

WEDNESDAY, APRIL 26, 2023

10:56 A.M.

ACTING SPEAKER AUBRY: The House will come to order.

Chaplain Shawn Lee will offer a prayer.

CHAPLAIN SHAWN LEE: I invite you to join me in prayer.

Almighty God, You have created each of us in Your own precious image, and yet with unique stories and different backgrounds. Lord, You give each of us the privilege of being Americans and calling New York home. So I thank You for this legislative Body. Bless each of the 150 members of the Assembly who represent each of their diverse districts. Bless the staff who made this Assembly run. May they bring out the voice of the people of the Empire State from each region, from the City to the Great Lakes, from

Long Island to the North Country. May each Assemblymember debate and legislate with character and a passion to meet the challenges which New York State will face in the years to come. May the work of these members help build a State where every dream can strive higher and ever upwards while their communities also continue to care for the least of these. I also thank You for New York's historic relationship with the United States Military Academy. May New York State long continue to provide the nation with the challenging and fertile ground needed to educate, train and inspire America's future leaders.

Excelsior, I pray. Amen.

MEMBERS: Amen.

ACTING SPEAKER AUBRY: Visitors are invited to join the members in the Pledge of Allegiance.

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

A quorum being present, the Clerk will read the Journal of Tuesday, April 25th.

Ms. Solages.

MS. SOLAGES: Mr. Speaker, I move to dispense with the further reading of the Journal of Tuesday, April 25th and that the same stands approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Ms. Solages.

MS. SOLAGES: Well, thank you, Mr. Speaker. I'm going to start the day off with a quote from Jonathan Williams, the first Superintendent of the United States Military Academy at West Point. He said, *Sometimes the main obstacle to our success is not the size of our own ability, but our mentality.* And so in addition to him being the first Superintendent of West Point, Jonathan Williams is also an American businessman, a military leader, a writer, a Chief of the Engineer [sic] of the Army Corps of Engineers, and also a member of Congress.

And so as we move through our day, we have a lot of work do. And so I thank members because on their desk is a main Calendar. After any introductions or housekeeping we will begin our work on the floor today by taking up a resolution on page 3. After that we will then take up bills on consent starting with Calendar No. 120 on page 13. Members should be aware that there will be a conducting of our traditional West Point celebration today at noon. After our West Point Day we will begin our Earth Day -- or excuse me, we will continue our Earth Day Package on bills, Calendar No. 102 by Mr. Rivera, Calendar No. 139 by Ms. Rajkumar, and Calendar -- Rules Calendar -- excuse me, Rules Report No. 123 by Ms. Glick. As we proceed I will make any announcements about any further legislative activity, but with that as a general outline, if there are any other introductions or housekeeping now would be the appropriate time.

ACTING SPEAKER AUBRY: Thank you, Ms.

Solages. No housekeeping, but we do have a introduction by Mr. McGowan.

MR. MCGOWAN: Thank you, Mr. Speaker. I rise today to introduce very special guests from District 97 in Rockland County, the Tappan Zee High School Varsity Boys Basketball Team, who won the New York State Class A Championship this past March, and two-time gymnastics State Champion Carly Sardo. These victories are a testament to the dedication, hard work and perseverance of these fine student athletes, and we are proud to have them with us today in the Assembly Chamber. We wish to congratulate the Boys Basketball Team on their historic performance and securing the State Championship as the only team from Section 1 ever to win a Class A Championship. Members of the team are Sean Berrigan, Tommy Linehan, Jack Maloney, Isaiah Leveille, TJ Tarpey, Billy Alexiou, Nick Lange, Xavier Leveille, Pat Linehan, Jack Piccione, Patrick Staker, Drew Dillon, Nolan Cook. And this victory would not be possible without the tremendous work of the coaching staff, offering their knowledge, guidance and instruction throughout the season, led by Head Coach George Gaine, Assistant Coaches Chris Rastelli, Brian McLaughlin, Ryan Adams and Dan McGann. And we have with us TZ's Athletic Director Bill Pilla.

We are also proud to have Carly Sardo, who is a two-times State gymnastics champion. Ms. Sardo was also named Rockland Gymnast of the Year by lohud.com. And we congratulate her coach, Audrey Donahue for all of her hard work in helping Carly

achieve this great honor. So to our basketball team, you have some catching up to do as we hope to recognize you next year as the repeat champions. And to Miss Sardo, as well as all seniors, we wish you the best as you move to college next year.

I'll leave you with a quote from the immortal Vince Lombardi. *While perfection is not obtainable, in our pursuit of perfection may we find excellence.* You all certainly found excellence this year, and I'm confident you will continue to do so and will continue to make Rockland County proud.

Mr. Speaker, I respectfully request that you extend to our guests all the privileges and cordialities of the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Certainly, Mr. McGowan. On behalf of Mr. McGowan, the Speaker and all the members, we welcome these extraordinary athletes here to the New York State Assembly. We extend to you the privileges of the floor. For both basketball and for gymnastics, we applaud your victories. We know that those victories are just the beginning of a successful life that all of you can live. Please remember the hard work that took you to these points and it will help you move through your lives. Continue that great work and thank you. And to the coaches, thank you for the work that you've done with these young people, helping them achieve their dreams. Congratulations.

(Applause)

Ms. Levenberg for the purposes of a introduction.

MS. LEVENBERG: Thank you so much, Mr. Speaker. I rise to introduce my family here today. They were not able to join me on -- during our inauguration, our swearing in, and I'm happy that they are able to come here today and will shortly be going on a tour of the beautiful Capitol. My mother-in-law Sandra Gordon-Hersh, and my husband's cousin, and my cousin, therefore, Deb Gordon and her beautiful daughter, Ally McNeilly. And I'm so happy to have them all here today. My mother-in-law is a fantastic artist and writer and poet, and my -- my cousin is a designer, and Ally plays track and field, softball and soccer.

So please, can you extend the cordialities of the House to them today? Thank you so much.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Levenberg, 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, and as family because you're a part of our family you'll always have privileges to the floor. We're pleased that you could join Dana today and enjoy the proceedings. Today is a very special day here in the Assembly. Hope that you are successful in your attempts today to be a part of our family. Thank you so very much.

(Applause)

Ms. Rozic for the purposes of a introduction.

MS. ROZIC: Thank you, Mr. Speaker and Madam Majority Leader. I have the pleasure today of introducing Josh

Kramer and Marisa Bearak from AJC New York, along with board members from AJC New York and Westchester. The American Jewish Committee is a global advocacy organization representing many Jewish communities around the world. AJC works to counter and combat anti-Semitism, build support for the State of Israel, and advance democratic values around the globe. As anti-Semitism remains at records high, I work closely with AJC to ensure that all students in New York are properly educated on the Holocaust and on anti-Semitism at-large. AJC is an organization that shows up whenever and wherever they are needed, always willing to do the thankless advocacy work and community work to stand up for the Jewish community.

It's my honor today that we ask and welcome AJC to the People's House and extend all of the cordialities to the floor. Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Rozic, the Speaker and all the members, we welcome this distinguished group here to the New York State Assembly, extend to you the privileges of the floor, applaud you on the work that you do to ensure that we all remember the humanity of all people in this country and in this world. Please continue that great work. You are always welcome here.

(Applause)

Page 3, resolutions, Assembly No. 361. The Clerk will read.

THE CLERK: Assembly Resolution No. 361, Ms. McMahon.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim April 2023 as Sexual Assault Awareness Month in the State of New York.

ACTING SPEAKER AUBRY: Ms. McMahon on the resolution.

MS. MCMAHON: Thank you, Mr. Speaker, for allowing me to speak on this important resolution. Today we call upon Governor Hochul to proclaim April Sexual Assault Awareness Month in the State of New York in conjunction with National Sexual Assault Awareness Month. Sexual Assault Awareness Month is a time to shine a light on this long-simmering problem facing our communities. Here are some sobering statistics: In the United States there is an incident of sexual assault every 68 seconds, and every nine minutes that victim is a child. Most child victims are between the ages of 12 and 17, while 34 percent of child victims are under the age of 12. Concerns about sexual assault on college campuses and in college communities have been steadily rising as well. Thirteen percent of undergraduate and graduate students have experienced rape or sexual assault through force, violence or incapacitation. While these crimes most often impact women, this problem knows no gender, as one in 33 men also experience sexual violence. Sexual assault is a disturbing issue, but silence and lack of knowledge play a large part in why this problem persists.

Sexual Assault Awareness Month presents an opportunity not just to shine a light on this problem, but to explore ways to prevent sexual assault, to provide justice for the victims of these crimes and to ensure safer schools, workplaces and communities in the future. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Ms. Giglio.

MS. GIGLIO: Thank you, Mr. Speaker. I would like to thank the sponsor for bringing this resolution forward. This past week we met with many corrections officers that were sexually assaulted, and it is a lifelong trauma to be sexually assaulted, no matter where you are. And we need to protect women. We need to make sure that their rights are preserved and that they are not being sexually assaulted, that they are being treated with the utmost respect.

So I want to again thank the sponsor for this resolution, and 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.

THE CLERK: Assembly Resolution No. 362, Ms. Jean-Pierre.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim April 25, 2023 as Teacher Diversity Day in the State of New York.

ACTING SPEAKER AUBRY: Ms. Jean-Pierre on

the resolution.

MS. JEAN-PIERRE: Thank you, Mr. Speaker, for allowing me to speak on this important resolution. It is evident that racial disparity exists between teachers and students in schools throughout the State. For example, on Long Island 28 percent of public schools do not have a single non-White teacher, and 60 percent of students have less than five percent of non-White teachers. Shockingly, 212,000 students will never get the chance to see a Black teacher throughout their school career. Many students are not learning from teachers and faculty that look like them. Or me. And there is a need for increasing minority teachers and support systems that seek to give resources and educational opportunities to underrepresented groups. New York State has made significant strides in promoting diversity, equity and inclusion in schools across the State. For example, the State Board of Regents has enacted policies that schools should foster environments in which educational engagement and learning is a top priority. These initiatives, frameworks and policies all share the common goal, promoting equitable solutions to teaching, community engagement and learning so that our students of color can have the educational experience they deserve. By having teachers from diverse backgrounds, students will be able to bring their own unique perspectives to the classroom and engage in more meaningful and fulfilling learning experiences. Students have shown that in a more diverse educational environment leads to higher test scores, a decrease in dropout rates and a higher likelihood of students attending

college. These outcomes are just a small part of how successful students can be with given proper support systems. As a legislative Body we understand the importance -- importance of educating our young students to become a new generation of leaders that would change the world. In order to help improve educational outcomes, it is imperative that we bring awareness to the issues of increasing teacher diversity so that students can learn from educators that look like the districts they serve.

Ultimately, I am proud to have the opportunity to sponsor this resolution, and I am -- and I thank my colleagues for joining me in support. Our teachers play an essential role in shaping the future of our communities and our society, and we must do everything in our power to support them. God bless our teachers and God -- and continue to bless our teachers and give them the strength for the good work that they do. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Mr. Sayegh.

MR. SAYEGH: Thank you very much, Mr. Speaker.

I wanted to rise to thank the sponsor and to really speak on the need for diversity in our schools and our classrooms. As an educator for some 40 years, I can tell you firsthand when the faces of your staff, whether administrators, teachers, teacher aides, reflect the students you teach and serve, it tremendously improves the academic learning atmosphere. And I'm in support and encourage all of us to support grow your own initiatives that are presently before this Body and

others in local, state and county to promote more diversity in hiring, whether in education and other fields.

Thank you very 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 Resolution No. 363, Ms. Jackson.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim April 27, 2023 as Take our Daughters and Sons to Work Day in the State of New York.

ACTING SPEAKER AUBRY: Ms. Jackson on the resolution.

MS. JACKSON: Thank you, Mr. Speaker, for allowing me to speak on this resolution. As most of you know, I bring my son to work with me almost every day and surprisingly he's actually not here with me. But I remember being five years old and my dad would take me to his office and I had no clue what he did, I had no clue what his title was, but I was excited to be there to see people dressed up and running around making decisions that seemed like they were important. And -- and -- and what it -- what it sparked in me was just the -- just to know that exposure means everything. So it's -- it's extremely important that we continue to bring our sons and bring our daughters to work so that they can see what is possible. Yesterday I had a young man from my district here, and I remember

when I was 17 I didn't even know where Albany was, what legislatures did. But this young man at 17 years old got to see and meet legislatures [sic] and know that he can be one of us one day. So it's extremely important for us to continue to bring our children to work, let them meet our colleagues, even the ones that we don't get along with, let them know that -- let them know that everything is possible. But what's possible is what you can see. You must see it first in order to know that you can do it.

So thank you, Mr. Speaker, for allowing me to speak on this resolution.

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 Resolution No. 364, Mr. Tague.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim April 30, 2023 as Therapy Animal Day in the State of New York.

ACTING SPEAKER AUBRY: Mr. Tague on the resolution.

MR. TAGUE: Thank you. Thank you, Mr. Speaker. I rise today to speak on this legislative resolution commemorating April 30, 2023 as Therapy Animal Day in the State of New York in conjunction with the National Therapy Animal Day. Mr. Speaker, I know many of my colleagues, like me, have pets back at home, and

some of my colleagues even travel back and forth to the State Capitol bringing their pets with them. We can all appreciate the value of companionship, loyalty and benefits from having these beloved animals in our lives. This is a mag -- this is magnified when that animal is your therapy animal, who you depend on not only for affection and comfort, but for healing, therapy and perhaps a wide variety of other essential daily trained skills. Therapy animals and their handlers can be found helping people of all ages in a variety of settings including hospitals, pediatric care units, schools, libraries, nursing homes and assisted living facilities. Therapy animals are dedicated to helping people with a wide variety of needs from therapeutic visitation animals to animal-assisted therapy. Animals of all types can help with physical and occupational therapy. Therapy animals also include those specialized in Alzheimer's disease, mental illness and those working with wartime veterans who are transitioning back into civilian life.

This resolution also commemorates the thousands of dedicated handlers who volunteer their time and compassion training animals, caring for them and helping during visits.

Mr. Speaker, I encourage my colleagues to vote yes and join in showing our appreciation for the therapy animals across our State, and their handlers, and the remarkable contribution they have made in improving our State. Let's thank them for their service by making April 30, 2023 Therapy Animal Day in the State of New York. Thank you, Mr. Speaker, and to my colleagues, thank you for

your support of this important resolution.

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. 365, Ms. Solages.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim August 15, 2023 as Mother's Equal Pay 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.

Mr. Gibbs for the purposes of a introduction.

MR. GIBBS: Thank you, Mr. Speaker. I rise to introduce an phenomenal attorney, Stacey Richman. I had the pleasure of working with her and her dad for many years, Mr. Murray Richman. I ask that you please extend -- in fact, I wouldn't be here today if it wasn't for Stacey Richmond. As an employee of her and her dad she took the liberty of filling out the Certificate of Good Conduct which lift all bars of licenses and employment for me and gave me back my rights to participate civically and politically. So without Stacey Richmond, Mr. Speaker, I wouldn't be here today. I ask that you please extend her the cordiality of the floor so eloquently the way you do. Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf

of Mr. Gibbs, 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. Thank you for the work that you've done on behalf of all of the people that you represented, and now we know who to blame for having Mr. Gibbs here.

(Laughter)

Thank you so very much. Continue your great work.

(Applause)

Page 13, Calendar No. 120, the Clerk will read.

THE CLERK: Assembly No. A00171, Calendar No. 120, Paulin, Dinowitz, Weprin, Jackson, Sillitti, Bichotte Hermelyn. An act to amend the Public Health Law, in relation to requiring owners of multiple-dwelling properties to develop, implement and distribute smoking policies.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00252, Calendar No. 121, Magnarelli, Cook, Steck, Peoples-Stokes, Lupardo, Fahy, Seawright. An act to amend the Election Law, in relation to requiring that all printed political campaign mailing pieces containing or made of recyclable material include a message about recycling the printed materials.

ACTING SPEAKER AUBRY: Laid aside. The bill is laid aside.

