

**MONDAY, JANUARY 23, 2023**

**4:06 P.M.**

ACTING SPEAKER AUBRY: The House will come to order.

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

(Whereupon, a moment of silence was observed.)

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

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

A quorum being present, the Clerk will read the Journal of Friday, January 20th.

Mrs. Peoples-Stokes.

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

that we dispense with the further reading of the Journal of Friday, January the 20th and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir.

Colleagues and visitors that are in the Chambers I would like to offer another quote of the day. This one comes from Bernice King. She is the daughter of the late great Reverend Dr. Martin Luther King. Her words for us today. *Being truthful about the State of our nation and the world does not equal losing hope. Hope sees truth and still believes in better. That which dismisses or does not seek truth but grins saying "it will be okay," is naive. That's not hope.* Again, Mr. Speaker, these are the words of Bernice King, the daughter of the late Martin Luther King.

Colleagues have on their desk a main Calendar. There are three new bills on it, Mr. Speaker, and we're going to continue to consent from our last week Calendar beginning with Rules Report No. 24. It's on page 5, as well as beginning to consent new bills on page 4. That's a general outline of where we're going, colleagues. Mr. Speaker, if there are introductions and/or housekeeping now would be an appropriate time. Thank you, sir.

ACTING SPEAKER AUBRY: We do have introductions.

Ms. Rozic for the purposes of an introduction.

MS. ROZIC: Thank you, Mr. Speaker, Madam Majority Leader. I have the pleasure today of introducing Evie Hantzopoulos who serves as the Executive Director of the Queens Botanical Garden in the heart of Queens in Flushing. Joining Evie today is Olivia Cothren, the Director of Development. Since its inception during the 1939 World's Fair, the Queens Botanical Garden has been an essential place for New Yorkers who want to enjoy natural beauty in the city and build community. The Queens Botanical Garden is an urban oasis where people, plants, and cultures are celebrated through inspiring gardens, innovated educational programs and real-world applications of environmental stewardship.

Evie is an award-winning educator non-profit leader with extensive experience in organizational leadership, strategic planning, fundraising, and program development. As a Queens resident she is actively involved in community affairs and serves on CB1 in Queens. She co-founded Frontline Foods Queens in March of 2020 which has provided over 60,000 meals from local restaurants to frontline hospital workers, food pantries, and NYCHA residents across Queens. She is also the founding member of Astoria Mutual Aid Network, the Astoria Urban Ecology Alliance, and the 31st Avenue Open Street.

Under her leadership the garden continues to flourish and evolve, construction will soon start on a new Education Center which will have four classrooms, a teaching kitchen, an education solarium, and a green roof, a space for indoor and outdoor

programming scheduled to open in late 2024, I hope you all come and visit. You're all invited to come and visit.

It's my honor today to welcome Evie and Olivia to the People's House and on behalf of the entire Queens delegation I ask that you extend the cordialities of the floor and give her a hearty welcome. Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Rozic, the Speaker, and all the members, particularly those of us from Queens, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. And I've been told by a little bird that tomorrow will be your one year anniversary, so happy that you chose to spend it so close to here in Albany. Hope you will be successful. Thank you so very much, welcome.

(Applause)

Mr. Chang for the purposes of a introduction.

MR. CHANG: Good afternoon Mr. Speaker, thank you very much. Let me remind you Chinese New Year was yesterday and we had a tragedy in Monterey, California. Ten people passed tragically two days ago. I have friends over there and I called them and fortunately they're not affected by that but still we have to be reminded violence is all over around us. I have the pleasure and the honor to introduce five prominent Chinese business community leaders represented in my district. And they spent awful lot of time and effort to promote the welfare of our community. I'd like to introduce five people here, John Chen. He has been serving the Asian

