

**MONDAY, APRIL 24, 2023**

**11:21. A.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 Sunday, April 23rd.

Mrs. Peoples-Stokes.

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

dispense with the further reading of the Journal of Sunday, April the 23rd and that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir.

Colleagues and guests that are in the Chambers, I would like to share a quote for a day, this one is coming from Booker T. Washington. Most of you all know him but did you know that he actually was an advisor to several presidents of the United States. His words for us today, *success is to be measured not so much by the position one has achieved in life as by the obstacles they overcome to do so.* Again, these words are from Booker T. Washington.

Members have on their desks, Mr. Speaker, a main Calendar. And after there's any housekeeping and/or introductions we will be calling for the Governmental Operations, the Ways and Means and the Rules Committee to the Speaker's Conference Room. These committees are going to produce an A-Calendar of which we will take up today. We will begin our work on the floor first by taking up resolutions on page 3, there are several of them, sir and several of our colleagues would like to speak on them. I will announce if there's any need for additional floor activity as we proceed but, Majority members should certainly be aware that there is going to be a need for a conference at the conclusion of our work today on the floor. And as always I will speak to our colleagues on the other side of the aisle to

determine what their needs are. Members should also be aware that at the conclusion of our day the Minority will be offering up a Motion to Discharge. That's basically an outline of where we are and where we're going today, Mr. Speaker. If you have any introductions or housekeeping now would be a great time. Thank you, sir.

ACTING SPEAKER AUBRY: Certainly. No housekeeping but we do have introductions.

Ms. Woerner for the purposes of a introduction.

MS. WOERNER: Thank you, Mr. Speaker, for allowing me the opportunity to interrupt us for the purposes of an introduction. I am joined today by Madison Fromma who is a high school senior in Saratoga Springs High School. She'll be attending SUNY Oneonta next year and she is here to shadow me today and -- and get a sense of what it means to be a legislator because I think that's part of her ambition. So, Mr. Speaker, if you will extend the cordialities of the House to our guest today.

ACTING SPEAKER AUBRY: Certainly. Madison, on behalf of Ms. Woerner, the Speaker and all the members, we welcome you here to the New York State Assembly. We extend to you the privileges of the floor. Hope that you have a great day while you shadow Ms. Woerner. Hope that it will inspire you to continue to be a part of a public process of ruling this State later in your life. Thank you so very much for being here.

(Applause)

Mr. Barclay for an introduction.

MR. BARCLAY: Thank you, Mr. Speaker, for allowing me to interrupt the proceedings. I guess I'm doing an introduction and sort of speaking on a resolution, also. I want to introduce Bill and Jennifer Cahill. Bill's a fifth grade teacher at the Volney Elementary School, which is in the Fulton City School District and his wife Jennifer is a math specialist in Oswego. Every year Mr. Cahill teaches his students about character traits such as civic, leadership and community service. As a stalwart example of someone who exhibited incredible leadership, he teaches his students about Corporal Carlton William Barrett who grew up in Fulton, New York and who received the Medal of Honor for his bravery on the beaches of Normandy on D-Day June 6th, 1944. Just to tell you a little bit about Corporal Barrett. Corporal Barrett is credited with saving multiple lives and ensured that several of his fellow injured comrades were rescued out of the water to save them from drowning amid heavy enemy fire. He managed all this while being injured himself. The resolution that will pass today in the Assembly celebrates the life of Corporal Barrett Day and recognizes June 6th, 2023, the anniversary of D-Day as Corporal Barrett Day in the City of Fulton. Bill Cahill's work as an elementary school teacher not only helps kids learn about his bravery but it fosters a sense of pride for their community that many students have never experienced up until that point. Due to this history lesson, they learned that bravery is not only in the movies or just on the athletic fields, they learn real heroes can be born right in their own backyards. It also helps them to learn why it's important

that we celebrate and honor our veterans who are fighting daily to protect our freedoms.

So with that, Mr. Speaker, please welcome Bill and Jennifer Cahill and, again, thank you to Corporal Barrett Day posthumously for his great service to this country. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you. On behalf of Mr. Barclay, Jill [sic] and William, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Thank you for the work that you're doing in expanding the minds and thoughts of our young people about this glorious country and its history. Please continue that great work and know that you are always welcome here. Thank you.

(Applause)

Ms. Woerner for another introduction.

MS. WOERNER: Yes, thank you. Today is my day for introductions. So we will shortly be taking up a resolution calling on the Governor to declare this week Library Assistance Week in the State of New York. And here to celebrate that occasion we have some members of the New York State Library Assistance Associations 2023 Executive Council. I'd like to introduce you to Cathy Fallon who is the President of NYSLAA and Dawn Foland who's the Corresponding Secretary. They're both from Oneonta and they are here to -- to celebrate this annual proclamation which began in 20 -- 2000 -- in 1996. The purpose of it is to advance professional image of New

York and growth of New York State library assistance, further their professional development, provide a network of communication for members, and strengthen their positions to better resolve issues. On that note, I would like to also introduce you, if you do not know it, to the New York State Legislative Law Library which is right down the hall on the third floor. We have a library here and we have library assistants in our Legislative Law Library. This library was established in 1915 and has housed federal and legislative case law and an extensive collection of reports from New York State agencies and all of those task forces and committees that we create, and it has provided the necessary research and resources for all New York State Senators and Assemblymembers. And I invited Sue Rohrer to join us today. She is the Legislative -- she is the Library Assistant in our Legislative Library. She has been the Legislative -- the Library Assistant for the last 40 years having begun her work here in the library in 1983. Microfilming documents at the age of 19. So if you will please join me, Mr. Speaker, in welcoming library assistants and in congratulating Sue Rohrer on 40 years of service to us as a Library Assistant here in our Legislative Library.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Woerner, the Speaker and all the members, we welcome these extraordinary ladies here to the New York State Assembly. We extend to you the privileges of the floor and certainly our congratulations on 40 years of great service that you've provided us. And for those of you who haven't done 40 yet, we hope that your life

will extend out that long so that you can one day come back and share this with us. Thank you so very much.

(Applause)

Mr. Gray for the purposes of a introduction.

MR. GRAY: There we go, thank you, Mr. Speaker, for the privilege of the floor. It is with the great honor and privilege on behalf of our Higher Education Committee Chairwoman Pat Fahy and our Ranking Member of the Committee, Robert Smullen and myself that we introduce the new President of SUNY Potsdam. As you know the 116th Assembly District is the self-proclaimed collegiate capital of New York State with five college campuses. And so it is with a great honor that we welcome the 18th President of SUNY Potsdam on her eighth day, Dr. Suzanne Smith. Doctor, welcome. And along with her is David Davin, Vice-president SUNY Potsdam. Mr. Speaker, would you please extend the cordialities of the floor.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Gray, the Speaker and all the members, President, we welcome you here and your assistant to the New York State Assembly. We extend to you the privileges of the floor. Thank you for the work that you do on ensuring the high quality of education that's provided at your university. Please continue that work and know that you are always welcome here. Thank you so very much.

(Applause)

Mrs. Peoples-Stokes for the purposes of a

announcement.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. If you would please call the Governmental Operations Committee to the Speaker's Conference Room.

ACTING SPEAKER AUBRY: Government Operations, Speaker's Conference Room immediately.

We will go to resolutions on page 3. The Clerk will read.

THE CLERK: Assembly No. 317, Ms. Solages. Legislative Resolution memorializing Governor Kathy Hochul to proclaim April 2023 as Cesarean 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.

THE CLERK: Assembly No. 318, Mr. Sayegh. Legislative Resolution memorializing Governor Kathy Hochul to proclaim April 2023 as Arab American Heritage Month in the State of New York.

ACTING SPEAKER AUBRY: Mr. Sayegh on the resolution.