THE CLERK: Assembly No. A00266-A, Calendar No. 122, Burdick, Raga, Epstein. An act to amend the State

Technology Law, in relation to requiring State agencies to conform any of their websites to the most current version of the Web Content Accessibility Guidelines adopted by the World Wide Web Consortium for accessibility.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00358, Calendar No. 123, Bronson, Seawright, Otis. An act to amend the Executive Law, in relation to requiring the collection of certain demographic information by certain State agencies, boards and commissions.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00507, Calendar No. 124, Hunter, Mamdani, Epstein, Aubry, Simon, Dickens, Kelles. An act to amend the Criminal Procedure Law and the Penal Law, in relation to abolishing citizen's arrests; and to repeal certain provisions of the Criminal Procedure Law and the Family Court Act relating thereto.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00725, Calendar No. 125, Hunter, Jacobson, Sillitti, Wallace. An act to amend the Election Law, in relation to the order in which candidates appear on the ballot.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00856, Calendar No. 126, Dinowitz, Reyes, Sayegh, Simon, Stirpe, Steck, Glick, Zebrowski, Weprin, Cruz, Kelles, Jackson, L. Rosenthal. An act to amend the General Obligations Law, in relation to prohibiting

employers from requiring certain conditions or preconditions of employment.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01080, Calendar No. 127, Woerner, Stirpe, Lupardo, Cruz, Zinerman, Jones, Brabenec, Angelino, Byrnes, Miller, Sayegh, Tague, Manktelow, J.M. Giglio, Lemondes, Cook, Goodell, Raga. An act to amend the Executive Law, in relation to the appointment for agricultural representation on the State Fire Prevention and Building Code 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. A01177, Calendar No. 128, Paulin, Jacobson. An act to amend the Election Law, in relation to ballots submitted in envelopes that are sealed with tape, paste or any other binding agent or device and have no indication of tampering.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A01399-A, Calendar No. 129, Bichotte Hermelyn, Colton, Darling, Levenberg. An act to

amend the Public Health Law, in relation to providing for the New York State of Health to help veterans ascertain their eligibility for healthcare through the Department of Veterans Affairs.

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. A01411, Calendar No. 130, Rozic, Colton, Simon, Woerner, L. Rosenthal, Lupardo, Forrest, Bronson, Santabarbara, Mamdani, Bores, Fall, Kelles. An act to amend the Civil Service Law, in relation to enacting the "New York State Teleworking Expansion Act."

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. A02888-A, Calendar No. 131, Barrett, Lupardo, Gunther, Kelles, González-Rojas, Colton, Simon. An act to amend the Public Authorities Law and the Executive Law, in relation to authorizing the New York State Energy Research and Development Authority to develop a clean energy outreach and community planning program; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03158-A, Calendar No. 132, Bores, Gallagher, Levenberg, Paulin, Raga, Shimsky, Zinerman, Beephan, Stirpe, Gunther, Aubry, Gibbs, Simon, McDonald, Burgos, Tapia, Buttenschon, Seawright, Wallace, Epstein, Kelles. An act to amend the Education Law, in relation to clarifying the status of certain persons exempt from optometrist license requirements.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Bores to explain his vote.

MR. BORES: Thank you, Mr. Speaker. Currently, if you are an optometry student and you study outside New York State you are not allowed to apprentice within New York State. This makes

no sense. It discourages optometrists from starting their career here which ultimately stops them from staying here. And that's why in a state of nearly 20 million people, as of January 1st we only had 3,893 optometrists in the State. Today we fix this loophole that advocates have been trying to change since 2012, and I look forward to *seeing* a unanimous vote.

(Laughter)

Thank you.

ACTING SPEAKER AUBRY: Mr. -- Mr. Bores, tongue-in-cheek, yes.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03238, Calendar No. 134, Jones. An act to authorize certain healthcare professionals licensed to practice in other jurisdictions to practice in this State in connection with an event sanctioned by the World Triathlon Corporation; and providing for the repeal of such provisions upon expiration thereof.

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. A03694-A, Calendar No. 135, D. Rosenthal, Eichenstein, Burdick, González-Rojas, Seawright, Raga, Rozic, Epstein, Shimsky, Dinowitz, Colton, Stern, Braunstein, E. Brown, Bendett, Smullen, McDonough, Sillitti, Simon, Weprin. An act to amend the Education Law, in relation to hate crime reporting on college campuses.

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.)

Mr. Rosenthal to explain his vote.

MR. ROSENTHAL: Thank you, Mr. Speaker, for allowing me to explain my vote. We have seen a tremendous rise of hate crimes throughout this country and particularly in New York State. And unfortunately, our institutions of higher education are not exempt from hate crimes. We have seen certain reports in media of university systems who have tried to sweep hate crimes under the rug, and we must make sure to -- that every student, no matter your race, religion or ethnicity, feels safe while trying to learn in an institution of higher education. This bill will require colleges and other places of higher education to report hate crimes that occur on college campuses

to add transparency and accountability to these colleges and university systems.

This bill will allow every student to know that if they are subject to hate that people will know what is occurring on these college campuses, and I'm proud to vote in the affirmative and sponsor this legislation.

ACTING SPEAKER AUBRY: Mr. Rosenthal in the affirmative.

Mr. Smullen to explain his vote.

MR. SMULLEN: Thank you, Mr. Speaker. I rise today to explain my vote on this very important issue. There's been a disturbing trend of an increase in bias and hate crimes on the campuses in our State. And I think it's very important to be alert to this, to be aware of it, and this legislation will go a long way towards shining a light on some of these issues and incidences that we're having. As a member of the Higher Education Committee I stand firmly in support of -- of this -- of this law to be able to address this issue squarely, fairly and with equity and concern for all the students in our State.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you. Mr. Smullen in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04076-B, Calendar No. 136 was previously amended on Third Reading and is high.

Assembly No. A04349, Calendar No. 137, Reyes, Raga, Ardila, Bichotte Hermelyn. An act to amend the Executive Law, in relation to the designation of International Women's Day as a day of commemoration.

ACTING SPEAKER AUBRY: On a motion by Ms. Reyes, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk. Excuse me, no Home Rule on that.

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. A04672, Calendar No. 138, Shrestha. An act to amend the amend the Town Law, in relation to the classification of the Town of Ulster in the County of Ulster.

ACTING SPEAKER AUBRY: On a motion by Ms. Shrestha, the Senate bill is before the House. The Senate bill is advanced and the Home Rule message is at the desk.

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. A04928, Calendar No. 139, Rajkumar, Lunsford. An act to amend the Environmental Conservation Law, in relation to covering putrescible and non-putrescible waste transported by rail.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05010-A, Calendar No. 140, Lavine, Aubry, Burgos, Reyes, DeStefano, Bichotte Hermelyn, De Los Santos, Sayegh, González-Rojas, Burdick, Epstein, Cunningham, Bores, Simone, Weprin. An act to amend the Education Law, in relation to prohibiting corporal punishment in schools.

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. A05697, Calendar No. 141, Barrett, Gunther, Santabarbara, Gibbs. An act to amend the Social Services Law, in relation to the duty to report incidences.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05848-A, Calendar No. 142, Paulin, Sayegh. An act to amend the Public Health Law, in relation to requiring patient transporters to meet certain minimum requirements.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05859, Calendar No. 143, Woerner. An act to amend the Correction Law, in relation to limited time allowances.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05948, Calendar No. 144, Shimsky. An act to amend the Navigation Law, in relation to equipment to be carried on vessels.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06017, Calendar No. 145, Paulin, Sayegh. An act to amend the Public Health Law, in relation to granting immunity from liability to organizations which establish physician committees.

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. A06032, Calendar No. 146, Paulin, Simon, Seawright, Hevesi, González-Rojas, Kelles, Sayegh, Otis, L. Rosenthal, Shimsky. An act to amend the Public Health Law, in relation to the establishment, incorporation, construction or increase in capacity of for-profit hospice.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06034-A, Calendar 147, Paulin, Bichotte Hermelyn, Sayegh. An act to amend the Public Health Law, in relation to expanding the scope of the temporary operator program.

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. A06065, Calendar No. 148, Dinowitz, Paulin, Sayegh. An act to amend the Civil Practice Law and Rules, in relation to changing reference from physician,

osteopath or dentist to health care professional.

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

THE CLERK: Assembly No. A06101, Calendar No. 149, Levenberg. An act to amend the Village Law, in relation to exempting the Buchanan Engine Company No. 1 from the requirement that the percentage of non-resident fire department members not exceed 45 percent of the membership.

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. A06102, Calendar No. 150, McDonald. An act to amend the Public Officers Law, in relation to the qualification to hold the position of assistant district attorney in the County of Rensselaer.

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. A06107, Calendar No. 151, Thiele. An act to amend Chapter 435 of the Laws of 2014 amending the Environmental Conservation Law relating to defining spearguns and allowing recreational spearfishing in New York's marine and coastal waters, in relation to extending the effectiveness thereof.

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. A06480, Calendar No. 152, Burdick, Santabarbara, Fall, Colton, Simon, Epstein. An act to amend the Civil Service Law, in relation to allowing an individual with disabilities or a disabled veteran to hold full-time or part-time positions for purposes of eligibility for recruitment for State employment.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The bill is laid aside.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, as we wait for the talented men and women from West Point, would you please put our House at ease?

ACTING SPEAKER AUBRY: The House will stand at ease.

(Whereupon, the House stood at ease.)

ACTING SPEAKER AUBRY: The House will come to order.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. As we begin our traditional welcome to the West Point grad -- guests -- graduates and guests and I -- I know that I speak for several of my colleagues in the Chambers now and those across the State and across the world how truly honored we are to be the home of such a prestigious and historic institution as West Point. West Point graduates can be counted throughout history as some of the nation's greatest leaders, and I suspect that I'm -- and I'm confident that a number of those future leaders are in our Chambers today, sir. From military commanders to elected officials to pioneers of industry, West Point graduates have made and continue to make extraordinary

contributions to both society and to our nation. The cadets that join us today have chosen a path of service. In my opinion there's nothing more honorable, and nothing more nobler and nothing more worthy of our respect and our admiration than the opportunity to serve. I applaud these fine young men and women for their service, that they're putting service before themselves. And I hope that during the course of our deliberations we are honored to have them here and we would encourage them to continue to live this selfless life that they have chosen.

We wish them good health and safety as they continue in their careers and, Mr. Speaker, I look forward to hearing the remarks of their leader.

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

It is my honor and privilege to interrupt the proceedings of the House to continue a special tradition. More than 70 years ago the Assembly, through the efforts of Assemblyman and West Point graduate James T. McNamara, adopted its first West Point resolution to honor the United States Military Academy. I'm honored on behalf of the Speaker, Carl Heastie, and all my Assembly colleagues to begin our annual recognition of West Point and the cadets who visit us today.

With us today we have Lieutenant General Steve Gilland, 61st Superintendent, United States Military Academy; Lieutenant Colonel Matthew Dawson, Executive Officer to the

Superintendent of the United States Military Academy; Lieutenant Colonel Beth Smith, United States Military Academy Public Affairs Officer; Major Shawn Lee, Regimental Chaplin, United States Corps of Cadets; Captain Lauren Drysdale, First Captain, United States Corps of Cadets; and the fine cadets who will soon be introduced by members of the State Assembly.

The highly-respected West Point Academy has stood tall and proud in New York's beautiful Hudson Valley since 1802. The young men and women who attend West Point represent the best and the brightest of our communities. The Academy graduates have a legacy of leadership and excellence for more than 200 years. The United States Military Academy at West Point has served as a testament to the principles of honor, duty and country. The legacy is truly unmatched. It is the oldest of the five service academies.

In just a moment we will take up a resolution honoring the legacy of the Academy and the role that it has played in shaping the history of our State and the nation. We thank you for visiting us today and for your unwavering commitment to our nation.

(Applause)

Assembly Resolution No. 360, the Clerk will read the title of the resolution.

THE CLERK: Assembly No. 360, Mr. Eachus.

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

ACTING SPEAKER AUBRY: Ms. Jean-Pierre on the resolution.

MS. JEAN-PIERRE: Thank you, Mr. Speaker. It is with great honor and pleasure that I stand here as Chair of the Veterans -- Assembly Veterans' Affairs Committee, participating in this annual event dedicated to the United States Military Academy at West Point. It is an absolute privilege to welcome Lieutenant General Steven W. Gilland, 61st Superintendent United States Military Academy, outstanding cadets and senior Army personnel joining us from the -- this prestigious and historic institution.

Located in the heart of the Hudson Valley, the United States Military Academy was established in 1802 under legislation signed by President Thomas Jefferson, for the purpose of training officers to lead our nation's Army. Since then, West Point has been the place where young men and women are modeled into leaders through intensive military training and rigorous academic curriculum. The foundation of a West Point education is the Academy's motto that cadet -- cadets commit themselves to on their first day: "Duty, Honor, Country." These three words are instilled in each cadet through long hours spent developing their intellectual and physical abilities, military skills and moral-ethical principles. Upon successful [sic] completing this demanding four-year program, cadets graduate as commissioned officers in the United States Army, prepared for a career of excellence and service to our nation.

For over 200 years, West Point graduates have

steadily answered their country's calling, leading American soldiers in dangerous missions and conflicts around the world. A popular expression at the academy is that "much of the history we teach was made by the people we taught." Its alumni include 77 Medal of Honor recipients, two Presidents of the United States, as well as countless other leaders in government, business -- business, science, academia and, of course, the military. West Point graduates embody a rich history and tradition of patriotic commitment and achievement that we are proud to have in New York State.

One constant at West Point is that -- that its curriculum is always changing to meet the needs of the nation. We face uncertain times in the 21st Century. Conditions in the world are ever-shifting and we must stay vigilant [sic]. Although we can never know for certain what the future holds, we may take comfort in knowing that young men and women such as ones here today stand strong, proud and will be ready to face the challenges that lie ahead.

We owe the cadets our respect and gratitude. I salute them for their service. On behalf of the entire Veterans' Affairs Committee, it is my pleasure to welcome and congratulate all the cadets here today and welcome the distinguished faculty and staff of the United States Military Academy accompanying them today. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mr. Manktelow on the resolution.

MR. MANKTELOW: Thank you, Mr. Speaker. It is

truly an honor and a privilege today to honor these and bring these to -- this group of young men and women to the floor here of the Assembly. As I was looking at a little bit of the history, and Chairwoman Jean-Pierre had already mentioned some of this, and as the Ranking Member from the Minority side of the Veterans' Committee, I -- I want to share a couple of other things.

General Washington recognized the strategic importance of West Point during the American Revolution, and in 1778 Thaddeus Kosciuszko was hired to engineer, design and to fortify what we know is West Point. And I'm sure you all know that. And as the Chairwoman had also said earlier that 77 graduates have received the Medal of Honor, two -- Grant and -- excuse me, Grant and Eisenhower were Presidents of the -- of the -- these United States, and many are seniors Army leaders today.

Over the years the Corps of Cadets have become more diverse with women and minority cadets attending in record numbers. West Point cadets live by the model "Duty, Honor and Country." And what they demonstrate through military service upon graduation is a true blessing and an honor to New York State.

We are proud to have you here today. We are proud to have you in New York State. We are proud to have West Point in New York State. And as a fellow Army veteran I want to say thank you for what you're prepared to do. And we have a great country, we will continue to have a great country because of the young men and women that are sitting behind us. So to you, your families, the men

that are still in service, the women that are in service, thank you to all of you for being here, thank you for your families for your support, and may God bless and keep all of you safe.

Thank you. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Ms. Hunter on the resolution.

MS. HUNTER: Thank you, Mr. Speaker. On the resolution. As the Chair of the Subcommittee on Women Veterans and a proud U.S. Army veteran, I'm honored today to welcome the entire West Point command, especially the members of the Corps of Cadets. The first cadets graduated from West Point in 1802. Women graduated from West Point for the first time in 1980, not very long ago, Mr. Speaker. Twenty-three percent of the Class of 2023 are women. To each cadet, I wish you the very best as you continue to learn the important role you play in the world today.

Go Army, beat Navy. Thank you, Mr. Speaker.

(Laughter)

ACTING SPEAKER AUBRY: Thank you.

Mr. Eachus on the resolution.

MR. EACHUS: Thank you, Mr. Speaker. It is my distinct honor as the representative of the 99th District to sponsor and introduce this resolution before us today to recognize the historic West Point located right in my district. While I, myself, was a physics teacher by trade, here's a short history lesson for my colleagues.

By an act of Congress on March 16, 1802, the United

States Military Academy at West Point was established on the banks of the Hudson River. Before then, the location served as a critical strategic military stronghold during the American Revolution, blocking several British invasion attempts along the river. Today, West Point stands strong as the oldest continuously-occupied regular Army post in the United States. The Academy at West Point established to train and develop officers for the Army in the art and science of warfare provides our State and nation with dedicated leaders who are considered amongst the brightest minds of their time. Notable graduates include some names you may recognize, some already mentioned, such as Ulysses S. Grant, Dwight D. Eisenhower, George Patton, Edwin "Buzz" Aldrin and many more.

