No. 187, Zebrowski, Otis, Rodriguez. An act to amend the Public Service Law, in relation to responsibility for cable bills after a disconnection or downgrade in service.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 5438. 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. A05458, Rules Report No. 188, Solages, Griffin, Sillitti, Taylor, Epstein, Dickens, González-Rojas, Kelles, Zinerman, Jackson. An act to amend the General Municipal Law and the Public Buildings Law, in relation to prohibiting municipal officers or employees from displaying political advertisements on or within public buildings.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05531, Rules Report No. 189, Bichotte Hermelyn. An act to amend the Election Law, in relation to voting by proxy at a judicial district convention due to novel coronavirus, COVID-19; and providing for the repeal of such

provisions upon expiration thereof.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05618, Rules Report No. 190, Hyndman. An act to amend the General Obligations Law, in relation to the provisions of consumer and employment contracts.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05707, Rules Report No. 191, Joyner, Burdick, Simon, D. Rosenthal, Zinerman, Reyes, De La Rosa. An act to amend the Criminal Procedure Law, the Correction Law, and the Executive Law, in relation to bona fide work not being considered a parole violation.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 5707. 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. When a person is released early from prison on parole, their release typically has a number of terms and conditions. And one of the most common term and condition is curfew. There's a number of reasons for that curfew, both to keep the parolee from associating with activity that might occur late at night or early in the morning. Another objective of the

curfew may be to ensure that the parolee is more readily available to the parole officer so that they can meet and communicate and --

ACTING SPEAKER AUBRY: One minute, Mr. Goodell. Members, we're -- we're not here for your mutual conversations. We'd like you to be a little quiet so we can hear people explain their votes.

Go ahead, please.

MR. GOODELL: And so as I mentioned, another reason is to make it easy and reasonably convenient for a parole officer who may have a large caseload to be able to meet with parolees to review their progress and provide guidance and assistance as necessary. This bill says that a parolee has the freedom to take any job any time anywhere, even though that job would be outside the scope of that curfew. And so rather than get permission from the parole officer or an adjustment of the terms and conditions, this puts the parolee in charge in deciding when they want to work. And so if you have a normal curfew that says, for example, midnights, a parolee can line up a second or third shift job and be out all night, and do so without worrying about any parol violations and without even getting the consent of his parole officer.

I think that's too much flexibility at a time when we're seeing dramatic increases in crime, and while we recognize that during a transition period a parolee should operate within terms and conditions that help the parolee avoid getting into trouble and assist the parole system working smoothly. That's why I'm voting no.

Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Goodell in the negative.

Mr. Tague to explain his vote.

MR. TAGUE: Thank you, Mr. Speaker. To explain my vote. For the same reasons that my esteemed colleague mentioned, I will also be voting in the negative on this bill. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Tague in the negative.

Mr. Goodell.

MR. GOODELL: Thank you, sir. Please record the following colleagues of ours in the negative: Mr. Byrne, Mr. DiPietro, Mr. Fitzpatrick, and Mr. Salka. Thank you, sir.

ACTING SPEAKER AUBRY: So noted.

MR. GOODELL: Also Mr. Friend.

ACTING SPEAKER AUBRY: So noted.

MR. GOODELL: Thank you.

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05773, Rules Report No. 192, Glick, Simon, De La Rosa, Englebright, Rozic, Cruz, Williams, Epstein, Reyes, Gottfried, Joyner, Ramos, Fall, Fernandez,

Weprin, Griffin, Meeks. An act to amend the Executive Law, in relation to equal pay disclosure with respect to State contracts.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05854-A, Rules Report No. 193, Joyner, Cook, Aubry, Lavine, Rodriguez, Simon, Steck, Galef. An act to amend the Insurance Law, in relation to the purchase of prescription drugs.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05915-A, Rules Report No. 194, Zinerman, Pichardo, Abinanti, Lavine, Durso, Sillitti, Taylor, Nolan, Dickens, Jackson, Gottfried, Galef, Fernandez. An act to amend the Banking Law, in relation to requiring banks to provide written notification that accepting an alternative loan payment schedule may have a negative impact on credit scores.

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

THE CLERK: Assembly No. A05923-A, Rules Report No. 195, Zinerman, Sillitti, Nolan, Dickens, Taylor, Jackson, Gottfried. An act to amend the Real Property Actions and Proceedings Law, in relation to requiring a plaintiff in a mortgage foreclosure action to maintain the subject property.

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

THE CLERK: Assembly No. A06031-A, Rules Report No. 196, Taylor, Darling. An act to amend the Arts and Cultural Affairs Law, in relation to the Amistad Commission.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06098-A, Rules Report No. 197, Galef, Gottfried, Gunther, Hyndman, Epstein, Simon, Glick, Abinanti, Dickens, Fall, Darling, Rodriguez, Cruz, Richardson, Steck, Niou, Fernandez, Jacobson. An act to amend the Workers' Compensation Law, in relation to Paid Family Leave and siblings.

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

THE CLERK: Assembly No. A06126, Rules Report No. 198, Simon, Fahy, Stern, Sillitti, Barron, Richardson, Galef, Cruz, Davila, Griffin. An act to amend the Civil Practice Law and Rules and the Criminal Procedure Law, in relation to notifying certain individuals of their ability to apply for an extreme risk protection order.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06166-A, Rules Report No. 199, L. Rosenthal, Galef, Barron. An act to amend the Public Health Law, in relation to reporting of alcohol overdose data; and to amend Chapter 66 of the Laws of 2016, amending the Public Health Law, relating to reporting of opioid overdose data, in relation to making such provisions permanent.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 6166. 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. A06170, Rules Report No. 200, Hyndman. An act to direct the City of New York to conduct an analysis of stormwater and groundwater issues in Southeast Queens.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 6170. 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. A06248, Rules Report

No. 201, Hunter. An act to amend the Environmental Conservation Law, in relation to hunting or sale of fish and wildlife pursuant to Indian treaty rights.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 5266. 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. A06249-A, Rules Report No. 202, Buttenschon, Otis. An act to amend the Education Law, in relation to in-State tuition continuity for certain spouses and dependents of active duty service members.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 6249-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. I rise to explain my vote. This legislation classifies spouses or dependents of active duty service members stationed out-of-State following an assignment, and the State of New York as in-State residents for tuition matters at SUNY schools. It is imperative as we spent our weekend memorializing our veterans that we ensure that they complete their education in our State SUNY systems in a manner that is fair and equitable to them. I support this legislation and I would request that my colleagues do the same. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: 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. A06254, Rules Report No. 203, Weinstein. An act to amend the General Business Law, in relation to allowing a private right of action for improper debt collection.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06265, Rules Report No. 204, Frontus. An act to amend the Public Authorities Law, in

relation to mandating the NYC Transit Authority to create annual reports concerning actions to reduce noise.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 6265. 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. While I will be supporting this piece of legislation, I would note that the New York City Transit has not complied with the existing law for 20 years and I would also say that it's not clarification that's needed here, it's compliance. And I would suggest that if reports are not timely received now, that perhaps we should be tying funding authorization to compliance in the future. Thanks.

ACTING SPEAKER AUBRY: Ms. Walsh in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06296, Rules Report No. 205, Griffin, Darling, Sillitti. An act to amend the Town Law, in relation to compensation of chairman, election inspectors and ballot

clerks for fire district elections.

ACTING SPEAKER AUBRY: On a motion by Mrs. 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 AUBRY: The Clerk will record the vote on Senate print 4064. 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. A06333, Rules Report No. 206, Englebright, Griffin, Colton, Otis. An act to direct the Department of Environmental Conservation to study alternative municipal uses for recycled glass.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 6333. 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. A06360-B, Rules Report No. 207, Griffin, Darling. An act relating to legalizing, validating, ratifying and confirming transportation contracts for the West Hempstead Union Free School District.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 6360-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.)

ACTING SPEAKER J.D. RIVERA: Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06449-B, Rules Report No. 208, Buttenschon. An act to amend the Public Authorities Law, in relation to authorizing the Dormitory Authority to provide financing to the Masonic Medical Research Laboratory.

ACTING SPEAKER J.D. RIVERA: 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 J.D. RIVERA: The Clerk will record the vote on Assembly Bill 6449-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. A06458, Rules Report No. 209, Galef, L. Rosenthal, Englebright, Weprin, Seawright, Colton, Otis. An act to amend the General Business Law, in relation to availability for sale of advertised merchandise.

ACTING SPEAKER J.D. RIVERA: The bill is laid aside.

THE CLERK: Assembly No. A06476-A, Rules Report No. 210, Hyndman, Taylor, McDonald, Thiele, Dickens, Jones, Paulin, Stirpe, Wallace, Lawler, Braunstein, Davila, Pichardo, Simon, Sillitti, Schmitt, Buttenschon, Englebright, Mikulin, Galef. An act to amend the Education Law, in relation to authorizing the administration of vaccines for Hepatitis A, Hepatitis B, Human Papillomavirus, Measles, Mumps, Rubella, Varicella and COVID-19 by a licensed pharmacist and requiring pharmacists who administer immunizations to report the immunizations to the Department of

Health; and to amend Chapter 563 of the Laws of 2008, amending the Education Law and the Public Health Law relating to immunizing agents to be administered to adults by pharmacists, Chapter 116 of the Laws of 2012, amending the Education Law relating to authorizing a licensed pharmacist and certified nurse practitioner to administer certain immunizing agents, Chapter 274 of the Laws of 2013, amending the Education Law relating to authorizing a licensed pharmacist and certified nurse practitioner to administer Meningococcal Disease immunizing agents, and Chapter 110 of the Laws of 2020, amending the Education Law relating to authorizing licensed pharmacists to administer an approved vaccine for COVID-19, in relation to making such provisions permanent.

ACTING SPEAKER J.D. RIVERA: On a motion by Ms. Hyndman, 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 J.D. RIVERA: The Clerk will record the vote on Assembly Bill 6476. 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. A06489-A, Rules Report No. 211, Stirpe. An act to amend the Real Property Tax Law, in relation to providing for a charge-back of refunds of taxes levied by a school district to municipal public libraries and special district public libraries.

ACTING SPEAKER J.D. RIVERA: Read the last section.

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

ACTING SPEAKER J.D. RIVERA: The Clerk will record the vote on Assembly Bill 6489-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. A06496, Rules Report No. 212, Gunther. An act to amend the Vehicle and Traffic Law, in relation to the solicitation of donations on State highways.

ACTING SPEAKER J.D. RIVERA: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER J.D. RIVERA: The Clerk will record the vote on Assembly Bill A-6496. 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. A06501, Rules Report No. 213, Solages. An act to amend the Civil Practice Law and Rules, in relation to certification of class actions in cases involving governmental operations.

ACTING SPEAKER J.D. RIVERA: The bill is laid aside.

