

MONDAY, FEBRUARY 27, 2023

2:36 P.M.

ACTING SPEAKER AUBRY: The House will come to order.

Reverend Duncan A. Burns will offer a prayer.

REVEREND DUNCAN A. BURNS: Let us pray. Gracious Creator, we give You thanks for the Legislature. We give You thanks for the staff. We ask You this day to send Your blessing upon them. Lord, open our ears this Black History Month to the sins of the past. Lord, we ask You especially this day to keep their families safe, protect them, give them strength. Let them be a blessing to their constituents. Bless them with Your mercy and Your grace. Amen.

MEMBERS: Amen.

ACTING SPEAKER AUBRY: Visitors are invited

to join the members in the Pledge of Allegiance.

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

A quorum being present, the Clerk will read the Journal of Friday, February 24th.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move to dispense with the further reading of the Journal of Friday, March -- January the -- February the 24th and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. Colleagues and guests that are in the Chambers, I would like to share a quote with you today. This one comes from Audra Lorde. Ms. Lorde was an American writer, womanist, feminist and a professor, and a Civil Rights activist. Her words for us today: *We must recognize and nurture the creative parts of each other without always understanding what will be created.* Again, Mr. Speaker, these words are from Audra Lorde.

Mr. Speaker, colleagues have on their desk a main Calendar. It has nine new bills in it, and after any introductions or housekeeping we will be calling for the Agriculture Committee to meet in the Speaker's Conference Room. Our principal work for today is as follows: We're going to take up resolutions on page 3,

upon which some of our colleagues would like to make comments. We will then consent new bills beginning with Calendar No. 9 through 17 on page 4. We will then take up Rules Report No. 66 by Ms. Cruz on page 6; that will be on debate, Mr. Speaker. As we proceed, there may be a need to make further announcements regarding legislative floor activity, but I also want to make members aware, particularly Majority members, that there is going to be a need for a conference immediately following our work on the floor. And, as always, we will consult with our colleagues on the other side of the aisle to determine what their needs may be.

That's a general outline of where we're going today, Mr. Speaker. If you have any introductions and/or housekeeping, now would be a good time. Thank you, sir.

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

No housekeepings, but we do have a introduction by Mr. Stern.

MR. STERN: Thank you, Mr. Speaker. This is a very special opportunity, a personal privilege for me to introduce to all of my colleagues today the most Honorable Reverend Duncan Burns, who just gave our invocation. The Reverend Duncan A. Burns has served as Rector of St. John's Episcopal Church in Huntington on Long Island. St. John's celebrated its 275th anniversary. That was in 2020, and due to the impact of the pandemic our community was not able to celebrate that great, momentous occasion, but we take that

opportunity today. And for my colleagues, later on there will be a resolution for your consideration; I ask for everybody's support as we congratulate St. John's on such a wonderful anniversary and a great milestone. Two-hundred-and-seventy-five years means that St. John's predates the American Revolution and continues to serve as a beacon of community, faith and hope to this day. It is a vibrant and growing congregation with youth programs, cultural events, a renowned nursery school, excellent religious education, and an outstanding choir.

Reverend Burns currently serves as a member of the Directors of Episcopal Ministries of Long Island, and has been elected to the Board of Convention in 2016 and 2019. He also serves on the Board of Rural Migrant Ministries on Long Island. Reverend Duncan was ordained on January 17th, 2004 by the Archbishop Desmond Tutu, and he's a proud citizen of the Muskogee Creek Nation. Reverend Burns and his entire congregation bring great pride to our entire Huntington and Long Island community. He is joined today, Mr. Speaker, by his wife, Barbara. Together, they have three children. And I would ask that you welcome Reverend Burns and provide to him all of the cordialities of our House and the privileges of the floor.

Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf Mr. Stern, the Speaker and all the members, we welcome you here, Reverend Burns and your wife, Barbara, to the New York State Assembly. We extend to you the privileges of the floor. Thank you

for coming and sharing those words with us this morning. Have a safe trip home. Thank you.

(Applause)

Mr. Pirozzolo.

