

MONDAY, MARCH 20, 2023

2:42 P.M.

ACTING SPEAKER AUBRY: The House will come to order.

Reverend Courtney Brown will offer a prayer.

PASTOR COURTNEY BROWN: Father, we thank You for allowing us to be here today. And as the members of the Assembly and their staff gather to commence this Session, we pray a blessing upon them as they strive to achieve consensus for the over 20 million lives across this great State whom they represent. From St. Lawrence County to Richmond County, from Chautauqua County to Suffolk County, from the single moms struggling to put food on the table, to the husband and father trying to gain independence after incarceration, from the wealthy millionaire on Wall Street to the middle-class who are watching as the costs of living rise, from the

essential workers to the needs of the immigrants seeking a better life, the decisions of these legislators will impact so many. Father, You have taught us that the way we serve the needs of such diversity is through humility, to condescend to those we serve. You left the accolades of angels to elevate the role of servitude so that from all backgrounds, races, culture and ethnicity, language, education and socioeconomic status, we could all be raised to a higher level of existence. While our individuality affords us unique perspectives, the beauty of Your creation is best displayed when diversity discovers unity. How bland is blue and red and green all by themselves? Each one may have its personal appeal, but together, everyone appreciates the beauty of the rainbow. I pray a blessing upon their families and those who work diligently behind the scenes in service of the people. Bless them with the courage of David. Anoint them with the wisdom of Solomon, and embolden them with the faith of Abraham, who against hope believed in hope and became the father of many nations. May they be reminded of Your covenant, the rainbow, that wherever unity is displayed, there, the blessing is appointed and life is preserved. Protect them from harm and danger, grant them safe passage in their travels. For all these and other mercies we pray, 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, March 17th.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move to dispense with the further reading of the Journal of March -- Friday, March the 17th and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir.

Members and guests that are in the Chambers, I do want to share a quote with you today. This one comes from Golda Meir. As I'm sure you are aware, she was an Israeli politician and a teacher who served as the fourth Prime Minister in Israel from 1969 to 1974. She was Israel's first and only female Head of State, the first female Head of State in the Middle East, and the fourth elected female Head of State in the world. Her words for us today, *Those who don't know how to weep with their whole heart don't know how to laugh either.* Again, these words are from Golda Meir, former Prime Minister.

Mr. Speaker and colleagues, members have on their desks a main Calendar. It has 11 new bills on it. After you have done any introductions and/or housekeeping, we're going to begin four work on the floor by taking up resolutions on page 3. Immediately after that, we're going to begin consent of new bills on page 4,

beginning with Calendar No. 58. We'll also be taking up Rules Report No. 93 on page 6 by Ms. Fahy. As we proceed, Mr. Speaker, there may be a need to announce other legislative activity, but right now that's the -- there's a general outline of where we're going today. If you have introductions and housekeeping, now would be a great time, sir.

ACTING SPEAKER AUBRY: Thank you so very much. We have no housekeeping, but we do have introductions, the first of which is from Mr. Anderson.

MR. ANDERSON: Thank you, Mr. Speaker. I'd like to take a moment today to acknowledge and welcome to the People's House Reverend Courtney Brown from Far Rockaway. Reverend Brown immigrated to the United States at age 12 after attending Nathaniel Hawthorn Junior High School, an arts design high school. Reverend Brown honed in on his entrepreneurial skills, entering business management by the age 16 and registering his first business at the age of 18. Upon completing his studies in the field of computers, Reverend Brown began teaching residents and parishioners, helping many to transition into the age of technology. Reverend Brown is a civil servant serving the City of New York for over ten years, and he entered full-time ministry, providing over 25 years of service to the Far Rockaway community. He's -- he has fed and clothed thousands of people and provided shelter for individuals, homeless and women. Also helping support needed -- need during the Superstorm Sandy crisis that impacted thousands of families in the

Rockaway Peninsula. Reverend Brown has also served at Community Board 14, has led the prayer invocation for the Queensborough President's Memorial Day Parade, and so many more accolades. I'm proud to call him a mentor and a friend, as well as a servant to the amazing 31st Assembly District.

So, Mr. Speaker, I ask you kindly to extend the cordialities of the People's House to Pastor Courtney Brown and his beautiful family who are in the audience today, First Lady Rose Brown; his son, Dante Brown; and Holly Brown. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you so much, Mr. Anderson.

On behalf of Mr. Anderson, the Speaker and all the members, Reverend Brown, we welcome you here to the New York State Assembly. We extend to you the privileges of the floor. We thank you for sharing those words with us. And we also welcome your family who has traveled with you to Albany. We wish you well, know that you're always welcome here, and we hope you have a safe trip home. Thank you so very much.

(Applause)

Mrs. Gunther.

MRS. GUNTHER: Thank you, Mr. Speaker. I'm pleased to introduce the Liberty High School Jazz Ensemble. You might have heard them downstairs today playing. They are grades 9 through 12. Their Director is Daniel McConnell. And music is very

important to me and to my family. My son, Jacob is a music teacher. He's got his degree in Music Engineering, and he teaches on the Lower East Side. And it's important to my family and I know how important it is to all these young people here today.

So if you would please welcome them to the Assembly and give them all the cordialities of the House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mrs. Gunther, the Speaker and all the members, we welcome this musical group here to the New York State Assembly. We extend to you the privileges of the floor. We thank you for sharing your music with us today down in the -- in The Well. We hope that you will continue to practice that and carry that music throughout your life. And remember, you are always welcome here in Albany. Thank you so very much.

(Applause)

For the purposes of an introduction, Mr. Gibbs.

