

WEDNESDAY, MAY 17, 2023

11:47 A.M.

ACTING SPEAKER AUBRY: The House will come to order.

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

(Whereupon, a moment of silence was observed.)

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

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

A quorum being present, the Clerk will read the Journal of Tuesday, May 16th.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I now move that we dispense with the further reading of the Journal of

Tuesday, March [sic] the 16th and that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir. To the members and guests that are in the Chambers, I hope that you all feel like it's a happy Wednesday, I do. I do want to share these words with you from Margaret Thatcher. We did hear from her one day last week, but these words I think are important. She says to us today, *Where there is discord, may we bring harmony. Where there is error, may we bring truth. Where there is doubt, may we bring faith. And where there is despair, may we please bring hope.* Again, these words are from Margaret Thatcher, who was the former Prime Minister of British Columbia [sic] -- British Kingdom [sic].

Mr. Speaker and colleagues, you have on your desk a main Calendar and we also have a debate list. So after any housekeeping and/or any introductions, we're going to take up the following committees off the floor: Ways and Means and Rules. Members of these committees should note that today's off-the-floor meetings will be take place in the Assembly Parlor, in the Assembly Parlor as opposed to the Speaker's Conference Room. These committees are going to produce an A-Calendar, which we will take up on the floor today. We will begin our floor work with the debates on the -- from our debate list, and we actually have Calendar No. 160 by Ms. Peiffer Amato, and Calender No. 22 by Ms. Kelles. There

probably will be a need for additional debates, but we'll get to that when we need to, Mr. Speaker. We will take up the Calendar resolutions that we traditionally take up at the beginning of our Session at the end of the day today, and I will further announce any additional details as we proceed. There definitely is a need for a Majority Conference immediately following Session today in Hearing Room B at the conclusion of our work, and as always, we will consult with our colleagues on the other side of the aisle to determine what their needs may be in terms of conferencing.

So that's a general outline, Mr. Speaker. If you have any housekeeping or introductions, now would be an appropriate time. Thank you, sir.

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

No housekeeping, but we do have introductions.

(Pause)

SPEAKER HEASTIE: All right. So, we are -- we are honored here today with a very special guest, a -- a brave -- brave young fellow colleague from a -- a neighboring state called Tennessee. And, you know, a few months ago, this young man and two of his colleagues saw fit to want to say that enough is enough when it came to -- when it comes to the proliferation of guns and the -- and the damage that guns seems to do, particularly in inner cities and communities of -- of color. And the -- and the price for that statement was for him and two of -- him and one of his colleagues to

be expelled from -- from office. What -- what a -- what a dangerous thing for us to have to think about when you stand up and want to do your job and do the right thing and represent your constituents that the price of that could be being expelled. But we saw fit and wanted to welcome our great colleague. I told him I'm going to make him an honorary member of the New York State Assembly because he did what we all come here to do -- come here to do, which is to be elected and represent and stand up for your -- for your people.

And I just want to read his bio and I'll -- I'll do the formal welcome. But Justin Pearson is the fourth son of five boys born to teenaged parents in Memphis, Tennessee. Justin graduated from Mitchell High School as valedictorian, and Bowdoin College in 2017, majoring in both government and legal studies, and education studies. Justin is the President and Founder of Memphis Community Against Pollution, MCAP, and co-founder of Memphis Community Against the Pipeline, which is a Black-led environmental justice organization that successfully defeated a multi-billion-dollar company's crude oil pipeline that would have poisoned Memphis' drinking water and taken land from the community. He's the co-leader and strategic advisor for the Poor People's Campaign, National Call for Moral Revival. He helped lead a national workforce development non-profit, Year Up, which focused on social -- social, racial and economic justice, and Special Assistant to the CEO of Year Up. He helped over 10,000 young people from ages 18 to 29 years old gain training and access to family-sustaining careers. Justin has

been recognized as one of 2022's Most Influential Black Americans by *The Root*, Humanitarian of the Year by Black Men Crowned, and the Rotary Club's Environmental Trailblazer of the Year Award.