community for years, President of Asian Community Empowerment, American Chinese Business Association and American Chinese Culinary Federation. He's been doing this business for about over 30 years selfishly for over every restaurant in my district. Next one is Ray Huang. He's the President of American New York Chinese Association. He came from Fuzhou, China. That area has been expanding in my area Fuzhou for the past 20 years. He's been dedicated in his community and lived there for over 40 years when there was not that many Chinese community, now there is. And he also served as a New York police -- auxiliary police. Next person is Huabin Lin, is currently President of 72 Steel Group. He's actively involved in community service and won numerous award and served as a consultant for the American business -- Chinese business -- consultant for Hong Kong General Chamber of Commerce of the United States and the Vice-President of Fuqing Townsman Association. Next person is Li Zhu. He born in a very poor area, rural area in China. And he came to this country and he started real estate business and volunteered in his community service since 2003. Not much education but he started and expanded the real estate in our community. He helped registered voters and he's a member of the American New York Chinese Association and he really, really worked very hard for -- for our community. Next and last is Wallace Zhang. He's the President of All-American Chinese Association, been serving the Chinese community for about over 20 years. He focused on rights, policies, and politics of education in our community and that's solely

we needed is -- is a political information and voting rights and he lead that direction. And sir, for the People's House, please recognize and welcome them, sir. Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Chang, the Speaker, and all the members we welcome this distinguished groups of gentlemen here to the New York State Assembly. We extend to you the privileges of the floor. You are always welcome here. We hope that you will enjoy your trip to Albany one in which we have provided as much snow as we've had all year. So I hope you've enjoyed that and I would ask the members to stand in solidarity with the lives lost in California.

(Whereupon, a moment of silence was held.)

Thank you all very much. Thank you all for coming.

(Applause)

Ms. Giglio for the purposes of a introduction.

MS. GIGLIO: Thank you, Mr. Speaker. I am pleased to introduce members of the Suffolk County Police Department, Police Benevolent Association Bob Cappadona, (inaudible) and Christopher Wolf who are here in the Assembly Chamber with us today. We had a very fortunate and exciting event a few weeks ago when we welcomed two of the law enforcement officers from the hospital back home to their families. So law enforcement puts their lives on the line every day to protect us and I want to thank them for protecting law enforcement in Suffolk County. And if you wouldn't mind giving them all the cordialities of the floor

today. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Giglio, the Speaker, and all the members, gentlemen, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Thank you for your service and your bravery. Please continue to keep to our communities safe. Thank you so very much.

(Applause)

We will now go to resolutions on page 3. Assembly No. 46, the Clerk will read.

THE CLERK: Assembly Resolution No. 46, Ms. Rosenthal.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim January 22nd through the 28th, 2023, as Data Privacy Week in the State of New York.

ACTING SPEAKER AUBRY: Ms. Rosenthal on the resolution.

MS. ROSENTHAL: Today I rise to speak on this resolution proclaiming January 22nd through January 28th, 2023, as Data Privacy Week in the State of New York. Data Privacy Week is a global initiative that aims to raise awareness of the ever-increasing use of our personal data and educate consumers on when and how their personal data is collected and learn the steps they can take to protect themselves. Every website that we visit, mobile app we download, or purchase that we make provides more of our personal data to the

companies that we are doing business with. Information about our interests and habits, items we purchase and other characteristics are collected allowing companies to build a digital profile of each of us that can be leverage to make their business more profitable. As the use of technology expands, we are trading away more of our privacy in exchange for convenience and oftentimes we're not even aware that it's happening. Warnings that your data may be sold or shared with third-parties might be hidden somewhere in a long technical privacy agreement or it may not be disclosed at all. The technology that we use each day may even collect biometric information like our fingerprints, voiceprints and other identifiers. Time and time again we've seen this data ending up in the wrong hands and be used for the wrong purposes. In some states it has even been weaponized to make inferences about a woman's healthcare decisions. Data Privacy Week intends to raise awareness about these risks and encourage individuals to carefully review the data they may be sharing and be proactive in determining what info might be shared when signing up for new websites absent services. By declaring this week Data Privacy Week in the State of New York we can begin the dialog and underscore the growing urgency of protecting our personal data. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mr. Vanel on the resolution.