MR. GIBBS: Thank you, Mr. Speaker. I have the distinct honor and pleasure of introducing two cellmates of mines [sic]. We've actually been in prison a couple of times under the National Action Network, Reverend Al Sharpton. And so two good friends came up to join us today. I'm going to start with my dear friend Kirsten John Foy. Kirsten is a life-long civil rights and human rights activist who currently serves as President and CEO of the Arc of Justice. Kirsten has passionately and effectively campaigned on behalf of greater education equity, gun violence prevention and

worker's rights across the country for decades. His political activism -- excuse me, his political activism started as a member of his Black Students Union at Brooklyn College, where he organized protests against tuition increases and a City effort to require students on welfare to work. Kirsten previously served as the Northeast Regional Director for the National Action Network where he helped guide the activities of chapters in 12 states. Previously, Kirsten was Director of Intergovernmental and Community Affairs for then-public advocate Bill de Blasio. Kirsten is a product of New York City Public School system, and a graduate of Brooklyn Technical High School. He is a licensed Pentecostal minister and resides in Bedford-Stuyvesant with his wife and their three children.

Joined with Kirsten is a -- excuse me, joined with Kirsten also is a good friend, the Reverend Great Kevin McCall, who is a civil rights activist in his own rights.

Mr. Speaker, I ask that you please extend the cordiality and -- to the floor to our dear friend Kirsten Foy and Kevin McCall.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Gibbs, the Speaker and all the members, gentlemen, we welcome you both here to the New York State Assembly, extend to you the privileges of the floor. Hope that your trip to Albany will be beneficial, and hope that you know you are always welcome here, and continue the great working that you're doing. Thank you so very much.

(Applause)

Mr. McGowan.

MR. MCGOWAN: Thank you, Mr. Speaker. I rise for the purpose of an introduction of John Manning, who is the President of the New York State Ancient Order of Hibernians, or AOH. John, originally from Marine Park, Brooklyn, lives in Breezy Point with his wife Donna, and is recently retired from the FDNY after 27 years of active duty as an emergency medical technician. John has served as the President of New York State AOH since 2021. As I discussed last week before this Body when speaking in support of the resolution to declare March as Irish American Heritage Month in New York State, the AOH is an Irish Catholic fraternal organization founded in 1836. Today, New York is home to 10,000 AOH members within 79 divisions across the State. Of the over 20 million people living in New York State, 2.5 million are Irish Americans. The AOH seeks to aid newly-arrived Irish in the U.S., to foster and preserve Irish culture and heritage, to be a voice at all levels of government on the issues and policies that affect Irish Catholic citizens, and to engage in numerous charitable endeavors to help those in need. President Manning is a committed and dedicated member of the Order, and has led New York State over the last two years as president in furthering the goals of the AOH.

With that, Mr. Speaker, I would ask that you welcome President Manning to the New York State Assembly and extend to him all the cordialities of the floor. Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. McGowan, the Speaker and all the members, John, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Glad to hear of the great work that you're doing to ensure the health and well-being of the Irish community. Marine Park is a place I know very well, played a little golf there once or twice. So, we hope that you are enjoying your trip to Albany and that you will come back and visit us soon. Thank you so very much.

(Applause)

Mr. Eachus for an introduction.

MR. EACHUS: Thank you, Mr. Speaker. This being Woman's Month, I have the privilege of truly introducing a woman of distinction, a good friend and colleague, Virginia Amelia Scott. Virginia was born in Cornwall and lived there her entire life, and so she therefore is a true Orange County native. She currently teaches and has taught for 29 years in the Washingtonville School District and is a teacher of biology and environmental science. Who knows, she may try to take on my record of 40 years of teaching. She was elected to the Cornwall Town Council in 2017 and currently sits on the Board.

She has obviously dedicated her entire life to the service of others, and I would like to take this time for you, Mr. Speaker, to recognize and give her the privileges of the floor. Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Eachus, Virginia, welcome here to the New York State

Assembly. We extend to you the privileges of the floor. Thank you both for your public service and your service as a teacher. Continue that great work. We know that you have made children's lives much better over the course of your career. Thank you so very much.

(Applause)

Ms. Levenberg for an introduction.

MS. LEVENBERG: Thank you, Mr. Speaker. I rise to introduce a volunteer from my district office, Gabriel Tomajko, who is sitting with me here today. And he is from -- lives in Croton-on-Hudson, New York, and is a student in high school at the Masters School, he's a junior in Dobbs Ferry. And he's been working in my office on specifically looking at how our constituents feel about legislation. I'm very proud that he was interested enough to initiate a -- a trip up here today to Albany to see how everything up here works and take that back to my district office so he can continue the good work of the people of New York.

Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Levenberg, sir, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Look forward to the work that you're going to do in the future as a public servant. It sounds like it's in your blood. And we hope that you will come and visit us often, and make sure that you take care of Ms. Levenberg, she's very special to us. Thank you so very much.

(Applause)

Resolutions, page 3, the Clerk will read.

THE CLERK: Assembly Resolution No. 199, Ms. Fahy.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim March 19-25, 2023 as Surveyors Week in the State of New York, in conjunction with the observance of National Surveyors Week.

ACTING SPEAKER AUBRY: On the resolution, all those in favor signify by saying aye; opposed, nay. The resolution is adopted.

THE CLERK: Assembly Resolution No. 200, Mr. McDonald.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim March 31, 2023 as FIRST [sic] Robotics Day 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. 201, Mr. DeStefano.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim March 2023 as Music in Our Schools Month.

ACTING SPEAKER AUBRY: Mr. DeStefano on the resolution.

MR. DESTEFANO: Thank you, Mr. Speaker, for the opportunity to speak on this resolution. Music has played an important role in human history since the earliest civilizations have been formed. Music has united people across various cultures throughout the globe, from the Gregorian chants of medieval monks, the growth of jazz of the United States and Mariachi in Mexico, civilizations from all periods relied on music as a form of expression and a way to share ideas and values. In the United States, we have a rich history of being taught in schools. Before the American Revolution, students regularly sang in schools, and in 1838 public schools in Boston, Massachusetts began teaching music in our curriculum. In Potsdam, New York in 1884, Julia Ettie Crane formed the first American school for formal musical education. Since then, state legislatures and governors have continued to voice their support for music in our schools.