MR. PIROZZOLO: Thank you, Mr. Speaker. Please allow me to introduce three outstanding members of the Albanian community from Staten Island. Next to me is my good friend Naser Nika. Mr. Nika is the founder of the Albus Party, which is an organization dedicated to Albanian cultural events. And with Mr. Nika, joining him is Xhemo Lanica. Mr. Lanica is the President of the American-Albanian Association of Staten Island. And joining Mr. Lanica -- Lanica is another member of the American-Albanian Association of America, Mr. Arb Shabani.

Mr. Speaker, not only are these men outstanding members of the Albanian community, they are also great Staten Islanders and friends to all. Mr. Speaker, I please ask you to extend the cordialities of the House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Pirozzolo, 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 the work that you do taking care of the Albanian community in your various places of abode. We hope that you know you are always welcome here and always will have a friend in the New York State Assembly. Thank you so very much.

(Applause)

Mrs. Peoples-Stokes for the purposes of a
announcement.

MRS. PEOPLES-STOKES: Mr. Speaker, if you
could please call the Agriculture Committee to the Speaker's
Conference Room.

ACTING SPEAKER AUBRY: Agriculture
Committee, Speaker's Conference Room immediately, please.

On page 3, resolutions. Assembly print No. 124, the
Clerk will read.

THE CLERK: Assembly Resolution No. 124, Mr.
McDonald.

Legislative Resolution memorializing Governor
Kathy Hochul to proclaim February 28, 2023 as Rare Disease Day in
the State of New York.

ACTING SPEAKER AUBRY: Mr. McDonald on
the resolution.

MR. MCDONALD: Thank you, Mr. Speaker. I rise
to speak on our Rare Disease Day Resolution, which is tomorrow, the
28th. As we know with each of these diseases and disorders, they may
affect a small number of people, but in reality, they impact 30 million
Americans, or 1 of 10 people throughout our country. Rare Disease
Awareness Day is a campaign to educate the public and decision-
makers, like ourselves, about these rare diseases and the impact they
have on individuals in our communities and their families. Case in
point, progress is being made. Gene cell therapy is on the cusp of

providing a treatment for Sickle Cell Disease, which is a very important disease that this group here supports. The cost of this gene cell treatment approaches \$3.5 million which creates a quandary. Success in finding a treatment, but difficulty to make sure that individuals can afford it. Fortunately, because of advocacy of many people in this House and across this country, we are working on models to have pharmaceutical manufacturers be involved with value-based payments, something the President and Congress both announced last week.

So I'd like to ask my colleagues to support all of us in this resolution as we recognize those individuals and families with Rare Disease Day. Thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

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

THE CLERK: Assembly Resolution No. 125, Mr. Santabarbara.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim February 19-25, 2023 as Engineers 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. 126, Ms. Septimo.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim February 2023 as Dominican Heritage Month in the State of New York, in conjunction with the commemoration of the 179th anniversary of Dominican Independence.

ACTING SPEAKER AUBRY: Ms. Septimo on the resolution.

MS. SEPTIMO: Thank you. Today, the Dominican Republic celebrates 179 years of independence, and here in New York we have close to one million Dominicans that call New York home. I rise today to acknowledge the strength and the resilience of the Dominican community that continues to distinguish itself in healthcare, in education, in business and in so many other industries as well. Today, we are pausing to celebrate the labor of love that led to the independence of the Dominican Republic, and acknowledging the rich history of our community. But today as we celebrate 179 years of freedom and independence, I am most excited about the future of the Dominican Republic and Dominicans here in New York.

Thank you.

(Applause)

ACTING SPEAKER AUBRY: Thank you.

Ms. Tapia on the resolution.

MS. TAPIA: Thank you, Mr. Speaker. Mr. Speaker, yes, today we're celebrating 179 anniversary of our island was named the Dominican Republic, free -- free and independent of foreign -- of

foreign countries thanks to our founders Duarte, Sánchez and Mella. Today, we celebrate with all our brothers and sisters this great day filled with pride.