MR. VANDEL: First of all, I'd like to thank the sponsor for entering this resolution. Our data is collected every day. On your computer, on your Smartphone, on pretty much almost every



device that is connected on -- on the internet, which may even include your wristwatch and your car, but you -- but people often sometimes don't even know what that data is being -- the data being collected, shared or sold. The goal of data protection week is to spread awareness about online privacy. We think that data privacy should be a priority for both individuals, organizations and institutions. We have to make sure now that people have to understand that, you know, how they're enlightened about how their data is being used and we have to make sure that organizations also responsibly use the data and that people have the right to manage the data usage. So today is about making sure -- and this week is about making sure that people are aware of data and data protection and that we move forward in the right way. Thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

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

The Clerk will read.

THE CLERK: Assembly Resolution No. 47, Mr. Magnarelli. Legislative Resolution memorializing Governor Kathy Hochul to proclaim January 22nd through the 28th, 2023, as Enrolled Agent Week in the State of New York.

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

THE CLERK: Assembly Resolution No. 48, Ms.

Paulin.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim January 22nd through the 28th, 2023, as Certified Registered Nurse Anesthetist Week in the State of New York.

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

Page 4 [sic], Rules Report No. 24, the Clerk will read.

THE CLERK: Assembly No. A00620, Rules Report No. 24, Bronson. An act to amend the State Finance Law, the General Municipal Law, the Public Authorities Law, and the Highway Law, in relation to awarding a contract for the purchase of rock salt or sodium chloride; and to amend a chapter of the Laws of 2022 amending the State Finance Law, the General Municipal Law, the Public Authorities Law and the Highway Law relating to enacting the New York State Buy American Salt Act, as proposed in legislative bills numbers S. 9441 and A. 7919-A, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: On a motion by Mr. Bronson, 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. First vote of the day, members. Please, if you are in your seats vote now, vote immediately, so that we can proceed.

(The Clerk recorded the vote.)

Mr. Tague to explain his vote.

MR. TAGUE: Thank you, Mr. Speaker, to explain my vote. I just want to take a moment to thank the sponsor of this bill for making the amendments that were needed and asked for prior. This makes much more sense the way it is now and for those reasons I'll be voting in the affirmative.

ACTING SPEAKER AUBRY: Mr. Tague in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00621, Rules Report No. 25, Burdick. An act to amend the State Finance Law, in relation to establishing a threshold for the amount of work needed to be performed by a preferred source which is an approved charitable non-profit-making agency for the blind; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER AUBRY: On a motion by Mr. Burdick, 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.

(The Clerk recorded the vote.)

Mr. Burdick to explain his vote.

MR. BURDICK: Thank you, Mr. Speaker. This bill was passed unanimously by this House and in the Senate as well. And it was a very simple bill that was needed to modernize in a much needed modernization of what's called a preferred source provision of the New York State Finance Law. And the Chapter Amendment also is very simple. It's simply is to clarify to technical correction to clarify that it's also intended to serve people who are visually impaired or blind. So I want to thank the leadership for bringing this last Session to the floor and getting it through and the Governor for having signed it into law. Thank you.

ACTING SPEAKER AUBRY: Thank you, Mr. Burdick.

Members, you're reminded that the vote is on the board. Please cast your ballot.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00622, Rules Report No. 26, O'Donnell. An act to amend the State Finance Law, in relation to the applicability of certain labor law provisions to the construction of certain parking facilities; and to amend a chapter of the Laws of 2022 amending the State Finance Law relating to

requiring the construction of certain parking facilities to be capable of supporting electric vehicle charging stations, as proposed in legislative bills numbers S. 23-B and A. 4386-B, 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.

(The Clerk recorded the vote.)

Mr. Palmesano to explain his vote.