According to the National Association for Music Education, the purpose of Music in our Schools Month is to raise awareness, the importance of music education for all children, and to amend citizens -- to remind citizens that school is where all children should have access to music. Research has shown that music can help students with their cognitive, social and emotional development, as well as learn important life skills such as teamwork, verbal and memory skills, creativity and increased in academic achievement. Since characteristics are needed in our society and children must develop these skills and become active members of our State and

nation, I want to let everyone know that I am a cosponsor of Bill 15 -- A.1502, which as many of you know, would add arts and music to the curriculum for the students in our public schools every day. The arts and music are just as important to our students as the English language or physical education. The arts and music allows students to express themselves in a way that language may not be able to. Likewise, access to art and music can improve the mental and emotional health of our students at a time when many are suffering from the events of the lockdowns and COVID-19 pandemic.

I fully support this -- support this resolution to designate March as Music in Our Schools Month, and I urge all my colleagues and Governor Hochul to support this initiative. Thank you, Mr. Speaker.

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. 202, Ms. Seawright.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim March 2023 as Developmental Disabilities 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, Calendar No. 58, the Clerk will read.

THE CLERK: Assembly No. A00836, Calendar No. 58, Dinowitz, L. Rosenthal, Fahy, Colton, Weprin, Reyes, Cruz, Lunsford, Dickens, Jacobson, Raga, Darling, Glick, Seawright. An act to amend the Labor Law, in relation to prohibiting an employer from requesting or requiring that an employee or applicant disclose any user name, password or other means for accessing a personal account through specified electronic communications devices.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01492, Calendar No. 59, Clark, Meeks, Mitaynes, Jackson, Gallagher, Simon, Steck, Forrest, Bronson, Seawright, Anderson, Zinerman. An act to amend the Executive Law, in relation to directing the Division of Criminal Justice Services to promulgate safety standards and training requirements for the protection of law enforcement staff against the biological hazards posed by certain persons in custody.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02884, Calendar No. 60, Magnarelli. An act to amend the Alcoholic Beverage Control Law, in relation to a license to sell liquor at retail for consumption on certain premises.

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.)

First vote of the day, members. If you're in the Chamber, please, quiet.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03978, Calendar No. 61, Bichotte Hermelyn, Peoples-Stokes, Aubry, Walker, Cook, Pretlow, Dinowitz, Hevesi, L. Rosenthal, Reyes, Zebrowski, Barrett, Simon, Dickens, Rozic, Epstein, Colton, Hunter, Seawright, Glick, Williams, Taylor, Vanel, Otis, Bronson, Carroll, Cruz, Hyndman, Jacobson, Ramos, Steck, Thiele, Kim, Zinerman, Jackson, González-Rojas, Lavine. An act to amend the Executive Law, in relation to ethnic or racial profiling.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A04157, Calendar No. 62, Paulin, Vanel. An act to amend the Executive Law, in relation to the use of automatic license plate reader systems.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A04264, Calendar No. 63, Paulin. An act to amend the General Business Law, in relation to requiring information concerning services for human trafficking victims to be posted in lactation rooms at truck stops.

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. A04456, Calendar No. 64, Bores. An act to amend the General Business Law, in relation to raising the maximum fine for persons who violate the law regulating telemarketing.

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. Bores to explain his vote.

MR. BORES: If there is one thing that unites New Yorkers of all political stripes, it's annoyance at telemarketing calls. I hear from my constituents all the time, the scourge seems to get worse. While New York has fined bad actors for years, some have decided that that is just the cost of doing business. My predecessor, Dan Quart, originally wrote this bill to fix that calculus. Today I want to thank him as we make that vision a reality. We're sending two messages with this bill; first, to New Yorkers, that there are now real teeth to this enforcement. If you get a call that you don't want and

you're on the Do Not Call Registry, please report it at donotcall.gov. The second message, to telemarketers, that if New Yorkers say they don't want to be called, the New York Assembly is loudly saying today, do not call.

Thank you, I vote in the affirmative.

ACTING SPEAKER AUBRY: Mr. Gandolfo.

MR. GANDOLFO: Mr. Speaker, I've been trying to reach you about your vehicle's extended warranty coverage.

(Laughter)

I vote yes.

(Laughter)

ACTING SPEAKER AUBRY: Nice try, Mr. Gandolfo.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

And Mr. Bores, for a first bill, not a bad job.

Congratulations, sir.

(Applause)

The Clerk will read.

THE CLERK: Assembly No. A04620, Calendar No. 65, Alvarez. An act to amend the General Business Law, in relation to availability for sale of advertised merchandise.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A04822, Calendar No.

66, Woerner, Raga, McDonald, Seawright, Thiele, Shimsky, Darling, Lupardo, O'Donnell, Glick. An act to amend the Parks, Recreation and Historic Preservation Law, in relation to the Historic Business Preservation Registry.

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. A05022-A, Calendar No. 67, O'Donnell, Zinerman. An act to amend the Parks, Recreation and Historic Preservation Law, in relation to prohibiting littering and dumping on State park lands.

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. A05074, Calendar No.

68, Epstein, Steck. An act to amend the Criminal Procedure Law and the Penal Law, in relation to requiring written notice to a defendant of his or her right to complete court-ordered alcohol or substance use treatment in a nonreligious treatment program.

ACTING SPEAKER AUBRY: That's a lay aside, I presume. That's a lay aside. The bill is laid aside.

(Laughter)

(Inaudible)

No, thank you.

Page 6, Rules Report No. 88 -- oh, I'm sorry. Rules Report No. 93, the Clerk will read.