These young men and women before us today represent the finest that this iconic institution has to offer, those who have excelled amongst the excellent. While we stand in this Chamber to honor them today, they will leave here to go forth and protect our nation's freedoms from enemies both foreign and domestic and uphold the values enshrined in our Constitution. They will join the ranks of the U.S. military, being passed the torch by those brave men and women who have served before them, some having given the ultimate sacrifice. There is no greater honor, no greater duty, no greater burden than those carried by these exceptional cadets. Knowing that they represent the next generation of our military brings me continued hope for our nation's strength and for the protection of our democratic way of life. Who knows, we may have a future President amongst the

ranks today.

West Point is a jewel of the Hudson Valley, an historical reminder of the price it takes to secure our freedoms as a world-class educational institution and as a location boasting some of the most incredible views of our State's natural landscape. I encourage all my colleagues, if they have not had the opportunity to do so, to come to our district and see this incredible institution firsthand. And as mentioned, most importantly, go Army, beat Navy.

ACTING SPEAKER AUBRY: Mr. Lemondes on the resolution.

MR. LEMONDES: Thank you, Mr. Speaker. It is with great honor that I welcome you here today on behalf of our Army's history, and as a retired soldier it gives my heart great pleasure, it puts me at ease to see you, knowing what you will go through, knowing what many of you have done. Many of us in here have been -- have been with you, and I just want to say that one of my life's greatest honors was in serving on my local congressional military academy appointment board for 12 years. To be able to plant that seed, to see it grow and nurture, and you here sitting today is perhaps a greater honor to me than my own service.

Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mr. Maher on the resolution.

MR. MAHER: Thank you, Mr. Speaker. I rise today in support of this legislative resolution. As someone who was born

and raised in Orange County, I've been around West Point my entire life, and I proudly identify as a West Point family. My oldest sister Sherry married a West Point graduate, Lieutenant Colonel Retired Steven Resch (phonetic) in 1999. And like so many individuals who graduated from West Point, about two days later they'd take up the local church on West Point and they get married. And one thing that I just wanted to impress upon everyone in this Legislature and those that will eventually graduate from West Point that are behind me is just the sacrifice that it takes on the entire family for those that make it a career. The amount of travel all over the world and the sacrifice that those children of those families take in terms of being able to move around and adapt. The core values of West Point and its mission is the U.S. Military Academy at West Point is to educate, train and inspire the Corps of Cadets so that each graduate is a commissioned leader of character, committed to the values of "Duty, Honor, Country," and prepared for a career of professional excellence and service to the nation as an officer in the United States Army. These folks are going to go far beyond that, and the impact of West Point goes far beyond that specific mission. It has such an amazing impact on countless lives, and it is not one of the highest tourism attractions in the State for no reason. The beautiful iconic views and the history draw people from all over the world, and I'm certainly proud to be able to be here today like my mentor, Senator Bill Larkin always did. West Point Day was always his favorite day, and this is something where he always added one word: Duty, Honor, Country, and the

fourth word Colonel Larkin would always say is Respect. The respect that you show us with your service and sacrifice and the respect that we show you here today. Thank you for your service to our country. God bless.

ACTING SPEAKER AUBRY: Thank you.

Mr. Jacobson on the resolution.

MR. JACOBSON: Thank you, Mr. Speaker. I rise to salute, as we all do, the cadets that are here today. I'm from Newburgh, which is just 15 miles north of West Point. So growing up it was common to go there, our football team would go there and tell us what to do and come back doing incredibly hard drills because they said you had to be like the West Point cadets.

I want to really thank you for what you're doing. You're making a -- you make a commitment to the country. You don't make the decisions where to go, but you've made it once you leave West Point. Which you've made a commitment by going to West Point to serve the country. You have instilled in yourselves something that really we should adopt here individually and throughout the country of Duty, Honor, Country. You also have a Code of Ethics that's second-to-none, and that's probably the toughest thing you have to go through other than Beast Week and the -- the original time you have as you start your career at West Point.

So I want to thank you for what you're doing and what you're going to be doing. I want to thank your leaders, and on what West Point means as an economic engine in the Hudson Valley.

And growing up there you learned one thing that's very important: Go Army, beat Navy. Thank you.

ACTING SPEAKER AUBRY: Mr. Chang on the resolution.

MR. CHANG: Thank you, Mr. Speaker. As a Navy -- retired Navy with 24 years --

(Laughter)

-- during my course of time I've met many -- many Navy -- not Navy, Army cadets, graduates, serving officer. In particular during my time in Afghanistan I met many of my colleagues in a joint command are West Point graduate officers, they are different from the regular Army. Very, very different. And -- and that's one big thing that stands out, especially in military intelligence I've worked. They're very, very different. And all I can say is I respected them, their demeanor, their intelligence and their duty. No question about that. And -- and my hat's to you, especially you -- you young cadets. Your career is just about to launch, and I hope you enjoy the time of service. I know it's hard on you right now in -- in the environment that you're in, but once you're out I hope you enjoy the ride as I did for 24 years in the Navy.

And one last moment, Go Navy, beat Army.

(Laughter)

Thank you.

ACTING SPEAKER AUBRY: I was about to forgive you, but no more.

(Laughter)

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

It is now my --

(Applause)

It is now my privilege to call upon Lieutenant General Steve Gilland, 61st Superintendent of the United States Military Academy to join me here on the rostrum to accept this resolution and to address this Body.

(Applause)

LIEUTENANT GENERAL STEVE GILLAND:

Ladies and gentlemen, it's an absolute honor to join you here today. And I want to say thanks to all of our veterans, regardless of service or I -- who are present and all of those who support our veterans across our nation. Speaker Heastie, Leader Barclay, members of this distinguished Assembly, good afternoon and thank you so much for having us here today. Thank you for your service to the State of New York. And on behalf of our amazing team at the United States Military Academy of which this is just a sampling, we thank you for this recognition today on the 26th of April. Mr. Speaker, sir, thank you for the opportunity to address the Assembly this afternoon. Assemblyman Eachus, sir, thank you. Thank you for your hosting us today. And to Assemblymember Jean-Pierre, ma'am, thank you and your Committee for all that you do for our veterans in this great State.

I'd like to take a moment -- and I was looking around,

but I take a moment and acknowledge a very special group that is here in the Capitol today, and this distinguished group are veterans of the Korean War. This year marks the 70 -- 70 years since the signing of the armistice that brought that war to an end. And as we do, it's a humble privilege to recognize that incredible group of -- of people for their service and sacrifice, as well as all the men and women who so -- who bravely fought there and to all of those who made the ultimate sacrifice. Decades before Tom Brokaw's famous book *The Greatest Generation*, General James Van Fleet, a West Point graduate, command -- who commanded the 8th Army in the Korean War referred to those soldiers who fought in Korea as the greatest generation of Americans we have ever produced. And I know all of us here would wholeheartedly agree with that statement. Our mission at the United States Military Academy is to educate, train and inspire the future leaders of character for our Army and our nation, and I cannot think of anything more inspiring for us than to be in the presence of those amazing Americans, those Korean War veterans that are here in the Capitol today.

Since that cold January day in 1778 when General Samuel Parsons and his brigade crossed the frozen Hudson River to the west banks to establish a strategic defensive position against the British, West Point has been an important thread in the fabric of New York and, indeed, our nation. So, too, have -- have New Yorkers been an important thread in the fabric of West Point, the United States Military Academy and the United States Army. From John

Livingston, New York's first graduate in the Academy's second class in 1803, our cadets joining me here today, men and women who call the Empire State home, have been an important part of the Corps of Cadets and the Long Gray Line, honoring -- honorably serving our nation as leaders of character not only in the Army, but in government, business, academia and so much more. And that's -- and that's to say nothing of the countless New Yorkers serving as soldiers in the United States Army, the citizen soldiers of the National Guard and the Army Reserve. And of course our Army veterans and retirees, our soldiers for life who continue to serve in various ways long after hanging up their uniform for the last time.

As I mentioned a few moments ago, the mission of the United States Military Academy is to educate, train and inspire leaders of character for our Army and our nation. Through that mission, we deliver highly-trained, disciplined and fit leaders of tremendous character prepared to support and defend the Constitution and to serve and protect the United States of America. As the Chief-of-Staff of the United States Army, General James McConville says, he says, *West Point is the gold standard. When America looks to what right looks like, they look to the United States Military Academy at West Point.* I, we, have an obligation to deliver that gold standard to you as citizens of our nation. Our mission would not be possible without the tremendous support of our State leaders here in Albany as well as from our neighbors throughout New York, Orange County and the Hudson Valley Region. On behalf of the West Point community,

we greatly appreciate that support. At West Point we say it takes a village to develop leaders. Well, ladies and gentlemen, you are part of that village, and we great -- greatly appreciate the support that you provide us. Likewise, we are committed to being good neighbors, not only with local communities but Statewide. And we're always looking for ways to connect, build relationships and work together on opportunities that will not only enhance the leader development experience, but also benefit the community. And on behalf of the United States Army, we thank you for your continued help and support and inspiring a renewed call for service in our young people; to help our young people see the Army as a place of opportunity and possibilities. Where they can be all they can be.

Thank you for your continued support and honoring us today. Go Army.

(Applause)

ACTING SPEAKER AUBRY: Thank you,
Lieutenant General.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, several of our colleagues represent the districts where these outstanding men and women come from. I think now is an appropriate time to allow members to introduce cadets who live in their districts.

ACTING SPEAKER AUBRY: Ms. Darling for purposes of a introduction.

MS. DARLING: Thank you, Mr. Speaker. I'm so

excited to introduce Cadet Moses Green. He is from Uniondale, New York. His intended branch is Air Defense Artillery and his major is Sociology. He's also a member of the National Society of Black Engineers. He gave me a very short bio, and it goes like this: *I'm from Long Island, nicknamed the "Strong Island." Attended high school overseas in China and he speaks Mandarin fluently. His plans for the future: Upon graduating from West Point I intend on serving my required five years and then I will decide what I want to do after that.*

I welcome him here to our Chamber and I'm so proud of you, Moses, and I know you're going to do incredible things for the State of New York and our country. Thank you.

ACTING SPEAKER AUBRY: Certainly. Welcome, and thank you for joining us here today.

(Applause)

Mr. Blankenbush.

MR. BLANKENBUSH: Thank you, Mr. Speaker. It's my honor today to introduce Kennedy Duncan. Kennedy lives in Lowville, New York, which is in Lewis County. And we talked a little bit about that and when I said, *Where do you really live*, well, he lives in a little village outside Lowville and he said, *Nobody knows where that is*. Well, I do because it's in my district. So I want to welcome him here today. He's a member of the Fox 2 Company, Engineer and Infantry is his intended branch. He's majoring in Economics, and he's an avid lacrosse player. He -- he's in -- right now

actively in the Hudson Hellfire Lacrosse Club. His upcoming training will be in Air Assault. Kennedy was born in Fort Polk, Louisiana. He came to the North Country at about the age of four. His father was stationed at Fort Drum and recently has retired. So at age four when you move to the North Country he's considered North Country. So we all welcome -- we all welcome the members of our Fort Drum community in -- in -- in our neighborhood. While attending -- oh, excuse me. While attending Lowville Academy he graduated in 2022. He was the team captain on the varsity football team and the team captain on his lacrosse team. So I guess leadership is sort of built in with him now. As the team captain it certainly fits that he's -- he's going to be a great military officer. His future plans is -- when after graduation and commissioning he hopes to branch either in the Engineers or Infantry and attend Snap -- Sapper/Ranger School. He's considering -- he is already considering a career in the Army; however, if he exits the Army before his 20 years is up he considers -- he will be considering attending business school and getting his MBA.

So, Mr. Speaker and our members, please welcome a North Country Kennedy Duncan, Cadet. Thank you.

ACTING SPEAKER AUBRY: Certainly. Welcome, and thank you for joining us here today, Kennedy.

(Applause)

Ms. Hunter for the purposes of a introduction.

MS. HUNTER: Yes, thank you, Mr. Speaker. I have the privilege to introduce Has'Zahn Grimes. And it's important to note

that I actually have met this cadet before. In 2019 I had the honor of presenting Cadet Grimes with the CNY Leaders of Tomorrow Award. And in the classroom he was the senior class president. He graduated from Nottingham High School in my district. He was the varsity football captain and a dedicated community volunteer and member of the National Honor Society. Thanks to his hard work and determination then, he had achieved his lifelong dream and was appointed to the Military Academy at West Point. So here he is today, a cadet, Has'Zahn Grimes. He was born and raised in Syracuse. He is a lover of reading, lifting weights and following the Green Bay Packers. He is committed to improving his leadership abilities before joining the Army, and this year some of his goals include getting better at developing his subordinates, wonderful, becoming a mentor to underclass cadets and maxing the Army Combat Fitness Test. Last year Cadet Grimes was a Company First Sergeant. This year he is the Battalion Command Sergeant Major. Congratulations to you for that. He is interested in pursuing a career in the Infantry, and after graduation he would like to serve in the 82nd Airborne Division, being offered an opportunity to lead the 75th Ranger Regiment. And after his retirement, after all this work, he would like to join the FBI.

If you could extend congratulations to Cadet Grimes, Mr. Speaker.

ACTING SPEAKER AUBRY: Certainly. Cadet Grimes, welcome and thank you very much for being here.

(Applause)

Mr. Durso for the purposes of a introduction.

MR. DURSO: Thank you, Mr. Speaker. I have the honor today of introducing West Point Cadet Matthew Stueber. Please stand. Matthew is a resident of West Islip on Long Island, and at West Point he is a member of Company F3. His intended branch will be Aviation, and his current major is mechanical engineering. Growing up, Matthew's call to service was inspired by his grandfather, who is a Vietnam veteran. At West Point Matthew is a member of the Sprint football team, the Aviation Club and the International Affairs Forum. Upon graduation, Matthew plans to become an AH-64 Apache pilot and potentially pursue a career in the 160th SOAR, which is a Special Operations Aviation Regiment. Matthew is currently trying to obtain his private pilot license this summer in order to join the West Point Flying Team.

Mr. Speaker, please welcome Matthew Stueber to the Chamber today as we thank him for his service and his continued service to this country.

ACTING SPEAKER AUBRY: Certainly. Matthew, we welcome you here. Thank you for joining us here today.

(Applause)

Mr. Lavine for the purposes of an introduction.

MR. LAVINE: Thanks so much, Mr. Speaker. It is truly with a unique sense of privilege and pride that I am now able to introduce Cadet Gregory Kies. And Greg is a resident -- or grew up in Plainview, which I have been so honored to represent over the years.

Greg is a member of Company D-2-Go Dragons, and his intended branch is Field Artillery/Armor. His major is Geospatial Information Science, which I'm sure none of us here have any basic comprehension of, those of us who are elected. At any rate, it's good you and your colleagues do. Greg has been committed to our community from the time he was a little kid. He was class president at Plainview-Old Bethpage JFK High School, a National Merit Scholar. He developed a program called Supplies for Soldiers to make sure that those serving had the supplies that they needed. And in the words of my dear friend Dr. Lorna Lewis, who was Superintendent of the Plainview-Old Bethpage School District, his commitment is inspiring. And that is no surprise because he is the child of a family that has been dedicated to public service. And his commitment is entirely consistent, as is the commitment of each of these young men and women, with the observation of Colonel Deborah McDonald, West Point's Director of Admissions, and these are her comments. *These young men and women are coming here to devote themselves to becoming guardians of not just duty, not just honor, not just country, but of the American Constitution. They represent our promise for the future.*

It's with great joy that I respectfully request that Cadet Kies be welcomed to this Chamber. And thank you, Cadet, and thank you (inaudible).

ACTING SPEAKER AUBRY: Certainly. Welcome, Fred [sic] to the New York State Assembly. We congratulate you on

your accomplishments and you're always welcome here. Thank you so very much.

(Applause)

Mr. Durso for the purposes of a introduction.

MR. DURSO: Thank you, Mr. Speaker. Please help me in welcoming West Point Cadet Lucas Villanti. Lucas resides in West Islip on Long Island. Obviously, as you can tell, West Islip is a special place with two of our cadets here today. Lucas is a current member of Company G4, and his intended branch will be ADA, which stands for Air Defense Artillery. Lucas is currently majoring in Applied Statistics and Data Science. Lucas decided to attend West Point not only to challenge himself, but to serve his country. Lucas has a passion for sports, visiting other countries, and his research which is focused on sabermetrics. Last summer Lucas served as the CFT Supply Sergeant, and this summer will be traveling to Morocco as the SOS -- with the SOH Department. Following graduation, Lucas hopes to be commissioned as an Air Defense Artillery Officer and not only serve his country, but experience many different cultures as he travels throughout other countries.