With more than two million Dominicans in the U.S. and more than one million in the State of New York, with a major concentration in the Bronx, Dominicans have greatly contributed to the fabric of the City of New York and have become a force to be reckoned with. When Dominican civic groups began to form in the 1960s, during the 1980s, church organizations and social welfare groups sprang up -- up to meet the needs of this growing community. Many Dominican voluntary associations, cultural clubs and community-based organizations emerged during this decade, most notably in the Washington Heights Inwood neighborhoods in New York City.

After years of organizing and surviving, in 1991 Dominicans began to acquire a visible political presence in New York City, politics -- in New York City politics with the election of Guillermo Linares to the City Council. During the 1990s and up to 2010, our visibility increased as more Dominican-Americans were elected to seats in the City Council, the New York State Assembly and the New York State Senate. And in 2016 we elected our first representative to the Congress of the United States, Adriano Espaillat. The State of Maryland, Pennsylvania and Massachusetts have also seen Dominicans elected to many political positions, and there have been Dominican city mayors in the State of Rhode Island and New

Jersey.

In New York City and every place we live, we Dominicans are widely represented amongst businessowners. In Washington Heights, Inwood and the Bronx, the stores owned or operated by Dominicans stand out as one of the most significant economic phenomena in the area. They represent an economic engine for the City of New York and the Dominican Republic, with thousands of bodegas, supermarkets, beauty salons, barber shops, taxi bases, restaurants, day cares, street vendors, among others, contributing billions of dollars annually to the U.S. and D.R.

We eat mango, rice and beans, and sancocho. We are loud, dance merengue and bachata. More that 2,000 -- hundred of our children attend the public schools system, and ten percent of the enrolling in higher education are Dominicans, so our future is bright. We are good, passionate people with creativity that work hard and like progress. We have planted our feet in this country knowing that we believe in the American Dream, and are getting through it, the daily -- through the daily struggles and being an example is a testament of who we are as a community.

Now, I'm going to say something in Spanish:

(Speaking Spanish).

ACTING SPEAKER AUBRY: Thank you.

(Applause)

Mr. De Los Santos on the resolution.

MR. DE LOS SANTOS: Thank you, Mr. Speaker,

for the opportunity to speak on our Dominican Independence. Today, it is a proud day for the Dominican Diaspora throughout New York State, many of whom live in my district, Washington Heights, Inwood and Marble Hill. For those who were born in the beautiful, independent nation like I did, we continue to be proud, we continue to uplift our communities, our flags.

(Speaking Spanish). Thank you.

(Applause)

ACTING SPEAKER AUBRY: Thank you.

Mr. Burgos on the resolution.

MR. BURGOS: Thank you, Mr. Speaker. I just want to congratulate the Dominican Republic and all Dominicans throughout the State of New York on 179 years of independence. You know, as a representative of the Bronx, we all know there are -- there's quite a few Dominicans in the Bronx, probably more than the Island itself at this point, and we are so proud of the work that they've done. They truly are the embodiment of the American Dream when they come to our State, and they are some of the most hard-working people that I've ever encountered, you know, from fashion, to music, to small business, to healthcare, to government, they truly embody what it means to work hard to be a -- you know, to be an American citizen, to be a New Yorker, and to be a neighbor.

So I congratulate them, I wish them many, many more years of prosperity, and congratulations on their independence.

(Applause)

ACTING SPEAKER AUBRY: Ms. Rajkumar.

MS. RAJKUMAR: Thank you, Mr. Speaker.

(Speaking Spanish). I am proud to rise in support of this resolution whereby New York State recognizes Dominican Heritage Month. To over two million Dominicans across the United States, we celebrate your contributions to our State and nation today. Everyone knows about the Dominicans in Washington Heights and the Bronx, but I'd like to tell you about the Dominicans in my district of South Queens. In Woodhaven, Dominican businesses line Jamaica Avenue, like Margarita's Hair Salon and the famous Pops, bringing the life and vibrancy to South Queens. Dominican youth in South Queens talk to me regularly about their dreams for the future. I can see their faces now telling me about how excited they are to get a degree at CUNY and to be lawyers, doctors, or other professionals while their parents and grandparents look on proudly. For this aspirational immigrant community, the sky is the limit.

