

WEDNESDAY, FEBRUARY 8, 2023

10:23 A.M.

MRS. PEOPLES-STOKES: Happy Birthday. Would you please call the House to order?

ACTING SPEAKER AUBRY: The House will come to order.

MRS. PEOPLES-STOKES: Happy Birthday.

ACTING SPEAKER AUBRY: In the absence of clergy, as we pause for a moment of silence let us keep in our thoughts New York City Police Officer Adeed Fayeze who died yesterday from injuries he sustained in last Saturday's shooting. Let us remember his sacrifice and hold in our thoughts his family, friends, and colleagues.

(Whereupon, a moment of silence was observed.)

Visitors are invited to join members in the Pledge of

Allegiance.

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

MEMBERS: (Singing Happy Birthday to Mr. Aubry.)

(Applause/Cheering)

ACTING SPEAKER AUBRY: All it takes is persistence.

(Laughter)

A quorum being present, the Clerk will read the Journal of Tuesday, February 7th.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move to dispense with the further reading of the Journal of Tuesday, February the 7th 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 want to share a quote with you today from Fredrick Douglass. Fredrick Douglass was an American social reformer, an abolitionist, an orator, a writer and a statesman. After escaping slavery from Maryland, he became a national leader in the abolitionist movement. As a matter of fact, an international leader in the abolitionist movement in

Massachusetts, New York, and in Ireland. In 1845, Mr. Douglass went to Ireland. At the age of 27 he traveled many countries -- many counties and cities while he was in that country, and he developed really great relationships with a gentleman called Mr. O'Connell.

But the fact that I want you to understand about Mr. Douglass' efforts in Ireland, they were so significant that the Town of Cork, in Ireland, has, in 2020, more than 3,000 people signed a petition asking for Cork -- Cork City Council to name a street or a public gathering space in honor of the abolitionist. Last summer, Cork unveiled the Frederick Douglass and Cork Abolitionist Trail to highlight the links to his visit 177 years ago. Cork's Imperial Hotel, for example, served as the setting for Douglass' *American Prejudice Against Colored's Speech* in 1845.

So, Mr. Speaker, Frederick Douglass' words for us today, and I quote, "If there is no struggle, there is no progress." Again, those words from, I say the Honorable Frederick Douglass.

Mr. Speaker and colleagues do have on their desk a main Calendar. After there's any introductions or housekeeping, we're going to take up bills on consent starting on page 4 with Rules Report No. 79 by Ms. Fahy, and if there's the need for any additional floor activity after we do our consent work, I will proceed as following. Majority Members should also be aware that there is going to be a need for a conference immediately following the close of our work on the floor. And, Mr. Speaker, as always, we will consult with our colleagues on the other side of the aisle to make sure that they might

have conference needs or not.

That's a general outline of where we are. If there are introductions or housekeeping, now would be a great time, sir. Thank you very much and again, happy birthday.

ACTING SPEAKER AUBRY: Certainly. No housekeeping, but an introduction from Mr. Sayegh.

MR. SAYEGH: Thank you very much, Mr. Speaker. I rise as a representative of the City of Yonkers and today, also joining me in welcoming three outstanding women in our community joined by Assemblyman Pretlow who represents Yonkers, and Assemblywoman Shimsky who represents Yonkers. I rise to introduce three young ladies that represent the City of Yonkers, and City Government leaders and trailblazers, women of color that represented the needs of the entire community. And Yonkers, as you know, is a city that has been growing, the third largest city in the State, and the needs are similar to the needs across New York State when it comes to education and other affordable housing and economic concerns. And today we're very blessed to have with us also join in a major rally representing students and parents in the Yonkers schools at 11:30 at the Million Dollar Staircase, rallying for a fair share of proper funding for Yonkers.

So today I'd like to welcome from the City of Yonkers, our Yonkers City Council President Lakisha Collins-Bellamy; our City Councilwoman Shanae Williams; and our City Council staff member and candidate, also, Dianna Robertson, three

outstanding women. Mr. Speaker, can we please extend the cordiality of the Chamber.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Sayegh, Ms. Shimsky, Mr. Pretlow, the Speaker and all the members, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Thank you for your public service, hope that you will continue in that effort and that your efforts will be successful and the Town of Yonkers will continue to grow and prosper. Thank you so much for your work.

(Applause)

Resolutions on page 3, the Clerk will read.

THE CLERK: Assembly Resolution No. 101, Mr. Epstein.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim February 8th, 2023 as Students with Disabilities Advocacy Day in the State of New York.

ACTING SPEAKER AUBRY: Mr. Epstein on the resolution.