MR. PALMESANO: Yes, Mr. Speaker, and my colleagues to explain my vote. I know on the face of it this looks like a prevailing wage bill for electric vehicle charging stations but it gives me an opportunity to talk about another important issue when it comes to electric vehicles, something I've talked about before and will continue to do so in the future. Yes, this pertains to electric vehicle charging stations, prevailing wage for those individuals who put them in, but as you go down the supply chain of where it starts at for these electric vehicles, the materials and elements you need to produce these batteries are mined -- 70 percent of them are mined in the Democratic Republic of Congo. They're using child labor, some 35- to 40,000 kids are -- are being estimated in the Congo to mine this labor. Kids are dying. They're being maimed in these mining classes. You wonder how much these kids get paid? How about \$1 a day. One dollar a day, their handler gets \$5 a day. They have to go there

because they have to pay \$6 a month to go to school. We can all laugh about this and think this is a big joke, it's not. This is important public policy. You can't ignore this any further. You own this. You're going to have to talk about this and you think this is making an impact in our global emissions, it's not. New York State contributes 0.4 percent, 0.4 percent of the total global emissions. But yet China contributes 29 percent, has a thousand coal plants and building more. There was an article in the paper just recently, they're expanding their capacity by 70 gigawatts of coal on top of 40 last year. We're not making an impact on this. India's 7 percent, Russia's 4 percent. Forget about the cost but there are human rights violations that are going on there. You talk about issues with oil rigs and fracking plants -- well, you know thing? I don't see any child working on oil rigs and on fracking wells. They're working to produce these electric -- these elements for these electric vehicles that you all probably think are such a great thing for our environment, which isn't. It's poisoning wells, it's poisoning streams, it's almost like if you don't see it, you don't care about. As long as kids aren't dying here in the U.S. and they're dying in Africa you're okay with it. As long as wells aren't and water's not being poisoned here in the U.S., it's happening in Africa you're okay with it because it's going to meet our clean energy bills. And our clean energy bills aren't going to make one iota difference. We can get down to zero percent it's not going to matter with China continuing to pollute, with China continuing to use coal, because the CLCPA --

ACTING SPEAKER AUBRY: How do you vote, sir?

MR. PALMESANO: I vote no because I'm going to continue to talk about this.

ACTING SPEAKER AUBRY: Mr. Palmesano in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00623, Rules Report No. 27, Zebrowski. An act to amend the Executive Law, in relation to requirements for in-service training programs for code enforcement personnel.

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

THE CLERK: Assembly No. A00624, Rules Report No. 28, Zebrowski. An act to amend the State Finance Law and the Education Law, in relation to the oversight of certain contracts by the Comptroller.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00625, Rules Report No. 29, Thiele. An act to amend the Executive Law, in relation to exempting hot tubs or spas from certain standards of the New York State Uniform Fire Prevention and Building Code.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(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. A00626-A, Rules Report No. 30, Otis. An act to amend the Executive Law, in relation to flood plain standards of construction.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(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. A00631, Rules Report No. 31, Carroll. An act to amend the Real Property Law, in relation to requiring residential leases to include information on prior flood damage.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00632, Rules Report



No. 32, Dinowitz. An act to amend the Domestic Relations Law, in relation to mandatory training of a forensic evaluator in relation to court ordered forensic evaluations involving child custody and visitation when the child is living out-of-state; to amend the Executive Law, in relation to training in the prevention and intervention of domestic violence required for forensic investigators; and to amend a chapter of the laws of 2022 amending the Domestic Relations Law and the Executive Law, relating to court ordered forensic evaluations involving child custody and visitation, as proposed in legislative bills numbers S. 6385-B and A. 2375-C, relating to the effectiveness thereof.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00966, Rules Report No. 33, McDonald. An act to amend the Real Property Actions and Proceedings Law, in relation to information available for inspection during certain special proceedings by tenants; and to amend a chapter of the Laws of 2022 amending the Real Property Actions and Proceedings Law relating to special proceedings by tenants of dwellings outside the city of New York and certain counties for judgment directing deposit of rents and the use thereof for the purpose of remedying conditions dangerous to life, health or safety, as proposed in legislative bills number S. 6721 and A. 3241, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00968, Rules Report

No. 34, Bichotte Hermelyn. An act to amend the Urban Development Corporation Act, in relation to allowing business to use funds received from the minority and women-owned business development and lending program for the purpose of refinancing existing debt.

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.

(The Clerk recorded the vote.)