THE CLERK: Assembly No. A06508-A, Rules Report No. 214, Stirpe, Buttenschon. An act to amend the Business Corporation Law and the Limited Liability Company Law, in relation to directing the Department of State to provide information to certain new businesses.

ACTING SPEAKER J.D. RIVERA: On a motion by Mr. Stirpe, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

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

ACTING SPEAKER J.D. RIVERA: The Clerk will record the vote on Assembly Bill 6508-A. This is a fast roll call. Any

member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06527-A, Rules Report No. 215, Kelles, Dinowitz, Cruz, Septimo, Lavine, Seawright, González-Rojas, Mitaynes, Sillitti, Jackson, Otis. An act to amend the Education Law, in relation to prohibiting schools or school districts from filing a lawsuit against a student's parent or guardian for unpaid meal fees.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06564-A, Rules Report No. 216, Gunther. An act to amend the General Construction Law, the Banking Law, the Correction Law, the Civil Practice Law and Rules, the Debtor and Creditor Law, the Domestic Relations Law, the Mental Hygiene Law, the Real Property Actions and Proceedings Law, the New York City Civil Court Act, the Uniform City Court Act, the Uniform District Court Act, and the Uniform Justice Court Act, in relation to replacing certain instances of the word "mentally ill person" with "person with a mental illness" or "person with a mental disability" or a variation thereof; and to repeal certain provisions of

the General Construction Law relating thereto.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 40 -- 4777-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. A06700, Rules Report No. 217, Joyner. An act to amend the Family Court Act and the Social Services Law, in relation to establishing procedures regarding orders of post-termination visitation and/or contact between a child and such child's parent.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06706, Rules Report No. 218, Paulin, Otis, Galef. An act to amend the Public Service Law, in relation to transfers of cable systems.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06775, Rules Report

No. 219, Pichardo, Dickens, De La Rosa, Simon, Reyes, DeStefano, Durso, Glick, Gottfried, Barron, Niou, Jacobson, Perry. An act to amend the Workers' Compensation Law, in relation to discrimination and retaliation against employees.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06841, Rules Report No. 220, Otis, McDonald. An act to amend Chapter 602 of the Laws of 1993 amending the Real Property Tax Law relating to the enforcement of the collection of delinquent real property taxes and to the collection of taxes by banks, in relation to the enforcement of the collection of taxes in certain villages.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 6841. 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. A06906, Rules Report No. 221, Otis, Abinanti, Seawright, Simon, Stirpe. An act to amend the Real Property Law, in relation to requiring landlords to mitigate damages when commercial tenants vacate premises in violation of the

terms of the lease.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07045, Rules Report No. 222, Buttenschon, Clark, McDonald, Galef, Stirpe, Woerner, Lunsford, Manktelow, Norris. An act to amend the Canal Law, in relation to making mandatory quarterly meetings of the Canal Recreationway Commission not subject to the call of the chairperson.

ACTING SPEAKER AUBRY: 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 AUBRY: The Clerk will record the vote on Senate print 5959. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, sir. I note that the Canal Recreation [sic] Commission last met in 2017. This bill calls on them to make quarterly; I assume they mean like four times a year not four times a Century. I will be supporting it, but maybe we ought to start putting some teeth in these things to make it clear that when we say *quarterly*, we really mean like four times a year. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Goodell in the

affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07176-A, Rules Report No. 223, Jean-Pierre, Hevesi. An act to amend the Social Services Law, in relation to excluding certain kindergarten and pre-kindergartens from the definition of child day care.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate [sic] print 7176-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 number previously provided.

(The Clerk recorded the vote.)

Ms. Walsh to explain her vote.

Wait a minute.

Ms. Walsh, please explain your vote.

MS. WALSH: Thank you, Mr. Speaker. I'm happy to support this piece of legislation which will create more opportunities to have kindergarten and pre-kindergarten programs because it will exempt off-campus kindergarten and pre-kindergarten from OCFS child day regulations. My -- my only comment on this is to say that this bill does not similarly exempt 4410 programs, which

are approved preschool special education programs, from this exemption. So they -- they still need OCFS licensure, and I think that particularly as we're having a greater and greater need for Early Intervention preschool special education services, it would be a good idea to similarly exempt them from this licensure requirement. So I thank the sponsor for bringing this forward. I think that whether it's by, you know, chapter amendment or by subsequent legislation, I think that the bill could be improved or we could improve the situation by also working with the 4410 schools. Thanks.

ACTING SPEAKER AUBRY: Ms. Walsh in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07179, Rules Report No. 224, Weinstein. An act to amend Chapter 20 of the Laws of 2015, appropriating money for certain municipal corporations and school districts, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7179. 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. A07192-A, Rules Report No. 225, Lupardo. An act to amend the Vehicle and Traffic Law, in relation to the operation of a three-wheeled vehicle.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7192-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. A07205, Rules Report No. 226, Buttenschon, Palmesano. An act to amend the Rural Electric Cooperative Law, in relation to allowing meetings of members to be held partially or solely by means of electronic communication.

ACTING SPEAKER AUBRY: 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 AUBRY: The Clerk will record the vote on Senate print 6190. 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. A07207-A, Rules Report No. 227, Jackson, Buttenschon. An act to authorize and direct the Commissioner of Agriculture and Markets to conduct a study on urban agriculture.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7207-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. A07236-A, Rules

Report No. 228, Thiele. An act to amend the Public Authorities Law, in relation to the results of an annual stress test of all systems that support outage and restoration management and communications of the Long Island Power Authority.

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

THE CLERK: Assembly No. A07240, Rules Report No. 229, Gottfried, Englebright, Stern, Ramos, Jean-Pierre, Griffin, Sillitti, Thiele, Barron, Darling. An act relating to a review of reimbursement rates for ambulette transportation.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7240. 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. A07248, Rules Report No. 230, Pretlow. An act to amend the Racing, Pari-mutuel Wagering and Breeding Law, in relation to horseman's health, welfare, pension and administrative benefits for harness racing licensees in the absence

of contractual obligations.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7248. 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. A07250, Rules Report No. 231, Zebrowski. An act to amend the Public Officers Law, in relation to qualification to hold the position of assessor of the village in the Village of Upper Nyack.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 6280. 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. A07272, Rules Report No. 232, L. Rosenthal, Pheffer Amato, Richardson, De La Rosa, Davila, Cymbrowitz, Seawright, Barnwell, Epstein, Burdick, Cook, Reyes, Barron, Jackson. An act to amend the Private Housing Finance Law, in relation to voting, election and referendum procedures; to requirements regarding mutual housing companies considering dissolution and/or reconstitution; to certain duties of a board of directors of a limited-profit housing company; and to prohibiting certain limited-profit housing companies from voluntarily dissolving during the State disaster emergency declared in response to the outbreak of COVID-19.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07301, Rules Report No. 233, Otis, McDonald. An act to amend the State Technology Law, the Public Health Law and the Not-for-Profit Corporation Law, in relation to authorizing the use of electronic signatures on funeral and cemetery services documents.

ACTING SPEAKER AUBRY: 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 AUBRY: The Clerk will record the vote on Senate print 6521. 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. Otis to explain his vote.

MR. OTIS: Thank you, Mr. Speaker. This bill amends our State Technology Law to allow funeral homes to use electronic signatures in their transactions. When we upgraded our laws many years ago, they were left out of this provision. And especially during COVID, this is of great assistance not only to the conduct of their business, but to family members who are maybe in other parts of the country and need to do the work that they do and the -- the tragic loss of a loved one, they're able to do it through an electronic transaction the way other kinds of businesses do. So thank you for the support for this measure and I think we're all helping all New Yorkers with the passage of this bill.

ACTING SPEAKER AUBRY: Mr. --

MR. OTIS: I vote aye.

ACTING SPEAKER AUBRY: -- Otis in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07306, Rules Report No. 234, Pretlow. An act to amend the Racing, Pari-mutuel Wagering and Breeding Law, in relation to the disposition of pari-mutuel pools

of the franchised corporation.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 6352. 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. A07327, Rules Report No. 235, Zebrowski. An act to amend the State Finance Law, in relation to providing for discretionary buying thresholds.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7327. 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 bill is passed.)

We will now go back and pick up Rules Report No. 171 on page 6. The Clerk will read.

THE CLERK: Assembly No. A03942, Rules Report No. 171, Cusick, Thiele. An act to amend the Insurance Law, in relation to removing certain requirements for independent insurance adjuster licenses.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 5762. 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, thank you very much. I want to encourage colleagues to -- to hang in here with us, we're going to go to our debate list now. There are three bills on the debate list that will be straight votes, so we will start with those: Calendar No. 78, Calendar No. 351, and Calendar No. 372. Immediately following those three straight votes, we'll be going to full

debate on Calendar No. 308 -- 303 by Ms. Solages; followed by Rules Report No. 14, that one is by Ms. Joyner; then Rules Report No. 84 by Mr. Fall; Rules Report No. 139 by Mr. Conrad; Rules Report No. 141 by Ms. Jackson; and Rules Report No. 151 by Ms. Rosenthal. In that order, Mr. Speaker. Thank you.

ACTING SPEAKER AUBRY: Thank you so much.

Page 9, Calendar No. 78, the Clerk will read.

THE CLERK: Assembly No. A00268-A, Calendar No. 2 -- 78, Paulin, Buttenschon, Lavine, Englebright, Cymbrowitz, Griffin, Gottfried, Dinowitz, Stern, Cruz, Zebrowski, Colton, J. Rivera, Lupardo, Jean-Pierre, Thiele, Brabenec, Montesano, Schmitt, Byrne, Reilly, Smullen, McDonough, Cook, Galef, Sayegh, Reyes, Walczyk, Hyndman, Abinanti, Niou, Otis, Zinerman, DeStefano, Barron. An act to amend General Business Law, in relation to telecommunication companies blocking certain numbers.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 268-A. This is a fast roll call. Any member who wishes to be recorded in the negative is reminded to contact the Majority or Minority Leader at the numbers previously provided.

(The Clerk recorded the vote.)

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, sir. I will be

supporting this legislation as amended. The original bill, as with the amended bill, directs telecommunication providers to block certain voice calls, the ones we fondly call *robocalls*. And unfortunately, the original draft language was too broad and would have inadvertently flagged a lot of calls that we come to expect, like calls from our pharmacy advising us that our prescription is ready. To the sponsor, to her credit, amended the bill and, as amended, provides that certification with the Federal Communications Commission that the providers traffic complies with their STIR/SHAKEN and is subject to compliant robocall mitigation program, address those issues and ensures that this legislation is consistent with regulations that apply on the national level. And since almost all of our telecommunications involve interstate commerce, it's very helpful for New York State to have legislation that's consistent with the rest of the nation, and the amendment accomplishes that and, therefore, I will be supporting it. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Goodell in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Page 26, Calendar No. 351, the Clerk will read.