I am proud to say I am the first representative of my district to host a Dominican independence celebration in South Queens, complete with Dominican food and bachata dancing. Someone came to my celebration and said, *I had no idea the Dominicans and Indians were so close*. Indeed, we are. As the daughter of immigrants from India, I treasure the hard work and the industry of the Dominican-American community, the same values that my family came with when they came to American shores. Dominicans make our City run. They're on the front lines as first

responders. Dominican healthcare workers, like Dr. Miguelina Germán, were heroes during the COVID-19 pandemic, making and distributing 1,400 kits of baby supplies for low-income mothers. And as we all know, Dominican NYPD Officers Wilbert Mora and Justin [sic] Rivera, killed tragically in the line of duty, are heroes of New York City and the finest examples of first responders that our City has. There are 7,200 Dominican-owned bodegas in New York City, many in my district. The Dominican Republic is the number one country of origin for TLC licensed drivers and for internationally-born American Major League Baseball players.

Today here in the State Legislature, we have a Dominican Caucus that has grown exponentially in the past two years, fueled with dynamic new members of the State Assembly. I am proud to join the sponsor of the legislation -- of the resolution, and the growing Dominican Caucus of the State Assembly to recognize, celebrate and say to the Dominican community of New York that we see you and we are proud to represent you. (Speaking Spanish).

Thank you.

(Applause)

ACTING SPEAKER AUBRY: Thank you.

Ms. Reyes on the resolution.

MS. REYES: Thank you, Mr. Speaker. I want to commend my colleagues and all the members of the Dominican Delegation for joining us today in celebrating the 179th anniversary of our independence. I am a Dominican-born woman who is so

incredibly proud of my roots and the sacrifices that not just my family, but countless families of Dominican descent have made to call New York State their home and have added to the fabric of what New York State is, whether it be opening businesses or being essential workers, or just contributing exponentially to what New York is. And If you are a resident of the Bronx, the county that I represent, you know that you can hear our tongue in every corner of the Bronx because the Bronx is now the largest concentration of Dominicans in New York State.

So I am so incredibly proud to be not just a Dominicana, but to be honoring today our independence. (Speaking Spanish). Thank you.

(Applause)

ACTING SPEAKER AUBRY: Thank you.

Mr. Ramos on the resolution.

MR. RAMOS: Mr. Speaker, I rise to speak on this resolution that memorializes the month of February as Dominican Heritage Month. I would like to first congratulate all my colleagues here. This year is especially a proud year to see so many of my Dominican colleagues here joining us, something that was absent many years ago. And I stand proudly to watch your work and see the things that are done. And this is part of what it means to integrate this Assembly, the fact that we are recognizing this proud heritage, this beautiful country and the fact that they are part -- an integral part of our society here. They are part of our society, they are part of our

schools, they are elected officials. They're even part of my family. Everyone knows -- many people know my loving wife, Angela, from San José de las Matas, Dominican.

(Applause)

And I -- I am Puerto Rican, and in Spanish we have a saying (speaking Spanish), and that means that Puerto Rico and Dominican Republic are two wings of the same bird. I can't think of many countries -- any two countries that are more alike than the Dominican Republic and Puerto Rico in culture, in food, you know, our values, and this is why when we celebrate this, this is celebrating all -- all our heritages here because they are -- they have become active and they have been now, as we see, we see laws and things passed that attend to their community. I stand united with my colleagues in celebrating this. I have been to every corner of the Dominican Republic from -- from Monte Cristi, to Punta Cana, to Las Terrenas, to every part of that country, and I proudly say that I wasn't born in the Dominican Republic, but Santo Domingo was born in me.

May God bless you all.

(Applause)

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. 127, Mr. Tague.

Legislative Resolution memorializing Governor

Kathy Hochul to proclaim February 2023 as Career and Technical Education Month in the State of New York.

ACTING SPEAKER AUBRY: Mr. Tague on the resolution.