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00983, Rules Report No. 35, Magnarelli. An act to amend the Real Property Action and Proceedings Law, the Uniform City Court Act, the Uniform District Court Act, the Uniform Justice Court Act, and the New York City Civil Court Act, in relation to jurisdiction of proceedings under the Tenant Dignity and Safe Housing Act; and to amend a chapter of the laws of 2022 enacting the Tenant Dignity and Safe Housing Act, as proposed in legislative bills numbers S.4594-B and A. 354-B, in relation to the effectiveness thereof.

ACTING SPEAKER ANDERSON: The bill is laid aside.

THE CLERK: Assembly No. A00989, Rules Report No. 36, Peoples-Stokes. An act to amend the Executive Law and the State Finance Law, in relation to minority and women-owned business enterprise fraud and the monies of the minority and women-owned business enterprise fund; to amend a chapter of the Laws of 2022 amending the Executive Law and the State Finance Law relating to minority and women-owned business enterprises post completion certification, duties of the director and creating the minority and women-owned business enterprise fund, as proposed in legislative bills numbers S. 3390-A and A. 9259-A, in relation to the effectiveness thereof; and to repeal certain provisions of the Executive Law relating thereto.

ACTING SPEAKER ANDERSON: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ANDERSON: The Clerk will record the vote.

(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. A00990, Rules Report No. 37, Fahy. An act to amend the State Finance Law, in relation to the purchase or lease of zero emission vehicles and charging or

fueling infrastructure; and repealing certain provisions of the Executive Law relating thereto.

ACTING SPEAKER AUBRY: The bill is laid aside.

We will proceed to page 4, Calendar No. 1.

The Clerk will read.

THE CLERK: Assembly No. A00076, Calendar No. 1, L. Rosenthal, Bronson, Seawright. An act to amend the Public Health Law, in relation to requiring pre-admission notification of policies authorizing the refusal to follow directives in health care proxies that are contrary to a hospital's operating principles.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00117, Calendar No. 2, Paulin, Sillitti, Sayegh. An act to amend the Public Health Law, in relation to adding "embryo" to the definition of "tissue" for purpose of tissue storage.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A1283, Calendar No. 3, Seawright, Lupardo, Solages. Concurrent Resolution of the Senate and Assembly proposing an amendment to Section 11 of Article 1 of the constitution, in relation to equal protection.

ACTING SPEAKER AUBRY: The bill is laid aside.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: To page 5, Rules Report No. 2 by Dinowitz.

ACTING SPEAKER AUBRY: Clerk will read.

THE CLERK: Assembly No. A00612, Rules Report No. 2, Dinowitz. An act relating to the availability of training for state approved education or training programs required for certification of home health aides, personal care aides, and certified nurse aides.

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

An explanation is requested, Mr. Dinowitz.

MR. DINOWITZ: This bill is a Chapter Amendment -- excuse me, to legislation we passed last year, and it makes a few minor changes to the original legislation. It amends Chapter 737 of the laws of last year by mandating DOH to require training, that's in quotes, rather than quote, develop a training program unit, as well as to clarify the titles which must be complete -- which must complete the training. The bill also extends the amount of time which DOH must take to make this training program available from six months to 12 months.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

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

MR. DINOWITZ: Yes.

ACTING SPEAKER AUBRY: Mr. Dinowitz yields, sir.

MR. GOODELL: Thank you, Mr. Dinowitz. Is there any difference in healthcare standards or practices or procedures that would apply based on a person's sexual orientation or gender identity or expression?

MR. DINOWITZ: I don't believe that issue is addressed in the Chapter Amendment. It may have been addressed or not addressed in the underlying bill.

MR. GOODELL: And are you aware of any differences in how health care should be provided?

MR. DINOWITZ: Mr. Goodell, I'm here to debate the bill, not relitigate legislation that we passed last year.

MR. GOODELL: I see. And this Chapter Amendment reduces the number of people that need this training on how to work with patients of diverse sexual orientation and gender identity and expression, correct?

MR. DINOWITZ: Reduces the number of people you said?

MR. GOODELL: Yes.

MR. DINOWITZ: I think it eliminates one -- it eliminates the words -- personal care staff. I believe the Governor asked for it to be eliminated based on it being redundant. It doesn't eliminate anything, though, in terms of number of people as far as I can see.