THE CLERK: Assembly No. A02388-B, Calendar No. 351, Aubry, Hyndman, Niou, Cahill, L. Rosenthal, Seawright,

Thiele, Barnwell, Buttenschon, Cruz, González-Rojas, Otis, Dickens. An act to amend the Public Health Law and the Education Law, in relation to directing the Commissioners of Education and Health to establish rules and regulations for the treatment and monitoring of students of school districts, boards of cooperative educational services and nonpublic schools who exhibit signs or symptoms of sudden cardiac arrest.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 2388-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 26, Calendar No. 372, the Clerk will read.

THE CLERK: Assembly No. A06429-B, Calendar No. 372, Hyndman, Galef, Dickens, Perry, Otis. An act to amend the Public Health Law, in relation to requiring hospitals distribute literature created by the Commissioner to patients at a high risk of Sickle Cell Disease.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 6429-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 22, Calendar No. 303, the Clerk will read.

THE CLERK: Assembly No. A03412-A, Calendar No. 303, Solages, Bichotte Hermelyn, Seawright, Steck, Cook, Lavine, Colton, Perry, Simon, Barron, Hyndman, Niou, Pichardo, De La Rosa, Davila, Dickens, Williams, Jean-Pierre, Weprin, Vanel, Zebrowski, Ramos, Rozic, Gottfried, Abinanti, Epstein, Cruz, Hevesi, Aubry, Glick, L. Rosenthal, Fernandez, Fahy. An act to amend the Penal Law, in relation to extortion or coercion related to immigration status.

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

MS. SOLAGES: Yes, Mr. Speaker. This bill would amend the Penal Law to add a threat to cause deportation proceedings to the type of course of action that can be prosecuted as Coercion in the Third Degree, a Class A misdemeanor, as well as certain larcenies

by extortion -- extortion crimes.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

ACTING SPEAKER AUBRY: Ms. Solages --

MS. SOLAGES: Yes, Mr. --

ACTING SPEAKER AUBRY: -- will you yield?

MS. SOLAGES: Yes, Mr. Speaker.

MR. GOODELL: Thank you, Ms Solages. Am I correct that there are a number of noncriminal threats that fall within the blackmail -- existing blackmail or extortion provisions?

MS. SOLAGES: Yes, you are correct.

MR. GOODELL: And wouldn't this also already be covered by those?

MS. SOLAGES: So you know, just to circle back, you know -- you know, June is also Immigration Heritage Month and, you know, we are celebrating immigrants' heritage and contributions in the State. So it's -- it's just timely that we're -- we're taking up this bill to condemn anyone that uses that as a vulnerability. So this bill would guard immigrants and their families against the threat of deportation from employers, landlords, abusive partners who attempt to coerce them or extort them. So current -- current law does, you know, it -- you know, it might allude to it but, you know, we need to clarify. We need to make sure that it's crystal clear that law enforcement and other prosecutors have the tools, the means to go

after these -- these people who are purposely using a vulnerability to attack a vital segment of our community. And so we've seen that, you know, alone, there's been just an increased amount of -- of these threats happening and we want to just make sure that, you know, individuals have the tools to go after these -- these, you know, these malicious people who are purposely using -- using this vulnerability.

MR. GOODELL: Would this apply if, for example, a landlord threatened to report someone's immigration status if they didn't pay the rent up to date? Or does it only apply when you're trying to extort money that is not owed to you?

MS. SOLAGES: So you know, extortion and coercion involve compelling a person to turn over property or to engage or refrain from engaging in an activity by using intimidation, involving threat to cause criminal charges to be put against that person. So if that person is using that language in a threatened way saying, *Oh, if you don't pay me up to -- to, you know, the -- the current date, I'm going to report you to ICE or immigration status.* That's what we're going over. That's a -- that we want to consider and clarify that being a crime.

MR. GOODELL: So this would be a crime even if the demand for payment is a demand for payment of what is lawfully due and owing, or maybe past due and owing?

MS. SOLAGES: No. We're trying to do it so that, you know, if -- if the person is saying, *Okay, I need -- I'm extorting you or coercing you to do something if you don't do this.* And so

those two things put together, we want to deem and clarify that it is a crime. If someone's just asking for rent, that's just one asking for rent. But if the landlord is saying, *Hey, if you don't pay me, I'm going to call immigration or I'm going to tell them that you are not here legally*, that to me is -- is a threat, extortion, blackmail, whatever you want to call it, that should be deemed as a crime.

MR. GOODELL: I see. So if a landlord, for example, says, *You haven't paid me rent for a year-and-a-half, when are you going to pay it*, that's okay. But if the landlord --

MS. SOLAGES: Correct.

MR. GOODELL: -- comes and says, *You owe me a year-and-a-half of rent and haven't paid any. If you don't bring it up to date, then I'm going to report your immigration status*. And that would fall within the scope of this bill, correct?

MS. SOLAGES: Yes, the second part of what you said is -- is what we're trying to go after. And similar legislation has been passed in California, Colorado, Maryland, and Virginia. And, you know, this is something -- and, you know, even in New York City, within the confines of New York City, the New York City Commission of Human Rights saw that there was an increased amount of these claims, especially with discrimination with housing, and they actually have increased fines to try to, you know, get after and try to prevent this from happening.

MR. GOODELL: Is there anything that would prevent a -- a landlord from asking as part of the rental application

whether or not the individual is here lawfully?

MS. SOLAGES: I -- I think that you're not -- so the point of this bill is -- is coercion and extortion, and that's what we're going over after. This -- this is not that bill. Even though that's a great piece of legislation that I would support, you know, this bill is -- is trying to go after the fact of someone using immigration status as a means to cohort [sic] or to extort an individual.

MR. GOODELL: I see. You also specifically mentioned employers. But under current law, Federal law, isn't it a Federal crime for an employer to hire someone that they know or believe may be illegally here?

MS. SOLAGES: So again, you know, we're trying to make sure that we add language to ensure the threat of deportation proceedings qualifies as an element in the prosecution of crimes, where deportation proceedings are not criminal trials, but their nature has similar consequences. You know, calling ICE and getting someone deported, even nowadays, you know, when we entered this bill, we were under a Federal administration that was attacking immigrants and -- and charging individuals to go after immigrants. And even now, you know, that hasn't settled. So this legislation really is just providing, you know, an element of protection for fellow New Yorkers. Regardless of their immigration status, people should feel comfortable in their homes, they shouldn't be coerced or extorted against.

MR. GOODELL: I see. And would you envision

then that the potentially illegal immigrant then would be the one filing criminal charges against the employer or against the landlord?

MS. SOLAGES: We want to make sure that this behavior is not, you know -- acceptable and I think we believe that we need to put this in statute to make sure that we send a clear message that New Yorkers should not be extorted or coerced into doing something through intimidation or harassment and discrimination.

MR. GOODELL: Thank you very much, Ms. Solages.

On the bill, sir.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. GOODELL: Under current law, you cannot use extortion or harassment, regardless of whether it relates to your immigration status or not. And so I'm not sure why exactly we need this. If you're trying to extort money from anybody, money that you're not entitled to, or force somebody to do something that they don't have to do and you're threatening to expose that they're having an affair, for example, or that there's a very embarrassing detail in their past, for example, or any number of noncriminal threats, that's already banned in New York State. So what this bill does is take all those -- all of those potential civil issues whether it's you're divorced, whether you have single kids, whether you were in a drug rehab program or any of those other issues, and out of all of those we single out one, your immigration status. And the problem is that when we're dealing with employers, employers have a legal obligation to ask about your

immigration status under Federal law. And they have a legal obligation to report it if they believe that you're not a legal immigrant.

And so what we do is we create a situation where lawful New Yorkers will actually call up the immigration service and cooperate with Federal officials in enforcing our immigration law, run the risk that they might then become the defendant in a case brought by a disgruntled former employee or potential employee who's claiming that the employer's compliance with Federal law is a basis for the employer to be arrested. And that's a very dangerous precedent that we shouldn't go down.

So while I certainly agree with the sponsor that using anything that's embarrassing or has potential liability in order to extort money or force somebody to do something that they have no obligation to do, that's wrong. But saying that if an employer complies with Federal law and reports suspected immigration violations to Federal legal law enforcement, that employer could be facing a criminal arrest, that is also wrong. And so I think the existing law strikes the right balance, protects all of us against illegal blackmail and extortion, but doesn't cross the line by creating and highlighting a potential criminal action against employers or landlords who comply with Federal law. Thank you, sir.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 3412-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 will be generally opposed to this legislation, but those who would like to support it are encouraged to call the Minority Leader's Office so we can properly record your vote. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you, sir.

Ms. Hyndman.

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

ACTING SPEAKER AUBRY: Thank you very much.

(The Clerk recorded the vote.)

Ms. Walsh.

MS. WALSH: Thank you, Mr. Speaker. Would you please record Mr. Jensen in the affirmative on this bill, and that's all we've got. Thank you.

ACTING SPEAKER AUBRY: So noted. Thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 4, Rules Report No. 14.

THE CLERK: Assembly No. A03350, Rules Report No. 14, Joyner, Bronson, Otis, Simon, González-Rojas, Kelles, L. Rosenthal, Brabenec. An act to amend the Labor Law and the General Business Law, in relation to actions for non-payment of wages.

MS. WALSH: Explanation, please.

ACTING SPEAKER AUBRY: An explanation has been requested, Ms. Joyner.

MS. JOYNER: Yes. So wage theft remains rampant in the construction industry due to the fact that many construction workers are hired through informal agreements, particularly by subcontractors, thus making them more susceptible to wage theft and other labor violations. This bill would level the playing field for workers in the construction industry by ensuring that contractors are held liable for wage claims made against their subcontractors in ensuring that workers are paid the wages owed to them.

ACTING SPEAKER AUBRY: Ms. Walsh.

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

MS. JOYNER: Yes.

ACTING SPEAKER AUBRY: Ms. Joyner, will you yield? Ms. Joyner yields.

MS. WALSH: Thank you so much. So I have a couple of questions. I guess my first question is, we voted on a version of this bill back in January and then the bill was amended. Could you explain the -- the amendment, please?

MS. JOYNER: Sure. So the amendments -- there's five main components to the amendments. First is that that bill makes it clear that a contractor can recoup costs for unpaid wages by establishing a contract. We spelled out that there's a three year statute of limitations against the contractor. We exclude home improvement contracts. We allow the -- the bill allows -- we allow -- okay. The provisions of the bill allows waivers pursuant to a collective bargaining agreement, and we add a new section to the General Business Law to allow a contractor to request their subcontractors' payroll records and other information about the construction projects, such as the names, independent contractors on the worksite, the anticipated contract start date and the duration of the project.

MS. WALSH: Very good. Who -- who's the current enforcement arm, who investigates and enforces wage theft currently?

MS. JOYNER: Right now, a claimant can make a claim with the Department of Labor.