MR. EPSTEIN: Thank you, Mr. Speaker. I rise in support of this resolution. As we all know, in our State education is a great equalizer for all New Yorkers. It's a matter of social and economic justice. Students with disabilities, the path to higher education can be extremely difficult. We have responsibilities to remove barriers for those students with disabilities that they face in studies and beyond. People with disabilities are less likely to have

bachelor's degrees, less likely than their nondisabled counterparts. When securing good jobs, education can't be overstated. In just 2018, just 35 percent of people with disabilities were employed. Nationally, only 23 percent of people with disabilities are employed, versus 70 percent of the general population.

Today, we are fortunate to have 86,000 students with disabilities in college in New York State and in pursuing their degree, our responsibility is to support them. I stand here in support of this resolution, I hope my colleagues do the same.

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. 102, Mr. Thiele.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim February 2023 as Turner Syndrome 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.

Page 4, Rules Report No. 79, the Clerk will read.

THE CLERK: Assembly No. A00606, Rules Report No. 79, Fahy. An act to amend the Environmental Conservation Law, in relation to the public awareness and involvement in the 30 by 30 Conservation Plan.

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

THE CLERK: Assembly No. A00618, Rules Report No. 80, Barrett. An act to amend the Executive Law, in relation to authorizing public requests for information from any county, city, town, or village desiring to have any memorial located within their municipality listed within the veterans memorial registry; to amend the Veteran's Services Law, in relation to directing the Department of Veterans' services to establish a veterans' memorial registry; and to repeal Section 368-b of the Executive Law relating thereto.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 365th 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. A00619, Rules Report No. 81, Reyes. An act to amend the Environmental Conservation Law, in relation to the sale of cosmetic products containing trace amounts of mercury.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect June 1st, 2023.

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. A00925, Rules Report No. 82, Dinowitz, Seawright, Stirpe, Bronson. An act to amend the Civil Practice Law and Rules, in relation to grounds for vacating an arbitration award on the basis of partiality of the arbitrator.

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. A00982, Rules Report No. 83, Lunsford. An act to amend the Social Services Law, in relation to determination of eligibility for child care assistance benefits; and to amend a chapter of the laws of 2022 amending the Social Services Law relating to the duration of child care assistance

for eligible families, as proposed in legislative bills numbers S.9029-A and A.10209-A, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: On a motion by Ms. Lunsford, 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.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00992, Rules Report No. 84, L. Rosenthal. An act to amend the Social Services Law, in relation to window coverings required in child day care centers.

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

THE CLERK: This act shall take effect on the 730th 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. A01286, Rules Report No. 85, Pretlow. An act to amend a chapter of the Laws of 2022 amending the Environmental Conservation Law relating to the location of environmental facilities, as proposed in legislative bills numbers S.8830 and A.2103-D, in relation to the legislative intent of such chapter, and in relation to the effectiveness thereof; and to amend the Environmental Conservation Law, in relation to disproportionate impacts of environmental facility siting on disadvantaged communities; and relating to the scope of certain provisions of the Environmental Conservation Law and the authority of the Commissioner of Environmental Conservation thereunder.

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, my colleagues. Although I can appreciate this legislation about trying to help disadvantaged communities, reforming the permit process can be challenging when we're trying to provide energy to our communities. But I will remind my colleagues that while we're looking -- look to support disadvantaged communities here in the United States, there are disadvantaged communities like that in the Democratic Republic

of Congo that is using child labor to produce the materials and elements to produce the electric vehicles to meet your Green New Deal. So maybe it would be nice if we had some consideration for our energy policy here in this -- in New York State that only affects New York State in using child labor to produce the elements to produce these batteries for the electric vehicle mandate that you're putting upon New York State. So it would be nice to see the other side of the aisle consider this as we move forward and making sure we're not making investments in communities that use child labor with children dying, being maimed and paralyzed. So I'm going to be voting no on this legislation.

ACTING SPEAKER AUBRY: Mr. Palmesano in the negative.

Mrs. Peoples-Stokes to explain her vote.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker, for the opportunity to explain my vote. I would first like to commend the sponsor of this piece of legislation. I think it's critically important that we are always humane. And while I respect comments from the other side of the aisle, there are literally people right here in New York State and in America who are suffering because of both governmental and business decisions to have negative environmental impacts in their lives. Let's fix the lives of the people who we work for right here in New York State. And, quite honestly, when we do that, Mr. Speaker, we will be growing up or aging up people who will be able to help us in the future begin to go to other countries and

protect their humanitarian issues. Let's protect ours here first. Thank you Mr. Sponsor of the legislation for doing it, and I'm pleased to vote in the affirmative.

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.

THE CLERK: Assembly No. A02798, Rules Report No. 86, Hevesi, Cruz, Simon, Gunther, Otis. An act in relation to a study of the number of children in foster care who have a developmental disability.

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. A02901, Rules Report No. 87, Levenberg. An act to amend the Domestic Relations Law, in relation to designating lay individuals to solemnize marriages; and to repeal certain provisions of the Executive Law related thereto.