THE CLERK: Assembly No. A00994, Rules Report No. 93, Fahy, Kelles. An act to amend the Environmental Conservation Law, in relation to prohibiting the use of perfluoroalkyl and polyfluoroalkyl substances in apparel and outdoor apparel for severe wet conditions.

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

Ms. Fahy, an explanation has been requested.

MS. FAHY: Sure. This bill is a chapter amendment to prohibit PFAS in clothing. It's a -- PFAS are a class of chemicals known as -- often referred to as "the forever chemicals." But it includes PFOAs, PFOS, and these substances are used in a variety of products used by consumers, including apparel, and have been linked to cancer, thyroid disease, liver damage, decreased fertility as well as

hormonal disruption. This chapter amendment is to a bill we passed last year, and it would make a host of changes including the effective date that is delayed 'til January 1st, 2025 to give the industry a little more time to comply to bring outdoor apparel including extreme weather -- weather apparel into compliance, which is 2028, and as well as does more of a definition on the intentionally-added standard for what counts as a PFAS in a product, and directs D -- DEC to develop a numerical PPM, or parts per million, limit by 2028.

ACTING SPEAKER AUBRY: Mr. Ra.

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

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

MS. FAHY: Sure.

MR. RA: Thank you.

ACTING SPEAKER AUBRY: The sponsor yields.

MR. RA: Okay, so you mentioned some of what the chapter amendment does, but I did have a couple of questions. So, it seems to add language regarding -- at the end of, I guess, 2 -- number 2, "at or above a level that the Department shall establish in regulation," but then it goes in to -- to say in the next paragraph, that "the Department shall establish in regulation or as intentionally added chemicals." So if the Department comes up with a -- a level that they promulgate in regulation, if -- if it's intentionally added, even if it's below that level it would not be permissible?

MS. FAHY: If it's intentionally added then it wouldn't. Is that what you're asking?

MR. RA: Yeah, I'm asking if it's intentionally added but it's below that level that the Department has promulgated, it's still is not permissible under this, correct?

MS. FAHY: If it's -- if it's -- if it's intentionally added --

MR. RA: I'm looking at the first two --

MS. FAHY: Yeah, below the level would be fine.

MR. RA: If you look at -- so I'm looking at the top of page 2 of the bill. It talks about -- it -- it says at or above a level that the Department shall establish in regulation or as intentionally-added chemicals. So that's what I'm asking you, if it's -- if there is intentionally-added chemicals in this apparel but it's below the level that has been promulgated, is it still prohibited?

MS. FAHY: Well, first of all, it says "or," so I would presume that would be fine. It says at or above, or as intentionally added, so it's an either/or.

MR. RA: Yeah, but it says no person shall sell or offer for sale, and then it has this "or." So basically it's not permissible or -- or it's -- my understanding is it looks like it would be prohibited either way, no?

MS. FAHY: It's prohibited -- so I stand corrected. It is prohibited if it is intentionally added.

MR. RA: Okay. Okay, good.

MS. FAHY: Yes.

MR. RA: Yes, okay. So the other -- two other things, actually. So, I know you just said there are additional definitions, and one -- one of the things it does is talks about outdoor apparel, which it says means clothing items intended primarily for outdoor activities including, but not limited to, hiking, camping, skiing, climbing, bicycling and fishing. So -- so basically, you know, the type of -- you know, we know these types of stores that kind of focus on those areas, so any -- basically anything they sell for those activities would be now included in this definition, correct?

MS. FAHY: Yes.

MR. RA: Okay. And then in the last section, one of the -- one of the things this chapter amendment does is add some civil penalties not to exceed \$1,000 for each day during which such violation continues. So, now, is that per item? Like, if you had -- say they sold snow pants and they have, you know, 100 of them in stock. Would it be essentially \$100,000 a day that they could be subject to fines or is it per -- per the product?

MS. FAHY: I think it's -- we're not -- we're not clear on that, but I would assume it's for the -- for the person. So in other words it would be, I presume, the store, but it is each day. But in other words a person, I assume the shop selling. So it wouldn't be whether you have ten snow pants or 100,000 snow pants in violation (inaudible) --

MR. RA: So would you consider that one violation

or 100 violations?

MS. FAHY: I see that as one. That's -- I see it as one, I read it as one. Presuming, again -- but, you know, this is -- it's a civil penalty, so it would have to be -- yeah, DEC has standard language on this. But the person, I presume, would be the person brought in violation presumably in your case, in your example, the store owner.

MR. RA: Okay. All right. Thank you very much, Ms. Fahy.

Mr. Speaker, on the bill.

ACTING SPEAKER RAGA: On the bill.

MR. RA: Thank you. So, you know, we passed the bill-in-chief last year, there were, you know, a number of no votes. But one of the concerns, you know, I continue to have here is that it's also now adding this penalty provision. Now, you know, a lot of these items that are sold for obvious purposes, you know, are sold -- say you're skiing and you need, you know, pants and a coat that is going to keep people warm or -- or some of these materials that are meant to keep you dry. You know, there is a problem when the chemicals are -- you know, if they were to be ingested or something like that, but, you know, they are very useful in terms of those items, and -- and I don't know that there are too many alternatives out there for -- for companies to sell items that are useful for these activities that'll really keep somebody safe out in the elements. So I -- I am concerned with that. Obviously these chemicals have become a problem within our

water, within our environment. We should do everything we can to try to make things as safe as possible, but -- but this may subject, you know, what could be a very small store to an immense amount of fines with this new penalty provision.

So for that reason I -- I think, you know, I continue to have concerns with this piece of legislation. Thank you.

ACTING SPEAKER RAGA: Mr. Manktelow.

MR. MANKTELOW: Thank you, Mr. Speaker.

Would the sponsor yield, please?

ACTING SPEAKER RAGA: Ms. Fahy, will you yield?

MS. FAHY: Yes.