MS. WALSH: Okay. Could a claimant also make a claim with a local District Attorney's office?

MS. JOYNER: Yes.

MS. WALSH: Or could a -- could they make a claim -- a small claim if it's for not very much money in small claims court?

Oh, did you say yes? I'm sorry, I didn't hear you.

ACTING SPEAKER AUBRY: We need to have Ms.

Joyner unmuted --

MS. JOYNER: Oh, I'm sorry.

MS. WALSH: Oh.

MS. JOYNER: I'm sorry about that. Yes, they can bring a private claim under Section 198 of the Labor Law.

MS. WALSH: Okay. Very good. So I guess one question is, why not just allow the current mechanisms that are already there, filing a claim with the Department of Labor, going to the -- file a -- something with the DA's Office or going to a small claim process, why not just allow it to go on like that? And provide, maybe, additional resources if -- if they're overwhelmed or if they -- they aren't able to handle the -- they don't have the capacity to handle the number of claims.

MS. JOYNER: Right. So right now, employees can, you know, pursue the methods that you just stated, but only against the subcontractors. This is going to -- this new law will allow contractors to be liable, as well. So it's extending liability to the contractors.

MS. WALSH: Okay. So -- but -- but the -- the employee of the subcontractor can still elect to bring one of these other forms of suit, is that correct? They can -- they could just --

MS. JOYNER: Yes.

MS. WALSH: -- go against -- against the sub if they

want, but the idea of the bill then is to kick it up to the general contractor and make the general contractor responsible for all of the unpaid wages that the subcontractor owes its employees.

MS. JOYNER: That's correct.

MS. WALSH: Okay. So in the -- in your memorandum of support, it suggests that if this legislation is passed that there might be a lesser burden on the Attorney General's Office, the Department of Labor, the Comptroller, and DAs by shifting this over to the general contractors. But won't this legislation actually just shift the burden and clog up the court system with claims by contractors against subcontractors?

MS. JOYNER: Well, you know, our main goal is to make sure that employees are able to recoup, you know, the wages that they rightfully earned. So I don't see it as shifting blame, but creating a remedy for employees to recoup these unpaid wages.

MS. WALSH: And I apologize, with this mask on, you probably -- I didn't say blame, I said burden. I said the burden onto the contractors. But yes, I understand your point. So you mentioned a three year statute of limitations that was created through your amendment where the general contractor would have three years to then go after the subcontractor to get paid back for the money that the general contractor had to lay out to the -- to the employee for the wage claim. But my question is, if a project, say, finishes up this year in 2021, how long does an employee of a subcontractor have to bring a wage claim?

MS. JOYNER: I'm sorry. So it -- it's a three year statute of limitations against the contractor and then it's a six year statute of limitations against the subcontractor.

MS. WALSH: So the -- the employee of the subcontractor has six years to bring a wage claim against the subcontractor, their -- their direct employer?

MS. JOYNER: Yes.

MS. WALSH: Okay. All right. And then -- so doesn't that mean then that the general contractor basically, even though the project is done, has to leave things open for a number of years waiting for a potential wage claim from the employee of the subcontractor to be -- to be alleged or brought?

MS. JOYNER: I mean, the bill limits it for six years against the -- the contractor. So yes, I mean, they would have to keep all of the records, you know, for those projects during that length of time.

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

Mr. Speaker, on the bill.

ACTING SPEAKER MCDONALD: On the bill.

MS. WALSH: Thank you. So there are -- there are a number of concerns that we have with this bill. I think, you know, first of all, I mean everybody wants to ensure that people get paid for the work that they do. And there's no question that there are some unscrupulous contractor -- subcontractors who are out there who

maybe aren't paying people what they're owed. And we want to -- we want to certainly crack down on that and make sure that they're held accountable, and they need to be rooted out. But I mean, I would say that the agencies that are already charged with the investigation and enforcement of our current wage laws are sufficient under the circumstances and that we don't need this legislation.

General contractors under this legislation would be -- become responsible for verifying certified payrolls from all subcontractor tiers, which is very unwieldy and it's very expensive. So the way that the amendment works is the general contractor has the ability to say to the subcontractor, *I need your certified payroll*, and then that's supposed to be provided within a reasonable amount of time. The general contractor then has to verify the certified payroll, and there could be a number of subcontractors used on a particular job. So this is going to obviously really be a costly and time consuming process for a general contractor. And also, there are very few ways to verify those payrolls, especially while -- while a project is going on.

There's -- so since -- part of the legislation says that there's no way that a general contractor or a subcontractor can agree to waive any portion of this law, and -- and the waiver of any lien on a certified payroll can't be used as a defense to protect a general contractor. What that all means is that all subs of every tier are going to need to be bonded, i.e., insurance against wage theft claims. So the need for bonding is going to increase the cost of projects. And the

result of that is that if all tiers of subs are going to have to carry -- are going to have to be bonded and have this insurance against -- against wage theft claims, then that's going to adversely impact the most those who are less capitalized subcontractors who won't be able to get bonded. That could include MWBEs or contract -- subs that are just starting out or are newer in business. And I don't think that that is something that we would really want to see happen. But I think it's going to hurt the entry of new businesses into the market and it could curtail the supply of subcontractors who are out there.

So for all of these reasons, we have some concerns with this bill. I think that instead of doing this, it would be more sensible to provide adequate funding and supports to the enforcement and investigation arms that we already have under the law rather than expanding it in this way. So before when we voted on this bill before, we had quite a number of no votes, there is some concern from different groups, and I will be voting in the negative. Thank you, Mr. Speaker.

ACTING SPEAKER MCDONALD: Mr. Tague.

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

MS. JOYNER: Yes.

ACTING SPEAKER MCDONALD: Will the sponsor yield?

MR. TAGUE: Thank you. Thank you, Ms. Joyner. First, don't you think that this bill will bring some very erroneous

claims now that we're broadening a -- a law that's already there?

MS. JOYNER: Well, I mean, the previous argument of why are we, you know, first -- you know, employees have the ability now to go to the Department of Labor with any claims of -- of wage theft, but this is creating another remedy of going to our court system if that first mechanism does not work. And we already -- everybody complains about the Department of Labor being understaffed and underresourced, which I also agree that we should put more funding in. So you know, this is creating another avenue that employees can recoup the wages that they're owed. And it's our position that the employers, the contractors are in the best position to manage these projects and to do -- do responsible work with subcontractors. So you know, we feel that this was going -- this bill will encourage contractors to adequately vet their subcontractors.

MR. TAGUE: But let -- let me just ask you this: Have you ever worked in the construction industry before? Have you ever been an executive in a construction industry?

MS. JOYNER: No, I have not, but we have consulted with both -- both sides on this issue so we're well-versed on it.

MR. TAGUE: Well, I -- I have worked -- I worked in the construction industry as an executive for close to 30 years and to hold a general contractor or a prime contractor responsible and to have to babysit a subcontractor really isn't fair, especially on the size of certain jobs. And let -- and let me ask you this question: Isn't a

certified payroll already inspected on -- on municipal jobs?

MS. JOYNER: Under the Public Works, yes.

MR. TAGUE: Okay. Well, a majority of the work that is done and if you look at the cases in the Labor Department where charges have been filed, where companies have been held responsible for wage theft, those have come from those certified payroll investigations. You know, do you know how many wage theft cases are in the court system right now?

MS. JOYNER: The estimates that we have is that the Department of Labor has already recovered \$6 million in wage -- in wage thefts.

MR. TAGUE: Okay.

MS. JOYNER: Right now currently.

MR. TAGUE: And do you know how many are in hearing right now within the Labor Department?

MS. JOYNER: I don't -- I don't have that information, no.

MR. TAGUE: Okay. Well again, this -- this puts construction companies in New York State, especially prime and general contractors, on an unlevel playing field.

So with that, Mr. Speaker, on the bill.

ACTING SPEAKER MCDONALD: On the bill, Mr. Tague.

MR. TAGUE: Listen, this is just, again, more regulations, more hurdles just to do business in New York State. We

already have laws in effect that protect the worker, that go after bad actors. You know, this again is just more anti-business and we wonder why nobody wants to own a business in New York State. Why construction prices are so expensive is because of the added regulations. And this, again, will force certain general contractors and prime contractors to have to hire more people just to manage wage theft.

So I will be voting in the negative on this bill. You know, I -- I do commend the sponsor for her, you know, for her beliefs and for the bill but, again, this is just, to me, another anti-business bill in New York State and I'll be voting in the negative. Thank you, Mr. Speaker, and thank you to the sponsor for her time and respect. Thank you.

ACTING SPEAKER MCDONALD: Read the last section.

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

ACTING SPEAKER MCDONALD: The Clerk will record the on Assembly Bill 3350. This is a Party vote. Any member who wishes to be record 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. Those who

support it are encouraged to call the Minority Leader's Office so we can properly record their vote. Thank you, sir.

ACTING SPEAKER MCDONALD: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Majority Conference will generally be in favor of this one; however, there may be colleagues who wish to be an exception. They should feel free to contact the Majority Leader's Office and we will be pleased to report to their vote properly.

(The Clerk recorded the vote.)

ACTING SPEAKER MCDONALD: Mr. Lawler to explain his vote.

MR. LAWLER: Thank you, Mr. Speaker. Back in January when this bill was first before us, I voted against it not because I was against what the sponsor was trying to do, quite the contrary. I think anybody who engages in wage theft should be held fully accountable. My concern with the bill at the time was that there was no good faith, safe harbor provision for the general contractor who was, in fact, trying to get the subcontractor to provide documentation or hold them accountable. I think at the time I said that if an amendment came forward, I would support it. And so today, I'm happy to see that the sponsor has come forth with this amendment. I do think it goes towards accomplishing what I believed was necessary. And so I'm happy to support this bill as amended, and I thank the sponsor for doing so. Thank you.

ACTING SPEAKER MCDONALD: Mr. Lawler in the affirmative.

Mr. Steck to explain his vote.

MR. STECK: Thank you very much, Mr. Speaker. I have not seen in my time in this Body that there's any shortage of construction in this State, and there's nothing in this bill that is going to change that. Secondly, leaving law enforcement to the Department of Labor is simply a recipe for minimal enforcement. The Department of Labor has many, many, many things to do. It doesn't have enough resources to do it all by itself and so allowing for other enforcement mechanisms is necessary to protect workers and make sure the law is enforced; therefore, I will be voting in the affirmative.

ACTING SPEAKER MCDONALD: Mr. Steck in the affirmative.

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, sir. If you're a general contractor and you require certified payroll from a sub and you have no reason in the world to -- to question that certification, but you take it one more step and you say, *I want to sign off from every employee from the sub saying 'I have been paid, I waive any further rights to claim'*. Are you okay? Not under this language. Think about that for a minute. You're the general, you get certified payroll, you get an affidavit from the sub, you get sign-offs from every employee of a sub and six years later -- excuse me - great dinner, compliments to the Majority - but let me get back, six years later you can be sued from an

employee you may not have even known was on the job claiming they weren't paid in full. That's what this bill does. That is not fair and equitable.