MR. SAYEGH: Thank you very much, Mr. Speaker. I rise this morning to continue this annual traditional recognition of April in New York State as Arab American Heritage Month. And this comes in conjunction with the federal recognition of April on a



permanent level being Arab American Culture and History Month. And this is for me very significant and important because I myself come from an Arab-speaking country from Jordan, came to the USA back in 1956 at a very young age and resided in the City of Yonkers. And Yonkers, New York has a very large Arab American population and when we visited neighborhoods all across New York State and New York City, especially Brooklyn, New York where Atlantic Avenue was almost a haven for Middle Eastern goods and delicacies from the Middle East and Arab-speaking countries. And I myself look at this growing population here in New York State that amounts to over 200,000 Arab Americans and some four million across the USA. And it's a community that respects family values, respects tradition, respects and values education and has one of the highest rates of educational success among its young men and women. And because we value the opportunity to live in one of the best countries of the world and we value the freedom that all of us have as Americans and value the respect for diversity. And as Arab Americans they come in all different religions representing Christianity, Islam and Judaism and it's really a culture that has had a major contribution on Western civilization. So today is a continued recognition of the culture, the history and traditions of Arab Americans and I'm very happy that my colleagues continue to support as we do with all ethnicities and races and necessary components of what makes us great. Thank you very much.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Mamdani on the resolution.

MR. MAMDANI: (Speaking Arabic) That is the broken Arabic that I remember from my classes in university. And I wanted to really commend the sponsor for bringing up this resolution because I have the privilege and the pleasure of representing Astoria. And in Astoria the Arab community puts the "A" in our name. We would not have that neighborhood the way that it is, the way that we love it, without the great contributions of the Arab community from across a multiplicity of backgrounds and nationalities and ethnicities. We give great thanks to the contributions across our neighborhoods, as well as across this entire country and forever in appreciation for what the Arab people have brought to -- to all of our lives and to the lives of our districts. Thank you so much.

ACTING SPEAKER AUBRY: Thank you.

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

THE CLERK: Assembly No. 319, Mr. Palmesano.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim April 2023 as Organ and Tissue Donor Awareness Month in the State of New York, in conjunction with the observance of National Donate Life Month.

ACTING SPEAKER AUBRY: Mr. Palmesano on the resolution.

MR. PALMESANO: Thank you, Mr. Speaker, and my colleagues. It's an honor and a privilege to stand on this floor with

you today to talk about this important issue. For our newer members, each year we pass a resolution in April to promote April as Organ and Tissue Donor Awareness Month in conjunction with Donate Life Month. It's been a privilege to work on this important issue and this resolution since 2011. But from 1992 to 2012, our former colleague and friend, Jim Conte, introduced and led this resolution on the floor. For those of you who did not know Jim Conte, Jim was a two-time kidney transplant recipient, a great human being and a staunch and tireless advocate to promote Organ Donation Awareness. Jim sat right here in front of me where Ms. Walsh is sitting. He was our floor leader, but more importantly, he was the heart and soul of our conference. Unfortunately, we lost Jim as he passed away in October of 2012. And although his passing left a hole in the heart of this Chamber, his memory and mission to promote Organ Donation Awareness lives on. And it's incumbent upon all of us, each and every one of us to carry on this important mission and message. And when Jim spoke about this issue, he spoke with emotion, passion and facts. So I'd like to share some of the facts with the Chamber just so you're aware.

Right now in New York State there are nearly 8,100 New Yorkers waiting for an organ transplant. Eleven hundred have been waiting for more than five years. We have 52 registries across this country. New York is number 50 out of 52, we're ahead of Puerto Rico and New Jersey. The national donation rate is 63 percent, New York is number 50 at 46 percent. We have the third highest need for

organs but the third worst registry rate. And last year we lost 400 men, women and children waiting for a life-saving organ transplant. Mr. Speaker and my colleagues, we can and we must do better. But when I talk about statistics, this is the most important statistic to remember. A single person who donates at the time of their death can save up to eight lives and impact the lives of 75 others. I want to repeat that. A single person that donates at the time of their death can save up to eight lives and impact the lives of 75 others. We've had many members pass and present who have been personally impacted by this issue and their families. Former Assemblyman Bill Hoyt, my understanding, died on the Assembly floor waiting for a heart transplant and no one knew until that very day. Assemblyman Andy Goodell, his daughter donated to a high school classmate. Assemblyman Michael Fitzpatrick staffer donated to a stranger. And our wonderful Majority Leader I know has been impacted, her and her family by this issue. But for me personally, Mr. Speaker and my colleagues, when I talk about this issue I think about my sister Teresa. My sister Teresa was a juvenile diabetic. She was a two-time organ transplant recipient. First in 2000 from the kindness of a stranger and then in 2006 I had the privilege to donate a kidney to her. Unfortunately, I lost my sister Teresa in 2013 from the complications to juvenile diabetes and how it impacted her body, but I realized my sister Teresa was the lucky one. She had two transplants and I did not realize how bad the numbers were in New York until I came in here in 2001 and stepped on this Chamber floor and started learning about it.

But working together over the past decade we've made some very positive steps to help bring awareness and make progress. When I used to talk about this number -- the donation rate, instead of 46 percent, it was 23 percent. Instead of talking about 8,100 New Yorkers on the wait list, we were talking about more than 10,000 New Yorkers on the wait list. Instead of 1,100 waiting for five years, we're talking about 1,700 people waiting for five years. Some of the things we've done, some of the significant things, we passed Lauren's Law back in 2012. Lauren's Law was named after a 12 -year-old heart transplant recipient named Lauren Shields who became a very powerful advocate and voice for the issue of organ donation. It happens when you go to get your driver's license, they ask you *do you want to be an organ donation* [sic] and you either have to answer the question yes or skip the question. You don't have to say yes but you have to answer the question to get your license processed. And in 2015 we passed legislation to allow 16- and 17-year-olds to register their intent to be an organ donor. You know as a father of two, I can't tell you how proud I was when my daughter and son came home from the DMV with their driver's permit and organ donor was checked off on the box and we didn't really discuss it, they heard me talk about it, we didn't discuss it so I was so proud. Another impactful thing we've done here in New York State is back in 2013 we activated and created an online donation registry. You answer a few questions and then you can be registered as an organ donor. Mr. Speaker, and my colleagues, we have made progress, but we still can and must do better. I

understand when we talk about the issue of organ donation. It's kind of uncomfortable because you're talking about one's death, I get that, but think about it for a minute. What if your loved one, your mom or dad, your brother or sister, husband or wife, or God forbid your son or daughter were in need of a life-saving organ transplant and you heard some of these numbers that we talked about, maybe that might motivate you to think about the issue a little differently and register to become an organ donor.

Mr. Speaker, and my colleagues, we pass a lot of bills in this House. Some good, some not so good. But this is an issue that actually saves lives and we should all agree to work on it day in and day out. And it doesn't require a bill necessarily or a lot of money, but it does require a commitment and effort on our part to advocate, educate and promote awareness to encourage people to become a registered organ donor. If you ask what can I do, if you're not an organ donor now please register to be an organ donor. Talk to your family and friends about it. Use your offices for mail and social media to promote organ donation. Use your web pages and things of that nature and let's work to expand opportunities. We need to expand those opportunities to engage the public. I believe deeply the more we get the question in front of people to ask them if they want to be an organ donor, they're going to say yes but we should be asking the question on tax forms, public assistance forms, higher education forms. We should be partnering with our libraries and the (inaudible) for (inaudible). The more we ask the question, the more people are

going to say yes. New Yorkers are good and they will respond accordingly. And in conclusion, I know I talked about Jim Conte in the beginning and I want to finish it with him. You know, individually not one of us can talk about this issue like Jim did, but collectively, Mr. Speaker, and my colleagues, as a Body, we can do so much, much more and continue to move this issue forward to improve the numbers as I already talked about it. To continue to bring awareness and education to the public and yes, save lives, and that's exactly what Jim Conte would want us to do today. Continue to work together on this important issue. So after we pass this resolution today and move on to the next one, let's not just stop. Let's continue to push and advocate not just in April but every month year-round because together we can save lives. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Ms. Walker on the resolution.

MS. WALKER: Thank you, Mr. Speaker. I always say that I thought I was a great advocate for education until I became a parent. And it was those sort of real lived experiences that really made me understand and feel first hand why that advocacy is so important. So I will stand today to say that I never really understood how much donating our organs was important until my experiences and present experiences with going through end stage renal disease with my mom. A kidney is so precious. And living a life on dialysis is not a life that anyone should have to endure, particularly if one of those life-changing experiences could be that of a kidney transplant.