ACTING SPEAKER RAGA: Ms. Fahy yields.

MR. MANKTELOW: Good afternoon, Ms. Fahy.

How are you?

MS. FAHY: Good.

MR. MANKTELOW: Good. Just a really quick question. On section one, line 9-12, talks about no person shall sell or offer for sale any new clothes beyond January 1st. One of my questions here is, we have a lot of Salvation Armies, Goodwill stores that use these articles to sell to help their causes. If a Goodwill store or a Salvation Army gets a new article that's brought to them, say I'm donating it to them, it's brand-new, I never used it, still has the tags on it, what happens in that situation?

MS. FAHY: That's still considered a resale, so it is

only new clothing, not -- not that in a resale shop.

MR. MANKTELOW: I'm sorry, I didn't hear the last part?

MS. FAHY: My understanding is that would be considered a resale still because it's a -- a Goodwill or a Salvation Army, that is not a new -- it would not be a new -- a new sale.

MR. MANKTELOW: So it -- so just so I understand this, so those types of stores would be okay to sell that, then?

MS. FAHY: That's our understanding. Some of that would have to be done in the regs if you're saying it still has the tags on it. But if it's a resale shop, it's not being sold as a new item, it's being sold as a resale even if it may have the tags on it.

MR. MANKTELOW: Even if it is a new item.

MS. FAHY: Yes, but it's, again, being sold as a resale.

MR. MANKTELOW: And my last question, you know, in our local -- our local towns and communities there's lots and lots of garage sales going on, yard sales. Same situation there? If I sell a -- a new product, even though it has the tag on it it's still considered used and -- or I would still would okay to do.

MS. FAHY: Yes, being sold as a resale, yes.

MR. MANKTELOW: Okay. I appreciate your time and thank you for answering the questions. Thank you, Mr. Speaker.

ACTING SPEAKER RAGA: Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker. Would

the sponsor yield?

ACTING SPEAKER RAGA: Ms. Fahy, will you yield?

MS. FAHY: Certainly.

ACTING SPEAKER RAGA: Ms. Fahy yields.

MR. GOODELL: Thank you, Mr. Speaker, and thank you, Ms. Fahy. Are there any current limits established by the EPA regarding clothing?

MS. FAHY: No. There are new limits by the EPA regarding PFAS, there's some new regarding water, but not -- not in clothing.

MR. GOODELL: And am I correct that this applies to all PFAS regardless of the chemical composition?

MS. FAHY: Yes.

MR. GOODELL: So it would apply equally to long form or short chain (inaudible)?

MS. FAHY: Yes.

MR. GOODELL: And am I correct that scientific data at this point indicates a much greater concern on long form, long chain and not short chain; is that correct?

MS. FAHY: There is evidence on both, so -- and the evidence is -- is mounting. But certainly, the exposure, you know, has been regarding -- regarding both. But again, we -- we do not distinguish in this -- in this bill or chapter amendment.

MR. GOODELL: No, the reason I'm asking that is,

of course, one of the most common products used by hikers, skiers, outdoor enthusiasts, is GORE-TEX.

MS. FAHY: Yes.

MR. GOODELL: And GORE-TEX obviously uses PFS because it's hydrophobic. And it's my understanding that GORE-TEX announced that they are exploring a different formulation, though it would still qualify as a PFS chemical. So it doesn't matter even if GORE-TEX reconstituted its product, it would still be banned in New York State if it has any traces of these PFS?

MS. FAHY: I don't have it in front of me, but my understanding is if GORE-TEX was pivoting, and just even since we debated this bill last year the list is just growing quite rapidly and the industry is pivoting overnight. Other very recognized names are Esprit, Benetton --

MR. GOODELL: I --

MS. FAHY: I mean, so --

MR. GOODELL: I apologize for interrupting you, but...

MS. FAHY: My understanding is GORE-TEX has, but I don't have it on the list.

MR. GOODELL: Okay, thank you. And -- and I appreciate that. Now, these formulations of PFSAs, they've used -- they're used in number of other contexts, right? I mean, that's what Teflon is. Teflon is --

MS. FAHY: Yes.

MR. GOODELL: -- one of these. This doesn't ban pans that use Teflon, right, it only applies to clothes.

MS. FAHY: This is only clothes, apparel.

MR. GOODELL: And am I correct that the pizza boxes use these products because they repel grease and water. But this doesn't ban the use of this chemical in pizza boxes, it's only clothes, right?

MS. FAHY: Yes, but we did do the pizza boxes a couple years ago with food packaging.

MR. GOODELL: I see. And I see, as my colleague mentioned, it's \$1,000 per day. So if you have a -- a small mom-and-pop's that sells GORE-TEX clothes and they have a jacket and they don't get it off the shelf, they could be facing a fine of \$1,000 a day for that one jacket; is that correct?

MS. FAHY: Presumably, but again, this doesn't take effect for the next two years and this is phased in beyond that, depending on the -- depending on the type. But it's -- it's the intentionally-added -- and again, GORE-TEX is already changing. I thought they had banned it all, but it -- I don't have it front of me. I -- I have a different list in front of me. So presumably in the next two years most mom-and-pops would have turned over their inventory.

MR. GOODELL: Is there any data with any statistically significant correlation between adult ski wear and in -- and higher risk? I mean, if you're wearing ski pants -- I used to teach

skiing. I always told my kids, *Don't chew your ski pants, don't chew on your gloves. You know, they work better if you don't chew them.* But is there any statistical correlation, particularly amongst adults, between GORE-TEX ski pants or gloves and a higher risk of all those diseases?

MS. FAHY: As we discussed last year, a lot of this is about the manufacturing of those types of products as well as the washing. And I washed my daughter's ski pants an awful lot, and it is the -- the PFAS that ends up in the water that continues to be such a problem. So it's -- it's the whole lifecycle of these -- you know, of this apparel, and that, again, is why you are seeing -- it appears to be one of the fastest-growing areas of the industry, and that is sustainable fashion. So you are seeing dozens of manufacturers move away from any PFAS or any of these chemicals, these forever chemicals, in the clothing. And again, part of the problem is the -- the manufacturer as well as the continual washing.