No doubt if a general contractor knows or has reason to know that the sub's employees are not being paid, the general ought to be liable. No doubt we expect the general to do fair and reasonable due diligence. But this bill imposes strict liability on a general contractor even if they do due diligence, get a sign-off from every employee that they're aware of that works with a sub, gets a sign-off from the sub, gets certified payroll, doesn't matter. Strict liability has no place and fairness when it comes to dealing with our contractors and subcontractors and, unfortunately, it will result in higher prices for all of us if this goes through. Thank you, sir.

ACTING SPEAKER MCDONALD: Mr. Goodell in the negative.

Mr. Goodell.

MR. GOODELL: Notwithstanding my impassioned comments and perhaps because of that great dinner provided by the Majority, please record the following colleagues of mine in the affirmative: Mr. Ashby, Mr. Brabenec, Mr. Mikulin, Mr. Miller, Ms. Miller, Mr. Ra, Mr. Schmitt, Mr. Smith, Mr. Walczyk, and those who voted directly on the floor. Thank you, sir.

Also, please add Mr. Byrne. Thank you, sir.

ACTING SPEAKER MCDONALD: Thank you, Mr. Goodell.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 4, Rules Report No. 84.

THE CLERK: Assembly No. A02573-A, Rules Report No. 84, Fall, Dickens, Williams, Sayegh, Gottfried, O'Donnell, Epstein, Barron, Pichardo, Perry. An act to amend the Surrogate's Court Procedure Act, in relation to removing the prohibition on individuals convicted of a felony that prevents them from being appointed fiduciary of an estate.

ACTING SPEAKER MCDONALD: An explanation is requested.

MR. FALL: This bill would remove the prohibition on anyone that has ever had a felony conviction from serving as a fiduciary of an estate. This bill will preserve the power of the court to declare ineligible any person convicted of a felony whose crime may have been adverse to the welfare of the State.

ACTING SPEAKER MCDONALD: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER MCDONALD: The Clerk will record the vote on Assembly Bill 2723. 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. Under current law, every felon is excluded from being able to serve as an executor for an estate, and this bill lifts the automatic exclusion while still giving the Surrogate Court full authority to evaluate whether the felony conviction in any way would be detrimental to the estate. And with that discretionary authority remaining intact with the Surrogate Court, I agree with my colleague that an automatic ban is inappropriate. And so I'll be supporting it and recommend the same to my colleagues. Thank you, sir.

ACTING SPEAKER MCDONALD: Mr. Goodell in the affirmative.

Mr. Goodell.

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

ACTING SPEAKER MCDONALD: Duly noted.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 6, Rules Report No. 141.

THE CLERK: Senate No. S06610, Rules Report No. 141, Senator Krueger (Jackson--A07398). An act to amend the Local Finance Law, in relation to the sale of bonds and notes of the City of New York, the issuance of bonds or notes with variable rates or

interest, interest rate exchange agreements of the City of New York, and the refunding of bonds; to amend Chapter 868 of the Laws of 1975 constituting the New York State Financial Emergency Act for the City of New York, in relation to a pledge and agreement of the State; and to amend Chapter 142 of the Laws of 2004, amending the Local Finance Law relating to interest rate exchange agreements of the City of New York and refunding bonds of such City, in relation to the effectiveness thereof.

ACTING SPEAKER MCDONALD: An explanation is requested, Ms. Jackson.

MS. JACKSON: So the purpose of this bill is to extend certain financial authorizations for the City of New York related to interest rates, exchange agreements, the sale of bonds and notes, and other similar agreements until June 30th, 2022.

ACTING SPEAKER MCDONALD: Mr. Goodell.

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

ACTING SPEAKER MCDONALD: Will the sponsor yield?

MS. JACKSON: I yield.

ACTING SPEAKER MCDONALD: The sponsor yields.

MR. GOODELL: Thank you very much. Can you give us an idea approximately how many billion dollars does New York City borrow annually?

MS. JACKSON: I don't have the answer to that.

MR. GOODELL: But we are talking several billion, right?

MS. JACKSON: I would assume so.

MR. GOODELL: Yeah. And I note that the authorization to do emergency, to do borrowing without going through a competitive bid process started in 1975, the Financial Emergency Act of the City of New York, and it was supposed to be temporary because New York City was in a financial crisis. Is New York City still in a financial crisis?

MS. JACKSON: Yeah, so the -- the bill extends the ability to more easily market its bonds and notes, and utilize modern financing techniques because of that -- that reason. So yes.

MR. GOODELL: So it's been now 45 years since New York City has been in a financial crisis. Do they have any plans to address that financial crisis any time within our lifetime?

MS. JACKSON: I would love to be able to answer that question but I don't -- I would -- I would hope that they are working towards that. But for right now, we're going to work on extending the bill as is.

MR. GOODELL: I see. As you know, every other municipality across New York State that is not in a financial crisis sells their bonds in a competitive bid process. They do so because they know that by doing a competitive bid they'll get the best price, the best interest rate, the best terms and conditions. Is there a reason

why New York City cannot or should not use a competitive bid process to ensure that it gets the best interest rate, terms, and conditions on its bonds?

MS. JACKSON: I mean, without this legislation, though, New York City would not have as much access to credit markets. These provisions help ensure New York City can contain its (inaudible/mic cut out) obligations during both stable and difficult times to undertake the necessary capital projects.

MR. GOODELL: Well, I know that the City of New York, back in 1975 when it was facing bankruptcy, was very concerned that anyone would bid on their bonds. Have they had any bond sales in the last, say, 40 years where they've had to postpone the bond sale because they didn't have anyone to buy their bonds?

MS. JACKSON: One second.

(Pause)

So they have not, but it gives them the option and the flexibility.

MR. GOODELL: I'm sorry, I -- they have not had a problem, but what was your comment? I -- I just didn't catch it.

MS. JACKSON: Right. So they have not had that issue, but it gives them the flexibility.

MR. GOODELL: I see. Now, one of the primary reasons why we require competitive bidding all across New York State not just for bonds, but for almost everything, is to also avoid fraud or collusion or favoritism. Is there a reason why we wouldn't

want to prevent fraud or collusion or favoritism in the sale of New York City bonds?

MS. JACKSON: Well, we -- the Comptroller is still involved, so I don't -- we don't see that as necessarily an issue because we still have oversight.

MR. GOODELL: Well, the State Comptroller has to sign off on every contract involving the expenditure of State money right, even those that are competitively bid?

MS. JACKSON: It's -- it's specifically for this, though.

MR. GOODELL: And has the State Comptroller rendered an opinion recommending that we eliminate competitive bidding in the New York City bond market?

(Pause)

MS. JACKSON: Okay. So this is standard in situations and it provides another option. It's a pretty standard procedure.

MR. GOODELL: I see. Thank you very much, Ms. Jackson.

On the bill, sir.

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

MR. GOODELL: New York City issues billions of dollars in bonds every year. And when you're dealing with billions of dollars in bonds, a very small difference in interest rate can make

somebody an awful lot of money. And there are so many ways to repay the favor of being able to buy those bonds without having facing any competition through a -- to a competitive bid process. We have competitive bidding -- think about this. We have competitive bidding for contracts that are less -- that involve less than a quarter of a million; yet, we're waiving competitive bidding for these contracts that involve not a quarter of a million, but billions with a B, where the opportunity for fraud and collusion and abuse is unchecked, and where the premarket pressures for competition are not in play anymore, and where we don't have competition to keep the interest rates as low as possible and the terms and conditions as best as possible.

And these provisions came into effect in 1975 on a temporary basis. Well my friends, maybe after 47 years it's time to require New York City to engage in an open, public competitive bid requirement for its bonds to ensure that New York City is getting the best interest rate and that we're not having any fraud or collusion or favoritism, and that these billion dollar transactions aren't negotiated behind closed doors outside of the view of the public.

So it is time to end this process and return New York City into the fold of the rest of the State of New York when it comes to meeting basic restrictions that ensure fairness, equity, and the best price for the taxpayers. For that reason, I'll oppose it and recommend the same to my colleagues. Thank you, sir.

ACTING SPEAKER MCDONALD: Thank you, Mr.

Goodell.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER MCDONALD: The Clerk will record the vote on Assembly Bill 7398. 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, but those who support it are encouraged to call the Minority Leader's Office so we can properly record your vote. Thank you, sir.

ACTING SPEAKER MCDONALD: Thank you, Mr. Goodell.

Ms. Hyndman.

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

ACTING SPEAKER MCDONALD: Thank you, Ms. Hyndman.

(The Clerk recorded the vote.)

Mr. Rodriguez to explain his vote.

MR. RODRIGUEZ: Thank you, Mr. Speaker, for the opportunity to explain my vote. I'd just like to let the record show that, you know, there has been some connotation that the City of New York bond transactions are potentially ripe for fraud and for lack of competition. And I in my personal experience, I know that to not -- to be further than -- further from the truth. The negotiated process for the City of New York allows them to be able to move ahead with multi-day retail order periods that allow for hundreds of millions of dollars worth of bonds to be placed with retail investors and -- and that provides more transparency and more effective pricing than just the competitive purchase that was done strictly by an underwriter.

So we know that, you know, you do not necessarily get a better price. And this notion that there's a lack of competition when you have a syndicate where every transaction, a lead underwriter is competing, you know, competing as part of the syndicate to be the lead manager allows for that competition amongst the -- the large syndicate that the City has to be able to get fair pricing, good pricing, consistent pricing, and be able to allow a variety of investors to participate in a way that is -- occurs beyond just a competitive sale.

So I support this legislation and the flexibility that it allows the City to do knowing that they've been able to do transactions in difficult market conditions, certainly during this pandemic, during the last financial crisis, and have managed that flexibility well. So as

a result, I'll be voting in the affirmative and I encourage my colleagues to do the same. Thank you.

ACTING SPEAKER MCDONALD: Mr. Rodriguez in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 6, Rules Report No. 151.

THE CLERK: Assembly No. A07656, Rules Report No. 151, L. Rosenthal. An act to amend Chapter 436 of the Laws of 1997, constituting the Welfare Reform Act of 1997, in relation to extending the current exemptions of income and resources for public assistance programs.

ACTING SPEAKER MCDONALD: An explanation is requested.

MS. ROSENTHAL: This bill would extend for two years the current income and resource exemptions to ensure that families will not have to divest themselves of certain resources in order to qualify for public assistance.

ACTING SPEAKER MCDONALD: Mr. Simpson.

MR. SIMPSON: Thank you, Mr. Speaker. Would the sponsor yield for a few questions?

ACTING SPEAKER MCDONALD: Will the sponsor yield?