And so I want to congratulate my colleague for bringing this important resolution regarding organ and tissue donor awareness. There are currently 121,678 people waiting for life-saving organ transplants in the United States. Of these, 100,791 await kidney transplants. The median time for an individual's first kidney transplant is 3.6 years depending on your health compatibility and availability. New York, I believe that those numbers are even more grim. Particularly, I want to encourage and support more communities of color to also consider organ transplants as well because that's not necessarily a conversation that, you know, I grew up having at the kitchen table. And so again, I want to congratulate the sponsor. I commend my support to you in whatever your efforts are in this month and in the remaining months ahead as it relates to raising awareness regarding this very important issue. So thank you very much, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Mr. Burke on the resolution.

MR. BURKE: Thank you, Mr. Speaker. I'd like to commend the -- the sponsor of this resolution on this important issue. You know, part of the tragedy of the thousands of lives that are lost every year while they wait for an organ is that it's a -- it's a bad policy that is a result of those lives lost. So in other parts of the world and other parts of the country, the -- the idea of an opt-out system has been pushed. So you don't have to make some -- you know you don't have to check the box, it's presumed that you want to donate your organs upon your death, and if you don't you have to opt out of that system.



That would save thousands of lives every year. It's a policy decision that we choose to make and we fail thousands of people as they currently wait for an organ to save their lives. So there are policy decisions we can make. Sometimes they're not always the most popular. It's interesting, we did a trip to Ireland last year, several of us from our legislators' delegation, and there they are talking about this issue and they're talking about it in moral terms. So it's immoral not to do an opt-out system because simply it may be uncomfortable for people to talk about death or we'll have to accept our own mortality that you will allow people to die because you don't want to think about it or talk about. So we can do really proactive good policy measures. It may be a sensitive thing to talk about politically but certainly when it comes to the policy of how many lives can be saved there is no debate or doubt. So I'm certainly supportive of this Body taking up that measure. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Ms. Tapia on the resolution.

MS. TAPIA: Thank you, Mr. Speaker. And I want to commend the sponsor of this legislation -- of this resolution and how important it is. But I learned 17 years ago how important organ donation it is and how critical it is that all of us and the whole community understand, I get how important it is. Seventeen years ago my son -- one of my sons was diagnosed with kidney disease. He was only 13 years old. And we lasted 14 years waiting for a transplant. Fourteen years waiting for a transplant. And 14 years in dialysis every

three times of the week, three times a week in dialysis and I understood during all those times how important it was. I couldn't give a kidney to my son because we were not compatible. And my sister gave one to him at the beginning when he was -- when he was early diagnosed and he lost it, he couldn't keep it. And we had to wait 14 years to get that one and that happened just in 2021, the 5th of December. This only being one year and four months that he got a transplant. It was -- it was the greatest gift in my life seeing my son having a normal life again after he couldn't just -- he couldn't live his young life because he couldn't travel, he couldn't do anything like that. And that was because of the kidney. And I am eternally grateful to the person that donated the kidney to him, didn't want to say his name so we don't know who he was. But it was the greatest gift that our family received in 2021. So I commend the resolution and I am here, I have been fighting for organ donation ever since and I continue to fight on the awareness that has to come to our communities to understand how critical this is -- this organ donation. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

On the resolution -- no, I'm sorry.

Ms. Levenberg on the resolution.

MS. LEVENBERG: Thank you, Mr. Speaker. I also would like to commend the sponsor of this resolution. My father would have been 94 on April 21st but he passed away from kidney failure. And while I think he probably wouldn't have been eligible for a transplant, I know how important this is for so many young people.

I just ran into Tevin Gillespie who is I think still is in his early 20's in my district who had -- was able to have an organ transplant and there's so many others. I learned about this issue from my predecessor Assemblywoman Galef who had many constituents come to her to talk about how important it is to really increase our registry. And a shoutout to my colleague who talked about an opt-out system which I think makes a lot more sense. And when we do look around the world and around the country we know we can do much better and we must do much better. So again, I hope that -- well, one of my favorite -- favorite things that we did during the pandemic to raise awareness was I think the first ever Zoomathon and we had an all day event talking about the impact of organ donation, how important it is and how more than anything you really can pay it forward. And recipients of organs have gone on to tell tales of how their lives have not obviously been saved but been altered for the positive and how the families that they have been able to connect with of the donors have felt also that their loved ones have lived on. So again, I commend the sponsor and I urge all of my colleagues to continue to support all the efforts that we can to raise the organ donor enrollment, registry numbers and make sure that we can save lives. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Ms. Shimsky.

MS. SHIMSKY: Thank you, Mr. Speaker. I'm sure all of you remember the travails that former Assemblyman Brodsky's family had finding his daughter not one but two -- two organ

transplants. Willie is doing fine now and she got the gift of life from those two donors who gave her a kidney. Obviously we have to do a lot better as a State, just about everyone else is eating our lunch on this and it's not just a matter of personal pride, it's a matter of life and death to many thousands of our residents. And I salute the speaker -- the sponsor of this resolution and I hope that we'll be able to do better.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker, for the opportunity to speak on this resolution. I want to concur with most of what my colleagues have said that this is probably one of the more important issues that we can actually be discussing in the People's House. I would just wonder and I know we can't take polls in here but I wonder how many of us have already signed on the back of our license that we're willing to be a donor. It's the easy thing to do, you got to renew your license every now and then anyway and even if you don't have to renew you can just go to your DMV and sign up. And so I think at some point we should not just challenge our community and our state and our nation to do better as it relates to organ donation, but we should challenge ourselves as well. And so I would encourage folks to do it if you have not. I will say I knew Mr. Conte, I knew Mr. Brodsky. I knew what issues they were going through, and my daughter was diagnosed with kidney disease when her son was in the fifth grade. And thankfully because someone did check off on their license that they were willing to be an organ

donor, she was able to live an additional three years with that kidney, with that new kidney, not on the dialysis, not doing (inaudible) to her dialysis at her job, not taking time from her son's school, sports and his athletics because she had to go to dialysis. And so it's critical and it can't be understated. And again, it's so easy for us to always say what everybody else should do. I just wonder if we've done it ourselves. And if we haven't, I'm going to encourage you to do so asap. With that, Mr. Speaker, I would like to commend the sponsor of this resolution who does it every year, he gives out great data, great statistics, and I'm going to ask him to join me in challenging our colleagues. Just get your license filled out so that you can become a donor as well. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

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

Mrs. Peoples-Stokes for an announcement.

MRS. PEOPLES-STOKES: Mr. Speaker, would you please call the Ways and Means Committee to the Speaker Conference Room.

ACTING SPEAKER AUBRY: Ways and Means Committee to the Speaker's Conference Room immediately, please. Resolution No. 321 [sic], the Clerk will read.

THE CLERK: Assembly No. 320, Mr. Smith.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim April 2023 as Mathematics and Statistics

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.

THE CLERK: Assembly No. 321, Mr. K. Brown.  
Legislative Resolution memorializing Governor Kathy Hochul to proclaim April 4th, 2023 as School Librarian 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 No. 322, Mr. DeStefano.  
Legislative Resolution memorializing Governor Kathy Hochul to proclaim April 2023 as Bullying Prevention Month in the State of New York.

ACTING SPEAKER AUBRY: Mr. DeStefano on the resolution.