So on behalf of myself, the members, we want to welcome you, Representative Pearson, to the People's House in the Empire State of New York. We will forever extend the privileges of this floor. Welcome, and thank you for coming and joining us here in New York.

(Applause)

ACTING SPEAKER AUBRY: For the purposes of a introduction, Mr. Santabarbara.

MR. SANTABARBARA: Thank you, Mr. Speaker. On behalf of myself and Assemblymember Mary Beth Walsh, I'm very pleased to introduce several guests, distinguished guests and military leaders here with the Unified Military Affairs Council, representing local military installations here in the Capital Region. In partnership with the Capital Region Chamber, they are here for our annual Capital Region Military Day that highlights the many military installations in our area and how important they are not only to protecting us, but also supporting our local economies, our culture and our way of life. The Unified Military Affairs Council and the Capital Region Chamber serve a mission to highlight the importance of these installations and ensure their long-term viability and success. New York State is home to hundreds of thousands of military families and -- veterans and their families, and many of them are right here in the Capital Region. Our

Capital Region Military Day, as I said, is meant to highlight these installations, their contributions and their impact on the global, national, State and regional economies. The dedicated members of our Armed Services who call the Capital Region home are pillars of our communities and they provide a great example to all of us.

So joining us today, we have Colonel Christian E. Sander, Commander of the 109th Air Lift Wing, Stratton Air National Guard Base; Colonel Robert E. Donaldson, Vice Commander of the 109th Air Lift Wing; Colonel Alain G. Fisher, Commander of the Watervliet Arsenal; Major John A. Harder, Deputy Commander of the New York -- New York Army National Guard Recruiting and Retention Battalion; Lieutenant Commander Lane Cameron, Commanding Officer of the Naval Reserve Center, Schenectady, New York; Lieutenant Michael Cristiano, U.S.N. submarine warfare -- warfare officer, recruit -- Reserve Officer Recruit at the -- Recruiter at the Navy Officer Recruiting Station in Albany; Captain Joshua Bowers, Executive Officer of the 109th Airlift Wing; Chief Master Sergeant Jeffrey Trottier, Wing Commander Chief of the 109th Airlift Wing. Joining them are also, from the Capital Region Chamber, President and CEO Mark Eagan, and Thomas O'Connor, Vice President of Government Relations, and members of the Unified Military Affairs Council.

Mr. Speaker, earlier this week we passed a resolution recognizing Capital Region Military Day and these local leaders in the military installations in the Capital Region. And today, I'm so very

pleased to have these representatives here in the -- the Assembly Chamber. If you would please welcome them and extend to them all the cordialities of the House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Santabarbara, Ms. Walsh, Ms. Fahy, all the members -- the Speaker and all the members, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Our congratulations on the service that you have provided your country and continue to provide. Know that you are always welcome here and always have a friend in the People's House. Thank you so very much.

(Applause)

Mr. Gallahan for the purposes of a introduction.

MR. GALLAHAN: Thank you, Mr. Speaker. It's my privilege to introduce my constituent from the 131st Assembly District, Abigail Marion. Abigail and her husband Eric and son Chase live in Ontario County in the metropolis of Shortsville, New York, and Abigail was interested in coming down here to observe our -- our proceedings from today and learn more about government here in New York. Abigail is a -- a board member and Director of Programming at the Shortsville Manchester Community Center. She also spends many, many hours in the community gardens, helping feed our families in -- in Ontario County. And she's an independent local reporter.

So Mr. Speaker, if you would please offer the congenialities [sic] of the House to Abigail Marion, I'd appreciate it.

Thank you very much.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Gallahan, the Speaker and all the members, Abigail, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Thank you for the work that you're doing for your community. Continue that great work and know you are always welcome here. Thank you so very much.

(Applause)

Mr. Simpson for the purposes of a introduction.