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

On the bill, sir.

ACTING SPEAKER RAGA: On the bill.

MR. GOODELL: As my colleague announced and mentioned a couple times, suppliers of clothes are moving away from these products anyway, which then raises the question, if they're already doing it why do we need a statutory prohibition? Especially a statutory prohibition that doesn't distinguish between short chain or

long chain, even though the data suggests that short chain formulations are not as dangerous or maybe not even dangerous at all. So here we're called upon, as the State Legislature, to ban GORE-TEX and all similar products, even though there are no standards by the EPA that prohibit this or limit this, even though we, in the State of New York with our DEC, have no limits whatsoever. Even though there's no statistically significant correlation between wearing a GORE-TEX pair of pants or ski jacket or gloves and any health risk. And then we say to the small mom-and-pops, *If you don't get rid of your entire stock within a couple of years, we'll come in as the State of New York and make sure we put you out of business by fining you up to \$1,000 a day.* Good Lord. If you have a pair of GORE-TEX ski pants on the shelf and you don't get rid of it by the effective date of this and you don't discover it for six months you're facing up to a \$180,000 fine for a product that has no recognized limits in terms safety level. But we go one step further in this bill and we say even if the DEC establishes a safety level and even if the GORE-TEX or the product you're buying is below that level, if these chemicals were intentionally-added you can be fined \$1,000 a day, even if the level is below the level developed by the DEC. We don't have to, as the Legislature, ban every product that's manufactured in this nation where there are no established risk factors and fine the living daylights out of our retailers. And for that reason I'll be opposing it.

Thank you, sir.

ACTING SPEAKER RAGA: Read the last section.

THE CLERK: This act shall take effect December 31st, 2023.

ACTING SPEAKER RAGA: A Party vote has been requested.

Mr. Goodell.

MR. GOODELL: Mr. Speaker, this will be the Republican Conference generally opposed. Obviously, those who are here on the floor can vote in favor should they desire.

Thank you, sir.

ACTING SPEAKER RAGA: Ms. Zinerman.

MS. ZINERMAN: Mr. Speaker, this is a Party vote and the Majority is in the affirmative.

ACTING SPEAKER RAGA: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Glick to explain her vote.

MS. GLICK: Thank you, Mr. Speaker, briefly to explain my vote. In talking with water waste companies and agencies around the State, their issue has been these forever chemicals creating issues for them. And so they have universally said what we really need is prevention, because the variety of chemicals that they are now looking at in an attempt to clean the wastewater, they are struggling because of the wide range of chemicals, some of which are very difficult to break down. So they have made it clear that what they need across the State is prevention, preventing these chemicals from

winding up in wastewater that they then have to -- water treatment systems are supposed to clean out.

So I happily will be voting in favor and withdraw my request.

ACTING SPEAKER RAGA: Ms. Glick in the affirmative.

Ms. Fahy to explain her vote.

MS. FAHY: Thank you. And I want to thank the Chair as well as the Speaker for the support of this legislation which we originally passed a year ago. Again, this is to begin to ban PFAS, or the forever chemicals, out of our clothing. And part of it is because of the manufacturer as well as the -- the washing of the clothing. But in the meantime, I have to say, I have to commend the industry. Some of it was the supply chain issues, some of it was COVID. But essentially, Reuters has just -- just this month reported how the industry is doubling down on sustainability in fashion, because -- partly because it is a win-win for risk reduction. And many of the best-known names in fashion, particularly in -- with water-resistant or rain-type gear, Benetton, H&M, KEEN, Uniqlo, Levi Straus, Burberry and more, have completely banned use of forever -- these PFAS chemicals in their -- in their entire line of -- of clothing. So, the industry is moving there. With that said, we still have a couple of years to implement this but we are already seeing a dramatic change, which is very encouraging because just a couple of years ago when we introduced this bill, some of this was as a result of a study done, a

peer-reviewed study done that showed that in about 60 percent of children's waterproof or stain-resistant clothing they had found PFAS substances. So the fact that just within these couple of years we are seeing a difference. I couldn't be more pleased to sponsor this bill and -- and hope that we will no longer have this debate in the next couple of years, we will see the entire industry pivot.

Thank you, and with that I vote in the affirmative.

ACTING SPEAKER RAGA: Ms. Fahy in the affirmative.

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

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if we could now go to Calendar No. 33 by Mr. Bores, and followed by Calendar No. 45 by Ms. Rosenthal on debate. Thank you, sir.

ACTING SPEAKER AUBRY: Certainly.

Page 10, Calendar No. 33, the Clerk will read.

THE CLERK: Senate No. S00833, Calendar No. 33, Senator Breslin (Bores--A02892). An act to amend a chapter of the Laws of 2022 amending the Insurance Law relating to the provision of supplemental spousal liability insurance to persons who are insured for loss resulting from the ownership, maintenance and use of a motor vehicle, as proposed in legislative bills S.9367 and A.1029, in relation

to the effectiveness thereof.

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: On the bill, please.

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

MR. GOODELL: Thank you. What this chapter amendment does is it delays the effective date of the original law, which changed the way we deal with spousal liability insurance. So before the original law passed, if you wanted to have spousal liability insurance that would protect you in the event you were in a car accident and your spouse sued you, you could opt to acquire that additional insurance. You could opt in to acquire that additional insurance at an additional premium. And so the original law last year changed it from having a consumer opt in to the additional coverage and pay the additional premium to now requiring the consumer, if they wanted to save money or maybe they're single, to opt out. The net effect is that a lot of consumers who may not want or need this coverage are going to end up with the coverage, and the bill.