MR. DESTEFANO: Thank you, Mr. Speaker, for the opportunity to speak on this very important resolution. As many of you know the school year is winding down here in the State of New York and soon many proud parents will see their children graduate across our State. This is something we as parents and State leaders should be very proud of. But there continues to be an issue that many of our future graduates and their underclassmen are facing and will continue to face into the future without proper legislation and action

from the government. The issue is bullying. According to the most recent data from the National Survey for Educational Statistics, over one-fifth of our children between the ages of 12 and 18 experiencing some type of bullying. In the State, 21 percent of high schoolers say they've been bullied on school property, 17.3 percent reported being bullied on line, 31 -- I'm sorry -- 35.1 percent, that's over a third of our students in school, considered suicide at least once. We need to do more for our children. Students should not be going to school and then be considering suicide because they are being bullied. Parents should trust that our schools are safe environments and the duty to ensure all of our students in learning without being bullied either on school grounds, buses or outside of schools, computers or phones. Here are some of the warning signs that many indicate there are some being effected by bullying, either being bullied or being bullied by others. Recognizing the warning signs is an important first step in taking action against bullying. Not all children who are bullied are bullying others for help. It is important to talk with children who show signs of being bullied or bullying others. These warning signs could also point out to the other issues or problems such as depression, substance abuse, taking the child -- talking to the child can help identify the root of the problem. Signs child is being bullied. Looking for changes in the child, however be aware that not all children who are bullied exhibit warning signs. Some signs may point to a bullying problem are unexplainable injuries, loss or destroyed clothing, books, electronics or jewelry, frequent headaches or

stomachaches, feeling sick or faking illnesses, changes in eating habits like suddenly skipping meals or binging. Kids may come home from school hungry because they didn't eat lunch. Difficulty sleeping, frequent nightmares, declining grades, lost of interest in schoolwork or not wanting to go to school, sudden loss of friends or avoidance of social situations, feeling of helplessness or decreased self-esteem. Self-destructive behaviors such as running away from home, harming themselves or talking about suicide. If you know someone in serious distress or danger, don't ignore the problem, get help right away. Some signs of children that are bullying others may be getting into physical or verbal fights, having friends who bully others, and are increasingly aggressive, get sent to the principal's office or detention frequently, have unexplained extra money or new belongings, blame others for their problems, don't accept responsibility for their actions, are competitive and worry about their reputation or popularity. Why not ask these kids what's going on? Statistics show that only 20 percent of school bullying incidents were reported. Kids don't tell adults for many reasons. Bullying can make a child feel helpless, kids may want to handle it on their own to feel in control, they may fear being seen as weak or a tattletale. Kids often may fear backlash from a child who is bullying them. Bullying can be a humiliating experience, kids may not want to talk to adults what is being said about them, whether it's true or false. They may also fear that adults will judge them or punish them just for being weak. Kids are bullied, they already feel socially isolated, they may feel like no one cares or



could understand. Kids may feel being rejected by their peers. Friends can help protect these kids from bullying and kids fear losing their support. So today I ask my colleagues to support my resolution calling on the Governor to proclaim April 23, 2023 as Bullying Prevention Month in the State of New York. Thank you, Mr. Speaker -- Ms. Speaker, I'm sorry.

ACTING SPEAKER SILLITTI: Thank you.

Ms. Walsh on the resolution.

MS. WALSH: Thank you, Madam Speaker. I'd like to thank my colleague for bringing this resolution forward declaring April 2023 as Bullying Prevention Month in our State. You know, we keep talking about mental health as being a major priority and a major worry for our kids and for others in our State. And I know that as work is being done on the State budget this year, I know that there has been a significant commitment on the part of the Governor and I believe both Houses to really try to address mental health issues. Bullying goes hand in hand with that really significant and important priority. We talk about the Dignity for all Students Act or DASA. We want our kids to be able to not only get a great education in school but also do so in a way that at times it does not create greater harm for them. Harm that they could carry through their entire lives. So I was dismayed last week when a bill that I've carried, Jacobe's Law, Assembly Bill 2231, was held for consideration which for people watching this later who don't know what that -- what those words mean, it means that the bill was killed in the committee and will not

be taken up on the floor of the Assembly or the Senate this year, well, it may be taken up in the Senate. But, you know, it was held for consideration and that bill would've required that parents get looped in when there's knowledge that their kids are being bullied in school. That's really important. We don't want to cut our parents out of being possible solutions and supports for kids who are experiencing bullying. So we can have a resolution and I proudly support this resolution and I thank the sponsor for bringing it forward. But really where the rubber hits the road is the legislation that this Body takes up and passes. And I think a bill like that would have done a lot to put some real oomph and power and -- and action behind a feeling that we need to prevent bullying in our schools and we need to help support our kids. So I really hope that moving forward, in addition to having a resolution expressing concerns about bullying, that this Body will actually take up legislation that will help prevent bullying in our schools. Thank you very much, Madam Speaker.

ACTING SPEAKER SILLITTI: Thank you.

Mr. Pirozzolo.

MR. PIROZZOLO: Thank you. I would like to thank Assemblyman DeStefano for bringing up this issue and I'd like to just tell a story about what's happened on Staten Island. We recently had a young girl who took her life because of bullying and because of the tragic loss, her mother just a few days or a few weeks later also took her life because of the loss of the daughter. So sometimes we don't realize what goes on as far as -- you know we talk

about young children being affected, but we don't realize what it does to families and goes beyond that. So I would echo everything that has been said today as far as we need to do more to recognize bullying in schools when it happens and to go forward to make sure that the families and parents get the support that they need, also. Thank you.

ACTING SPEAKER SILLITTI: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Madam Speaker. I, too, would like to rise and commend the sponsor of this resolution. I -- you know, I think it's great that we really want to try to focus on ending bullying for the month of April but I think this is a year-round job and I think a lot of it -- our children act out what they see adults do and sometimes it's even difficult to watch the news when you see elected people bullying each other when they should be communicating with each other. So bullying is a learned activity. You're not innately born with an attitude that you're going to bully somebody, you learn that. And so it's hard to, you know, keep up with the news unless you're watching PBS because you won't see that on there. We have to somehow train our children not to do that because it does create problems for other people who are impacted by them. And so if we're training our children not to do it then what are we saying to the adults that we know that do, on a regular basis. On a regular basis people want to intimidate and bully others in order to get their way. That is not the way to communicate and I think this is something that should not just happen for the month of April, this

should happen for the entire year. Communication is the way to get things done, not bullying people. Thank you. And thank you to the sponsor of this resolution.

ACTING SPEAKER SILLITTI: Thank you.

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

THE CLERK: Assembly No. 323, Ms. Woerner.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim April 27, 2023 as Library Assistants' Day in the State of New York.

ACTING SPEAKER SILLITTI: Ms. Woerner on the resolution.

MS. WOERNER: Thank you, Madam Speaker. My colleagues, I rise today to speak on the resolution memorializing Governor Hochul to proclaim April 27th Library Assistants' Day in the State of New York as part of National Library Week. You know I look around this Chamber and we have such amazing diversity in our conference, but there is one thing that binds each and every one of us. We all have libraries in our community. Every single one of our communities is a -- has a library that is the hub of their community. Not only is it a place to check out books and to read magazines, it's a place to get homework help, it's a place to do research on your family history, it's a place to understand more about the world that surrounds you, it's a place to get help in job training, it's a place to get help with your own personal documents. Libraries are such an important part of

our community and the library assistants are the people that we turn to to provide that help. So please join me in commending the Governor to memorialize this day and by the way, thank a library assistant when you next see one. Thank you so much.

ACTING SPEAKER SILLITTI: Mr. Ardila on the resolution.

MR. ARDILA: Thank you, Madam Speaker. I have four public libraries in my district and they're oftentimes the first point of contact for families and children who seek to expand their education and recreational activities outside of the classroom and the reason libraries are thriving is because of the library assistants, the work they put in, the efforts they put in, and that's why we're all gathered here today to honor them on this special day. Libraries are the cornerstone for any thriving community and what we're here to do is to really ensure that we are providing them the resources and tools needed to succeed so they can continue to serve our families. They serve as a second home for my constituents so I'm here to support this resolution and very excited to be here so thank you.

ACTING SPEAKER SILLITTI: Thank you.

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

THE CLERK: Assembly No. 324, Ms. Wallace.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 7, 2023 as Ostomy Awareness Day in the State of New York.

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

THE CLERK: Assembly No. 32 --

ACTING SPEAKER SILLITTI: Hold on, hold on one second.

Mrs. Peoples-Stokes for an announcement.

MRS. PEOPLES-STOKES: Thank you, Madam Speaker. Would you please call the Rules Committee to the Speaker's Conference Room.

ACTING SPEAKER SILLITTI: Rules Committee to the Speaker's Conference Room, please.

THE CLERK: Assembly No. 325, Ms. Rajkumar.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim April 2023 as Punjabi Awareness Month in the State of New York, in conjunction with the observance of Vaisakhi to be celebrated April 14, 2023.

ACTING SPEAKER SILLITTI: Ms. Rajkumar on the resolution.

