

**MONDAY, MARCH 27, 2023**

**3:08 P.M.**

ACTING SPEAKER AUBRY: The House will come to order.

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

(Whereupon, a moment of silence was observed.)

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

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

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

Mrs. Peoples-Stokes.

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

dispense with the further reading of the Journal of Friday, March the 24th and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir. I would like again to start a quote for today for our members and guests that are in the Chambers. *I never lose. Either I win or I learn.* Sounds like something I could have said, but these words are from Nelson Mandela, the former President of South Africa who, after serving time in jail, was elected to be the president of that country. Again, his words for us today, *I never lose. I either win or I learn.* Most of us are in the learning mode.

Mr. Speaker and -- members have on their desk a main Calendar. It has 30 new bills on it, and after there are any introductions and/or housekeeping we're going to begin our work working from resolutions on page 3. And after that, we're going to begin consenting these new bills. They begin on page 4 with Calendar No. 69. There may be a need for additional legislative floor work, maybe not, but right now, that's a general outline of where we're going. So if you have introductions or housekeeping, Mr. Speaker, now would be a great time.

ACTING SPEAKER AUBRY: Thank you, Mrs. Peoples-Stokes. We do have a bit of housekeeping.

On a motion by Ms. Paulin, page 15, Calendar No.

37, Bill No. A.3245-B, amendments are received and adopted.

On a motion by Mr. Zebrowski, page 4, Calendar No. 70, Bill No. A.1148, amendments are received and adopted.

On a motion by Ms. Paulin, page 7, Calendar No. 87, Bill No. A.4587, amendments are received and adopted.

For the purposes of an introduction, Ms. Bichotte Hermelyn.

MS. BICHOTTE HERMELYN: Thank you, Mr. Speaker, for allowing me to make this introduction. Today we have with us someone from my district who is considered a shero as we celebrate Women's History Month. It gives me great honor to introduce Dr. Lisette Caesar, who has been an educator for over 27 years. And she is here today as a colon cancer survivor, as we also take up on the resolution for colon cancer. Dr. Caesar has been a teacher for some time, and she has won numerous awards. She has last served as a principal, and we are honored that she is here as her life has changed forever. She is here advocating and making sure that we are aware about colon cancer, and we, as a Body and as a State, should be taking preventative measures to prevent this deadly disease. She has -- she is in remission and she is telling her story today.

We are very proud to have Dr. Caesar with us, and we are asking you to please offer her the respect and embrace her in the People's House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Bichotte Hermelyn, the Speaker and all the members, Doctor,

we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Our thanks and congratulations for the work that you're doing to help others and to prevent that dreaded disease. Thank you. I'm sure early detection is a part of your message. We've heard that time and time again, yet we must always remind people. Thank you so very much, you're welcome here.

(Applause)

Mr. Fitzpatrick for an introduction.

MR. FITZPATRICK: Thank you, Mr. Speaker. I would also like to welcome someone from my district, someone very close to me, my lovely wife, Lorena. She -- she is the Engage -- Enrollment Coordinator at the Department of Education in the Diocese of Rockville Center and has the day off today and decided to come up and spend some time with me. And I wonder if you would be so kind as to give her your always outstanding welcome, and thank you very much.

ACTING SPEAKER AUBRY: Certainly. On behalf of your husband, the Speaker and all the members, we welcome you here, Mrs. Fitzpatrick, to the New York State Assembly. You are family, you are always welcome. You always will have privileges of the floor. It is good to see you again, and hope that we will be able to share some time. Thank you so very much.

(Applause)

Page 3, Assembly print 229, the Clerk will read.

THE CLERK: Assembly Resolution No. 229, Mr.

Gibbs.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim March 2023 as Colorectal Cancer Awareness Month in the State of New York.

ACTING SPEAKER AUBRY: Mr. Gibbs on the resolution.

MR. GIBBS: Thank you, Mr. Speaker. I would like to thank the Speaker and my colleagues in the Assembly for having me today to bring awareness to colorectal cancer. This resolution will recognize March as Colorectal Cancer Awareness Month. Sometimes referred to as colon cancer, this disease is the second-deadliest cancer in the United States, and it is not always talked about. Because of this I'm here to help spread awareness and advocate for New Yorkers to get screened as soon as possible. This screening can help prevent the spread of this disease and treat it early.