MR. TAGUE: On the resolution, Mr. Speaker. As a former BOCES student and someone who has always appreciated a hands-on approach to learning, it is my honor to join you all in declaring February as Career and Technical Education Month here in New York State. Vocational learning opportunities present a whole new world to countless students in our educational system, with many of them finding a passion for learning outside of the traditional classroom, setting others struggling to succeed in a traditionally academic sense. Perhaps most importantly, career and technological education provides young people with a direct on-ramp to lucrative professions right out of high school, while also giving them a jump start on degrees and certifications should they pursue further education or training.

It must be said, as well, that vocational training has come to represent not just traditional trades, but the industries of the future as well. Through programs such as our BOCES, young people now have a chance to learn about coding, robotics, networking and other cutting-edge fields by working hands-on to learn about the tools and techniques that these jobs require. Career and technical education is the future, and the vocational opportunities we are able to offer to students must be sustained and expanded if we hope to equip our

young people with marketable skills that they'll need to keep -- compete in tomorrow's economy. I hope each and every one of you will join me this year and in the years to come in working to provide as many hands-on learning opportunities as possible to New Yorkers from all walks of life so that our children have the greatest opportunity we can give them to find their calling and develop a love for learning, whether in or out of our classrooms.

Thank you all, and please join me in supporting this fine resolution. Thank you, Mr. Speaker.

(Applause)

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

For -- Ms. Paulin for the purposes of an introduction.

MS. PAULIN: Thank you, Mr. Speaker. I am very proud to welcome back to our Chamber a former colleague in this House, and also a former Senator, our County Executive George Latimer. And with him is our Deputy County Executive Ken Jenkins, and Steve Bass -- sorry Steve, don't know your title by heart -- Director of Intergovernmental Relations. So, welcome.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Paulin, the Speaker and all the members, George, welcome back. A member, always a member so you always have the privileges of the floor. To your colleagues in government in Westchester County, we welcome you here and extend the privileges of the floor

here to you also. Hope that your time in Albany will be beneficial for the entire county. Thank you so very much.

(Applause)

Page 4, Calendar No. 9, the Clerk will read.

THE CLERK: Assembly No. A01118, Calendar No. 9, Vanel. An act to amend the Racing, Pari-mutuel Wagering and Breeding Law, in relation to requiring all advertisements for gambling and sports betting to include warnings about potential harmful and addictive effects of gambling and to requiring the State Gaming Commission to cooperate with the Commissioner of Addiction Services and Supports to ensure that all advertisements for gaming activity state a problem gambling hotline number.

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.

(The Clerk recorded the vote.)

First vote of the day, members. If you are in your seats, please vote now.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A01287, Calendar No. 10, Paulin, McDonough. An act to amend the General Business Law,

in relation to prohibiting the sale of infant loungers and restricting the use of such infant loungers in certain settings.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01880, Calendar No. 11, Dinowitz, Joyner, L. Rosenthal, Steck, Walker, Weprin, Vanel. An act to amend the Criminal Procedure Law, in relation to establishing the New York Electronic Communications Privacy Act (NYECPA).

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02192-A, Calendar No. 12, L. Rosenthal. An act to amend the Real Property Law and the General Business Law, in relation to prohibiting landlords from reporting a late rent payment to a consumer reporting agency.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02794, Calendar No. 13, Paulin, Seawright, Bichotte Hermelyn, Sayegh, Simon. An act to amend the Public Health Law, in relation to requiring the Department of Health to develop and maternal healthcare providers to distribute written information about episiotomy to maternity patients.

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.

(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. A02902, Calendar No. 14, Cunningham. An act to amend the Alcoholic Beverage Control Law, in relation to the utilization of a pressurized mixing and dispensing system.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(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. A03177, Calendar No. 15, O'Donnell. An act to amend the Criminal Procedure Law, in relation to grand jury proceedings.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03596, Calendar No. 16, Paulin, Dinowitz, Seawright, Dickens, Gunther, Jackson, Simon, Steck, Zinerman, McDonough, Sillitti, Septimo. An act to amend the Penal Law and the Civil Rights Law, in relation to unlawful dissemination or publication of intimate images created by digitization

and of sexually-explicit depictions of an individual; and to repeal certain provisions of the Penal Law relating thereto.