Mr. Speaker, if you could help me in welcoming Lucas to the Chamber today and thanking him for his service and his future service to this country.

ACTING SPEAKER AUBRY: Certainly. Welcome, Lucas, and thank you for joining us today. Thank you so much.

(Applause)

Ms. Mitaynes for the purposes of an introduction.

MS. MITAYNES: Thank you. I have the honor today of introducing Cadet Xingyu Chen from Brooklyn and Company F3, with the intended branch of Field Artillery and a major in Geospatial Information Science and a member of the paintball team, with military training for cadet field training squad leader. Cadet Chen graduated high school in 2018 and enlisted in the U.S. Army as a dental specialist, served three years and had an opportunity to apply to West Point with the help of her commander and Non-Commissioned Officer. Cadet Chen had the opportunity to travel during her enlistment, including visiting other posts and meeting people with different goals. Upon graduation from West Point, Cadet Chen plans on entering the U.S. Army branch known as Field Artillery and continue her military career.

It is my honor to introduce Cadet Chen, and I ask the Speaker with respect to welcome -- welcome her to the Chambers.

ACTING SPEAKER AUBRY: Certainly. Cadet Chen, we welcome you here to the New York State Assembly and thank you for joining us today and wish you well in your career. Thank you.

(Applause)

Mr. Steck for the purposes of a introduction.

MR. STECK: Thank you very much, Mr. Speaker. I am here to recognize Cadet Avaneesh Benki, who is from the Town of Niskayuna where incidentally, the Supervisor of that Town, Jaime

Puccioni, also has a son who is a cadet at West Point. I certainly congratulate Cadet Benki on his appointment to the United States Military Academy and thank him for his service. Cadet Benki is a major in Applied Statistics and Data Science. He has a passion for boxing, he is involved in that club sport. He says, quote, "The reason I decided to attend West Point was to challenge myself and for the great education", closed quote. He ran track and played tennis in high school, enjoys spending time with friends and learning guitar. His plans for the future include continue boxing at a high level while at West Point, and taking advantage of going to speciality schools including hopefully completing a semester abroad. He plans to enter the Military Intelligence or Infantry branch and pursue a higher degree.

Again, it is my great honor to welcome Cadet Avaneesh Benki to the Chamber.

(Applause)

ACTING SPEAKER AUBRY: Certainly. Welcome, cadet and thank you for joining us.

Mr. Stirpe for the purposes of a introduction.

MR. STIRPE: Thank you, Mr. Speaker. I'd like to introduce Cadet Amy [sic] Brancato, a proud 2020 graduate of Liverpool High School in the 127th Assembly District, and a former All-Conference soccer player who is currently majoring in Engineering Management. If you talk to the people that know Amy [sic] best, they describe her this way: She's a hard worker,

self-motivated, wise beyond her years. She was the one you can depend on, and one who takes disappointment in stride and perseveres. I don't know about anyone else, but to me this sounds like the definition of a leader. Someone you would want to put in charge of a company, a community or a nation.

I just want to congratulate Amy [sic] on her great work at the Academy, and I want to offer my appreciation for the sacrifices she is making in service to our nation. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Certainly. Thank you so very much (audio cuts out). Congratulations.

(Applause)

Mr. Vanel for the purposes of a introduction.

MR. VANEL: Thank you, Mr. Speaker. First of all, I am proud to introduce Cadet Arbin Hoque. Arbin is from Queens Village, New York. He was born in Bangladesh. He lived in the villages of Dhaka until the age of six. He said that once his father bought a lottery visa ticket, they had great luck and aspirations and he won the lottery. It allowed him to immigrate from the villages in Bangladesh to New York City. He said that he found his calling to serve through his father and his grandfather. Both -- both men have lived their lives fighting and upholding for things that they believed in, and they instilled within him to protect those that he loves. He plans upon graduating, he's a -- he's a Ranger Platoon Leader in the Infantry. He'd like to attend graduate school and shift into -- into

International Relations and serve in an ambassador role.

We're very proud of Arbin. Please welcome Arbin to the House.

ACTING SPEAKER AUBRY: Certainly. Arbin, welcome here to the New York State Assembly. We wish you well on your term here at West Point and for your future. Thank you so very much for being here.

(Applause)

Mr. Eachus for the purposes of a introduction.

MR. EACHUS: Thank you, Mr. Speaker. I have the privilege of introducing Cadet Carley Amber Woelfel. She and I within a few minutes were able to have a connection, as she currently lives with her family in Wantagh, which is next-door to Seaford where I grew up. And as you will find as I go through her -- her wishes for the future, it goes right in line with my 40 years of teaching AP Physics. Cadet Carley is in Charlie 2 Company. Her intended branch is the Engineers. She is currently majoring in mechanical engineering. She does participate in some clubs, the Sandhurst Club and Corbin Forum. And her military training is the Fall Sandhurst, Cadet Leader Development Training Executive Officer. She is very energetic, she's authentic, kind and an inquisitive young lady, passionate about serving our country and doing engineering and just loving life. Fierce competitor and an engineer who wants to build steel bridges in competitions and perhaps in the rest of her life, and an avid reader. The plans for the future for Carley are as an engineer at Fort Lewis

Graduate School for Engineering, work in the civilian sector as a bridge engineer, teach at the high school level -- bing -- and be a national park ranger. So I hope she can fulfill all these things.

Mr. Speaker, please welcome Carley to the Assembly. Thank you.

ACTING SPEAKER AUBRY: Certainly. Carley, welcome here to the New York State Assembly. We congratulate you on what you've done so far, look forward to your bright and brilliant future. Thank you so much for being here.

(Applause)

Ms. Jean-Pierre.

MS. JEAN-PIERRE: Thank you, Mr. Speaker. I have the pleasure and honor to introduce First Captain Lauren Drysdale. Her hometown is Irvine, California. Her leadership, her First Captain of the U.S. Military Academy Corpse [sic] of Cadets, the highest position in the cadet chain of command. Her major is Business Management. She's a team captain for the women's soccer team. Her military training includes Cadet Field Training Platoon Sergeant, Cadet Leader Development Training, Cadet Basic Training and Command Sergeant Major. As First Captain -- as First Captain, Drysdale is responsible for overall performance of approximately 4,400-member Corpse [sic] of Cadets. Her duties include implementing a class agenda and acting as a liaison between the Corpse [sic] and administration. In the press release making the announcement of her appointment, Drysday -- Drysdale stated, *When*

an individual has the drive and willingness to achieve excellence, go the extra mile, adhere to the standards and stay focused on the collective goal, which is to serve our nation -- to serve our nation, the stronger -- the stronger the Corpse [sic] will be.

Drysdale's cadetship included a variety of accomplishments and activities such as receiving the Superintendent's Award for Excellence for being in the top five percent of the class academically, militarily and physically; Distinguished Cadet Award; Patriot League All-American Honor Roll; and the First Team All-Patriot League.

Drysdale states, *I hope to commission as an Engineer Officer and become a Sapper Platoon Leader. I would also like to pursue an MBA and come back to teach at West Point in the BS&L, Behavioral Science and Leadership Department. I'd love to have a family and continue to serve others in any manner that I can.*

Welcome.

ACTING SPEAKER AUBRY: Certainly. First Captain, we welcome you here to the New York State Assembly, and to all of you we extend to you the privileges of the floor. Know that you always are welcome here, always have friends here, and will go with our blessings and prayers. Thank you so very much.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, thank you so much. It is my honor to introduce to the Body General Steven

Gilland. By the way, we did hear from the General. We heard those powerful words from him. But we have not heard of his stellar career, the career in which he chooses to use to bring forth these new students and future leaders of the world. Lieutenant General Gilland was commissioned to the United States Army upon graduation from the United States Military Academy in 1990. As an Infantry Officer he served in a variety of technical assignments in air assault, armor, infantry, ranger and Special Operations Unit. He has served the 24th Infant -- Infantry Division, the 2nd Infantry Division, the 57th, 75th Ranger Regiment, the United States Army of Special Operations Command, the 1st Cavalry Division, the 101st Airborne Division, the 2nd Infantry Division, Combined Division, the 3rd Armored Corpse [sic] and the United States military. Lieutenant General has commanded at multiple levels throughout his career, most recently as Commanding General of the 2nd Combined Division in Korea. He has participated in numerous operational deployments to the Middle East, Africa and Afghanistan. Prior to assuming his duties as the U.S.M.A's 61st Superintendent at West Point, he served as the Deputy Commanding General of the 3rd Armored Corpse [sic] in Fort Hood, Texas. Lieutenant General holds a Master's Degree in military operations, Art of Science degree in -- from the Air Force and Air Force Command and Staff College. His awards are numerous, and I'm just going to mention a few of them, Mr. Speaker. They include the Distinguished Service Medal with two oak leaf clusters, Defense Superior Service Medal, Legion of Merit with two oak leaf clusters,

and the Bronze Star Medal with three oak leaf clusters.

Lieutenant General has been happily married to his West Point classmate, Betsy, for more than 32 years. The team of Gilland are the proud parents of three children. We're very proud to have the General here with us today and we want to thank him for joining us as well.

Thank you, sir.

Mr. Speaker, we are also joined by a -- by the way, I think we should applaud his stellar career because there is not anybody in the State who has a career like he has.

(Applause)

Mr. Speaker, we are also joined by a number of West Point support personnel, including Sergeant First Class John DeSerio; Mr. Jim Fox, Public Affairs Officer; Mr. Matthew Hintz, Public Affairs of Community Relation -- Community Engagement Officer; Sergeant First Class Luisto Brooks, Public Affairs Officer, Non-Commissioned; Sergeant First Class Ryan Weiss, Non-Commissioned Officer in Charge of -- to the Superintendent; and Michael Breslin, Class of 1961 West Point and former County -- Albany County Executive.

If you would welcome them, please, sir.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mrs. Peoples-Stokes, the Speaker and all the members, we welcome these individuals here to the New York State Assembly. Thank you for being a part of West Point Day, and hope that you will

know that you are always welcome here and will return whenever you'd like. Thank you so very much.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, that concludes our opportunity to honor these fine men and women and officers. I do want to just mention that I recall with great fondness the first time I had the experience to witness West Point Day in our Chambers. And honestly, it has -- it has always been an inspiration to me. It let's me know why other people love our country so much, and it makes me sometimes question why those of us who are here don't love it as much. So we want to thank them for their presence here and honor their courage and thank them for their selfless service. And as we take a few minutes to allow them to move on to their next stop, we again want to appreciate them being here.

ACTING SPEAKER AUBRY: Thank you very much.

(Applause)

(Pause)

Ladies and gentlemen, we are about to resume. Shh. Shh. Page 13, Calendar No. 102, the Clerk will read.

THE CLERK: Assembly No. A01687, Calendar No. 102, Rivera, Clark, Cruz, De Los Santos, Dinowitz, Fahy, Hevesi, Lavine, Mamdani, McMahon, Meeks, Peoples-Stokes, L. Rosenthal, Sayegh, Seawright, Taylor, Zinerman, Jackson, Simon, Lunsford,

Jacobson, Epstein, Weprin, Kelles, Thiele, Stirpe, Glick. An act to amend the Insurance Law, in relation to prohibiting the exclusion of coverage for losses or damages caused by exposure to lead-based paint.

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

MR. RIVERA: Thank you, Mr. Speaker. The bill before us would prohibit the practice called the lead poisoning exclusion. It's currently found in most general liability insurance policies. Currently, the Department of Financial Services allows insurance companies to write general liability policies that specifically exclude lead poisoning claims from their coverage. This would seek to undo that exclusion.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

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

MR. RIVERA: I do.

MR. GOODELL: Thank you very much, Mr. Rivera. I -- I note that the American Property Casualty Insurance Association along with the Big I, the Professional Insurance Agents, the New York Central Mutual, American International Group, the New York Insurance Association, the National Association of Insurance Companies all state that eliminating this exemption would, quote,

"have a dramatic impact on the affordability of insurance." Is that consistent with your understanding as well?

MR. RIVERA: It's a good and fair question. So, I guess I have two responses to that. One would be, you know, after many conversations on my end with stakeholders and among those organizations I have not been able to have clear feedback on what this increase in prices would be. And truthfully, where I feel it's a bit disingenuous is that, you know, prior to the early '90s when this exemption was included most policies already had this. You were able to file this sort of claim. At the time, the Governor of the day, by Executive Order, made it so that this exclusion was effectuated. When the insurance companies realized that policies would no longer have to carry such wording, they didn't decrease all of our premiums. We didn't start paying less because they we're going to cover less. But here we are, looking to reverse something that was clearly done as a poor policy, in my opinion, and -- and now we have certain individuals or certain companies stating that there's going to be an increase in premiums without any evidence on their part to say any sort of specifics of what that would look like.

MR. GOODELL: When you mentioned that this policy kicked in in 1990, as you know, back in 1990 as much as 75 percent of claims against insurance companies related to this particular issue, and at that time the reason the exemption was put into place is because it was actually threatening the solvency of insurance companies in New York State. Do you have any reason to believe that

the situation now is substantially or significantly different than back then?

MR. RIVERA: I'd say it's hard to imagine that this one act would bring insurance companies to insolvency, but I would say that we're giving them adequate time as part of this, you know, bill to -- to come up to where -- where we think they should be. And truthfully, I think as long as individuals are going to be living in homes where they are clearly being exposed to lead, I -- I think as long as we're okay not allowing them the avenue by which they could seek any sort of damages we're going to continue to see the aftereffects of what lead poisoning can do to children.

MR. GOODELL: Now, as I mentioned, every leading insurance group and agency and even companies in New York State had said that this bill would cause a, quote, "dramatic increase." Have you heard of any quantifying numbers that are different? Have any insurance companies said it would be only a modest increase or a small increase?

MR. RIVERA: I haven't heard from a single insurance company giving me a definitive number of what increases would look like, whether they were severe or minimal. It's still zero.

MR. GOODELL: So from your perspective, you don't know the cost increase that would likely occur, but you don't have any evidence to indicate it would be other than what we have been advised in writing which would be a dramatic increase?

MR. RIVERA: I wouldn't say that on my end I

wouldn't know the number, I'd say on the part of insurance companies they don't know the number.

MR. GOODELL: I see. Of course we all know that in -- in every business context when there's a substantial increase of cost, that cost increase is passed on to the consumers. That would likely incur -- occur as well in this situation, right? I mean, the landlords, if they see a substantial increase in their insurance they have no choice if they're going to stay in business but to pass it on to the tenants, correct?

MR. RIVERA: I think the premise that you're going down is sort of assuming that there's going to be a steep increase. I tend to think that that's not going to be the case. Like I said before, insurance companies covered this for many, many, many, many years. They no longer do. When they stopped covering it for homeowners that already had policies they didn't decrease their premiums. So to sort of cry that the sky is falling if we do this is sort of, you know, a bit one-sided, but if that's the case that they want to make.

MR. GOODELL: Now, this -- this bill requires every insurance policy to have that coverage, correct? It would make it illegal for anyone to buy insurance that didn't have the coverage; is that correct?

MR. RIVERA: It removes the insurance companies from having that exemption, so --

MR. GOODELL: So if a landlord, for example, spent thousands of dollars to completely remediate his apartment, he'd still

have to buy the exception -- or still have to buy and pay for an insurance policy that covered lead?

MR. RIVERA: What it says is that the exemption would be withdrawn. So, I mean, it doesn't mean that every policy would have it, it just means that no insurance company could -- could base their -- their -- their policies on the exemption. So we would no longer (inaudible) --

MR. GOODELL: But this bill doesn't provide an exception, if you will, if you -- if your building tests clean or it's built after 1972 or it never, ever had lead in it? You'd still, if you bought the policy, would have -- that policy would have coverage for lead and you'd be paying for it, correct?

MR. RIVERA: Correct.

MR. GOODELL: Can you explain how this would work in practice? If every insurance policy has to cover lead and a tenant, say, is in half-a-dozen different apartment buildings and then claims damages, how would those damages be apportioned?

MR. RIVERA: I suppose the insurance company would have to go through their standard underwriting process for every claim that's submitted, and that's sort of (inaudible) on their end.