MR. GOODELL: I see. So it keeps the phrase personal care aide and takes out the phrase personal care staff and it's

your understanding that staff and aides are one in the same.

MR. DINOWITZ: I think collectively if you look at what's included it's the same, yes.

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

MR. DINOWITZ: You're welcome.

MR. GOODELL: On the bill, sir.

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

MR. GOODELL: Thank you very much. To be honest with you, I really don't understand why the quality of care or the standards of care or the medical services that are provided to a patient in a healthcare facility should in any way depend on whether they like men or women or both or neither or don't know. A person's sexual identity, gender identity, gender expression or sexual orientation should have zero impact on their right to receive high-quality care. And I'm concerned that we have legislation which purports to require people who are in the healthcare field to take training that focuses on how to work with people based on diverse sexual orientation and gender identity and expression. Our standards should be very clear and unequivocal and I don't think it needs specialized training. Every single person regardless of who they are, regardless of their wealth, their color, their sexual orientation, their gender, or anything else should be entitled to high-quality care. And we shouldn't need specialized training to say that simple fact and take

away from the training that focuses on that quality of care. For that reason I will continue to oppose this amendment, which as the sponsor acknowledged does nothing substantive to the original bill. 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.

(The Clerk recorded the vote.)

Mrs. Peoples-Stokes people to explain her vote.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker, for the opportunity to explain my vote. I actually rise to commend my colleague. I -- I do hear the words of my colleague on the other side of the aisle and honestly I respect him, but I know the reality of the life that we live right now in New York and right now in America. And even though people have chosen or are of a different race or whatever, there are some other people who have been trying not to like that. And even though they have the job they still have to do it. And so sometimes you do need to have extra training and/or sensitivity to work with the people who need the service. If in fact, Mr. Speaker, if that was not a problem there wouldn't be such disparities in health care. Clearly. And so I think the -- the sponsor of this legislation is on the right track with this. I commend him for it and I'm grateful I have the opportunity to support it.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes



in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if we can now go to -- stay on page 5 and go right to Rules Report No. 10 by Ms. Paulin.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly No. A00979, Rules Report No. 10, Paulin. An act to amend the Not-for-Profit Corporation Law and the Public Health Law, in relation to clarifying provisions related to the creation, operation, and duties of natural organic reduction facilities as cemetery cooperations; and to amend a chapter of the laws of 2022 amending the Not-for-Profit Corporation Law, relating to the creation, operation, and duties of natural organic reduction facilities as cemetery corporations, as proposed in legislative bills numbers S. 5535 and A. 382, in relation to the effectiveness thereof.

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

MS. PAULIN: (Inaudible/mic off) -- the original bill -- chapter which is now chapter which is Chapter 817 of 2022. And to provide some technical amendments to -- to align Public Health Law with the -- the laws that we had amended previously.

ACTING SPEAKER AUBRY: Mr. Lemondes.

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

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

MS. PAULIN: I would be happy to.

ACTING SPEAKER AUBRY: The sponsor yields, sir.

MR. LEMONDES: Thank you. In our debate last time we covered a lot of ground on this. I'd like to ask a few more questions with this version of this bill. Are there any controls in place for the prevention of human remains being used as fertilizer?

MS. PAULIN: You're saying -- you're asking if it can be used for human fertilizer?

MR. LEMONDES: I'm saying are there controls to prevent it from being used.

MS. PAULIN: I see. Not -- not clearly written in the bill. If someone decided that they wanted to use natural organic reduction, then they would be given the remains and they could use it for fertilizer in any way they want.

MR. LEMONDES: Thank you for answering that. And would -- would you be able to comment on the impact of the funeral home industry and processing of remains as we typically have done so?

MS. PAULIN: I guess I'm a little confused by the question.

MR. LEMONDES: So would this -- would this bill impact the funeral home industry with respect to how human remains are typically buried?

MS. PAULIN: It doesn't impact the -- the funeral homes. They're not permitted under this bill to do this. It would allow for cemeteries to -- to have a facility where a person they had someone they love die and they wanted to use this process, a third process natural organic reduction. So it would allow cemeteries to set this up.