MS. ROSENTHAL: Yes.

ACTING SPEAKER MCDONALD: The sponsor yields.

MR. SIMPSON: Thank you. I -- I'd like to start out with asking, just not understanding why we have to do this extension every two years; is -- is there a reason for that?

MS. ROSENTHAL: Well, we have to do it this year because we extended it for two years and it's now expiring, which is why we have to extend it now.

MR. SIMPSON: So I realize that, but it's been extended every two years for quite awhile, I think now going back to 2001, and I just wondered what the reasoning behind that is.

MS. ROSENTHAL: Well, this is my first year carrying the bill. I might imagine that the number changed so that's why we give it in two year increments because some of the numbers involved might change.

MR. SIMPSON: Okay. So I'd like to start out and -- and kind of go over what actually -- what resources people are actually entitled to have under this extension. You know, so it starts out with \$2,000 in cash, \$3,000 if there's a family member over 60 years of age, and there's a separate account up to \$4,650 used to purchase a vehicle or replace a vehicle for work or education; am I correct on that?

MS. ROSENTHAL: I believe it's \$4,600 to buy or replace a car.

MR. SIMPSON: Well, it says \$4,650 here in the --

MS. ROSENTHAL: Okay.

MR. SIMPSON: (Inaudible)

MS. ROSENTHAL: Okay. Well -- okay.

MR. SIMPSON: Then there's an amount up to \$1,400 in another separate bank account exclusively for tuition.

MS. ROSENTHAL: Correct.

MR. SIMPSON: They could have a primary residence.

MS. ROSENTHAL: Mm-hmm. We hope so.

MR. SIMPSON: Can they have a secondary residence?

MS. ROSENTHAL: Well, if they do, they have to sell it.

MR. SIMPSON: Okay. I want to come back to that in a minute. And then automobiles, which is something new that I -- I just noticed here, up to \$10,000 fair market value and then, you know, that's for a period through March 31, 2017 and it goes up to \$11-, but then at the end after April 1st, 2018 it was changed to allow the local Social Services district to increase it to any amount they want; am I correct on that, or...

MS. ROSENTHAL: I think the Social Service district would increase it depending on how much cars cost in that area. So it's -- but it's not -- it's not true that they can do it. I believe it's only up to \$12,000.

MR. SIMPSON: Okay. And then there's another

account that can be set up, it's an individual development account towards a purchase of a home. So I'm wondering, if you own a home, are you still allowed to have another account with cash in it to maybe work towards a second home and still fall under this extension and receive benefits?

MS. ROSENTHAL: I'm checking that. No.

MR. SIMPSON: So how -- with all these accounts that I'm talking about or that I'm bringing up that's spelled out in this legislation, how do we keep track of all this? I mean, this sounds like it's -- I don't know how you do it.

MS. ROSENTHAL: Are you talking about the person who has the accounts?

MR. SIMPSON: Yes. I mean, you could -- you could actually accumulate quite a bit of cash by following all these individual accounts if you were -- you know, you can have a 529 for your college education, which is a great thing. But, you know, if you total all these up that's -- I don't know how you would manage...

MS. ROSENTHAL: Well, that's -- that's where the Social Service district comes in. And when you recertify, all of that is examined.

MR. SIMPSON: Okay. So I want to go back to that second home. If -- I -- I believe they have six months to sell it.

MS. ROSENTHAL: Right.

MR. SIMPSON: So if they do sell it, in fact, and it could be a house in, you know, pick a place, maybe down on Long

Island or somewhere, I think I saw a reference to somebody who was caught doing that at one point. How do you -- would they owe those benefits back, or would they pay those benefits back out of the sale of that home?

MS. ROSENTHAL: They have six months to sell the home, and I don't think that this is a very common occurrence.

MR. SIMPSON: Well, I -- I'm not sure. I -- I don't think there's, you know --

MS. ROSENTHAL: I mean, you have -- you have one -- one anecdote, but the people who qualify are very poor.

MR. SIMPSON: So why would we even have that in there then if it's not even -- I mean, if it's so few, why would we include that option in there? Because I think there -- there are, you know, reports, there's examples of, in the past, abuse that has happened.

MS. ROSENTHAL: Well, there's abuse in every program, first of all; however, if someone really has all that money, they won't be eligible for public assistance. Sometimes people have worked their entire lives to save up some money. And, you know, if they can't sell it within the six months then, you know, then they won't be eligible. And, you know, this happens with farmers, it happens with all manner of people who qualify for public assistance.

MR. SIMPSON: Right. So if a purchase -- if a person -- we'll just hypothetically say a person is receiving benefits, they have these accounts that are spelled out in this legislation,

they've, you know, they're staying within the -- the benefits guideline here and they have a second home. Does that person receive the same amount of benefits as the person that is renting, struggling to pay rent, maybe end up on -- I mean, is there a ratio, is there some kind of table that maybe, you know, makes sure -- ensures that those people at the bottom were receiving the proper amount of assistance so that, you know, we can keep them out of -- you know, we can make a better place for them? Get them on their feet.

MS. ROSENTHAL: Well, that's why we allow them to have certain, you know, things like a -- like a home and a car if -- but if they have a second home and they don't sell it, then they will be kicked off public assistance.

MR. SIMPSON: Well, I think the question I had was do they receive -- do the people at the top --

MS. ROSENTHAL: Yes, I'm sorry -- I'm sorry, I went over that. If they sell it and they make anything from that sale, then their benefit is reduced.

MR. SIMPSON: No. Again, what I'm saying is does that person that has these accounts established, has, I don't know, maybe tens of thousands of dollars in the bank under these different, you know, checking accounts that are allowed and they have a second home and they've got it up for sale, are they receiving the same benefit level as the person that doesn't have all this, doesn't have any cash in the bank, that has a family?

MS. ROSENTHAL: The benefit is based on income,

but I can assure you that people on public assistance do not have tens of thousands of dollars in different accounts. You know, people who are eligible for public assistance, they are far below the poverty level so they don't have any of -- the tens of thousands of people that you're referring to don't really exist.

MR. SIMPSON: Okay. So well, I'm -- I'm just using the information that's contained in this legislation and if you total it up what the potential is, it certainly could be.

MS. ROSENTHAL: But it's not. No, it couldn't be because then they wouldn't be eligible for public assistance. And, you know, you do want people to have -- to be able to build up some assets because they don't want to be on public assistance forever, and neither do we. So, you know, we -- we strike a balance here.

MR. SIMPSON: I would agree with you. And thank you for answering my questions. And I just want to say, I do want to see those people that -- that really truly need these benefits receive them and -- and not need them in the future. So thank you.

MS. ROSENTHAL: Thank you.

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

ACTING SPEAKER AUBRY: On the bill, sir.

MR. SIMPSON: Thank you, Mr. Speaker. You know, we just heard what the current -- what we're being asked to do is extend this current benefit exemption -- or the resource exemptions for public assistance. And we just heard where, you know, everything is income based. Well, there's also another part of our population

called the working poor. It's maybe a mother with several children and, you know, her husband or her significant other that are working multiple jobs, two and three jobs. I see it a lot in the North Country. And -- and they're just one car breakdown away from being able to make their ends meet. Well, they're working. They're working multiple jobs. But this allows for someone to potentially have numerous bank accounts and also have a second home.

MS. ROSENTHAL: No.

MR. SIMPSON: Even if they have a requirement of selling it within the six months, and I really think the balance is -- is not there in this. What we want to do is focus those resources towards those people that truly need it. I would have a very difficult time coming to my Social Services Department and asking for assistance if I had a second home and had a lot of cash. I would hopefully solve that problem long before I got to that point.

So for those reasons, I can't support the extension of this. I think that we need to figure out a program that works. Just by the fact that we have to extend this every two years and adjust the numbers shows that maybe it's not working or it's -- it's increasing, it's not decreasing. So I really think we need to evaluate it and ensure that the taxpayers are fairly represented in this and also the people that are receiving the public assistance truly receive that benefit, get their feet on and move forward. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Mr. Goodell.

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

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

MS. ROSENTHAL: Yes, I will.

ACTING SPEAKER AUBRY: Ms. Rosenthal yields.

MR. GOODELL: Thank you, Ms. Rosenthal. My colleague and you went through a number of items that you could be eligible if this bill passes and still be able to collect welfare. What's the total value of what you would be able to own and still be able to collect welfare?

MS. ROSENTHAL: Say it again, I'm sorry.

MR. GOODELL: Certainly. What is the total value of money and assets that you could own if we adopt this legislation and still be able to collect welfare benefits?

MS. ROSENTHAL: You don't, I don't really think we call it *welfare* anymore, but the total number is \$20,500.

MR. GOODELL: And that's in terms of cash, right, or vehicles combined?

MS. ROSENTHAL: It's total assets equal to that number.

MR. GOODELL: But you can have a house of unlimited value and still be eligible, correct?

MS. ROSENTHAL: Well, would you rather someone not have a house?

MR. GOODELL: No, I'm just asking the question. Am I correct you could have a house of unlimited value?

MS. ROSENTHAL: Yes.

MR. GOODELL: And you could have a second home also without any limitation on value, correct?

MS. ROSENTHAL: You cannot have a second home. You must sell it within six months or your benefits are taken away or reduced.

MR. GOODELL: But during that six months, you could own a second home of unlimited value, correct?

MS. ROSENTHAL: You have to sell that home.

MR. GOODELL: And during the six months that you list it for sale, you're still eligible for benefits, correct?

MS. ROSENTHAL: You are, but you have to -- you have to get rid of it or else you won't collect benefits.

MR. GOODELL: And during that six months, there's no limit on the value of your second home, correct?

MS. ROSENTHAL: You know, districts will have to pay shelter allowance, so --

MR. GOODELL: I understand. I'm just asking -- this is really a yes or no question. Is there a limit on the value of the second house?

MS. ROSENTHAL: I'm not sure what you're getting at. If you have a second house, you have to sell it so it does no good for you.

MR. GOODELL: I see. But the statute does not say you can own a second house for six months if the value of the house is less than a quarter of a million or any dollar amount, correct? That's not in the language of this bill.

MS. ROSENTHAL: It's not necessary.

MR. GOODELL: I see. Now, this provides that you can have, for example, a vehicle that's worth \$12,000, plus an additional \$4,600 in a vehicle fund. What happens if a public assistant recipient takes that \$4,600 and drives their thousand -- \$12,000 vehicle on vacation? What is the sanction? Do they then have to repay all the public assistance benefits they got in the meantime if they used that cash for an inappropriate or unapproved purpose?

MS. ROSENTHAL: As you may know, if they take that money then their benefit is reduced. And I might add that people with disabilities spend a lot of money on their vehicle, but because this program is tightly regulated, benefit is reduced if they inappropriately spend the money.