MR. SIMPSON: Well, thank you, Mr. Speaker. It is my honor to introduce to you the 2023 Class D Regional Champions from the 114th Assembly District, the North Warren Middle-High School's boys basketball team. They're here today with their coaches, Head Coach James Cuyler, as well as coaches Colby May and Thomas Stangle, Brodie Rooker and Patrick Veehley (phonetic). The student team managers are also here with us today. The Cougars had a very memorial -- mem -- memorable -- memorable and record-setting season, having earned the Section II Class D Championship title and the Class D Regional Championship title, ultimately concluding their season with an overall record of 19-6. I'd like to introduce the players that are here today: Zach Hopper; Angelo Willette; Cooper Morehouse; Wyatt Jennings; Elijah Horge; Zachary Kramer; Hunter Conger; Coleman Swartz; Tyler Hitchcock; Giovanni Marron; James Conway; Isaiah Tyrell; Semaj Cuyler, who earned the title of Tournament MVP during the sectionals; Derrick Tyrell, who along

with Semaj, were recognized as Class D honorable mentions. Sean Evans averaged 19 points per game this year, earning him a selection to the first team of the Adirondack League Boys Basketball All-Star Team, and just recently named to the Class D Basketball All-State fourth team.

These young -- young men have worked diligently to be where they are today, so Mr. Speaker, could you please welcome these fine athletes to the People's House and extend them the cordialities of the floor?

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Simpson, the Speaker and all the members, we welcome you here to the New York State Assembly, extend to you the privileges of the floor, congratulate you on the successes, the memorable successes that you've had this year. Continue to know that that success that you built with each other through teamwork is something that you will build together in life. Continue that work, know that you hopefully will go on to colleges as best you can and that that work will continue. Please know that you're always welcome here, this is your State Capitol. Thank you so very much.

(Applause)

For the purposes of an introduction, Ms. Walsh.

MS. WALSH: Thank you very much, Mr. Speaker. So, today in conjunction with STEAM Day, which has been sponsored by my colleague, Assemblywoman Lunsford, I'm joined here today by a fantastic robotics team from my district, from the 112th Assembly

District, and they're from Shenendehowa High School. They are Team 20, The Rocketeers. As many of you passed today from the LOB into the Capitol, you might have seen their robot who, fun fact, the name is Aster, and saw them at work. I've been able to attend a few of these robotics competitions that we've had, they are fantastic. They are one of my two favorite robotics teams in Saratoga County. Anyway, the 2023 season has been a really busy one for them. They went to the Finger Lakes Regional in Rochester where they were ranked 8th and got the Excellence in Engineering Award. They went to the New York Tech Valley Regional in Albany that some of us saw at the end of March, they were ranked 5th. They had Volunteer of the Year Award, First Dean's List Finalist Award and Quality Award. They went to the Daily Division Nationals in Houston, Texas, back in April, just a few weeks ago, and they were ranked 19th. I won't list all the names of the students, but we know that science, technology, engineering, arts and math are a really great way for our kids to get engaged and prepare for their futures. This is a wonderful robotics team, and Mr. Speaker, would you please welcome them to the -- to the Chamber and offer them all the cordialities of the House?

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Walsh, the Speaker and all the members, we welcome you here to the New York State Assembly, extend to you the privileges of the floor, congratulate you on the teamwork that you've engaged in and, obviously setting the pace for our future. Robotics is clearly going to be where we go. We hope that you will continue to follow that and

enhance this society and community with your knowledge and your skills. I believe one of you I saw this morning on TV being awarded -- who's that, raise the hand. Who was that on TV? There you go. Congratulations.

(Applause)

Ms. Lunsford for the purposes of a introduction.