MR. LEMONDES: Thank you for answering that. In addition, as we discussed previously, could you -- could you comment on the impact of the departure from the norm with respect to the two ways most faiths have handled the remains of their loved ones for the last several thousands years? And I would -- those are either cremation or burial.

MS. PAULIN: Sure. So as you point out, you know, there are two types of ways to deal with human remains currently in the law, now this third one. The two original ways you could bury someone, as everyone is familiar with, and to do that, typically someone is preserved with formaldehyde which then goes underground and pollutes the Earth. The -- and also takes up a lot of room, coffin. And the other way, cremation you essentially use heat to burn the body which then results in ashes and that allows for a lot of carbons in the air. This third mechanism that we are -- have already signed into law that we're clarifying, as I said, would do

something that is much more environmentally-friendly and it's similar to both in a way. So instead of burying the human remains and covering it with formaldehyde you would put it in a cavern of sorts above ground, cover it with natural alfalfa and other types of ways in an environmentally-friendly way to have the body disintegrate within four to six weeks. It then turns into ashes or not ashes but it turns into a compost which is similar to the cremation, smaller version of the human remains. And like cremation we give the remains to the family and/or similar to burial you could bury the remains in the cemetery. So it's in between but it's much more environmentally-friendly. It doesn't produce carbons, it doesn't pollute the Earth and it -- and it provides a mechanism for dealing with the human remains that allows the family to -- to preserve it in a -- in a way that they either -- that they feel comfortable, and it's certainly a may. It's not a must but allows that option.

MR. LEMONDES: Thank you. So if I understand you correctly, this -- this bill would not attempt in any way, shape or form to displace human burial as is practiced by most of the major religions.

MS. PAULIN: No, not at all. I think it's going to become the -- the wave of the future but time will tell. But certainly it doesn't require anyone to do anything differently than they do it now.

MR. LEMONDES: Thank you very much for answering my questions.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. LEMONDES: Thank you. As an Orthodox Christian I can't condone this method. I -- I oppose it on religious grounds and urge all my colleagues to do the same. Also, it's unclear to me to the -- to the departure from the norm as to why we would implement this in New York State. Thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

Ms. Walsh.

MS. WALSH: Thank you, Mr. Speaker. Would the sponsor yield for a quick question?

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

MS. PAULIN: I'd be happy to.

ACTING SPEAKER AUBRY: Sponsor yields.

MS. WALSH: Thank you. So somebody came over to me a few -- a couple months ago and asked me a question I didn't know the answer to about this bill so I'm asking it here. Are there any -- are there any bodies that would not be eligible to be able to utilize this process? For example, the person mentioned to me what about if somebody had gone through rounds and rounds of chemo, for example. Would that -- because you mentioned before that it does not -- this process does not pollute the Earth in any way. Would that body still be eligible to -- to have -- to have this choice?

MS. PAULIN: I'm not an expert, but my understanding is that -- that there are some things that are, you know,

physically on the body, for example, that might -- that may not decompose that may have to be removed prior to that procedure. But that if the body was -- if it was chemo or something else I don't see how that would be a problem.

MS. WALSH: All right. Thank you very much.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Lavine to explain his vote.

MR. LAVINE: Thank you, Mr. Speaker. I've listened to both sides with respect to this bill and I'm going to be voting in the affirmative and I want to thank the sponsor for a lively debate.

ACTING SPEAKER AUBRY: Mr. Lavine in the affirmative.

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, Mr. Speaker. As acknowledged by my colleague there's considerable opposition to this bill last year primarily from the Christian community, the Catholics, the Funeral Directors Association, which probably explains why there were 52 no votes last year. I voted no last year and I'll continue to vote this year against this bill. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you, Mr.

Goodell in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: We have neither resolutions nor housekeeping, Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Okay. I now move that the Assembly stand adjourned until 12:00 noon, Tuesday, January the 24th, tomorrow being a Session day, sir.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 5:22 p.m., the Assembly stood adjourned until Tuesday, January 24th at 12:00 p.m., Tuesday being a Session day.)