MS. RAJKUMAR: As the first Punjabi American ever elected to a State office in New York, it is with enormous pride that I introduce a first of its kind resolution, whereby this Body will recognize the month of April as Punjabi Heritage Month in our great State, and officially name Vaisakhi Day in honor of our Sikh American community. It's true that I'm a daughter of the Punjab, a

state of North India. My ancestors are from Amritsar, from the old city of Patti. The region of Punjab is the heart of the Sikh community. Like many Punjabi families across our great country, my family immigrated to the United States for the American Dream. I am proud to now be the Assemblywoman for the beautiful Queens neighborhood of Richmond Hill, known by many as Little Punjab. I am proud to say that the 38th Assembly District's neighborhood of Richmond Hill is known as the Sikh capital of the United States. Richmond Hill is home to New York City's first Sikh temple known as a gurdwara. And it is the cultural center of the Sikh community. I would like to tell you a bit about the Sikh American community. At every gurdwara in this country, food is made and offered free of charge to anyone no matter their religion, gender, economic status or ethnicity. This is the Sikh practice of langar serving free food to all with no discrimination. And they offer everyone free food every single day. Sikh's are required to defend the freedom of worship of other religions just as they would defend their own. As my uncle always told me, Sikhs are our protectors. Sadly, Sikh Americans are among our nation's most targeted religion groups because of their distinct appearance wearing turbans on their head. There has been a 200 percent rise in hate crimes against Sikh Americans in the past couple years. But the Sikh community forges on with joy and determination, promoting tolerance and unity. Sikh Americans first came to the United States in the late 1800s as farmers working the land. In 1923, the United States Supreme Court ruled in the United

States vs. Bhagat Singh that Indians could not be American citizens. But now they are over a half a million Sikhs across the United States thriving in all fields. The future is now bright for the Sikh American community. And now the community is fighting for recognition for Diwali to finally become a school holiday in New York City schools. After 20 years of advocacy from the community, Diwali school holiday has become a rallying cry for the community across the city, state and nation signifying what we know to be true, we are American. We are part of this great nation. We belong and our government sees us. On this Vaisakhi to all New Yorkers may your heart dance. May you be showered with happiness. In Richmond Hill, the dhol drums play. Gurdwaras are adorned with color. On behalf of Punjabi Americans across the State, I proudly submit to you this historic resolution. Thank you, Madam Speaker.

ACTING SPEAKER SILLITTI: Thank you.

Mr. Anderson on the resolution.

MR. ANDERSON: Thank you, Madam Speaker. I'd like to briefly speak on this resolution. To the sponsor of this resolution I thank you for bringing this issue of making sure that we are aware of our brothers and sisters in the Punjab South Asian American and Hindu Sikhism community. Punjab is a culturally vibrant and diverse country in Northern India as we learned and it's continuously -- has continuously evolved over the years. I'm proud to represent the communities in South Richmond Hill which is home to many Punjabi Americans but also, is often referred to as Little Punjab.



Richmond Hill is also one of the largest Sikh communities outside of India. And last year I had the opportunity of visiting one of the largest Sikh temples in the district just outside the district where I was invited for lunch and to learn more about their cultural richness and history. So everything from clothing, to food, to all the cultural history, we welcome our neighbors to this community and we also preach religious tolerance to make sure that our neighbors understand the importance of coexisting with our brothers and sisters in this community. So again, I thank you, Madam Speaker, for allowing me to speak on the resolution, and I thank the sponsor.

ACTING SPEAKER SILLITTI: Thank you so much.

Mr. Weprin on the resolution.

MR. WEPRIN: Thank you, Madam Speaker. I, too, rise to support this very important resolution. I represent South Richmond Hill which houses the largest Sikh temple in the Northeast which houses the Sikh Cultural Society where they have 9,000 members at the Sikh Cultural Society Gurdwara. I also sponsored the Religious Garb Law a few years ago, you may remember, which was a very important bill to the Sikh community because it outlawed discrimination in all employment in New York State whether it be public or private for wearing religious garb or facial hair, and as a result Sikhs now can be admitted into uniform agencies particularly the NYPD where they were prohibited from being part of the NYPD while they had a beard and a turban. That is no longer the case. The Religious Garb Law is a law of the land and I'm very proud to

represent such an important part of the Sikh community and I praise the sponsor of this resolution for bringing this to the floor today.

Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mr. Chang.

MR. CHANG: Thank you, Mr. Speaker. I'm honored to sponsor this -- this resolution. It's very, very important and it recognizes this important community itself. During my younger career as a (inaudible) I lived and worked in India in Delhi and in Gudara for about five or six years so I understand living amongst them. And I frequently travel to Hong Kong, also my home heritage there and we have a large Sikh community in that country in Hong Kong. So it's -- it's gratifying that we recognize this community. It's a growing population and it's important to bring economic vitality and its religion over here. So I welcome this resolution and I thank you for sponsoring the support. Thank you.

ACTING SPEAKER AUBRY: Thank you.

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

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you. Members have on their desks now an A-Calendar. Mr. Speaker, I would like to advance that A-Calendar.

ACTING SPEAKER AUBRY: On Mrs. Peoples-Stokes' motion the A-Calendar is advanced.

Page 3, Rules Report No. 121, the Clerk will read.

THE CLERK: Assembly No. A06595, Rules Report No. 121, Weinstein. An act making appropriations for the support of government; and to amend chapter 121 of the laws of 2023 relating to making appropriations for the support of government, in relation thereto; to amend chapter 122 of the laws of 2023, relating to making appropriations for the support of government, in relation thereto; to amend chapter 124 of the laws of 2023, relating to making appropriations for the support of government, in relation thereto; and to amend chapter 125 of the laws of 2023, relating to making appropriations for the support of government, in relation thereto, and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER AUBRY: On a motion by Ms. Weinstein, the Senate bill is before the House. The Senate bill is advanced. Governor's message is at the desk. The Clerk will read.

THE CLERK: I hereby certify to an immediate vote, Kathy Hochul, Governor.

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

MS. WEINSTEIN: Yes, Mr. Speaker. This bill would provide appropriations for payroll, contracts, liabilities and federal or state assistance of various departments agencies as well as the Executive, Lieutenant Governor, Comptroller, Attorney General, Judiciary and Legislature and including unemployment insurance subsidies from April 1st through April 28th, 2023, this Friday.

ACTING SPEAKER AUBRY: Mr. Ra.

MR. RA: Thank you, Mr. Speaker. Will Ms. Weinstein yield?

MS. WEINSTEIN: Yes.

ACTING SPEAKER AUBRY: Ms. Weinstein yields.

MR. RA: Okay. So as the Chair said this covers up until April 28th now. So just in terms of the total appropriation of this bill and then where it stands relative to the extender that we passed this past Thursday in dollars.

MS. WEINSTEIN: Sure, yes. This bill appropriates 4.797 billion, the new appropriations are 655.3 million which is mostly in personnel services and unemployment insurance benefits and the net change in appropriations over the last emergency bill is 1.2 billion.

MR. RA: Thank you. So we're going to Friday unlike last week we had gone to Thursday. So I'm hoping that means we're in a good place so can you give us any idea to the status of the budget negotiations?

MS. WEINSTEIN: Well, I am hopeful that this is our last extender and that we -- negotiations are -- as the Speaker said earlier, I believe that negotiations are nearing -- we're nearing the end and I am hopeful that we will be able to vote on budget bills if things continue to go well by the end of this week.

MR. RA: I will share that hope with you as well.

Any idea of since we're moving in that direction when we might start to see some of the appropriation bills that make up our enacted budget and the Article VII bills that accompany them?

MS. WEINSTEIN: I would assume -- would need to be later this week. There still are ongoing negotiations so I don't believe things are in a -- in a totally closed mode yet.

MR. RA: Okay. So just in terms of those ongoing negotiations. We all know about many of the issues that have been in the mix. One of the ones that certainly myself and I think many on both sides of the aisle have strongly opposed was the Governor's housing compact and the transit-oriented development proposals. Reports have suggested that those are now off the table eliminated. Can we say that with certainty that we're not going to see those in the final budget?