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.)

Ms. Levenberg to explain her vote.

MS. LEVENBERG: So thank you, Speaker, and thank you, Majority Leader. While this is a chapter amendment, it is still my first bill as a member of this great Body, which is such an honor. I'm sure many of you are familiar with the legislation that the bill is derived from as my predecessor, the Honorable Sandy Galef, championed it for many years. Of course, it was her well-known one-day marriage officiant legislation. The inspiration for then-Assembly Bill 6300-A came about after Sandy attended a wedding in California in 2005. The wedding officiant was the bride's sister. Because of her closeness to the couple, she was able to create a personal, memorable, heartwarming ceremony. The first marriage officiant bill was introduced in 2006, and while it took many directions during the past 16 years it came back to what it was originally intended to do, which was to allow individuals to be married by someone of their choosing who could add a personal touch to their special day.

By creating a one-day designation, a concise legal alternative is available for couples who do not want their marriage solemnized by a public official or a member of the clergy. An increasing number of couples are choosing to be married by a friend

or relative. According to a 2016 real wedding survey by wedding website *The Knot*, 43 percent of couples in the United States had a friend or family member act as their wedding officiant, which was up from 29 percent in 2009.

With this increase of marriages being performed by family and friends year after year, New York needed a clear, legal option when choosing a friend or family member as their marriage officiant, and once signed into law, this legislation will do just that. The chapter amendment actually grants towns and city clerks the authority to designate an individual as a one-day marriage officiant instead of the Secretary of State, which was the original bill. All the requirements to receive a one-day marriage officiant license remain unchanged and, again, with the chapter amendment, the fee associated with issuing the license will remain with that locality.

Again, I thank you for the honor and I vote in the affirmative.

ACTING SPEAKER AUBRY: Ms. Levenberg in the affirmative.

Ms. Shimsky to explain her vote.

MS. SHIMSKY: Thank you, Mr. Speaker. This is what so many people in the younger generation want when they get married. If New York does not make it convenient for couples getting married to do this, we are going to lose a lot of business to other states that do. So this is not just a matter of personal liberty, this is also a matter of economic development and I am happy to vote in favor, and

congratulate Assemblywoman Levenberg on her first bill.

ACTING SPEAKER AUBRY: Ms. Shimsky in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

And as advertised, it is Ms. Levenberg's first bill.

Congratulations.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, would you please call on our colleague, Mr. Jacobson, for the purposes of an announcement?

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

MR. JACOBSON: The Majority will be happy to hear that we will have an immediate conference in Hearing Room C as soon as Session has concluded.

ACTING SPEAKER AUBRY: Conference, Hearing Room C immediately after Session.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, are there any other resolutions and/or housekeeping?

ACTING SPEAKER AUBRY: We do have a resolution by Mr. Norris. Mr. Norris would like to speak on his

resolution.

The Clerk will read -- hold on.

THE CLERK: Assembly Resolution No. 105, Mr. Norris.

Legislative Resolution commemorating the 200th anniversary of the Town of Somerset, New York.

ACTING SPEAKER AUBRY: Mr. Norris.

MR. NORRIS: Thank you, Mr. Speaker. And I give you great news that you share a birthday with the Town of Somerset which is located in the Northeast corner of Niagara County. It is a beautiful town. It has about 2,600 residents, and on February 8th, 1823, the Town of Somerset was incorporated. And I would like to just say for anyone, I would welcome you to the Town of Somerset. It is absolutely beautiful, along the Southern shore of Lake Ontario. It also has the Golden Hill State Park, which has a 30 mile point lighthouse, as well. And it is a vast agricultural community, some of the best peaches and apples actually in the entire world. And it includes the Village of Barker, which also together, they have a great school system, as well as a volunteer fire department.

So on this, their 200th birthday, I would ask that you please congratulate them and extend the cordialities as you would certainly do. So again, Happy Birthday to the Town of Somerset, and to you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you so much.

Mr. Goodell on the resolution.

MR. GOODELL: Thank you, Mr. Speaker. Just for the record, while you share a birthday you are substantially younger than the Town of Somerset.

(Laughter)

But it is great that we celebrate both today. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you. Certainly. Some days I feel like I am exactly the age of Somerset.

(Laughter)

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

And we have similar fine resolutions, we will take them up in one vote.

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

(Whereupon, Assembly Resolution Nos. 103, 104 and 106 were unanimously approved.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: I now move that the Assembly stand adjourned until Thursday, February the 9th, tomorrow being a legislative day, and that we will reconvene at 2:00 p.m., February the 13th, Monday being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 11:00 a.m., the Assembly stood adjourned until Thursday, February 9th, Thursday being a legislative day, and to reconvene on Monday, February 13th at 2:00 p.m., Monday being a Session day.)