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.

(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. A03769, Calendar No. 17, Pheffer Amato, Colton. An act to amend the Civil Service Law, in relation to the appointment and promotion of supervisors of the fire alarm dispatch service.

ACTING SPEAKER AUBRY: The bill is laid aside.

Page 6, Rules Report No. 66, the Clerk will read.

THE CLERK: Senate No. S01336, Rules Report No. 66, Senator Hoylman-Sigal (A01708, Cruz). An act to amend a chapter of the Laws of 2022 enacting the Lorena Borjas Transgender and Gender Non-Binary (TGNB) Wellness and Equity Fund Act, as proposed in legislative bills numbers S.8884-A and A.9418-A, the Public Health Law and the State Finance Law, in relation to making technical corrections thereto.

ACTING SPEAKER AUBRY: An explanation has

been requested. One minute, Ms. Cruz. We need a little quiet. Members on the side, please take your conversations out of the Chamber or return to your seats. We are on debate.

(Pause)

Gentlemen over there, I didn't mean next week, I mean now.

Proceed, Ms. Cruz.

MS. CRUZ: Thank you, Mr. Speaker. This bill amends Chapter 232 of 2022 to make technical changes to the Lorena Borjas Transgender and Gender Non-binary Wellness and Equity Program. The bill's only change alters the term "transgender" and "gender non-binary" to "transgender" and "gender nonconforming, non-binary and intersex individuals" to recognize the full scope of the gender expansive community, ensuring that all genders -- that all gender identities are acknowledged by the TGNB Wellness and Equity Program.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

MS. CRUZ: Sure thing.

ACTING SPEAKER AUBRY: Ms. Cruz -- Ms. Cruz yields, sir.

MR. GOODELL: Thank you, Ms. Cruz. Looking at the first page of your bill on -- starting on line 16 through 19, it defines gender expansive as meaning transgender, gender non-binary

--

MS. CRUZ: I'm sorry, can you speak a little louder?

MR. GOODELL: Certainly.

MS. CRUZ: It's the noise in the back; sorry.

MR. GOODELL: The original bill that we're amending defined gender expansive on page 1, line 16 to mean transgender, gender non-binary, gender nonconforming or intersex, and I see that language under the chapter amendment is eliminated. How is the new language narrower or broader than the original?

MS. CRUZ: It's broader. As I read before, it now reads transgender, gender nonconforming, non-binary and intersex individuals.

MR. GOODELL: Well, the original definition of gender expansive included transgender, gender non-binary, nonconforming or intersexual, right?

MS. CRUZ: I'm sorry, could you -- it's a lot of noise around you, sorry.

MR. GOODELL: The original definition of gender expansive included transgender, gender non-binary, nonconforming or intersexual. So that was the original definition. What have we added?

MS. CRUZ: I think it's the sections that we added it to, Mr. Goodell, to make sure that it's as expansive throughout the bill as possible.

MR. GOODELL: Okay. Now, the bill provides for a special program targeting and aimed at helping individuals who are

transgender, gender nonconforming, non-binary and intersexual on a number of different issues, right? For example, cultural competence, employment, job training, leadership, homelessness, social services and supportive housing. We already have, of course, multi-billion-dollar programs in each of those areas. Are any of our existing programs discriminatory toward those who are transgender, gender nonconforming, intersexual individuals?

MS. CRUZ: They're not, but the way in which they've been administered have routinely left these segments of our community at the bottom of the pole, if you will, in -- in getting the funds to be able to support these members of our community. And what the bill is going to do is it's going to make sure that we're attracting them to the services that we're targeting directing to the TGNB community.

MR. GOODELL: Is a component of this legislation intended to increase outreach to that group, outreach for existing programs?

MS. CRUZ: Yes.

MR. GOODELL: Now, I note that this entire program is under the Public Health Law, and normally we don't put housing, leadership, job employment, supportive housing, those issues, as a health issue. Why is it in the Health Law as opposed to, say, the Executive Law or some other section of law that normally deals with things that are not health-related?