MR. GOODELL: But as of today that coverage is not available. So are you saying that there would be retroactive liability or liability on prior landlords who didn't have insurance company -- insurance coverage?

MR. RIVERA: This only speaks to landlords that

have insurance on their property. So it --

MR. GOODELL: I understand, but I mean, let's say a claim is made after this goes into effect. Presumably, the insurance company is only going to cover damages that occur after a coverage occurs, right? They don't provide retroactive coverage. And so then what? Only part of the damages would be covered and the rest that might be attributable to a prior occupancy is -- still remain uncovered?

MR. RIVERA: I suppose it would depend a bit on when a child is diagnosed with lead poisoning and whether they simply lived in that unit when the diagnosis took place. After that I suppose it's between the insurance company and the tenant.

MR. GOODELL: Now, of course we've seen, and thankfully, a dramatic reduction in positive lead testing. There was an 84 percent drop from '98 to 2004, and more recently from 2018 to '19 there was a 21 percent drop. That is very positive, of course, something we all welcome and celebrate. What is the level of lead poisoning now compared to, say, 1990?

MR. RIVERA: Oh, it substantially decreased. What I would say, though, at the same time that makes New York unique in it all is that New York has the greatest number of housing units, highest percentage of pre-1950 housing and the oldest housing inventory in all 50 states. And because these houses continue to be on the market and these units continue to be on the market then this is an illness that will continue to happen.

MR. GOODELL: Now, as you know, New York

State has a Lead Poison Prevention Act that we passed, and as part of that we have a New York State Advisory Council on Lead Poisoning. Does that Advisory Council endorse this bill?

MR. RIVERA: Couldn't tell you.

MR. GOODELL: Okay. Thank you very much.

On the bill, sir.

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

MR. GOODELL: I share my colleague's concern about lead poisoning, but I think mandating insurance coverage with no exceptions is the wrong approach. And here's why: First of all, if you are a landlord and you spend the money to remediate your building, you shouldn't have to pay for insurance coverage after paying thousands of dollars to abate any lead. And this legislation has no exception, which means if you are a horrific landlord and you do nothing about lead, your insurance bill is the same as the absolute best landlord who puts all the money into his apartment to abate lead. That's wrong. This bill also requires every landlord who has a newer home that never, ever had lead to buy coverage that they don't need and don't want. So in the process what we do is we eliminate all the financial incentives for landlords to correct the problem. Because if you can buy insurance and you have everyone who has no claims paying for it, you have no financial incentive to fix the problem. On the other hand, if you can't get the insurance coverage and you have personal liability, you have a very strong incentive to correct the

problem. And as the Legislature, as a matter of public policy don't we want to encourage landlords to fix the problem? Don't we want landlords to have personal liability if they misbehave? Don't we want to reward the good landlords by letting them know that if they make that investment they don't have to pay for the insurance and they don't have personal liability? This sends all the wrong financial messages to the landlords. And here's the problem, the second problem. It forces a substantial increase in cost to the landlords which will be passed on to the tenants. Tenants who are least able to afford it. Now the landlord who has to pay the higher premium no longer has the same amount of money available for remediation because the landlord is forced by this law to pay the higher premium. Now, every insurance agency, every insurance organization and association has told us that this legislation will cause a substantial increase in premiums, which means they'll be a substantial increase in costs passed on to our tenants. From my perspective, we, as the Legislature, should do everything we can to encourage landlords to remediate the situation. And we shouldn't force good landlords to pay higher insurance to cover the lead liability of bad landlords. That doesn't make sense. That falls into the same category as saying every good deed should be punished. That's not our role, is it? We want to encourage landlords to be responsible. We want to do what we can to keep the rent on lower-income families as low as possible. We want a safer New York, and we get a safer New York by having personal liability on landlords who don't do what's right. We have a New York

State Advisory Council on Lead Poisoning. They are experts appointed to address this very issue and they do not recommend this approach.

So my friends, let's not adopt legislation that removes the financial incentive for landlords to make their apartments safer. Let's not force landlords to raise the rent on tenants who are struggling now. Let's focus on policies that reduce exposure, increase safety and keep costs as low as possible for our good landlords and the tenants that live there. Thank you.

ACTING SPEAKER BRAUNSTEIN: Thank you, Mr. Goodell.

Mr. Blumencranz.

MR. BLUMENCRANZ: Thank you. I -- I think I'm just going to speak on the bill.

ACTING SPEAKER BRAUNSTEIN: On the bill.

MR. BLUMENCRANZ: I had a lot of questions. I feel like this bill has come up quite a few times and a lot of it's been asked and answered. I find this bill incredibly -- incredibly damaging and incredibly dangerous to the housing ecosystem in New York. When you look at New York City, how many empty units sit because of irresponsible legislation we've seen here? Something like this which would essentially cause insurers to leave the market, they won't -- they could just raise the rates on everybody, which will raise the rents on everybody, but they -- a lot of them will just leave the New York market which will again lead to higher prices. And it's just

incredibly frustrating to see something like this show up over and over again and not to take into consideration the fact that the insurance companies do not purchase the buildings. And if these landlords wanted buildings that assumed this risk it's now going to make everyone in the City assume the same risk.

So I just -- I am definitely in the negative and I strongly urge my colleagues who are concerned about the housing crisis and the affordability crisis in New York to do the same. Thank you.

ACTING SPEAKER BRAUNSTEIN: Thank you.

The Clerk will read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER BRAUNSTEIN: A Party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed to this legislation. Certainly, members who support it can vote in favor here on the floor of the Assembly.

Thank you, sir.

ACTING SPEAKER BRAUNSTEIN: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Majority Conference is generally going to be in favor of this piece of legislation. However, there may be a few that would

desire to be an exception. They're certainly willing to do that from the floor.

Thank you, sir.

ACTING SPEAKER BRAUNSTEIN: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mrs. Peoples-Stokes to explain her vote.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. I -- to explain my vote. I, first of all, appreciate the sponsor of this legislation for understanding that at some point, even though we live in a society and a democracy that is literally a partnership between the public and business, we need business to survive. But when business creates errors like putting lead in paint that we knew shouldn't have happened back in 1940, as a society, but we allowed it to happen. Multiple countries across the world did not because they knew the ramifications of it. But at the end of the day, business didn't pay for that mistake. It's been government that's been paying for it. We pay for it consistently on a regular basis through healthcare. The cost of healthcare continues to go up. We pay through it through education. The cost of education continues to go up. It's not government that created the problem, but we're the ones who were responsible for trying to pay for the damages that it's created. I think it's time for business to pay for damages that they created. I'm not sure why when previous years you could sue insurance companies for someone having lead in their apartment or in their home that damaged

your child's ability then you were allowed to (inaudible) entire system damaged your child's ability to be properly educated. That was in place. Somebody intentionally took that out to again protect business. And I'm not adverse to business. I'm from a family of business people. We supposed to be in a partnership here. But you can't always expect government to be the one to take care of problems that businesses create and then complain about the cost of government. At some point businesses have to stand up to the plate and accept responsibility for what they've done. If you want to be in the insurance industry, it should be okay with you to say that people who get your policies, *Listen, you have to have -- you cannot be poisoning people in your property if you want me to insure you.* And then people will stop poisoning folks in their property. So at some point we have to stand up. We have to stand up as citizens, we have to stand up as government, we have to stand up for the people who have been damaged, literally damaged by lead paint that didn't have to be in our society. It wasn't a choice of government, it was a choice of business and they should be the ones responsible for paying for it.

ACTING SPEAKER BRAUNSTEIN: Mrs. Peoples-Stokes in the affirmative.

Mr. Zaccaro to explain his vote.

MR. ZACCARO: Thank you, Mr. Speaker. I just want to echo the sentiments of the Majority Leader. And, you know, I rise today because I think it's important for folks and individuals to understand as a brother who watched his sister suffer from lead

poisoning as a child and someone who had to grow up with developmental disabilities and -- and learning disabilities. I think it's an important fact today that we should all understand that almost one million people die every year due to lead poisoning, and many -- and more millions of children suffer from long-term health effects as a result of lead poisoning. And so I think it's crucial that we look at those facts and look at that point and sit here and making sure that we do everything we can to support and protect New Yorkers instead of supporting insurance companies.

So I want to thank the sponsor for this bill and I vote in the affirmative.

ACTING SPEAKER BRAUNSTEIN: Mr. Zaccaro in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 16, Calendar No. 139, the Clerk will read.

THE CLERK: Assembly No. A04928, Calendar No. 139, Rajkumar, Lunsford. An act to amend the Environmental Conservation Law, in relation to covering putrescible and non-putrescible waste transported by rail.

ACTING SPEAKER BRAUNSTEIN: An explanation is requested.

MS. RAJKUMAR: Certainly, Mr. Speaker. I am pleased to provide an explanation. This bill ensures that waste

transported by rail in New York is properly contained to prevent leakage, spillage and litter. Waste transport by rail has increased rapidly as the trucking of garbage continues to be phased out and replaced by rail transport. Remarkably, the shipping of solid waste by rail has increased 35 percent every single year since 2020, and the waste by rail industry is booming. The problem is that solid waste shipped by rail travels long distances to landfills, and this long distance travel creates great opportunity for leakage and spills. Leakage, spills and noxious fumes from this waste harms the surrounding communities, posing severe health hazards and also environmental hazards. My bill fixes the problem by requiring putrescible waste transported by rail to be covered with sealing hard lids, and non-putrescible waste to be covered with hard tarping. And if you're wondering what putrescible means, it means waste that is likely to decay. Requiring the proper coverage of waste transported by rail is a simple and cost-effective fix that will help people stay healthy and protect our environment.

ACTING SPEAKER BRAUNSTEIN: Mr. Goodell.

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

ACTING SPEAKER BRAUNSTEIN: Will the sponsor yield?

MS. RAJKUMAR: Certainly.

ACTING SPEAKER AUBRY: The sponsor yields, Mr. Goodell.

MR. GOODELL: Thank you very much. All of us, I think, in this room support the objective of this bill, which is to ensure that waste that's transported by rail is properly covered and is not littering either the rail line or the neighboring communities. Just -- I had a couple of questions to make sure that we're clear on the legislative history on how this would be applied. Am I correct that the intent of this bill is to focus on requiring those who are shipping the waste to have it properly covered?

MS. RAJKUMAR: Yes, that is correct.

MR. GOODELL: And as you know, a railroad doesn't put together the -- the cars at all, they just hook up and transport them. So the railroad has no direct control over how those cars are packed. This is not really aimed at the railroad, is it? It's more aimed at those who load the waste and are responsible for properly covering it?

MS. RAJKUMAR: Yes. The onus is not just on the railway, it's on everyone that's involved in transporting this waste, which as you correctly note includes the shippers, waste management companies and municipalities.

MR. GOODELL: Well, I want to go back a little bit to what you said. If the railroad is in full compliance with Federal standards, would the railroad have any liability if a shipper violated these standards?

MS. RAJKUMAR: The -- the onus would be on the shipper because the shipper in your scenario has violated the standard.

MR. GOODELL: Thank you very much for that clarification.

On the bill, sir.

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

MR. GOODELL: Of course we want to make -- make it clear where the liability lies, and I appreciate the sponsor's clarification and unequivocal statement that the responsibility lies on the shipper to make sure that the railcar is properly secured. That is where the liability should apply, because the railroad just comes in, picks up the cars and transports them. And obviously, a railroad cannot have, you know, 49 separate standards that apply to the train as it's crossing the country. And so I -- I appreciate the sponsor's clarification. This applies to the shipper to ensure that their containers are properly secure. And as long as the railroad is complying with all the Federal requirements, the railroad would not have liability. And that avoids the Federal preemption issue that was a concern for some railroads. It also avoids a problem with interstate transport because it keeps the liability on the local level or the shipper who loads the car.

With that clarification I will be supporting the bill.

Thank you, sir.

ACTING SPEAKER BRAUNSTEIN: Thank you.

Read the last section.

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

ACTING SPEAKER BRAUNSTEIN: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Rajkumar to explain her vote.

MS. RAJKUMAR: Thank you so much, Mr. Speaker. Today through the passing of my legislation, we are taking a major step towards overseeing the waste by rail industry which has expanded for 15 years without standards and without a public plan or mitigation for harms caused. As the waste by rail industry booms, expanding remarkably by 35 percent every single year, it is time to take action to protect the health of the people of New York and our precious environment. It is time to put a lid on it, quite literally. I introduced this bill for the sake of my constituents who have been harmed by waste by transport by rail. Students at a school near my district reported breathing in noxious fumes that gave them headaches and prevented them from concentrating. In the words of one constituent, the smell is beyond disgusting. Even more seriously, one of my neighbors living near the waste by rail tracks got lung cancer. Mine is a commonsense bill that will prevent these harms. By simply covering rail cars transporting waste, we can prevent noxious fumes and hazardous spills from endangering the people. All we have to do is put a lid on it. We need to put a lid on it. It's time to put a lid on the garbage, to put a lid on the noxious fumes, to put a lid on the hazardous waste. It's time to put a lid on the destruction of our health, to put a lid on everything destroying our environment. Just put a lid

on it. It is common sense. We will save lives and communities with this simple bill.

Thank you, Mr. Speaker.

ACTING SPEAKER BRAUNSTEIN: Ms. Rajkumar in the affirmative.

Ms. Lunsford to explain her vote.

MS. LUNSFORD: Thank you, Mr. Speaker. And thank you so much to the sponsor of this bill. Much of that increase in waste by rail ends up in my district at High Acres Landfill, which is the second-largest landfill in the State of New York. The noxious fumes caused by these trash trains traveling through my community are the number one complaint my office receives. We get upwards of 50 to 70 a week. I cannot tell you how grateful the people of the 135th District will be to hear of the passage of this bill. It's enormously important and long overdue.

I vote in the affirmative. Thank you very much.

ACTING SPEAKER BRAUNSTEIN: Ms. Lunsford in the affirmative.

Mr. Hevesi to explain his vote.

MR. HEVESI: Thank you, Mr. Speaker. I rise to commend the sponsor. We share the same communities, and this has been an ongoing issue for -- for many, many years, including that we -- recently this Body led getting the actual trains, the engines -- we put in money every year for the last seven or eight years, about \$3 million each, to get the engines that carry this waste to not be part of the tyre

polluting engines, but to be the cleaner engines. So that was the first step. But now this is also going to deal with one of the biggest issues that our -- our constituents complain about. And just for context, this is not just about trains passing through. In our shared communities, the trains stop for days and hours in the hot sun and there are -- on either side of these railroads there are houses and they're our constituents. This has been an ongoing problem. I am so grateful to the sponsor for her leadership on this. This is a great day for our communities. So thank you again for all of your work.

Thank you.

ACTING SPEAKER BRAUNSTEIN: Mr. Hevesi in the affirmative.

Mrs. Peoples-Stokes to explain her vote.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. I, too, rise to commend the sponsor of this legislation. There are not many communities in the State of New York that don't have commerce trains traveling back and forth between their communities. And as was stated, some of them are passing in residential neighborhoods, some of them are passing commercial businesses. Some of them are just simply you have to drive your car over the railroad tracks in order to get to the other side in your community. And so it's just important that, you know, businesses asked to take this responsibility and protecting us all because you don't know where people live and you don't know how the results of what's streaming off of their trains and how it will impact people's

lives. This is a critically important piece of legislation asking people to take the responsibility to protect us while they run their business.

So I thank the sponsor and I'm pleased to vote yes.

ACTING SPEAKER BRAUNSTEIN: Mrs. Peoples-Stokes in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 4, Rules Report No. 123, the Clerk will read.

THE CLERK: Assembly No. A02084-A, Rules Report No. 123, Glick, L. Rosenthal, Fahy, Colton, Jacobson, Steck, Paulin, Burdick, Kelles, Epstein, Seawright, Simon, Simone. An act to amend the Environmental Conservation Law, in relation to prohibiting the use of lead ammunition in the taking of wildlife on state-owned land and land contributing surface water to the New York City water supply.

ACTING SPEAKER BRAUNSTEIN: An explanation is requested.

MS. GLICK: Certainly, Mr. Speaker. The bill has been around a little bit and it basically indicates that wildlife should not be taken by the use of lead ammunition on State-owned properties and in and around those New York City reservoir and the lands contributing to the surface water.

ACTING SPEAKER BRAUNSTEIN: Mr. Simpson.

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

the sponsor yield?

ACTING SPEAKER BRAUNSTEIN: Ms. Glick, will you yield?

MS. GLICK: Certainly.