Today I would like to recognize Dr. Lisette Caesar for her many contributions to the people of my district, East Harlem, and for those diagnosed with colorectal cancer around the world. Dr. Liz has worked effortlessly as an educator and teacher at Mosaic Prep in East Harlem. She is also an author. Dr. Liz has published a children's book series entitled, *Little Lizzy*, about her childhood journey with becoming a colon cancer survivor. Dr. Liz always lends a helping hand in the community and continues to be a vocal advocate for better cancer research and support all cancer patients, which is why I'm proud to sponsor this resolution and urge my colleagues to

join me in recognizing the month of March as Colorectal Cancer Awareness Month in New York State. 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. 230, Ms. Walsh.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim March 26, 2023 as Purple Day in the State of New York.

ACTING SPEAKER AUBRY: Ms. Walsh on the resolution.

MS. WALSH: Thank you very much, Mr. Speaker, for allowing me to interrupt the proceedings to proclaim that March 26th, which was yesterday, was Purple Day in the State of New York, and I'd like to thank all of my colleagues who wore purple today. And I'd especially like to thank the member from the 123rd Assembly District for making sure that I was wearing purple today. You know, Epilepsy Awareness Day has been known as Purple Day for a few years now. There are over 3.5 million people diagnosed with epilepsy in the U.S. and over 50 million worldwide, so it's very likely that you have met or know or, in my case, are related to somebody who has epilepsy. The -- the good news is that although it's the fourth-most common neurological disorder after migraine, strokes and Alzheimer's, it can be, not always, but it can be quite treatable, as

it was in the case with my nephew Christopher. And I -- I became very interested in the epilepsy as a -- as -- to research it, but also to support efforts to treat and diagnose because of my nephew and my brother and sister-in-law who kind of made it their mission and have worked with the Epilepsy Foundation of Northeastern New York for many decades now.

And so anyway, today is Purple Day -- or yesterday was Purple Day, but Purple Day in the State of New York. So thank you very much, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, Ms. Walsh.

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

THE CLERK: Assembly Resolution No. 231, Mr. Norris.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim March 27, 2023 as Amniotic Fluid Embolism Awareness 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. 232, Mr. Tague.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim March 25-31, 2023 as Farmworker

Awareness Week in the State of New York.

ACTING SPEAKER AUBRY: Mr. Tague on the resolution.

MR. TAGUE: Thank you, Mr. Speaker. I rise today to speak on this legislative resolution, which I am so proud to have introduced and to have the support of all of you here in this House. Thank you for allowing me to speak on the resolution and share with you. As you know, I am passionate about our farms and agriculture industry. You've often heard me and the Farm Bureau and many others say, *No farms, no food*. Well today, Mr. Speaker, I'd like to say, *No farm workers, no food*. This resolution commemorates the hard work and dedication of the men and women who work to put our food from farm to table. These farmers get our food from farm to market. They produce the delicious products we all enjoy. They ensure we have options at the grocery store, the farmer's market, and even at the big-box store and the corner bodegas in New York City. Wherever you decide to shop, your life is enriched by farms and the people who work on them. That's why this resolution is important.

March 25th to March 31st is National Farm Worker Awareness Week, and I believe, Mr. Speaker, that this week should also be celebrated here in our beloved State of New York. Hardworking American farms provide New York State, the nation and much of the world with a safe, healthy, affordable and abundant food supply. Thanks to their dedication day in and day out, our agriculture industry's abundance also sustains the world's food supply and has



become the leading standard of food safety and advancements. These investments in our economy are being providers of our food are essential for all, but farmers are also stewards of our land and take immense pride in just that.

Mr. Speaker, this resolution honors the nearly 2.6 million men and women who work on farms and ranches throughout the United States, contributing to the 164.7 billion that agriculture adds to the American (inaudible).

Mr. Speaker, here in New York, agriculture is big business, with the industry worth more than \$5.75 billion. That was according to the numbers available in the New York Farm Bureau in 2017. According to the State Comptroller, data from the U.S. Bureau of Economic Analysis, it shows close to \$1 billion in wages were paid in agriculture in New York State in 2021 alone. According to the New York Farm Bureau, as of 2017 there were over 33,000 farms, employing more than 55,000 workers across the State on 6,866,171 acres of production. When combined with food processing jobs, that employment number jumps to nearly 200,000 workers. For generations the same people have worked this land, they protect our beautiful rural landscape, and we are grateful to them in so many ways. This week commemorates all the ways farm workers have enriched our lives, and we thank them. Without farms, there is no food. Without their hard work, we would not eat.

So, Mr. Speaker, I encourage all my colleagues to vote yes on this resolution, and I thank all of you in advance for your

generous support of this initiative and for your continued support of our farms and our agricultural community.

God bless you and 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. 233, Mr. Sayegh.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim March 23, 2023 as Pakistan-American Heritage Day in the State of New York.