MS. WEINSTEIN: I believe the Governor did say that the housing discussed -- that her housing proposals are mostly going to take place discussions on that post-budget.

MR. RA: Post-budget, okay. What about some of the other things that I think had been brought into that conversation like good cause eviction, housing vouchers?

MS. WEINSTEIN: I believe many of the housing issues are -- will be post-budget discussions.

MR. RA: Okay, thank you. In terms of the health care side of things. As you know, you know, one of the big issues that has been out there throughout this process is the Medicaid pharmacy

benefit fee for transition -- fee for service transition that was slated to go into effect April 1st. The Majority's one-House did propose repealing the transition but because the budget was delayed, you know, it has I guess gone into effect and as a result we've included in the extender here and I think a little bit of money in the previous extender \$9 million in funding for the Ryan White Centers, which was proposed by the Governor as a reinvestment of the savings from that transition. So can you --

MS. WEINSTEIN: Correct.

MR. RA: -- tell me how that funding being included in these extenders might relate to what the ultimate faith of that transition is going to be?

MS. WEINSTEIN: As you say that went into effect on April 1st. We did have the \$9 million in the extender a couple of weeks ago and that will all be resolved and settled by the time that we have a final health bill before us.

MR. RA: Okay. And I know as part of that there was additional funding for federally-qualified health centers and diagnostic treatment centers that were proposed by the Governor due to the transition. Do we know where in this process those types of payments would have come to?

MS. WEINSTEIN: It's still under negotiation but I hope to have resolution as I said later this week.

MR. RA: Okay. Moving on to just a couple other issues. Education, I mentioned last week about some level of

uncertainty that our school districts are dealing with. I think as you said, you know, many of them can hopefully take a look at the Executive Budget proposal and -- and at least maybe try to hopefully assume those numbers. But one of the other pieces with being education that was very much up in the air in the Executive Budget proposal was funding for our 4201 schools. They had faced a cut in the Executive Budget proposal, the Majority here had restored that and proposed additional funding, I believe the Senate did the same. So, you know, they -- they go through a different process. They don't get their funding, you know, they don't look at school aid runs in an enacted budget and all of that. So do we think they are going to be on solid ground in this final budget that that funding will have been restored that was cut by the Executive?

MS. WEINSTEIN: We did include that funding in our one-House budget. There still are active negotiations on that issue.

MR. RA: Okay. Another tax-related piece of this was the, you know, there's some tax proposals that were proposed in the one-House budget and then there's been some concerns at a local level in terms of the FMAP funding. So just -- you know, we just saw I guess last week the Comptroller said we had about \$3 billion in unanticipated revenue. Do we think in the final budget that will alleviate the push for any tax increases or are those still on the table for the enacted budget?

MS. WEINSTEIN: Some of that is still being

discussed and, you know, not only is the personal income tax for the State increased but also the sales tax for the county's collections have been increased dramatically over last year.

MR. RA: Yes, okay. Has any thought been given to utilizing some of that \$3 million then to restore the eFMAP funding for local governments that the Governor has proposed to take away from the local counties and taking it to the State level?

MS. WEINSTEIN: That is still under -- under discussion.

MR. RA: Okay. And has there been any talk of tax cuts or other initiatives to help New Yorkers dealing with the cost of inflation?

MS. WEINSTEIN: There are various proposals being discussed and with the goal of a budget that will help all New Yorkers with their daily lives and expenses.

MR. RA: Then lastly, regarding the MTA. I know we had some payments due to them in the last extender. That has been a central piece of the -- of the budget proposal in terms of an increase in the MTA. Payroll tax that was proposed for the entire region, I know there's been some reports that perhaps that is being scaled down to being just for New York City. Can you tell us anything about the status of that issue?

MS. WEINSTEIN: It's yet to be finalized but under discussion but I -- I'm confident that the MTA will be -- will receive the funding that they need as a result of our budget.



MR. RA: Okay. Thank you very much, Chair Weinstein.

Mr. Speaker, on the bill.

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

MR. RA: All right. So just quickly, this is extender number five. This is now the latest budget we've had in over a decade. It sounds like things are finally winding down which is a good thing. But as we look forward into this week, this is an extender that gives us until Friday. Now, my opinion is that it shouldn't mean that the negotiations go up until the end of the day on Friday. It should mean we should have a goal to get all of the bills, the Article VII bills, the appropriation bills introduced so that the public can see what's in them, digest them, and we can have a debate and a discussion and a vote in the light of day. It's one of the great things that at least with these extenders the last few weeks, I think we've shown how efficient we can be when we need to be. We're here, it's a Monday, it's 12:30 and we're about to pass our first bill for the week. Whereas in a normal week if we can start passing bills by, you know, 3 or 4:00 that's -- that's a good thing. So I just want to reiterate the importance of transparency. There's so many issues that continue to hang in the balance. Funding for the MTA, funding for our schools, our 4201 schools that dealt with a cut, obviously there's the Criminal Justice Reform issues, there's the housing issues, there the FMAP funding that our counties are worried about, there's funding for infrastructure, our bridges, our roads, our culverts. All of these things

if we're going to get them done by sometime later in the week into the weekend, let's get them done so that the public knows what's going on so that we can have a discussion in this Chamber and down the hall so that we have an idea of the total financial plan we're dealing with as we start to vote on those bills because too often that has not been the case. You're voting on a couple bills here, you don't know what's on the other end, whether there's going to be tax increases later, whether a proposal that's omitted from one bill is going to show up later on. So I think that we have until Friday now. I'm optimistic and hopeful that this is the week and I look forward to having a rigorous debate about the final enacted budget and it being done responsibly and being done in a transparent manner. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

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.

Page 3, Rules Report No. 122, the Clerk will read.

THE CLERK: Assembly No. A06586, Rules Report No. 122, Redistricting (Zebrowski). An act to amend the State Law, in relation to establishing Assembly districts; and to repeal Title I of

Article 8 of such law relating thereto.

ACTING SPEAKER AUBRY: An explanation is requested, Mr. Zebrowski.

MR. ZEBROWSKI: Thank you, Mr. Speaker. The bill before the House -- or yeah, the bill before the House, is a result of both the Constitutional mandate and a court order. This bill will create new Assembly District lines that will be in place for 2024, through the next Federal census in 2030. It's a result of a court order, as I said earlier, and it's before the House now pursuant to the provisions of the New York State Constitution.

ACTING SPEAKER AUBRY: Mr. Durso.

MR. DURSO: Thank you, Mr. Speaker. Will the sponsor yield for some questions?

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

MR. ZEBROWSKI: Yes, I'll yield.

ACTING SPEAKER AUBRY: Sponsor yields, sir.

MR. DURSO: Thank you, Mr. Zebrowski. So just to -- obviously I'll try to keep this debate much shorter than we had the last time. In regards to the current maps that we're voting on today, if they are voted on today, passed, these would be the maps that would be running on in 2025, correct? They'd be running on 2024 for the 2025 year, correct?

MR. ZEBROWSKI: For the 2024 election and the House, you know, seats on --

MR. DURSO: But the maps don't take effect until 2025, correct?

MR. ZEBROWSKI: Right. It wouldn't change immediately.

MR. DURSO: Correct, okay, thank you. So just a couple questions about the commission itself. Obviously when we went through this process the last time, then there was a lawsuit, they came back with new maps that were printed out, right, and that have been sitting there idly by until all the hearings were held and then they came out with these new maps, correct?

MR. ZEBROWSKI: There was a draft plan. There was thereafter 12 hearings, approximately 27 hours of hearings, thousands of comments. The commission then, you know, reconvened, did their work and submitted and this is their official submission.

MR. DURSO: Okay. So the draft maps, right, obviously are different than the official submission which is now, correct?

MR. ZEBROWSKI: Right.

MR. DURSO: Okay. So now how do they get from the draft maps and how those looked to what we currently are voting on today?

MR. ZEBROWSKI: They deliberated, considered the Constitutional mandates, the 27 hours of testimony, they have to weigh the Constitutional criteria, take into consideration all the

comments they received and do the best job they can to come up with a map given a totality of the circumstances and then submit it to the Legislature which is what is before us today.

MR. DURSO: Okay. So now when you say "they" who are "they" that are coming up with, you know, weighing all these options and coming out with these maps today?