ACTING SPEAKER BRAUNSTEIN: The sponsor yields.

MR. SIMPSON: Thank you. So as you said, you said the State lands and the waters contributing to the New York City Watershed. So -- so it's only a State land in the Adirondack and Catskill Park, all of the State lands throughout the State --

MS. GLICK: I'll read from the bill. The wildlife management areas, State forests, forest preserves, State parks and other State-owned land that is open for hunting, which comprises about 15 percent of the State land. And I have -- there is a annual access to hunting brochure that is provided to hunters which has and will clearly, should this be signed into law, be amended to clarify exactly what additional restrictions there might be. It also allows for the syllabus that is provided to be updated.

MR. SIMPSON: Well, that -- you're correct. The entire State, though, is broken up into wildlife management units. So, you know, without a map or some kind of, you know, details, we're left to question what is exactly encompassed within the region that you are prohibited using lead ammo.

MS. GLICK: Well, I am informed that DEC provides an online, updated map annually. I'm looking at a few pages from the

access to hunting areas that is part of the New York Hunting and Trapping Guide and it provides information. There are some parks where hunting is permitted and I believe in one of the last conversations and agreements with New York City, the City opened some of the lands around the reservoirs to hunting. So in those instances, people can still hunt.

MR. SIMPSON: Correct.

MS. GLICK: This doesn't change someone's ability to hunt. It just changes the ammunition that they would be using in some of these locations.

MR. SIMPSON: Am I correct that it's not only State land in the watershed, that it's also private properties in the watershed, New York City Watershed?

MS. GLICK: Within the -- within the watershed --

MR. SIMPSON: That's a yes, though, right? Private properties in the New York City Watershed.

MS. GLICK: Yes.

MR. SIMPSON: Thank you. How did we come about defining this area, this area of focus, what is such a small representation of the hunting opportunities in New York?

MS. GLICK: Well --

MR. SIMPSON: I mean -- no, I'll let you answer. Go ahead, sorry.

MS. GLICK: The bill is arrived after a discussion with folks who were working both with DEP, which is the New York

City Department of Environmental Protection, and DEC, people who were working on an eagle project. And it had to do with the fact that the eagles that have rebounded, and we are always very excited to see them when they are flying over either the Hudson or the Delaware or what have you, very exciting, but they were finding that the eagles which are in many instances scavengers, as well as other raptors, were dying of lead poisoning. And so this concern came to me from those folks who were working in this area and said that it would be more appropriate if there were non-lead ammunition used to do that. And I will just take two more seconds to say that as I did more research, I thought there are a lot of people who hunt to augment their family's food supply, I totally respect that, and they should probably not be eating venison that has been taken with lead ammunition.

MR. SIMPSON: Okay. So you're aware of the working group that includes the DEC --

MS. GLICK: Mm-hmm.

MR. SIMPSON: -- conservation groups, and they have a progress report from April 2023. You said you -- DEC suggested the idea of the --

MS. GLICK: I didn't say DEC suggested the idea, I said there were individuals working on a, on an eagle project, a raptor project, some of whom worked for DEC, some of whom worked for DEP and were observing this mortality in eagles and some other raptors.

MR. SIMPSON: The eagles are all over the United

States, I don't think they're only concentrated in the area --

MS. GLICK: Well, we can only deal with New York.

If I was in a position to --

MR. SIMPSON: Correct.

MS. GLICK: -- encourage people.

MR. SIMPSON: But, from your numbers, this represents 15 percent of New York State. So I'm trying to ascertain is it a problem throughout New York State with bald eagles or is it only a problem with bald eagles within this 15 percent that your bill incorporates?

MS. GLICK: I will say to you that we are -- politics is, in part, the art of the possible. And I will say to you that clearly, sportsmen don't like to be told anything about what they can and cannot do. As it is, there are certain places they can hunt and there is certain -- you asked me a question, Mr. Simpson--

MR. SIMPSON: I know, I know.

MS. GLICK: -- so I'm going to answer it. And I respect that, but I do believe that on the State land and those areas that are around the reservoirs, it is an appropriate minor -- minor adjustment in people's behavior to hunt with non-lead ammunition. We don't drink gas, but we took the lead out of gasoline. We don't eat paint, but we took the lead out of paint even though sometimes children will, in fact, eat paint chips. But people actually do eat the meat from animals that have been taken with lead ammunition. And that, I think, is a problem. So if I could pass a bill that would just say,

look, if you're hunting in New York State, do yourself a favor, the State's going to help you make that choice and just use non-lead ammunition if you're going to be hunting and eating the result of that hunt. But we're not doing that. We're taking a small step and saying at least on State land we're not going to have lead ammunition left in gut piles where raptors and other mammals that scavenge can, in fact, eat it.

MR. SIMPSON: So do we have any studies that -- we know we have studies on bald eagles and raptors and how lead affects that as well as loons, that's why we have a ban on sinkers in, you know, freshwater streams. Do you we have any data, though, that gaming has contributed to any lead contamination with any human?

MS. GLICK: Well --

MR. SIMPSON: Or are we just assuming?

MS. GLICK: I will say that there has been studies in other places that have to do with -- there was a study in North Dakota, not exactly the most progressive state in the union, but they did a study there. They looked at --

MR. SIMPSON: Consumption?

MS. GLICK: -- one hundred packs -- packages of venison that was given to food pantries and they examined them and 59 of them contained lead fragments. And so the difference is, and I will say that even our own DEC makes recommendations that there are things that one can do that make sense, you know, but not everybody can lead a horse to water but you can't always make them

drink, but our own DEC has a information sheet that says choose non-lead ammunition. The benefits of non-lead ammunition, less prone to fragmenting, eliminates bullet fragments in the wound channel as it forms a mushroom, it's still very powerful, and yields more high quality meat as -- as it retains 95 to 100 percent of the original bullet weight, and I assume that means that the wound channel would be smaller. So -- and you reduce the risk of harming other wildlife, particularly eagles, from getting sick and dying from lead consumption. So that is the position of our DEC. It doesn't prohibit it, that's what we're doing, but they do recommend that if you're going to hunt, that you do so with non-lead ammunition for your own good, the good of your friends and family, and for the wildlife that might scavenge.

MR. SIMPSON: So you talk about some of the good things about copper ammo, but you didn't speak about some of the negatives of using copper ammo, accuracy. There's studies that have actually said that it's inhumane to use copper bullets because they don't have the same properties of lead where they mushroom and create a humane taking of an animal. They're harder -- they're harder to pass through the animal, there's also the availability. I know in my local shop, they got one box. Now, I know in somewhere I read in your bill or maybe some of the information that you're comparing it to the cost of high performance ammo or premium ammo. But the difference between the ammo that most New Yorkers buy, which is the mass-produced Remington, Winchester or other, is a difference of

\$10 a box versus 50 or more for premium ammo.

MS. GLICK: Well --

MR. SIMPSON: But, it's not just one shot that -- that leads up to that on that hunting day, that day you decide to take (inaudible). You're target practicing, you're becoming proficient with your firearm, you're shooting ammo. But you're shooting ammo that's -- that's being mandated that there is another side of the story that talks about the problems with the ammo and the availability is not there. We've already passed laws that prohibit mail order, ordering ammo from out of New York State from another state. It's not available here in quantities that are going to meet the needs of our hunters.

MS. GLICK: Well, I have a few things to say about -- about that. There -- there was the efficacy of non-lead ammunition for culling elk at the Theodore Roosevelt National Park. So parks, park service, staff and some public volunteers called 983 elk. Now, elk, are substantially bigger than our deer. They're like the fifth largest land mammal here behind bison, moose, polar bears, which we don't have although maybe soon, and Kodiak bear. So the elk are pretty big animals and they -- they found that non-lead ammunition provided the necessary provision -- precision for accurate shot placement, and these bullets typically accomplish instantaneous or near instantaneous incapacitation of elk.

And so I will say to you that I understand that the ammunition is not necessarily immediately available, and it's, you know, a marketplace. So if you have more people using something, it

will be more available and the price will go down. And the bill does not take effect for two years. So people can use all of the lead ammunition that they have stockpiled over the many years, you can't -- I don't believe that the State Parks and State land are open for target practice, I think you can do that at home. You can't do target practice -- you can't target practice on State land right now anyways so all of the target practicing has to be done at a range or in your backyard and, you know, we allow you to do that. But I will also say that the military has gone away from that ammunition because they're trying to clean up their bases. And they have been doing this for the last decade or more, and have used the non-lead ammunition in fears of war. So I -- I -- I hear what you're saying, but, you know, you take the first step and we're just telling people and we will be warning people that in a couple of years you should be looking at this and the price will go down. Now, I don't know, I think that -- I've talked to a couple of guys who've hunted and they say they generally don't use up more than a box in hunting season because you're not allowed to take more than a certain amount with their bag limits, and so there are some limitations. And presumably the -- the point is not to shoot indiscriminately, but to, you know, stalk and carefully take the shot. Now, it may not -- you may have to take more than one shot, I get that, but I don't think that people are using the same quantity of ammunition when they're hunting -- welcome to spring, excuse me -- but rather when they're target practicing, where they are obviously going to use a lot of ammunition because that's some of the fun and

some of the sport.

MR. SIMPSON: So this bill says hunting, and you bring up a great point. Target shooting on private property within the New York City Watershed. Is that banned, is that included in this bill?

MS. GLICK: No. The bill actually relates specifically on line 4, "Wildlife shall not be taken with the use of lead ammunition." So...

MR. SIMPSON: So that seems to contradict if you really want to address a problem that, you know, in my opinion you're making a leap to connect shooting lead ammo to lead contamination from ingestion. When you're target practicing, you can shoot -- I can tell you from my own experience, I use to shoot 5,000 rounds every season because I shot competitively. That's a lot of lead, and I reloaded. I didn't hunt with that ammo, I hunted with more expensive store-bought commercially (inaudible). But if you're -- if you're truly, if we're really focused on addressing a problem, wouldn't you go after the largest exposure to lead?

MS. GLICK: Well, I would like to, but, you know, I understand the dynamics and the opposition from your side of the aisle and from sportsmen's groups, so we're trying to do something that at least minimizes the damage to wildlife and to raptors and to eagles. But yeah, I think, you know, we got it out of gas -- we got it out of -- I think we should get it out of, you know, out of ammunition, but that's not where we are so I'm a realist and so I'm trying to meet

y'all halfway.

MR. SIMPSON: Okay, thank you.

MS. GLICK: Thank you.

MR. SIMPSON: On the bill, sir.

ACTING SPEAKER BRAUNSTEIN: On the bill.

MR. SIMPSON: As -- as you just listened to the debate, this bill is, I've heard this expression and I think this really fits it, it's legislation searching for a problem. There isn't a problem that's actually identified, it's something that is perceived because we know lead is harmful, harmful to our raptors, harmful to our -- our human beings that consume it. We've got huge challenges. We've got homes that are still not lead-free. We've got schools that have elevated lead levels that are -- have been built as recently as 25 years ago and maybe even younger than that, sooner than that. Those are the problems that we really should be addressing, not making it more difficult for a small segment of the population to -- to kind of be the scapegoat for a bigger problem. They're not the problem, the hunters that may shoot one or two bullets a year, and it's only confined to 15 percent of New York State's entire landmass. This doesn't make sense to me, it's not addressing the real problems with lead in our -- in our society and I'm going to urge all my colleagues to vote no. Thank you.

ACTING SPEAKER BRAUNSTEIN: Thank you.

Mr. Lemondes.

MR. LEMONDES: Thank you, Mr. Speaker. Will

the sponsor yield?

ACTING SPEAKER BRAUNSTEIN: Ms. Glick, will you yield?

MS. GLICK: Sure.

ACTING SPEAKER BRAUNSTEIN: The sponsor yields.

MR. LEMONDES: Thank you, Chair -- Madam Chair. The raptor issue that you had addressed previously, I'd like to ask a few questions about that. Are you aware of the DEC letter dated June 30th, '22 on eagle mortality in New York State?

MS. GLICK: No.

MR. LEMONDES: Let me cite a few facts from that letter as we talk about the health and endangerment of lead with respect to eagle mortality. Forty-four percent mortality of eagles in New York State as a result of collision with vehicles, trains, power lines and windmills; 15 percent unknown sources of trauma; 8 percent other eagles, indicating holding capacity has been achieved. These facts alone don't negate the fact that we do have some evidence of eagle mortality as a result of lead, but there are many sources of lead in our environment. And the notion that a bullet fired in Plattsburgh or Buffalo or Binghamton or Syracuse is somehow going to endanger the New York City Watershed is just farcical. So the number is about 12 percent of 632 eagles examined over 15 years had some evidence of lead. I'd like to go to the New York City Watershed, lead specifically. Are you aware of lead contamination directly from

hunting in any other part of the State?

MS. GLICK: The concern is not that the water supply will be immediately damaged, but lead is a poisonous toxin for which there is no safe level, and this is about banning it for the point of -- for the purpose of hunting, at least in part because it has damaged wildlife, but it is also a personal concern that people are hunting with lead, and then in many instances, eating the result of their hunting. I'm sort of surprised, I mean perhaps the last speaker will join me on a Statewide ban. Clearly it's one of those things that we should get the lead out of ammunition entirely but that's not what the bill does. I am at a loss to understand why this limitation is so concerning when it is about taking the lead out of ammunition that is used to kill wildlife, some of that wildlife is eaten by other critters but also by people. So I'm -- I'm just sort of mystified.

MR. LEMONDES: I'll help you with that. It's 40,000 times a year over 500 and there are 500,000 hunters in New York State. So 500,000 hunters provide 40,000 tons to the venison donation program, and that feeds a lot of people. Additionally, for hunting, people have been hunting with lead for a long time. We know how to cut out wound channels. People don't ingest lead intentionally. Bullets don't explode and go through the entire animal. I refute the data that you cited about 59 packages out of 100 having lead contamination in it from bullets themselves. That lead contamination could have come from drinking water in areas where lead, which is known to be a natural risk of runoff in some places,

could have been ingested by the animal differently. Let me move on. Are you aware of the New York City Drinking Water Supply and Quality Report from 2022?

MS. GLICK: Yes.

MR. LEMONDES: In that, there's a lot of data, it's very interesting. Specifically, for lead, as a New York City Watershed contaminant, it is not a documented source. Additionally, the relationship of hunters to density throughout the rest of the State doesn't contribute to watershed contamination. At this point, Mr. Speaker, I'd like to go on the bill with my remaining time.

ACTING SPEAKER BRAUNSTEIN: On the bill, Mr. Lemondes.

MR. LEMONDES: Thank you very much. There's a lot to this, I'm going to cite a few -- a few more facts for all of my colleagues to think about before you vote on this. Again, I'm citing the New York City Drinking Water Supply and Quality Report from 2022. The likelihood of an environmental contamination or ingestion is nearly non-existent. Going back to the DEC report that I previously cited from 2022. The DEC further states that they're not aware of any evidence to suggest spent lead shot is evenly distributed on State lands versus private lands, so there's no relationship. And I want to again bring notice to the amount of people in New York State fed through the Venison Donation Program courtesy of New York State's hunters. With respect to the New York City Watershed, one billion gallons daily to 8.8 million residents, plus 100 million gallons per day to 70

communities and institutions outside of the City. 376,700 tests were done on 32,300 samples in 2022. The water quality sampling stations throughout New York City contributed that data. However, where there is lead, it's oftentimes the service lines to the house or the building itself. That has absolutely no relationship to hunting Upstate and the rest of the State anywhere. New York City's award-winning tap water is delivered virtually lead-free through 7,000 miles of aqueducts, tunnels and water mains. Homes built prior to 1951 - and this is key - may have lead service lines plus plumbing and internal fixtures perhaps bought and installed by the homeowner themselves. So there is responsibility and culpability on us as citizens with respect to what we put into our home. New York City 2022 drinking water quality test results, the highest allowable action level for lead is 15 micrograms per liter. Three hundred and eight samples, the range was nondetectable to six. Never even got to the action level, this is in New York City. Likely sources of lead that was found where it was detectable was erosion from natural deposits. Again, I emphasize as you all know lead is a naturally occurring element and again, this corroborates the fact that there is absolutely no relationship whatsoever between lead in New York City drinking water and hunters in Binghamton, Plattsburgh, Syracuse, et cetera, throughout the State. The lead in copper rule, again allowable 15 micrograms per liter or less, over 90 percent of the samples showed nothing. So with taking all of that into consideration plus the discussion we had on raptors and the fact that there is very little if any relationship to

hunting and raptor death, this bill is anti-Second Amendment, it's anti-hunting, it has an economic crowding out principle associated with it with respect to cost of other types of ammunition that are oftentimes not even available. And again, I go back to in my last point the New York City water testing protocols itself prove that this is absolutely unnecessary. There is no problem, there is no linkage, there is no evidence, and there are no cases of human ingestion that come from firing lead out of weapons of any type in the rest of New York State. I reference the two reports from which I took my data, they're both New York State reports from New York State agencies, and I would ask you to consider the science and the facts before you make a decision on something that impacts several million people that live in the rest of the State. Thank you, Mr. Speaker.