MR. GOODELL: So my question then is if they take the \$4,600 cash that they put aside to buy a new vehicle and instead use it for something else like a vacation, does that mean then they lose their eligibility, or are they fined?

MS. ROSENTHAL: Their benefit would be reduced if they inappropriately spend the money.

MR. GOODELL: Would it be eliminated?

MS. ROSENTHAL: The benefit would be reduced. It could be eliminated based on the numbers, but it definitely would be reduced; however, I don't believe that most people who are eligible for public assistance take vacation in the way you seem to describe it. Because, you know, a mother with two children working full-time at minimum wage makes too much money to qualify for public assistance. You really have to be very poor to qualify.

MR. GOODELL: Right. But I mean, under this bill you could have, as you point out, \$20,000 in cash and a vehicle and two homes without any statutory limit in value. That's not the person we're talking about who is really working hard and barely making it, right?

MS. ROSENTHAL: Well, you're misconstruing or miscommunicating about the second home. If they have a second home, they have to sell it within six months and then their benefit might be reduced, as well.

MR. GOODELL: And what happens when they sell it? Do they have to take the money from the sale and pay back the taxpayers for the assistance they received in the prior six months, or can they just pocket it?

MS. ROSENTHAL: You know, I think -- just to refrain this, the person we're talking about is someone who has worked their entire life, they've saved for retirement and maybe they've had an injury. They have to take the money from the sale and they are not eligible for the benefit then.

MR. GOODELL: Thank you very much, Ms. Rosenthal. I appreciate your comments.

MS. ROSENTHAL: You're welcome.

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

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

MR. GOODELL: Every one of us in this Chamber want to help people who are down on their luck get back on their feet. We all want to do that. We're also aware that for many of our local governments, the cost of these programs accounts for a substantial portion of their tax levy. And so we try to balance our desire to help people, especially when they're down and out, with the cost to everyone who actually is working a second job and struggling to pay their property taxes and keep their house from going into foreclosure. So that's the balancing act. And I join with my colleague questioning whether or not this is the right balancing act.

If very, very few people own a second home, maybe we shouldn't allow them to and still qualify for tax-funded benefits. Let's just take that out, let's clean this up. Rather than having all these separate bank accounts and if you want to maximize your ability to keep cash, you'd have a half dozen bank accounts. You'd have more bank accounts than most accountants. And let's just streamline it, put in what's reasonable and focus on how we can help people make that transition. And I absolutely agree with the sponsor, our challenge is to help people get on their feet and move forward so that they can

maximize their potential and do so in a way that's fair to both them and the taxpayers. And unfortunately, I don't think this legislation strikes the right balance and so I'll join my colleagues in opposing it.

Thank you, sir.

ACTING SPEAKER AUBRY: Ms. Rosenthal on the bill.

MS. ROSENTHAL: On the bill. I'd just like to clear up some misconceptions. Public assistance is for people who are very poor. Most people would rather not be on public assistance and would rather have enough money so they didn't have to live within such a small amount of money. The Federal poverty level for a family of three is \$21,960. If a person has worked their entire life and then falls on hard times and needs to go on public assistance, do we want to wipe out everything they've saved during their lifetime? If recipients are not allowed to accumulate some savings and resources so that they can be self-sufficient, that would mean that they'd be eligible and would need public assistance forever. This bill strikes a very important balance. It lets people accumulate funding for things like funerals, tuition, cars so they can get to their job. The savings do not enrich them. They are limited and if they go above a certain amount, their benefits will be reduced.

I think the reason that we extend this program every two years, it's because it's a good and fair program and that is why I'll be voting in favor of it. We don't want people to be homeless. The law is already constructed in a way where people are often trapped in

poverty. They can never earn enough to actually get off public assistance, and we're working on changing that, but in the meantime, this bill is necessary and I'll be voting for it. Thank you.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote on Assembly print 7656. 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 encouraged to call the Minority Leader's Office so we can properly record your vote. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Ms. Hyndman.

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

ACTING SPEAKER AUBRY: So noted.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Ms. Hyndman.

MS. HYNDMAN: Thank you, Mr. Speaker, and thank you to our colleagues. The next bill number will be Calendar No. 88 by Mr. Gottfried.

ACTING SPEAKER AUBRY: Certainly. Page 10, Calendar No. 88, the Clerk will read.

THE CLERK: Assembly No. A00191-A, Calendar No. 88, Gottfried, Reyes, Paulin, Simon, Barron, Steck, Epstein, Englebright, Bichotte Hermelyn, Galef, Abinanti, Nolan, Jackson, Mitaynes, Hevesi, Solages, L. Rosenthal, Sayegh, González-Rojas, Forrest, Cruz. An act to amend the Public Health Law, in relation to health equity assessments in the establishment or construction of a hospital.

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

MR. GOTTFRIED: Certainly. Mr. Speaker, this bill deals with a problem that I think the vast majority of us have faced in our districts at one point or another, and if you haven't, you're probably going to, which is hospitals and other health care facilities that either pick up and move or are acquired by another facility and are dramatically downsized or restructured or reorganized in one way

or another in ways that very often are detrimental to the community, particularly medically underserved populations.

And what this bill does is it's -- in some ways you could analogize it to -- to an environmental impact statement. It requires that if you are going to be getting what in our law we call a Certificate of Need, which is what you get if you want to build a hospital, move a hospital, change the size of a hospital, have your hospital merged with another one or be taken over by another one, et cetera, that if you're applying for a Certificate of Need, you have to file a health equity impact statement, which is outlined in the bill, that would assess what the impact of this proposed project will be on the community, particularly the parts of a community that are spelled out in the bill as being essentially medically underserved, at-risk populations. And the bill does not say -- does not set a substantive standard. It doesn't say if you're going to leave the community high and dry or a good part of the community high and dry, you can't do that. It -- what it only says is if you're -- is that whatever you're going to be doing, you have to look at what the consequences will be and put that in writing and make that part of your application, and that the -- the hospital -- the Public Health and Health Planning Council and the Health Commissioner, when they are considering your application they should consider what you have put in your health impact -- health equity impact statement.

ACTING SPEAKER AUBRY: Mr. Byrne.

MR. BYRNE: Thank you, Mr. Speaker. Will the

sponsor yield for some questions?

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

MR. GOTTFRIED: Certainly.

ACTING SPEAKER AUBRY: Mr. Gottfried yields, sir.

MR. BYRNE: Thank you. So you mentioned I think some of the justifications in your explanation for this legislation. And I know you talked about some of the potential projects, mergers, closures, things of that nature, but you also didn't mention construction, and I think that's kind of important because we're not just talking about a hospital -- hospitals or health care facilities that may be moving, but also that may be looking to add and create new facilities and projects. Would you -- would you agree with that?

MR. GOTTFRIED: Well, yes it covers construction, it says that in black and white, but, you know, if you're really building something new, if you're adding a wing, whatever, chances are your health equity assessment will be a very glowing and positive document and you'll be -- you'll be -- you'll be thankful for the opportunity to file that paper. But sometimes construction, while you might think, *Well, you're building something new, what could be wrong*, sometimes that construction can be part of a complex process or sometimes an all too simple process that is actually withdrawing resources from the community. I think, for example, in the area just east of my district, Beth Israel Hospital became part of the Mount

Sinai chain, and Mount Sinai decided that it made sense to withdraw -- to remove a lot of health care services from Beth Israel and move them to the other, you know, what in Manhattan would be regarded as a long distance, two or three communities away and move those services to Mount Sinai's main building on the Upper East Side. And as part of that operation, they are tearing down the old Beth Israel building and building a smaller -- a much smaller Beth Israel building about a block or two away. Now, you can, you know, technically that is a *construction*. What it actually is is part of moving substantial health care resources from the community down near Union Square and moving it way Uptown to where Mount Sinai is up -- way up on the Upper East Side. Now --

MR. BYRNE: Thank you. Chair, I'm not trying to interrupt, I'm looking at the time --

MR. GOTTFRIED: Okay.

MR. BYRNE: -- and I'm going to be done with my 15 minutes before I get to my second question, so thank you. You did answer it, I understand construction can mean multiple things, but you also highlighted obviously the good construction projects that could help increase health care capacity and increase access, which is also already covered through our existing Certificate of Need process; is that -- would you agree with that?

MR. GOTTFRIED: Well, yes and no. Actually, almost everything that went on in the Mount Sinai/Beth Israel business never went through the Public Health and Health Planning

Council because of what, in the environmental world, is called *segmentation*. They divided -- like slicing salami, they divided the project into a whole series of little things, none of which was a big enough thing to require full Public Health and Health Planning Council review, so there never really was a -- a-- a full-blown public analysis of it. You know, it's kind of like how do you boil a frog, you know, you raise the temperature a little bit at a time and before you know it, oh my goodness, the Beth Israel we knew is gone.

MR. BYRNE: But that would -- that project now would, under this bill if it were to become law, would be subject to this health equity assessment.

MR. GOTTFRIED: Yes, it would. It would not change the process that it goes through. It -- it would probably still not go through the full PHHPC review, but the various pieces of it would each -- because that's how Mount Sinai did it, they would each be an application and each application would have to say what its health equity impact was.

MR. BYRNE: Okay. I do want to move on to a couple -- I have a few questions here, Chairman. I noticed that the bill was amended from when we first, I believe, reviewed it in the Health Committee.

MR. GOTTFRIED: Yes.

MR. BYRNE: Can you help explain the justification for the amendment? It seems that there was an exception included?

MR. GOTTFRIED: Yes, yes. What the amendment

does it exempts from the health equity assessment requirement any application by what the law calls a diagnostic and treatment center, would commonly be called a community health center, as long as it does not involve a change in the ownership of that facility. And the reason for that is that these facilities tend to be very small -- oh, and by the way, it says it not only has to be a DTC, but at least half of its patient volume has to be Medicaid. So these are almost always fairly small facilities. The vast majority of them serve very poor people and except when a change in ownership might be involved, like if they're being taken over by one of our, you know, bigger, wealthier hospitals, there is, you know, routinely no real health equity issue involved in this kind of facility.

MR. BYRNE: Okay. And another question I have is regarding the nature and the development of this health equity impact assessment, which is in addition to the CON process. It says in the bill that it *Shall be prepared for the applicant by an independent entity and include the meaningful engagement of public health experts, organizations representing employees of the applicant, stakeholders and community leaders and residents of the applicant service area.* Independent entity. So what is the expectation that the hospital or health care facility is now going to have to contract out with a consultant who is going to engage with all these other folks. Do we have an idea of what that cost --

MR. GOTTFRIED: Yes.

MR. BYRNE: -- will be to those facilities and what

that type of time frame will be?