ACTING SPEAKER AUBRY: Mr. Sayegh on the resolution.

MR. SAYEGH: Thank you very much, Mr. Speaker. I rise today in celebration and commemoration of March 23, 2023 as Pakistani-American Heritage Day in the State of New York. We in the State Assembly are symbolic of the diversity across our State and our nation, and it really is most fitting as we continue to celebrate and appreciate the differences we have in our State. Today we recognize the contributions of Pakistani-Americans that are very much part of the fabric of New York State and communities across our State and nation.

Today, we have a population that is approximately 200,000 people in the City of New York, and some 4.5 million throughout -- not 4.5 million, half-a-million throughout the United

States. And these are individuals in communities that I've witnessed their role in contributing to their society and helping with many humanitarian causes, food security projects and other humanitarian causes. So today, I'm grateful to rise to show our respect to our large and growing Pakistani-American community, to the American Pakistani Advocacy Group, called APAG, and its President, Mr. Ali Rashid and all the volunteers that continue to give their time and effort to do their very best to motivate education, health care, sciences, technology.

So we're grateful today to honor Pakistani-Americans in our State. Thank you very much.

ACTING SPEAKER AUBRY: Thank you, sir.

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

Page 4, Calendar No. 69, the Clerk will read.

THE CLERK: Assembly No. A00517, Calendar No. 69, L. Rosenthal, Otis, Simon. An act to amend the Civil Rights Law, in relation to privacy of electronic fare and toll records.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01148, Calendar No. 70 has been amended on third reading.

Assembly No. A02188, Calendar No. 71, Dinowitz, Shimsky, Williams, Kelles, Darling, Hevesi, Jacobson. An act to amend the Public Health Law, in relation to the posting of additional nursing home ratings.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02741, Calendar No. 72, Paulin, Septimo, Magnarelli, Gunther, Jacobson, McDonough, DeStefano, Durso, K. Brown. An act to amend the Insurance Law, in relation to summaries of readable and understandable insurance policies.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03076-A, Calendar No. 73, Lupardo, Santabarbara, Lunsford, Wallace, Forrest, McMahan, Jones, Clark, Conrad, Fahy, Gunther, Dickens, McDonald, Shimsky, L. Rosenthal, Raga, Paulin, Alvarez, Levenberg, J.M. Giglio, Miller, Burdick, Seawright, Buttenschon, Stirpe. An act to amend the Education Law, in relation to requiring nursing certificate and degree education programs to include clinical education and allowing for a portion of such clinical education to be completed through simulation experience.

ACTING SPEAKER AUBRY: Read the last section.

Oh, I'm sorry. On a motion by Ms. Lupardo, 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 180th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Lupardo to explain her vote.

MS. LUPARDO: Yes, thank you very much, Mr. Speaker. I just wanted to thank everyone for, obviously, the -- the type of support we're receiving on this bill, especially to the Chancellors of SUNY and CUNY for the support that they showed and to the Commission on Independent Colleges and Universities. Those of you who may not be familiar with what we're doing here, we are allowing up to a third of a nurse's clinical training to be completed by simulation-based education. My own Decker School of Nursing has one of the state-of-the-art simulation labs where students can get a very realistic experience, working on very realistic mannequins. It allows them to have a very unique and valuable training experience using simulation, not unlike flight simulation, by the way, that provides pilots with a vital training experience. So it's projected that by 2030, 40,000 nurses -- we're going to have a shortage of 40,000 nurses in New York State. Once this is signed, students are going to have access to this extremely valuable experience, as well as addressing what is clearly a crisis in our nursing professionals.

So with that, I vote in the affirmative.

ACTING SPEAKER AUBRY: Ms. Lupardo in the affirmative.

Ms. Fahy to explain her vote.

MS. FAHY: Thank you, Mr. Speaker, very briefly. As the new Higher Ed Chair, this bill was one of the very first to come before the Committee, and I need to commend the sponsor, as well as

the Speaker, as well as countless individuals who have been involved in this, including so many schools, whether they were independent colleges, SUNY schools or CUNY schools with nursing programs who invited so many members here across the aisle to visit their AI or their labs where they are using artificial intelligence and using simulation to -- to demonstrate how much can be done to train our future nursing students. So this bill has been a true, across-the-board effort to really begin to grow the nursing field with an appropriate amount of simulation to help replace what can't be demonstrated -- what -- what can't always happen right there in real life in a hospital or other related facility.

So I commend SUNY, CUNY, CICU and all of those who worked with the bill sponsor. Thank you. And with that, I support -- vote in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Ms. Fahy in the affirmative.