ACTING SPEAKER BRAUNSTEIN: Thank you.
Ms. Byrnes.

MS. BYRNES: Thank you. Will the sponsor yield?

ACTING SPEAKER BRAUNSTEIN: Ms. Glick,
will you yield?

MS. GLICK: Yes.

ACTING SPEAKER BRAUNSTEIN: The sponsor
yields.

MS. BYRNES: Thank you. I actually spent some time this morning reading the New York State DEC website and I believe I read it correctly, I wrote down notes. But, isn't it true that in 2020 the State of New York did establish a working group which did

include the New York State Department of Health and the New York State DEC, along with other organizations in order to investigate and create a report on the effects of lead ammunition on wildlife?

I can help you. The answer is yes.

MS. GLICK: No, no, no. I was just checking how broadly the task force was created and I certainly understand that it was -- - we talked to DEC about it. We urged them and perhaps that's why while they're --

MS. BYRNES: You are aware that there was -- that they issued a -- they were instituted in 2020 and they issued a report in 2022, correct, ma'am?

MS. GLICK: Yes. They did issue a report and I think they actually issued the report in part because we put forth the bill because we were tired of waiting for the report, and I think the -- what they did subsequent to the report, which was to change their website to encourage individuals to choose non-lead ammunition that was the -- I guess their compromise.

MS. BYRNES: Well, isn't it true that the DEC and the Department of Health, our State Departments in conjunction with others, have a report sitting on the website, State Government website, specifically indicating that they found no proof that lead ammunition in any way contributed to contamination of the watershed that you're seeking to protect through this bill? Isn't it a fact that that is right now --

MS. GLICK: If you want to ask me a question and

give me a chance to answer I will do that, but I know --

MS. BYRNES: Okay.

MS. GLICK: -- you've sat on the bench and so that sounds like a very -- isn't it a fact -- I'm having a Perry Mason flashback but --

MS. BYRNES: But isn't it a fact, though?

MS. GLICK: I -- I know that the report did not suggest that we banned lead ammunition. I know that they -- and I will say that the New York City spends a great deal of money buying buffer lands in order to protect the water supply because they have a US EPA filtration avoidance decree to ensure that they don't have to go through a filtration, a huge expense on filtering the water so they have spent a lot of money purchasing land that under certain decree and an agreement so that they can -- they can protect that water supply.

MS. BYRNES: They can fix a problem that doesn't exist, correct? Let me ask you another question. I -- I do agree with you that that working group including the State agencies of the Department of Health and the DEC did recommend the use of non-lead ammo. But isn't it also true that that very same report specifically said they did not want this bill, which is the same one that was passed last year, that they specifically did not want this bill to be passed, that was not part of the New York State recommendations -- government recommendations.

MS. GLICK: Well, I think that the agency, like many

agencies, have a variety of concerns and go slowly and so have we, we're not suggesting that the bill take effect immediately, the bill doesn't take effect until 2025. And I think that what they did do was not just suggest that you choose non-lead ammunition, they listed a series of benefits that included reduces the risk of harming other wildlife, particularly eagles from getting sick and dying from lead consumption. So, obviously somewhere in the conversation they made a determination that they would not call for a ban, but that they would in fact change their website to urge that hunters use this. Frankly, there have been studies in other places. Minnesota is a big state, does a lot of hunting. I think they actually do have moose and they had similar experiences as North Dakota when they looked at the venison that had been donated.

MS. BYRNES: Yes, ma'am.

MS. GLICK: And they said, not that it was from some other source, they indicated that the results indicated actual lead fragments. And they went further and said that the same results in beef would have resulted in a recall. So I understand that --

MS. BYRNES: State agencies have a different opinion than you.

MS. GLICK: No. I understand that there is a -- please don't assume what I'm going to say. Sometimes I don't know what I'm going to say until it happens.

MS. BYRNES: Well --

MS. GLICK: But I would just --

MS. BYRNES: Well, I would like to be heard on the the bill at some point here. So if you want to wrap her up, go ahead, ma'am.

MS. GLICK: No. That's all right.

ACTING SPEAKER BRAUNSTEIN: On the bill, Ms. Byrnes.

MS. BYRNES: Thank you. Thank you, Ms. Glick. I really do appreciate your courtesies as well as last year. Look. As mentioned, New York State went through the effort of creating a working group specifically to look into lead ammunition in hunting. The State DEC, the State Department of Health are part of that working group. The working group issued a couple of reports, one of them was in 2022, and entitled Minimizing Risks to Wildlife and People from Lead Hunting Ammo. The Department of Health and DEC recommended outreach. They recommended education. They recommended the use of non-lead ammo but they did not recommend this legislation, quite the opposite -- quite the opposite. The 2022 report specifically said that this bill - and they referred directly to Ms. Glick's bill - created a significant risk of a State agency losing social trust from the hunting community. And that this bill will reduce support for future conservation efforts. And they did not want this bill to come before us, but yet here it is. And I have spoken to a number of hunters, and while I understand that this is a relatively small portion of the overall lands available to hunting in this State, this will have a chilling effect on hunters, especially deer hunters that I want to talk

about for a moment. We actually in this State need deer hunters, we need more deer hunters. The current deer population in our communities is overwhelming. There's -- DEC on its website says there's one million, others estimate that that's conservative and that there's 1.5 million deer, whitetail deer, throughout New York State, many of them in my area in the Finger Lakes. Per DEC, the deer population are negatively affecting our plant communities, hello Earth Day, and negatively affecting farmers and homeowners. People even in our villages now herds of deer camp out in their yards with them are tick and diseases and we are overwhelmed. We need as many people as we can get involved into hunting. Out of the one million to 1.5 million deer, only 220,000 are killed annually. Not only do we need deer hunters to attempt to decrease the population, we also need them for financial reasons, too. There are 70,000 annual deer vehicle collisions in our State and in our community. Plus, deer hunters greatly contribute to the New York State economy according to the New York State website. Five hundred thousand deer hunters in the State contribute 1.5 billion to the State economy. Thirty-five million goes directly to support DEC and its conservation efforts. Seventy thousand pounds of venison is donated to food pantries every year so that our poor and indigent neighbors have food. We just can't do things to tell our hunters that they're not welcome, we can't do things that in any way, shape or form discourage. We need to do things to encourage and some of the things that were mentioned by the report, the working group which includes two State agencies is the cost of the

ammunition. It references the unavailability of the ammunition. It also very specifically says that they believe that by reaching out to the hunting communities, to the sporting communities with education, with incentives, they have -- they won't need -- there won't be a need for any legislation. Education has always been a wonderful thing for people to learn and to adapt and to change. And I agree with that, too, in an ideal world and let's work towards it. But passing bills with date certain deadlines that our State agencies don't even want is not the answer and I'll be voting no.

ACTING SPEAKER AUBRY: Thank you.

Mr. Smullen.

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

ACTING SPEAKER AUBRY: Ms. Glick, will you yield>.

MS. GLICK: I will.

ACTING SPEAKER AUBRY: Ms. Glick yields, sir.

MR. SMULLEN: Thank you. So my colleagues have covered many of the -- the issues that are in this bill that we also debated last year, if you recall and we recently brought the bill through committee in which I suggested the idea of incentivizing hunters to switch ammunition types. Is there any commitment to be able to subsidize the transition from lead ammunition to more modern types of ammunition which are up to 40 percent more expensive, it would then basically bridge over this cultural divide that we're having

here in this debate today?

MS. GLICK: Not in the current -- not in the current nonexistent budget. But I -- I said at the time that I would take it under consideration and I will. I -- I believe, I'm not interested, I agree with the former member who said that there are a lot of excess deer, and so it's -- it's not a wrongheaded notion that we would in fact benefit in many ways from culling that number of deer. But, at the same time any deer -- first of all, any deer that has been shot with a non-lead ammunition could likewise be donated. So I would just like to be sure that we're donating lead-free venison to New Yorkers. So, I hear what you're saying about the fact that it's hard to get the ammunition and that there is a price differential between less expensive and non-lead ammunition. It's pretty close if it's the premium lead and -- but I understand that there is a differential and we will talk to, you know, DEC and the Governor about any possibility of providing some sort of incentive for hunters to use non-lead ammunition which would be safer for them, their friends and family.

MR. SMULLEN: Well, certainly as the co-chair of the sports caucus, you know, I think it's very important that the dialogue be kept up, because there's a certain amount of good faith that should be at work here when we're talking about a bill that would effect up to 800,000 New Yorkers who have traditionally hunted in -- -- in a certain way over decades. Because I'd like to turn to one of the most worrisome areas of this bill is what is the penalty for hunting

with lead ammunition on State lands that you prescribe either whether it's in a State Park or on land that contributes to the area of the New York City water supply? What is the penalty?

MS. GLICK: Two hundred dollars.

MR. SMULLEN: A \$200 fine is the -- is the intent? And who would be the ones primarily to enforce this law?

MS. GLICK: Well, obviously this would be something that would be handled by our environmental conservation officers of which we need more.

MR. SMULLEN: How many are there today? You're the Chair of the Environmental Conservation Committee. What's the number?

MS. GLICK: I think we have 60 vacancies. I think there's what, 200 and -- 200-and-some odd.

MR. SMULLEN: I think it's a few more than that but I don't think there's enough.

MS. GLICK: And I agree.

MR. SMULLEN: And the reason I say that there's not enough is because there's 800,000 hunters. And this type of bill is going to put many of them into a very gray area of whether or not they're on private land, whether they're on State land, whether they're on private land that's in the water supply of New York City, whether they're on lands that are actually owned by the New York City Department of Environmental Protection. And for me criminalizing our hunters for something that's a -- that's a non-starter from a

technical scientific perspective. And I would like to ask you: What study and who is the author that has -- that has created this study that says that this will reduce the amount of lead in the bald eagle population?

MS. GLICK: Well, first of all, let me just say a few things. We are not criminalizing. Just in the same way that we don't view somebody who gets a traffic ticket for speeding, which could be substantially more than \$200 depending on how fast you're going and in what zone you are, we don't refer to that as criminalizing so I object to that characterization. This is a -- an attempt to clean up our environment. And also let me just say that the access to hunting areas is part of an annual New York hunting and tracking guide so I think the notion that people aren't going to have a clue where they're hunting, there are posted lands, there are lands that are posted with ask permission because people are happy to have folks hunt on their land. So I think that that's an overblown notion that people -- people who are hunting should have a clear idea of where they are. You're not allowed to hunt within 500 feet of a residence. That is, you know, an article of faith and so people -- we believe that people who are given a license are actually going to be responsible and careful about where they are and to know that they are on land that is appropriate for them to be using a lethal weapon in -- in seeking to hunt, which is for many people -- it's not just that people donate food, people eat this for their own families. They are feeding their own families. And so I appreciate the notion of educating people and I would think and hope

that the 800,000 hunters would be looking at the website and saying I -- I have to think about this because I'm feeding it to my kids. So as far as the study, the study was not a -- a -- a formal --

MR. SMULLEN: So there's no scientific basis then for --

MS. GLICK: No, I would not say there is no scientific basis. I don't -- I wouldn't characterize it that way. I think that there is a clear -- it has in various raptors been found by the US Fish and Wildlife Service and so we know that it is impacting raptors.

MR. SMULLEN: And what is the leading cause of bald eagle mortality in the United States or in New York State?

MS. GLICK: Well, it's -- it's interesting that you bring that up because the leading cause is collisions with vehicles but the leading cause of death for children is guns. So it's -- sort of interesting to have that discussion.

MR. SMULLEN: Mr. Speaker, on the bill. Mr. Speaker, on the bill.

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

MR. SMULLEN: Well, thank you. I -- I appreciate the -- the opportunity to speak in public on this because this is not a light subject to be touched on with humor and derision. This is a very serious issue because it's one that's been going on now for six years in this Chamber even predating my time here. And the reason I say that is that this is an example of micro-legislation where this Body is

muscling in on a group of New Yorkers, about 800,000 strong with a death by a thousand cut strategy of making sure that they're not able to enjoy their rights that we have. It's frankly a cultural assault on hunters that I've noticed in the five seasons that I've been here in this Body whether it's a gun control bill or an anti-hunting bill. I noticed it in the Environmental Conservation Committee in which I was a ranker and it's frankly -- it's harassment of Second Amendment freedoms that have been guaranteed under the Constitution. And in fact, this Body last year with the Concealed to Carry Improvement Act actually violated those Constitutional freedoms by coming back in a special Session in passing legislation which was specifically contrary to US Supreme Court Decisions. And perhaps that's the path that needs to be taken in these matters is that litigation be done in a Federal judiciary where we would actually get a fair hearing on -- on these issues because this -- this legislation before us is pseudoscience. The second provision of it is that we're going to ban lead in hunting in the areas of the New York City water supply when in fact the New York City Department of Environmental Conser -- Protection indicates that the -- that the water delivered to New York City is virtually lead-free. They say "virtually lead-free" because lead is a naturally occurring substance. And if we had more time, if the rules for debate allowed a proper airing out of the issues here, we would get into parts per million and parts per billion and bald eagle populations from 1962 when the DDT threat to eagles was recognized through today when they're almost 320,000 bald eagles. And in fact the bald

eagle is no longer on the Federal Endangered Species List. So don't let this legislation, this micro-legislation that's based on pseudoscience confuse anyone for anything but what it actually is. It's an attempt by a Majority who has the votes to take away the rights of a Minority in another region of the State because they can. And just because the votes are there doesn't make it right. It doesn't make it fair to committee process where there are no public hearings where I wasn't able to question the DEC program managers for this issue as to whether or not the facts, the science with the US Fish and Wildlife Service, what the DEC thought about all of these issues. But instead we're here on Earth Day with a contentious cultural issue that's dividing us up and it doesn't have to be that way. It doesn't have to be that way if there were equity in the process. And that's why I feel so strongly to have to speak out here today on the floor, otherwise our voices are silenced. The voices of people in Upstate, New York who are law-abiding citizens who do no harm, who enjoy cultural traditions that have been passed down from generation to generation, from my grandfather, to my father, to myself and to my son and to my family. And that's why I stand here before you today talking about this issue. I read a book once by an author named Cass Sunstein who worked in the Obama Administration, it's called *Nudge*. It's about micro-legislation to change people's behavior over time. And in this case it's somewhat insidious because it's not going from a *nudge* - hey you should do this because it's better for you, but it's going more towards a shove. You don't know what you're doing so we'll make

you do it whether you like it or not. And that's not good for our State, that's not good for our society. And that's why I ask all the members here today, many of whom are not present, many of whom who should be here to listen to the conversation and to vote here in person on these issues that should not divide us but should bring us together. So I urge all people listening to this conversation, including the Governor and the members of the Senate that when you think about these issues, think about it if you were on the other end of this legislation. I urge all of my colleagues in a bipartisan manner to vote against this, to vote no on this bill so the rights of our hunters who law-abidingly follow the Second Amendment are not violated in this case. Thank you very much, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Mr. Pirozzolo.

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

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

MS. GLICK: Yes.

ACTING SPEAKER AUBRY: Ms. Glick yields, sir.

MR. PIROZZOLO: Thank you so much, Ms. Glick. I'd like to pick up where my colleague left off when we talk about fines, what did you say the fine was?

MS. GLICK: Two hundred.

MR. PIROZZOLO: Is that 200 every time or is there

an increasing scale?

MS. GLICK: No. It's -- it does not increase As some of our fines do on the first time, the second time -- no, this is a flat 200 and we assume that people learn from their mistakes.

MR. PIROZZOLO: Well, I will make a comment about it soon, but is this fine once per season or can one hunter be fined multiple times in season?

MS. GLICK: Well, when people speed they don't just get like a monthly -- you get a fine every time you do something that is in violation, so I'm not sure what the question is.

MR. PIROZZOLO: I'm not sure of the answer, so I'll repeat myself again.

MS. GLICK: Well, I think I gave the answer which is every offense is fineable.