MS. CRUZ: So I'm going to answer it briefly

because that question has nothing to do with the amendment that we're looking at right now. But I would argue that housing and employment and all of those other issues actually do impact someone's health, and that is why all of the funds are flowing through the Department of Health and into the AIDS Institute.

MR. GOODELL: Now, I note that the original bill required this program to be run through the AIDS Institute, and I wasn't aware that the AIDS Institute had any expertise, to be honest with you, in dealing with issues other than AIDS. Health issues certainly was their focus dealing with health AIDS. Certainly, I would have been surprised if the AIDS Institute had experience in supportive housing, job training, leadership, cultural competency and all those other things. This bill -- this chapter amendment doesn't change that. Why are we staying with this amendment with the AIDS Institute on an area that doesn't seem to really fit their core mission?

MS. CRUZ: I invite you to meet folks with -- from the AIDS Institute. I'm -- I suspect that you're wrong in your assessment that that's their only expertise. As a matter of fact, they are probably the program best suited to identify community organizations that serve the TGNB community in these specific areas.

MR. GOODELL: Well, certainly over the last two decades, the stigma that was attached to AIDS has dramatically reduced and I'm thankful for that, and of course the treatment is dramatically improved. But by placing these programs in the AIDS Institute and not changing it with this chapter amendment, don't we

run the risk that people who are intersexual, non-binary, transgender but not at risk of AIDS will be impeded or discouraged or reluctant to take advantage of these services?

MS. CRUZ: The term is intersex and, Mr. Goodell, that question has nothing to do with the amendment that we're looking at.

MR. GOODELL: So in considering the bill and the amendments to the bill, was there a consideration of amending the operation of the AIDS Institute to address the concern that running it through the AIDS Institute might actually be an impediment to the effectiveness of those who are not at risk of AIDS but would otherwise qualify? Was that a consideration in evaluating what sections to amend or not amend?

MS. CRUZ: It was not. We believe that it is one of the organizations best suited to help us identify community -- hyper-local organizations that can provide these services.

MR. GOODELL: Now, the proposed chapter amendment would have all these services apply to those who are transgender, nonconforming, non-binary and intersexual. There's no provisions in the chapter amendment for how those individuals would be identified or qualified. Is it safe to say because it's not included in the chapter amendment that you envision that these would be self-identifying individuals?

MS. CRUZ: That's correct. Many of these community organizations already providing these services, but they're

not doing it to the best of their capacity because of lack of specialized funding the way that this bill would do it.

MR. GOODELL: Thank you very much. I appreciate those comments.

MS. CRUZ: Thank you.

MR. GOODELL: Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Cruz to explain her vote.

MS. CRUZ: Thank you, Mr. Speaker. It's a little bit unusual, but on behalf of Jessica González-Rojas and I, who were very good friends with the late Lorena Borjas, we just want to say thank you to our colleagues for helping us honor her and her legacy of fighting for the transgender community. Once again, we hope to be able to continue to fund this amazing project and to be able to honor her and fight for our TGNB community. Thank you.

ACTING SPEAKER AUBRY: Ms. Cruz and Ms. González-Rojas in the affirmative with a smile. Thank you very much.

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, would you please call on Mr. Jacobson for the purposes of an announcement?

ACTING SPEAKER AUBRY: Mr. Jacobson for the purposes of an announcement.

MR. JACOBSON: Yes, Mr. Speaker. I know many of my colleagues in the Majority have been wondering whether we get a chance to have conference again, and we will. Immediately following this Session we'll have conference in Hearing Room C.

ACTING SPEAKER AUBRY: Majority conference immediately following Session. Thank you, Mr. Jacobson.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: We have no housekeeping, but we have resolutions. We will take them up with one vote.

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

(Whereupon, Assembly Resolution Nos. 128-135 were unanimously adopted.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I now move that the Assembly stand adjourned until 1:00 p.m. Tuesday,

February the 28th, tomorrow being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 3:47 p.m., the Assembly stood adjourned until Tuesday, February 28th at 1:00 p.m., Tuesday being a Session day.)