So because many of us felt that we should leave it up to the consumers to opt in on what level of coverage they want rather than automatically cover them at an additional premium, many of us, like 39 of us, opposed it last year. Now, this is a chapter amendment which moves the effective date back. So if you like the idea of delaying the implementation of a bill that you voted against, you can obviously vote for the chapter amendment. If you're like many of us

that thinks the original bill is anti-consumer and will raise prices more and cause people to spend a lot more than they might want to, this bill doesn't correct that issue, it just delays the inevitable and, therefore, many of us will be voting no.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: A Party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference will be generally opposed, as we were last year. But those who wish to support it can certainly vote in favor here on the floor of the Assembly.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Mr. Benedetto.

MR. BENEDETTO: Thank you, Mr. Speaker. This will be a Party vote with the Majority voting in the affirmative, sir.

Thank you.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Bores to explain his vote.

MR. BORES: The policy of New York State until last year was to assume that you did not want your spouse covered if you caused an accident. Let that sink in. This bill flips that on its head and assumes you do, in fact, want your spouse covered. And in case you don't because you don't have a spouse or your spouse already has other insurance that covers it, you can easily opt out. But we won't make your worst moment more horrific by sticking you with an unanticipated bill. The risks of not giving someone coverage that they want is far, far worse than the risk of giving them additional coverage that they don't need.

For that reason, I'm proud to sponsor this bill and to vote in the affirmative. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Bores in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 11 -- 11, Calendar No. 45, the Clerk will read.

THE CLERK: Senate No. S01353, Calendar No. 45, Senator Brisport (L. Rosenthal--A00991). An act to amend the Social Services Law, in relation to exempting certain income and resources provided to persons enrolled in certain pilot programs with direct cash transfers in determining eligibility for public assistance benefits.

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

MS. ROSENTHAL: This legislation is a chapter amendment to Chapter 749 of the Laws of 2022 which exempts certain income and resources provided to people enrolled in certain pilot programs with direct trash -- cash tran -- transfers in determining eligibility for public assistance benefits.

ACTING SPEAKER AUBRY: Mr. Simpson.

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

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

MS. ROSENTHAL: Yes.

ACTING SPEAKER AUBRY: Ms. Rosenthal yields, sir.

MR. SIMPSON: Thank you. So, last year we passed the -- the original bill, the one that this chapters. What is the -- what are you trying to -- could you tell me the reason why this chapter is needed? Which income disregards are you...

MS. ROSENTHAL: This chapter amendment would have OTDA seek any Federal waivers that may be necessary to exempt income provided to individuals as part of their participation in an authorized pilot program for purposes of determining Supplemental Nutrition Assistance Program eligibility and makes additional technical amendments. The -- the original bill said that OTDA had to seek a waiver, a Federal waiver, in all instances for people who were enrolled in a pilot program where they were given funding and they --

they would hit the benefits cliff. So the Executive was concerned because OTDA already has the authority to disregard funding -- disregard income depending on the source of the funding. Federal rules prohibit a disregard of income depending on the origin of the funding. So these were entirely privately funded, there were no public funds used. So they didn't need to ask for that waiver.

MR. SIMPSON: So -- so the waiver you're asking for, are they benefits that are coming from the Federal government or --

MS. ROSENTHAL: No, they weren't. I mean, there -- some of the money for SNAP, for example, that comes from the Federal government.

MR. SIMPSON: Okay.

MS. ROSENTHAL: However, you need a waiver if the funds are taxpayer funds, not if they're private funds. And these programs were funded by, like, Chapin Hall and various other programs. So there was no use of -- of Federal funds.

MR. SIMPSON: So, I know I remember last year in our discussion we talked about how many people would be eligible in this program.

MS. ROSENTHAL: Well, that's not the subject of this amendment.

MR. SIMPSON: No, I -- I just wondered if -- is it still staying the same?

MS. ROSENTHAL: Yeah, I think it's still about that

same amount.

MR. SIMPSON: So we haven't started this program yet?

MS. ROSENTHAL: No, no, no, it's under way.

MR. SIMPSON: It's underway?

MS. ROSENTHAL: It -- it's just about when it comes to being eligible for benefits.

MR. SIMPSON: Okay.

MS. ROSENTHAL: So it's just to make sure they don't have income counted so that they would not be eligible for this cash assistance.

MR. SIMPSON: So this didn't limit the number of people that were participating because of the lack of a waiver?

MS. ROSENTHAL: No.

MR. SIMPSON: Okay. Thank you.

MS. ROSENTHAL: It's the same, it's just that there's no need for the waiver on privately-funded funds.

MR. SIMPSON: Thank you, Mr. Speaker.

MS. ROSENTHAL: Thank you. And also, there are various other organizations have started programs like this, so it applies to a bunch of programs. Thank you.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

ACTING SPEAKER AUBRY: Ms. Rosenthal, will

you yield?

MS. ROSENTHAL: Sure.

ACTING SPEAKER AUBRY: Ms. Rosenthal yields.

MR. GOODELL: So that our colleagues have a little better understanding of what this bill does, am I correct that I heard you say that --

MS. ROSENTHAL: Well, we're only debating the amendment.

MR. GOODELL: Right. With this -- am I correct to say with this amendment we would be seeking a waiver so that an individual who is currently receiving SNAP benefits, food stamps, would be eligible to continue to receive them regardless of the amount of private transfer payments they receive?

MS. ROSENTHAL: No, it's that because it's privately funded, then they don't need a Federal waiver.

MR. GOODELL: If we don't need a Federal waiver then why does this bill say on line 18 that the Commissioner shall seek a Federal waiver?

MS. ROSENTHAL: Well, we changed that from "shall" to "may."

MR. GOODELL: I'm -- I'm looking at what I think is the current bill text on line 18, on page 1.