MR. PIROZZOLO: That's certainly much more clear, thank you. It was nice to hear you admit before or saying in part which you're speaking, that there are families in New York State who use hunting to feed their families.

MS. GLICK: Yes --

MR. PIROZZOLO: Okay.

MS. GLICK: And I've known them.

MR. PIROZZOLO: All right. Thank you. I appreciate it.

On the bill, please, if I may, Mr. Speaker.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. PIROZZOLO: So, Mr. Speaker, I am a lifelong New Yorker. I'm born in the City and now that I've been serving here in the Assembly I've come to learn that the word "prohibit" really is just another way of saying we found a way to get some money out of you, all right? I have a problem that we don't have a problem with lead in our water, we don't have a problem with lead in our animals and we're dictating to other people what they must do based on something that we don't know about. My concern here is that this is the beginning steps of banning lead and ammunition all together. From Staten Island I will tell you that they said hey, let's put a speed camera over here, it's okay, we're not going to expand it. But now not only do we have speed cameras so far away from school zones they run 24 hours a day, they're all over the place. I see this legislation as a way to infringe on the future rights of gun owners in New York and I am sick and tired of sitting here and hearing well, we're not going to do this today, we're going to enact it in two or three years. A bad idea is a bad idea today and it will also be a bad idea in two or three years. So for that reason, Mr. Speaker, I am voting no and I suggest all my colleagues vote no, also. Thank you.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

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

MS. GLICK: Of course, Mr. Goodell.

ACTING SPEAKER AUBRY: Ms. Glick yields, sir.

MR. GOODELL: Thank you, Ms. Glick. Of course we've heard multiple explanations for this legislation throughout the day. One was that we want donated venison to have less lead in it, that's a factor. And of course this specifically refers to the watershed, New York City Watershed. And so there's some explanation on pollution. We've also heard a number of reports cited. And so I -- I just want to make sure that you have full opportunity to address some of the reports that have been cited. So, for example, the 2022 New York City Drinking Water Supply Quality Report, one of my colleagues mentioned a quote saying that the lead from ammunition was or for any source actually, was quote nearly non-existent. Is that consistent with your understanding of what was said in the New York City Drinking Water Supply Quality Report?

MS. GLICK: Well, let me say that when we began the debate I perhaps did not give a sufficient, detailed explanation of the fact that the reason that that was an area being looked at is that that is where folks were looking at the eagle issue, because as people know or maybe don't, eagles are fishers and so they follow the rivers because that's where they fish, and they frequently wind up nesting in the reservoir areas because they are largely untenanted. So that is why this issue arose with those folks who were observing eagles because that is where they are most likely to be nesting and that is where they observed the toxicity that they believe came from and observed raptors, eagles and other raptors at gut piles.

MR. GOODELL: So just to make sure I understand, you're -- you're not claiming that the New York City Drinking Water Supply Quality Report that said lead is nearly nonexistent in the water supply as the rationale for limiting this, it's that --

MS. GLICK: It would be --

MR. GOODELL: It's the concern about the eagles and maybe the venison.

MS. GLICK: It is an ancillary thought that New York City has a EPA decree that allows them to avoid filtration and that is about maintaining a very high quality water supply to avoid having to filter their water. So I did not specifically think that these reservoirs are inland seas. You know, it is unlikely that a small number of bullets would in fact impact that water quality, although lead, while naturally occurring, should not be naturally occurring in your dinner.

MR. GOODELL: Now you mention the concern about the eagles, but some of our colleagues have mentioned that the number of eagles population in New York State is increased dramatically over the last few decades to the point where eagles are no longer an endangered species. They also mentioned that in California, when they banned lead ammunition on theory that it would help the condors if there was no data that support any reduction of lead with condors. How would you respond to those two reports?

MS. GLICK: Well, I think the fish and wildlife surge is actually -- is very clear about the fact that the -- that the impact on

the condor was very decidedly associated with -- with lead.

MR. GOODELL: I see. Now of course there's been a lot of talk while we're here today about the report that was put together by the -- it was a task group it looks like that involved the New York State Department of Environmental Conservation, the New York State Department of Health, also the New York State Conversation Council, the Audubon of New York and the Venison Donation Coalition, as well as Cornell University's Wildlife Health Program, the Lead Ammunition Working Group which issued their report a year ago and an update just this month. You mentioned you were familiar with that report. The report not only doesn't recommend moving forward, they actually recommend against this legislation but I wanted to give you an opportunity to address why they recommended against this legislation and why we think their recommendation is wrong.

MS. GLICK: Well, I think they were quite clear that they felt that if they supported the legislation there would be a backlash from the sportsmen community and that that was very much on their mind. I will also point out to you that some several years ago despite the fact that DEC was gravely concerned about wild boar population increasing in the State, they did nothing and it was legislation and ultimately the legislation folded into a budget that prohibited the possession, transportation of wild boar in this State because of the impact on farmers. The farm community -- the Farm Bureau was opposed at first and ultimately after conversations with

them it was are you here for the hunting preserves or are you here for the farmers and many of my colleagues, a few from the other side who represented some communities that were negatively impacted were happy to have that prohibition because the wild boars get quite big and in some states they have a real problem and New York State stopped having a problem. But DEC wasn't the ones that were stepping up to do that because they didn't want to have a fight with the sportsmen community and I don't want to have a fight with the sportsmen community. I understand that people hunt, I understand and I will say that we've done things that expand hunting and nobody has given us a gold star for that. But there is, you know, we allow younger and younger people to hunt under very, you know, controlled -- they have to have an, you know, an appropriate adult and they have to have, you know, a -- a safety lesson and the like which is all appropriate. So I -- I just want to ensure that on our State lands we are not adding to a -- to the lead in the environment, and I certainly would hope that people would say that this isn't an attack on the Second Amendment. This is simply I think commonsense, but people are so knickers in a twist about everything that everything is a -- is an assault. It's not. It is simply saying that we have learned that the old ammunition that everybody is used to, you know, is a toxic material and shouldn't wind up in people's (inaudible) supply and at the very least we shouldn't let it happen on State land.

MR. GOODELL: So if I understand your -- your argument is you thought the DEC was wrong on wild boars and you

think they are likewise wrong on this and they're really being driven by a concern that there'll be a backlash from hunters or --

MS. GLICK: Well, I think they said that they felt there would be a break in the trust. So I'm saying that DEC tries to thread the needle and I understand that. And they may not think that this is the biggest - I won't use the analogy, one could say the biggest fish to fry but I won't say that. They may think that this is not as important as some of the things that they are going to have to do in order to clean up the environment so they're not going to take this particular fight and they're going to encourage people to get educated, which one of our colleagues thought was the most appropriate step, and I think to some extent pushing forward this legislation did make them change their website and did make them put front and center that they're urging people who are hunting to use non-lead ammunition especially if it's going to wind up in something they're going to eat.

MR. GOODELL: Thank you very much, Ms. Glick.

On the bill, sir.

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

MR. GOODELL: Thank you. Before I forget, I would request permission to submit a written statement which was part of our rules. Without objection I'll submit it to the Clerk.

ACTING SPEAKER AUBRY: I understand what your request is. It seems appropriate.

MR. GOODELL: Thank you, sir. As the sponsor

mentioned, it very well may be, I would agree with her it's likely in fact that a special lead ammunition working group was put together as a result of her prior efforts on this legislation. And that lead ammunition working group includes the DEC, the Department of Health, Cornell University's Wildlife Health Program, the Venison Donation Coalition, the New York State Conservation Council and Audubon New York. Now that's a pretty impressive and wide-ranging group of experts. And they specifically reviewed all the strategies to reduce lead. And what was interesting is they made a number of recommendations, but they also went on to say that they evaluate the proposals that they did not recommend. It's not that they simply ignored them, and it's not that they were silent, they actually expressively recommended against them. And that include specifically this legislation. And they said, in the past few years there have been bills in the New York State Legislature proposing a ban on the use of lead ammunition when hunting on State lands and New York City Watershed lands. That's this bill. And they said we do not recommend that this legislation be adopted and here's why. First, they were very concerned that if you reduce the ability of hunters to hunt, it will create problems with deer population management. Now it's not an issue I don't think, perhaps in Manhattan, but it is a real issue Upstate because the deer no longer have natural predators, and that means if you don't have enough hunters you're going to have deers [sic] that are starving every year. That's why we encourage responsible hunting. They also mention it would be a substantial cost

to the DEC and DOH, Department of Health, a financial cost and a social cost. They mention the problems with enforcement. When New York State eliminated lead in bird shot and went with steel, the DEC officers could readily check that because they could use a magnet. But the alternative to a lead ammunition for deer is copper, it's not a magnetic. And whether it's a lead shell encased in copper or a copper shell encased in copper you can't tell. And so the DEC said there was no easy field check. They also mentioned that current ammunition availability of any type that involves non-lead options is very limited and expensive. So you have serious environmental side effects, problems with deer management, inability to enforce it, a lack of availability and cost. I took a look at where lead is the most dominate issue. And with some exceptions, lead is recorded at the highest levels in Buffalo, Rochester, Syracuse, Albany, Binghamton, New York City. And there are some other counties as well but that's where the highest lead concentrations are with no hunting with lead. So we should follow the advice of the experts who are recommending against this. Thank you, Mr. Speaker, and thank you for the opportunity to supplement my comments.

ACTING SPEAKER AUBRY: Thank you.

Ms. Glick.

MS. GLICK: Thank you, Mr. Speaker. I appreciate the -- the concerns of my colleagues and a belief that someone who comes from the City, A, doesn't know anything about Upstate, doesn't care anything, but, you know, the reality is that I spent some of my

weekends if we ever have another one and some of my time in the summer in the Catskills and it is those folks who raise this concern with me. This is not something brought to me by a constituent on West 11th Street but rather folks who were concerned about their environment in the Catskills and the impact in their community and in the -- the rafters and small mammals. And -- and I get that any time you ask people to change anything they are resistant. Nobody likes to change. And so we are always up against this notion that anything that is a change is wrong and bad. We had it around, you know, the plastic bag ban. Meanwhile we no longer have, for the most part, plastic bags in every tree along the road. And now because they're not there we don't notice it. So we don't know that it was a benefit and that it was something that we had an argument over but it turned out to be okay and people adjusted. I'm mindful of the fact that people think that it's an added expense. We put a date in the future to hopefully increase both the availability and the use which then would perhaps bring the price down. And we're happy that DEC was motivated perhaps a little bit by their conversation, perhaps a little bit by the fact that we've had the build-out to change their website to encourage people to think about what they're doing. Not to stop them from what they're doing. Nobody is, you know, stopping anyone from even hunting on those State lands that might be effected by the bill. Just that they use a different method of taking the deer of which there are many and anybody who drives Upstate, particularly at dusk, you know, has to not be paying attention to the music or the news but

really focused on where they're driving so I get all of that. So I appreciate the concern that this is the old nose of the camel not in the tent, but through the other side. Nothing could be further from the truth. I don't think that we should have toxic materials in the environment. This is one of those. It's one that people are used to but it doesn't make it right. And it doesn't make it good. And it sure as heck doesn't make it good if it is in the food that one is eating. And I think that these studies came from not New York State, that bastion of liberalism, but it came from states like North Dakota and Minnesota where they were really concerned because there is a great deal of hunting, they have a very strong hunting culture as we do Upstate and they raise that issue and have to the extent that they said that they felt that some of this if it were in beef this would be a recall situation. So, you know, I -- I just hope that people understand that this is just about trying to encourage people to do the right thing and to get adjusted to it and ultimately to at least on our State lands not continue to use lead ammunition. It doesn't say you can't hunt if it's an area that you're allowed to hunt in. There are places that are posted. But if you're allowed to hunt and you can hunt on your own, we're not telling anybody they can't hunt on State lands. We're just saying when you're hunting on our shared property, you know, use -- use a different kind of ammunition. Thank you very much. I appreciate the courtesies of my colleagues in this discussion and hope that we will have a strong vote in favor of this measure.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect January 1st, 2025.

ACTING SPEAKER AUBRY: A Party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed. Certainly those who support it can vote so here on the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Majority Conference is going to be in favor of this piece of legislation. However, there may be a few who would desire to be an exception. They should feel free to vote so at their desk.

ACTING SPEAKER AUBRY: Thank you. The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Angelino to explain his vote.

MR. ANGELINO: I rise to explain my vote, Mr. Speaker, and I appreciate you allowing me to do so. I debated this bill last year with the sponsor on sort of short notice but it was long enough notice that I remembered the California Condor Study, I'm not going to get into that if anybody remembers that, but knowing that this was going to come back again this year I did more research on this and I read about the lead ammo task force or the lead ammo working group. And when they came back with no recommendation, it's just

another one of those moments of why? Why are we -- why are we still doing this when we found out that there's no lead in the New York City water supply, there's many good reasons not to ban the lead ammo that all of my colleagues have already mentioned, but we're still doing it. And it leads me to suspect that it is death of a thousand pin pricks for the Second Amendment and Upstate, New York. I represent half of Delaware County, the Catskills, which happens to be the New York City water supply, and I met a lot of those people and I've gone door to door and tried to convince two different gun shops not to close after last years Concealed Carry Improvement Act. So we know that no one's dying from the lead and eating the lead and ingesting lead poison to animals. The eagles are on a huge upswing where I live. You can see them everywhere, it's amazing. There's one near my district office that has a -- it's got a nest the size of a car hood. It's just -- it's just unfortunate that the people who are Upstate who are leaving in droves and waiting for their anchor to be -- to be weighed up before they could leave the State and there's just one more and one more and one more and it's the death of a thousand pin pricks. The ammo that were banning just happens to be the least expensive and the most accurate. And when it comes to accuracy that counts because hunters are so keen on having what's called a clean kill. They want one shot, they want to take the animal down and they want to -- they want to appreciate the sacrifice of that. And to ban the least expensive and most accurate ammo is not helping when more deer get taken by the front bumper of a Ford than with lead ammo. Thank you.

ACTING SPEAKER AUBRY: Mr. Angelino in the negative.

Ms. Kelles to explain her vote.

MS. KELLES: Thank you. I'm really struggling with this entire conversation. As a scientist I find some of the discussion deeply offensive, particularly the tendency to cherry-pick data. Anyone who is a scientist knows the things that we should be looking at are causality, not association especially when it is very distant. Meta analyses is what we should be looking at. When you look at the meta analyses, 46 percent of bald eagles sampled in 38 states had harmful levels of toxic lead found in their bones, 46 percent. Twenty-eight percent in another study, specifically on, ducks exceeded 100 micrograms per deciliter. A threshold for clinical toxicity, an 8.6 percent of birds. When we talk about the water supply, that was also something we can cherry-pick because we also have to look at the impact of the water supply on smaller creatures like fish and then the larger fish that eat those smaller fish and upwards through the foods -- food chain. And then those people who eat those fish and then the lead that builds up in the body over time because lead builds up in tissue in the body over time. It stores up in tissue over time, the toxicity builds over time. When we talk about the cost, we know that when we're looking at steel versus lead, we are looking at similar costs. When we're talking about the high-quality lead versus copper we're looking at similar costs. But let's talk about the cost of losing species. Why is the human species the only species

we care about? Do we not depend on every other species existing? It's called co-existence because we depend on them. We cannot live alone in this world. It is a cost that is worth spending to make sure that other species live co-existing with us. I'm deeply disappointed in some of the discussions that I've heard today. I stand in the affirmative with this legislation.

ACTING SPEAKER AUBRY: Ms. Kelles in the affirmative.

Mr. Tague to explain his vote.

MR. TAGUE: Thank you, Mr. Speaker. I'm sorry that my colleague is disappointed. I was disappointed as she is but not so much in the discussion as this but I'm very disappointed with the fact we don't have a budget yet. So I will be voting no. Thank you.

ACTING SPEAKER AUBRY: Mr. Tague in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: We do have resolutions. We will take them up with one vote.

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

(Whereupon, Assembly Resolution Nos. 366-369 were unanimously adopted.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir. Would you please call on Mr. Jacobson for the purposes of an announcement?

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

(Laughter)

MR. JACOBSON: Well, the answer to the age-old question for the Majority are we having conference today, and the answer is yes, at 5:00 in Hearing Room B, 5:00.

ACTING SPEAKER AUBRY: Majority conference 5:00, Hearing Room B.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I now move that the Assembly stand adjourned and that we reconvene at the call of the Speaker.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 3:56 p.m. the Assembly stood adjourned until the call of the Speaker.)