Are there any other votes? Announce the results.  
(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03113-A, Calendar No. 74, Clark, Fahy, Reyes. An act to amend the Public Health Law, in relation to enhancing the scope of health equity impact assessments to require consideration of reproductive health services and maternal health care.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03164, Calendar No. 75, Magnarelli. An act to amend Chapter 62 of the Laws of 2003 amending the Public Service Law relating to establishing the New York Telecommunications Relay Service Center, in relation to extending certain provisions of such center.

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. A03302, Calendar No. 76, McDonald, Gunther, Santabarbara, Stirpe. An act to amend the Public Health Law, in relation to adding a representative of freestanding ambulatory surgery centers to the Public Health and Health Planning Council.

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. A03552-A, Calendar No. 77, Pretlow, Lupardo, Zinerman. An act to amend the Agriculture and Markets Law, in relation to increasing fines for selling disabled Equidae.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03772, Calendar No. 78, Weinstein, Zebrowski, Seawright, Taylor. An act to amend the Mental Hygiene Law, in relation to requiring petitioners for appointment of a guardian to identify other persons who may be able to manage the affairs of an incapacitated person.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A04009, Calendar No. 79, Gibbs, Epstein, Levenberg, Kelles, Hyndman, De Los Santos, Simone, Taylor, Fall, Zaccaro, Weprin. An act to amend the Correction Law, in relation to providing notice of voting rights to persons released from local jails.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A04023-A, Calendar No. 80, Rozic, González-Rojas, Anderson, Mitaynes, Seawright, Shimsky, Gunther, Simon, Aubry, Mikulin, Chang, Brook-Krasny, McDonough, Gray, Lee. An act to amend the General Business Law, in relation to requiring a notice to be posted regarding skimming.

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.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04060, Calendar No. 81, Paulin, González-Rojas, Ardila, Bores, Burdick, Burgos, Colton, Gallagher, Lavine, Lee, Levenberg, Magnarelli, Raga, Rivera, Rozic, Shimsky, Simon, Stirpe, McDonough, Forrest, Kelles. An act to amend the Public Health Law, in relation to requiring menstrual products in public colleges and universities; in relation to replacing the term "feminine hygiene" with "menstrual."

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A04117, Calendar No. 82, Paulin. An act to amend the Public Health Law, in relation to children's non-regulated camps.

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. A04332, Calendar No. 83, Gunther, Bronson. An act to amend the Public Health Law, in relation to orders not to resuscitate; and to repeal Article 29-B of the Public Health Law relating to orders not to resuscitate for residents of mental hygiene facilities.

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.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04359, Calendar No. 84, Zebrowski, Thiele. An act to amend the Indian Law, in relation to requiring the Department of State to promulgate rules and regulations providing for the recognition of Indian tribes as Indian Nations.

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. A04581, Calendar No. 85, Paulin, McDonough, Colton, Sayegh, DeStefano, Darling, Simon. An act to amend the Public Health Law and the Mental Hygiene Law, in relation to patient health information and medical records.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(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. A04586, Calendar No. 86, Paulin. An act to amend the Public Authorities Law, in relation to information concerning services for human trafficking victims in certain facilities at service areas.

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. A04587, Calendar No. 87 was amended on third reading.

Assembly No. A04668, Calendar No. 88, Weprin.

An act to amend the Insurance Law, in relation to using driving history as a rating or underwriting factor for private passenger motor vehicle insurance.

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.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04669, Calendar No. 89, Paulin, Rozic. An act to amend Chapter 154 of the Laws of 1921, relating to the Port Authority of New York and New Jersey, in relation to providing information concerning services for human trafficking victims in lactation rooms in Port Authority bus terminals.

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. A04721, Calendar No. 90, Solages. An act to amend the Civil Practice Law and Rules, in relation to certification of class actions in cases involving governmental operations.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A04763, Calendar No. 91, Peoples-Stokes, Burdick. An act to amend the Correction Law, in relation to requiring that websites providing incarcerated individual information be searchable by the incarcerated individual's name, former name or alias.

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.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Ms. Solages.

MS. SOLAGES: Mr. Speaker, do you have any resolutions or further housekeeping?

ACTING SPEAKER AUBRY: No housekeeping, but several fine 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. 234-237 were unanimously adopted.)

Ms. Solages.

MS. SOLAGES: I now move that the Assembly stand adjourned until 1:00 p.m., Tuesday, March 28th, tomorrow being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 4:14 p.m., the Assembly stood adjourned until Tuesday, March 28th at 1:00 p.m., Tuesday being a Session day.)