MS. ROSENTHAL: It's line 18 -- 19. "The Commissioner shall seek any Federal waiver or waivers from the U.S. Department of Agriculture that may be necessary to exclude income."

MR. GOODELL: And is it your belief that no waiver is necessary?

MS. ROSENTHAL: Yes.

MR. GOODELL: If no waiver necessary then --

MS. ROSENTHAL: Then they (inaudible) --

MR. GOODELL: -- what are we doing with this bill?

MS. ROSENTHAL: The authority already exists so we didn't need to give it to them, actually.

MR. GOODELL: I -- I apologize --

MS. ROSENTHAL: The authority to ask for the waiver already exists in law, so there was no need to give them authority. And the Executive only wanted to require OTDA to seek the waiver when it was necessary, and it's -- the waiver is only necessary when there are public funds used, and in these cases there were no public funds used.

MR. GOODELL: So if I understand you correctly, this bill authorizes the Commissioner to seek a waiver but no waiver is necessary.

MS. ROSENTHAL: That's just part of the bill, yes.

MR. GOODELL: What else does this bill cover other than authorizing the Commissioner to seek a waiver which you're telling me is not needed.

MS. ROSENTHAL: Correct. That's for part of it, yeah.

MR. GOODELL: Okay. Thank you.

MS. ROSENTHAL: Sure.

ACTING SPEAKER AUBRY: Mr. Goodell, you're still on your same time (inaudible).

MR. GOODELL: Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: You're welcome.

Read the last section.

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

ACTING SPEAKER AUBRY: A Party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed to this legislation, but certainly those who support it are encouraged to vote in favor of it here on the floor of the Assembly.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Fall.

MR. FALL: Thank you, Mr. Speaker. The Majority Conference will be in the affirmative on this piece of legislation.

ACTING SPEAKER AUBRY: Thank you, sir.

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.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. If you could please call up Calendar No. 57 by Ms. Paulin on debate.

ACTING SPEAKER AUBRY: Page 12, Calendar No. 57, the Clerk will read.

THE CLERK: Senate No. S01324, Calendar No. 57, Senator Krueger (A04131, Paulin). An act to amend the Public Health Law, in relation to definitions of certain terms relating to the New York State Medical Indemnity Fund; to repeal Section 2999-k of the Public Health Law, relating to claims for qualifying health care costs under the New York State Medical Indemnity Fund; and to amend Chapter 517 of the Laws of 2016, amending the Public Health Law relating to payments from the New York State Medical Indemnity Fund, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: Ms. Paulin, an explanation is requested.

MS. PAULIN: Thank you very much. This is a chapter amendment on a bill that was codified by our House last year, and it essentially currently now would extend the reimbursement rates for an additional three years to 2025.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

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

MS. PAULIN: Absolutely.

ACTING SPEAKER AUBRY: Ms. Paulin yields, sir.

MR. GOODELL: Thank you very much, Ms. Paulin. Last year we passed the original legislation unanimously, and the original legislation as I understand it made changes to the Medical Indemnity Fund to cover more issues, neurological problems that arise during the birth of a child, and the intent was to thereby reduce the insurance premiums that are faced by OB-GYNs and related personnel. Am I correct that this chapter amendment essentially reverses almost all the substantive changes in the original?

MS. PAULIN: So, the Executive bill -- I mean, the Executive -- and you know this was not my bill --

MR. GOODELL: I do remember.

MS. PAULIN: -- nor was I in negotiations, but I'll (inaudible) --

MR. GOODELL: No need to be defensive.

MS. PAULIN: But my understanding is that all of the things that we had in last year's bill are already in regs so that the -- we -- it would bind the Executive to put certain things in regs. And one could argue that the flexibility of it being in regs might be a more important than the codification of certain aspects of it.

MR. GOODELL: So this chapter amendment is a

nice way of saying, *Please butt out, we already had this covered in regs?*

MS. PAULIN: It's already covered in regs.

MR. GOODELL: And so in essence it's a very polite way for the Governor to have us repeal the bill that we passed unanimously last year.

MS. PAULIN: That's correct.

MR. GOODELL: Thank you -- thank you, Ms. Paulin.

Sir, on the bill.

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

MR. GOODELL: As -- as has been indicated in a moment of candor, this bill basically repeals the bill that we passed unanimously last year. Some of us may prefer the bill that we passed last year, but if you want to give the Governor and the Executive branch more flexibility to do the same thing by regulation, then you would certainly want to support this legislation. On the other hand, if you think it's an appropriate area of legislation as we did last year then they'll likely oppose this chapter amendment.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

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.)

Mr. Jensen to explain his vote.

MR. JENSEN: Thank you very much, Mr. Speaker, to explain my vote. While I understand the -- the pickle that the sponsor of this legislation was put in by the Governor, once again we have the Governor acting outside of good faith. In her approval message she says that this was such an important topic it should be taken up in the budget. However, in her budget proposal the changes that she requested were nowhere to be found.

So I will be voting no because we -- we should expect the Governor to negotiate in good faith, and when she says something should be taken up in the budget, she should take the initiative to actually do so. So with that I will be voting nay.

ACTING SPEAKER AUBRY: Mr. Jensen 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 resolutions or further housekeeping?

ACTING SPEAKER AUBRY: No housekeeping, but resolutions that are quite fine.

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

(Whereupon, Assembly Resolution Nos. 203-206 were unanimously adopted.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: I now move that the Assembly stand adjourned until 1:30, Tuesday, March the 21st, tomorrow being a Session day.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes, let me be clear. You did say 1:30.

MRS. PEOPLES-STOKES: That's right, sir. 1:30, Tuesday, March the 21st.

ACTING SPEAKER AUBRY: Excellent. The Assembly stands adjourned.

(Whereupon, at 4:31 p.m., the House stood adjourned until Tuesday, March 21st at 1:30 p.m., that being a Session day.)