MR. ZEBROWSKI: So it's a ten member panel. I could read to you the Constitutional language --

MR. DURSO: No.

MR. ZEBROWSKI: -- if you think that would be helpful, but there are, you know, various appointees that make up a ten member panel.

MR. DURSO: Okay. And out of that ten member panel, is it five and five as far as Republican and Democrat, is it completely independent, how does the panel stack up?

MR. ZEBROWSKI: Well, there are eight members that are appointed by the legislative leaders so that is bipartisan - four from legislative leaders of one party, four from legislative leaders of the other party and the two others are not affiliated members that are appointed by those eight.

MR. DURSO: Okay. So four from the Democratic party, four from the Republic -- Legislature, excuse me, right, from the legislative leaders, correct? And then two that are, you know, essentially picked but not from party leaders, correct?

MR. ZEBROWSKI: Four from the legislative leaders

that are Democrats, four from the legislative leaders that are Republicans, that makes eight. And the two others that make up the balance are nonaffiliated that are elected by a consensus of those eight members.

MR. DURSO: Gotcha. So now the commission that's there now, the ten members total, are they the same as last year when we went through this process?

MR. ZEBROWSKI: No.

MR. DURSO: Okay. So they're completely new commissioners.

MR. ZEBROWSKI: Not completely new. Some of them are the same and some are different.

MR. DURSO: Do you know how many?

MR. ZEBROWSKI: Not off the top of my head.

MR. DURSO: Okay.

MR. ZEBROWSKI: I could have somebody look it up and give you that answer.

MR. DURSO: So some are new and some were there from the last commission that was created, correct?

MR. ZEBROWSKI: Yes.

MR. DURSO: Okay. If there are any further suits or any issues with current maps, other legislative maps in the future, would this be the same commission that would vote and/or come up with new maps or would there have to be a whole nother commission reconvened?

MR. ZEBROWSKI: It's tough for me to answer that hypothetical because it presumes a court case and a judge's decision. So it would be pursuant to that judge's decision.

MR. DURSO: So that you're saying the judge could say we want a whole new IRC, all new commissioners or they say bring it back to the -- or could they say, bring it back to the same IRC that came up with the Assembly maps?

MR. ZEBROWSKI: I think if there was a future court case, the remedies -- if there's a future court case and there was some infirmity that a judge or a court was attempting to remedy, the judge would have a host of options as we have seen open to them. I don't know what a future judge in a future court case would do.

MR. DURSO: So there's nothing constitutionally saying that they have to keep the same commission, correct? That we know of. I'm -- I'm -- I'm literally asking because I do not know.

MR. ZEBROWSKI: This is the Independent Redistricting Commission of the State of New York. To the extent that a hypothetical future court case tasks this Independent Redistricting Commission with doing a job, it would be this commission. As for the individual members, I really think it's as simple as some folks life moves on, right?

MR. DURSO: Sure.

MR. ZEBROWSKI: They get different jobs, they do different things, they might be sick, so who those commissioners were at a future court date, I don't know. I'm hesitant to go down this road

because I really think it's wide open as to what any court case could or could not allege what a judge could or could not do.

MR. DURSO: So we just don't -- we don't -- we're not sure, right? It's -- it's really could be left up to a judge to whether to file a new commission, use the old commission, it's really up in the air. There's nothing --

MR. ZEBROWSKI: I think the safest thing is to focus on what happened here, what's before the House because --

MR. DURSO: Sure. We can do that.

MR. ZEBROWSKI: -- anybody can litigate anything.

MR. DURSO: Okay. So in regards to this, the commission has to take certain criteria into effect, correct, when it comes to drawing the maps?

MR. ZEBROWSKI: Correct.

MR. DURSO: And we always say communities of interest, right?

MR. ZEBROWSKI: That's one of the criteria.

MR. DURSO: Okay. So can you tell me what constitutes community of interest?

MR. ZEBROWSKI: Sure. Well, at its --

MR. DURSO: As some example, excuse me.

MR. ZEBROWSKI: -- at its most basic and broad because it is pretty broad, it's folks who have similar concerns make up a community of interest.

MR. DURSO: So villages, towns, school districts,



those are all communities of concern, correct?

MR. ZEBROWSKI: Those could be communities of concern. I actually think on the Independent Redistricting Commission website they give an example and some language for what could be considered a community of interest. We could read that on the floor if it -- if it would be helpful,

MR. DURSO: No, that's okay.

MR. ZEBROWSKI: -- but it's pretty broad.

MR. DURSO: But just for example, like I said, school districts is one example. Villages, towns, counties.

MR. ZEBROWSKI: Municipalities and municipal boundaries could be an example. Could be broader, could be rural voters.

MR. DURSO: Right.

MR. ZEBROWSKI: Could be urban voters, could be any number of things, it doesn't necessarily have to be municipalities but it can be.

MR. DURSO: Okay. Does incumbency take any effect on the decision-making at all or no?

MR. ZEBROWSKI: No.

MR. DURSO: So incumbency does not come into effect when the IRC is looking at individual districts in anyway, shape or form.

MR. ZEBROWSKI: So in the State Constitution it says districts shall not be drawn to discourage competition or for the

purpose of favoring or disfavoring incumbents or other particular candidates or political parties. It goes on in that same just so we have a full record in that same sub-section, the Commission shall consider the maintenance of cores of existing districts, preexisting political subdivisions including counties, cities and towns and communities of interest. Now, that's one subsection, right? Above that subsection is they shall be as compact in form as practicable. Each district shall consist of contiguous territory, shall contain as nearly as many -- as equal number of inhabitation. So there's a host of constitutional criteria. That prohibition you mentioned is in Subdivision 5 of that Constitutional section.

MR. DURSO: But like we said, incumbency is not one of those that are named.

MR. ZEBROWSKI: Yes, it's actually specifically delineated in the -- in the Constitution that it shall not be drawn to discourage competition or for the purpose of favoring or disfavoring an incumbent. So either.

MR. DURSO: Either. Okay, great. Just a couple more questions, Mr. Zebrowski. So it may be a silly question. I'm not even sure if we got to it the last time, but obviously the commission deals with these maps over a number of months, amount of time that you had mentioned that you had put in, going to public hearings, hearing from whether it's elected officials in the area, towns, municipalities, Chamber of Commerce, you know, the regular voter, resident of the neighborhood, correct? Or is there any rules in place

as far as the Independent Redistricting Commission not speaking to elected officials that it may affect, party leadership from either side or any nature like that where it could sway their vote or the way they draw up the maps?

MR. ZEBROWSKI: Well, in the constitution it sets up a policy of actually going out and soliciting the input from New Yorkers all around the State. So anyone has the opportunity and, in fact, thousands of New Yorkers did,

MR. DURSO: Yes.

MR. ZEBROWSKI: In those thousands of New Yorkers are folks from every region of the State, all different walks of life and elected officials.

MR. DURSO: So as you said, it's for all New Yorkers, correct?

MR. ZEBROWSKI: Yes.

MR. DURSO: Right.

MR. ZEBROWSKI: There is no prohibition of elected officials from presenting testimony to the commission.

MR. DURSO: And -- and there's no rule against essentially because again, this is going on for months. They're not essentially sequestered, right, like a jury or anything like that. They can talk to anybody at any time that they want.

MR. ZEBROWSKI: Yes, Mr. Durso. Well, they're supposed to go around the State and solicit public opinions so to the extent that you or I or any of our colleagues wanted to give testimony

about their district and what they know as could all the residents of their district, they all -- everybody had that opportunity and thankfully there was 27 hours of that testimony for the commission to take and consider.

MR. DURSO: So again, but there was no prohibition from them doing it outside of those public hearings, correct?

MR. ZEBROWSKI: I don't read anything in the Constitution -- Constitutional language of a prohibition and I'm mainly answering your questions here based upon the Constitution.

MR. DURSO: And I appreciate that. Let me just see if I have any other questions for you, Mr. Zebrowski. No, I think that'll be it, sir. I thank you for your time.

On the bill, sir.

MR. ZEBROWSKI: Thank you.