MR. GOTTFRIED: What we don't want is for the hospital CEO to turn to a member of his or her staff and say, you know, *Bob or Jane, write me a report*, because we know what that will produce. We want them at least to go to an outside entity and yes, I understand, I'm a grown-up, I understand that when you hire a consultant, you almost always get a report that tells you what you want, but at least it would be done by somebody in the business of doing that and have a modicum of separation from your own operation. And, by the way, when you're doing -- if -- if you're ever doing a Certificate of Need, almost all of the paperwork and stuff that you accumulate is routinely done by -- by an outside entity in any event, and the -- the engagement with experts and the community, et cetera, simply means don't just sit in your office and dream this all up, actually talk to some people in the real world. Not an elaborate process, not an expensive process, just have some contact with the real world, which I think we all want if it was our hospital at stake.

MR. BYRNE: Well, regardless if it's done through the traditional CON process or they're doing this through this new assessment, it does -- it is reviewed and received by the Health Commissioner, correct? So I'd have to think, is that another layer of this approval process, correct?

MR. GOTTFRIED: Well, that's --

MR. BYRNE: It's not just being done by, you know, the hospital.

MR. GOTTFRIED: Well, right. The Certificate of Need ultimately gets approved depending on how involved a project it is either by the Council and Commission, or it can directly to the Commissioner. What we are saying here is there has to be presented both on the public record and to the decision-makers an analysis of what this is going to do to the community or perhaps for the community. Not a -- not a big deal in my opinion, but something that's pretty essential and, you know, if you're one of the members of the Assembly who has had this kind of thing happen to a hospital near you, I think you understand the importance of it. And let me tell you, if this hasn't happened to a hospital near you, just wait; it's coming.

MR. BYRNE: Now, I know in the bill you listed out and spelled out some specific criteria that you're looking for to be included in this assessment. Can I ask, would it not just be easier just to include that criteria in the existing law for the Certificate of Need process rather than putting in a new assessment? Was there any thought to doing that? Was it primarily because you wanted this additional independent entity? Would it not make more sense and maybe meet --

MR. GOTTFRIED: Well --

MR. BYRNE: -- some of their goals by putting that criteria in the existing law?

MR. GOTTFRIED: Well, the criteria are put in as something that the Council or the Commissioner have to consider. I mean, it's not a criterion in the sense that if you -- if it turns out you're

reducing services to the poor that that means your project can't be approved, so it's not a criterion in that sense. It is something that has to be spelled out on the record and the Commissioner and the Council have to at least consider it. They have to think about what they're doing. In order for them to think about the consequences, somebody has to present evidence to them as to what those consequences are. You know, the Commissioner doesn't wake up every morning knowing exactly what the consequences would be of reducing, you know, community general hospital in, you know, in a small town in Upstate New York State. You know, the Commissioner, if he's going to know that, needs to have evidence presented. And the impact statement will do that and because it will be made public, people in the community who say, *Wait a minute, that's bunk*, will know what's being said and will have an opportunity to respond.

MR. BYRNE: Thank you, Chair.

MR. GOTTFRIED: You're welcome.

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

ACTING SPEAKER AUBRY: On the bill, Mr.

Byrnes [sic].

MR. BYRNE: I want to thank the former speaker, the sponsor of the bill, for his explanation and taking my questions. I still have some concerns about this bill. You know, living through -- all of us, through this pandemic, there were some terms and phrases that we heard over and over and over again, it was drilled in my mind; one of them was *flatten the curve, flatten the curve*. We also heard a

lot about increasing hospital capacity and health care capacity. This is one of my concerns. We do have a CON, a Certificate of Need process. I don't -- I don't want to do anything that could prolong an already burdensome process when we definitely want to be making sure people can build out and add new hospital capacity. I understand the sponsor's concerns that he expressed about acquisitions and reducing or eliminating certain access to care in areas, but this would also include construction of new facilities and I don't want to be doing anything that could add to that burden.

I also would just make a note from some of the stakeholders that have reached out, the CON application process applies to a broad array of health care facility establishment and construction projects, many of which have only, in connection to health equity, and I do believe that a lot of the concerns that the sponsor has, you know, made note of in support of this bill, I think there's a simpler way to do this. I think we can try to take those criteria and put it in the existing law, putting in another independent entity to do another review process I think adds on more bureaucracy, more red tape and, yes, maybe not a whole lot of cost, but there's going to be a price tag to it, as well. And when we're at a time trying to increase health care capacity, I'm not sure this is the right way. So I will be voting no, but, again, I thank the sponsor for his time in answering my questions. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, Mr. Byrne.

Mr. Goodell.

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

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

MR. GOTTFRIED: Certainly.

MR. GOODELL: Thank you, Mr. Gottfried. I noted that this additional process with an application applied on any construction, was there a threshold on construction in dollar amount that would trigger this additional analysis, or would it apply to first dollar construction?

MR. GOTTFRIED: I believe that in the -- in the regulations and in the statute, there is a threshold as to what amount of work constitutes construction. I mean, if you're, you know, renovating some patient rooms, I don't think that triggers the definition of *construction*. I don't have the precise language or the dollar amount or whatever available at the moment.

MR. GOODELL: I see. But the threshold would be the same as the current Certificate of Need process?

MR. GOTTFRIED: This bill makes no change in what applications require what level of review, no.

MR. GOODELL: This also applies, though, if there's a reduction of a hospital service or a health-related service to the hospital, correct?

MR. GOTTFRIED: If the reduction in service is one

that would today trigger CON review, then it will continue to under this bill. If not, then it would not. This bill does not change at all what the criteria are that trigger what level of CON review, if any.

MR. GOODELL: As you know, the Catholic Health System is very sensitive about abortion, they oppose it for religious reasons. From time to time, the Catholic Health Services will acquire another hospital from an existing provider. Would this be then triggered -- their refusal to provide abortion services be triggered by this type of process?

MR. GOTTFRIED: If one hospital is acquiring another under circumstances that would bring it under CON review and there are some ways of acquiring another that bring it under review and some that don't, then this bill would require that that application recite the implications in terms of access to service for various categories of patient; one of those categories happens to be women. And so I would assume if -- if A was taking over hospital B and planned on eliminating maternity care, that would be discussed in the -- in the -- in the impact statement.

MR. GOODELL: And, likewise, if they were eliminating abortion services?

MR. GOTTFRIED: That is correct.

MR. GOODELL: Okay.

MR. GOTTFRIED: But note, this does not say at all that if you are eliminating one service or all services, that that is grounds for denying, you know, that that's a -- that that makes you

ineligible for your CON, it just says that the Council or the Commissioner shall consider what is in your statement. And I would, I think, you would hope that they would consider all the relevant facts before making a decision.

MR. GOODELL: Thank you very much, Mr. Gottfried.

On the bill, sir.

MR. GOTTFRIED: You're welcome.

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

MR. GOODELL: Thank you. We -- for those of us who have been around for a few years can recall that when the Medicaid system was first set up, I suspect before several of my colleagues were even born, it was on a fee-for-service basis. And so the hospitals would prepare a cost report and they would send it in to the Health Department and as long as their costs were justified, the Health Department would approve the fee for service plan. And that also included reimbursement as part of the Medicaid rate for capital investments.

Well, it didn't take the State long to realize that we had given a blank checkbook, if you will, to the health care providers and we're in the process of having the largest and newest facilities regardless of need anywhere in the nation. And so they put in the Certificate of Need process and it was designed as a checks and balance to the cost-based Medicaid system. Well, we haven't had a

cost-based Medicaid system now in decades; we've switched over first to DRGs and then some modification. And so we pay based on service rather than based on the cost of providing that service; yet, that historic CON process remains in full course and effect, even though there's really not the same justification because if we're not paying based on what you spend, you might question why are we worried about what the hospitals are spending, let's focus on the outcomes and the patient care.

And in that process, there have been a whole category of great people who are experts at analyzing cost reports ad nauseam. And so sometimes the simplest construction projects in a hospital take weeks, months, and sometimes even more than a year to get approval for the CON. And I've had hospital administrators come to me and point out that their private physician groups were able to quickly buy the latest imaging technology or the laboratory equipment or set up a satellite office all done, designed, build, ordered, paid for, constructed before the hospital could get to first base on the CON process.

And so what this bill does is it takes a horrifically cumbersome, slow, burdensome CON process and adds another couple layers to it. I guarantee that no hospital can be nimble, quick, and efficient in responding to the health care needs of -- of our great State. And I have great confidence and now that we've moved away from a cost-based system and we no longer have an open checkbook, we ought to trust the administration in our hospitals to move forward to provide the highest quality of care that they can in a flexible

manner without spending months, if not years, debating over the width of a doorway or the length of a hallway, or any of the myriad of minor details that tie up valuable projects. For that reason, I will join my colleague, Mr. Byrne, in opposing this bill. Thank you.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote on Senate print 1451-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 will be generally opposed to this legislation. Of course, if a Republican legislator supports it, they are encouraged to call the Minority Leader's Office so we can record their vote properly. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Ms. Hyndman.

MS. HYNDMAN: Thank you, Mr. Speaker.

Majority members will generally be in the affirmative on this. If there are any exceptions, I ask Majority members to contact the Majority Leader's Office at the number previously provided and their names will be announced accordingly.

ACTING SPEAKER AUBRY: Thank you.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Ms. Hyndman.

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

ACTING SPEAKER AUBRY: Oh, we do have a few.

On a motion by Mr. Sayegh, page 7, Rules Report No. 177, Bill No. 4629-B, amendments are received and adopted.

On behalf of Member Cymbrowitz, Assembly Bill recalled from the Senate, Bill No. 3807, the Clerk will read the title of the bill.

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

ACTING SPEAKER AUBRY: There is a motion to reconsider the vote by which the bill has 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. Magnarelli for Bill No. 6014, Assembly Bill recalled from the Senate. The Clerk will read the title of the bill.

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

ACTING SPEAKER AUBRY: There is a motion to reconsider the vote by which the bill passed the House.

The Clerk will record the vote.

(The Clerk recorded the vote.)

The Clerk will announce the results.

(The Clerk announced the results.)

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

On behalf of Mrs. Gunther, Bill No. A267, Assembly Bill recalled from the Senate, the Clerk will read the title of the bill.

THE CLERK: An act to amend the Arts and Cultural Affairs Law.

ACTING SPEAKER AUBRY: There is a motion to reconsider the vote by which the bill passed the House.

The Clerk will record the vote.

(The Clerk recorded the vote.)

The Clerk will announce the results.

(The Clerk announced the results.)

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

And we have a -- numerous fine resolutions, we will take them up with one vote, Ms. Hyndman. On the resolutions, all those in favor signify by saying aye; opposed, no. The resolutions are adopted.

(Whereupon, Assembly Resolution Nos. 350-358 were unanimously approved.)

Ms. Hyndman.

MS. HYNDMAN: I now move that the Assembly stand adjourned until 11:30 a.m., Wednesday, June 2nd, tomorrow being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 8:23 p.m., the Assembly stood adjourned until Wednesday, June 2nd at 11:30 a.m., Wednesday being a Session day.)