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

MR. DURSO: So, Mr. Speaker, obviously and I -- and I thank Mr. Zebrowski for taking some of the questions, I know we went through this whole thing last year. This is supposed to be the Independent Redistricting Commission. I know we've gotten to this point now due to a lawsuit and we're revoting on maps, but it was something interesting that -- that was brought up was the fact that it's a new commission with some new members. The maps now, except for a few, look eerily similar to the maps that we ran in last year. Very different than the maps that were drawn up, right, and presented as a

draft to this Body prior. I don't personally know how we get from the maps that were currently ran in, to a draft map that looks completely different in most of the districts back to a district map that looks eerily similar in probably 95 percent of the districts to the ones that were drawn up by another commission that's supposed to be independent. That is my problem with the process itself. It's not against anybody in particular but to really, truly get independence on a map and maybe I look at it differently because I don't care what kind of district I run in. If it's -- if it's a purple district it's a purple district, if it's a red district it's a red district. To me, do our jobs, be out there with the people and actually have great ideas I think would be helpful in your re-election. So therefore, I'm a big proponent of working hard in your district. I'm not really sure how to get to that point, but I think in this State the way that, you know -- this happens every ten years, I think we can come up with a better option to get an actual, true independent district for everybody. And I think it would help both parties in the State to not take either such a far left or far right mindset in their district because, again, as we always say you vote your district. So with that, Mr. Speaker, and unfortunately I'll be voting no on these maps and I encourage my colleagues to do the same. Thank you.

ACTING SPEAKER AUBRY: Thank you.

On a motion by Mr. Zebrowski, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record

the vote.

(The Clerk recorded the vote.)

Mr. Mamdani to explain his vote.

MR. MAMDANI: Thank you, Mr. Speaker. In addition to having the privilege and the honor of representing the 36th District which is composed of Astoria and Long Island City, I also have the honor of being a member of and a representative of the Indian community in the South Asian community at-large as the first South Asian man who was elected to this Body. And while I will be voting for these maps, I rise to register my great concern in terms of what these maps will do to Richmond Hill and South Ozone Park, which if brought together as a unified district as they had been in the draft proposal of these very maps, would have constituted the only district in the State of New York that would have had a majority of its electorate be South Asian and Indo-Caribbean. And I believe that the Independent Redistricting Commission has made a serious mistake in the way in which they have ignored the concerns of that community, a community that mobilized in the way that they were asked to with more than 100 community leaders registering their opposition to the idea of continually being locked out of the political process, which made it clear at the Queens hearing that this was the only map that was praised from the draft maps and yet, the IRC continued this legacy of ensuring that one community is broken into three different districts. And so I rise to register my opposition to that, and while I will be voting for these maps to state that the time has come to ensure

that one community is given one district. Thank you very much.

ACTING SPEAKER AUBRY: Mr. Mamdani in the affirmative.

Ms. Byrnes to explain her vote.

MS. BYRNES: Thank you very much, sir. I just wanted to make a couple of comments. I did vote no and I will be voting no, but I do believe that the way these maps were drawn in my area did ignore the constitutional mandates that were placed on the Independent Redistricting Commission. There's part of my district that had been part that won't be in the future that had to go out of their way to cut out of my district. This is a town that has historically always been a part of the 133rd. It met all of the constitutional criteria. And they actually zealously advocated every time there was public comment to the IRC to remain part of the 133rd district. They did -- as the other gentleman said, they did all the right things to advocate for being part of the district and continue to be part of a district they were already part of. Historically they shared every criteria that's looked at. And yet, there is a bizarre cutout to send them to another district. I support my town and I'm voting no because of their efforts and their commitment to wanting justice in this Body. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Ms. Byrnes 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, would you please recognize Mr. Tague for the purposes of a Motion to Discharge.

ACTING SPEAKER AUBRY: Certainly.

Mr. Tague.

MR. TAGUE: Thank you, Madam Majority Leader, thank you, Mr. Speaker. I move to discharge the Committee on Education from further consideration of Assembly Bill No. A2321, sponsored by myself for the purpose of bringing the same before the House for its immediate consideration and request and Mr. Speaker, permission to explain it.

ACTING SPEAKER AUBRY: The motion is in order and on the motion, Mr. Tague.

MR. TAGUE: Thank you. Mr. Speaker, A2321 permits schools within the State of New York to purchase whole and 2% New York milk. Recent studies have shown the benefit of consuming higher amounts of dairy, especially those of whole fat variety. While consuming dairy in general is associated with lower risks of certain health conditions, a recent large international study found consuming a higher amount of whole fat dairy had a stronger association than low-fat dairy with lowering the risk of diabetes and high blood pressure. With the increasing importance of school meals providing nutritious value to our children, it is important to ensure access to all available sources to meet this need. Excuse me.



According to the US Department of Agriculture, also known as the USDA, schools must offer fat-free or low-fat 1% unflavored milk and may offer fat-free or 1% flavored milk as an option. I don't know about you, Mr. Speaker, but if you go to any of your local schools, it's unfortunate because when you look in the trash basket, those trash baskets are full of skim and 1% milk. The kids just don't like the taste. Unfortunately despite the above cited health benefits it is currently not an option for New York to offer whole or 2% milk to students. While this ban was put in place by the Federal government, I and my Republican colleagues believe this bill creates a program that would provide students access to healthy whole and 2% milk while supporting New York's incredible dairy farmers. And let me repeat that again. While supporting New York's incredible dairy farmers. Specifically this bill would allow schools located in New York to utilize State or local funding to obtain whole or 2% New York produced milk and offer it to its students. This bill would also protect schools by requiring the State Attorney General to bring a civil action against the Federal government to recover funds withheld or revoked as a result of opting to provide New York milk to our own students. Within two years the State Education Department would be required to submit a report detailing the schools that elected to provide or sell New York milk. The approximate increase or decrease in milk consumption of such schools and actions taken by the State to promote New York whole or 2% milk at schools. If we are truly interested in ensuring the health of our children, we must pass this

legislation in order to provide more choices to students who desire to reap the benefits of increased dairy consumption but prefer to drink New York-produced whole milk. For these reasons and many others - and I want to repeat again - this helps New York dairy farms. For these reasons I urge my colleagues to please support our farmers, support healthy nutrition in our schools and most importantly support New York whole milk back in our schools. Please join me and vote yes on this legislation. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes on the motions [sic].

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker, and certainly want to thank my colleague for his -- his words. I will say I remind my colleagues that this is -- it's not a proper procedure for dispensing bills. It actually is through the committee process, and while I notice some people find some challenges with that, I think there are ways to work these things out. No one probably in this room is more supportive of farmers, dairy farmers in particular. And I will say that the passage of this bill as a discharge is certainly not the early determinate that decides our collective interest in making sure that students and children across the State of New York have access to healthy foods while they are in school. In fact, in my own district they actually use local farmers, too, for the food that they're using in school. And so I would beg to differ with his suggestion of that, but other than that, Mr. Speaker, I would encourage my colleagues to vote against this discharge and that we take this process

up through the committee process as normal. Thank you.

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

A Party vote has been requested.

Ms. Walsh.

MS. WALSH: Thank you, Mr. Speaker. The Republican Conference will generally be in favor of the Motion to Discharge. But if any of our members wish to vote differently they can do so at their seats. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Majority Conference is generally going to be in favor voting against this discharge. And however there may be some of our colleagues who would choose to be an exception, they're certainly willing -- open to do that, sir. Thank you.

ACTING SPEAKER AUBRY: Thank you. Members are reminded that the motion before the House is a procedural question and not a vote on the merits of the bill.

On Mr. Tague's motion, 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 motion is lost.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: We have numerous 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. 326-343 were unanimously adopted.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Could you call on Mr. Jacobson for the purposes of an announcement?

ACTING SPEAKER AUBRY: Mr. Jacobson for the purposes of a announcement, sir.

MR. JACOBSON: Thank you, Mr. Speaker. The most anticipated afternoon conference of the Majority will be held immediately following this Session in Hearing Room B.

ACTING SPEAKER AUBRY: Assembly Majority Conference in Hearing Room B immediately.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: I now move that the Assembly stand adjourned until 1:00 p.m. Tuesday, April the 25th, tomorrow being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 1:19 p.m., the House stood adjourned until Tuesday, April 25th at 1:00 p.m., that being a Session day.)