MS. LUNSFORD: Thank you very much, Mr. Speaker, and thank you to my colleague for introducing the idea of STEAM Education Day. I encourage you to go check out all of the wonderful teams, and we have the STEAM bus downstairs, we'll be doing a STEAM resolution later today. But I'm here today to recognize Penfield, New York's Team 1511 Rolling Thunder. While the 135th District is home to many fabulous robotics teams, they are the only ones who gave me a T-shirt, so they are here today.

(Laughter)

We are very happy to have them. They are recurring award winners of the Chairman's Award, which is given to teams for their advocacy and their citizenship. They come to Albany to advocate for funding for other robotics teams that aren't as resourced as they are. It is because they lift up other teams and other students and that we recognize them today and, Mr. Speaker, if you wouldn't mind giving them the cordialities of the floor.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Lunsford, the Speaker and all the members, we also recognize this tremendous group here to the New York State Assembly, extend

to you the privileges of the floor. This is the People's House. Let me also say I'm really impressed by you guys because as other people were acknowledged, you stood up and applauded. It shows that you do understand what teamwork is about, no matter what endeavor human beings are engaged in. Thank you so very much, continue that great work.

(Applause)

Mr. Reilly for the purposes of an introduction.

MR. REILLY: Thank you, Mr. Speaker. Today I want to welcome, and I want you all to join myself, Assemblymember Pirozzolo, Tannousis and Fall in welcoming a great group from Staten Island, Bridge Prep Charter School, who are up here advocating for Dyslexia Day. And first I want to introduce the Executive Director, Tim Castanza, who is a dear friend to all of us; his admin staff, RoseMarie Illuzzi and Fahron Ebanks. But most importantly, there are two people here that really need to be recognized, Adina and Sam Sussman, two students from Bridge Prep, and Adina will be the first graduating class from Bridge -- Bridge Preparatory. Her -- their -- their father Josh is also here, and the remarkable teachers, Janet Ramirez, Clarissa Cimino and Theresa Cooke. Their work is nothing short of remarkable.

So I hope that we can all join together and welcome them on their journey of advocacy today, and please, Mr. Speaker, extend to them the cordialities of the floor.

ACTING SPEAKER AUBRY: Certainly. On behalf

of Mr. Reilly and the rest of the Staten Island Delegation, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Our congratulations to both students, to parents, to teachers for their extraordinary work and life experience you're going through. Thank you also for spending time trying to educate this society about what it means to be dyslexic and what its possibilities are for your future. Thank you so very much, continue that great work. We are always pleased to have you here.

(Applause)

Mrs. Williams for the purposes of a introduction.

MRS. WILLIAMS: Thank you, Mr. Speaker, for giving me the privilege to introduce our former member, colleague, team player, former Assemblymember Felix Ortiz, who served in this House for 26 years, who also had the privilege to serve as the Assistant Speaker. Nowadays, Mr. Felix is doing some humanitarian work, plus he's also a Lion Brother, just as me, being a Lion Sister, leading efforts to Guatemala and Tanzania, and also had the honor of finishing his Doctorate.

So I ask of you, Speaker, to please extend the cordialities of the House to our brother and former colleague, Dr. Felix Ortiz. Thank you.

(Applause)

ACTING SPEAKER AUBRY: Felix, once a member, always a member. That's what we tell you. We're not surprised that you have taken on new roles in life and extending and

making it better for everyone. That was who you were for 26 years here in the Assembly, that is who you are now and will be into the future. It is our pleasure and honor to have you back visiting us.

Thank you so very much.

(Applause)

Mr. -- Mr. Meeks for the purposes of a introduction.

MR. MEEKS: Thank you, Mr. Speaker. I would like to recognize another robotics team that joined us here today.

Although I am right down the street from Penfield, they did give me some pamphlets here, not quite a T-shirt, but it was great to meet you young guys -- young scholars as well. But I want to recognize Team 191 from Wilson Magnet High School in the 14619 of the 137th Assembly District, the X-Cats Wilson Robotics Team. Great to see you all.

(Applause)

Speaker, I ask that you extend the cordialities of the floor. Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Meeks, the Speaker and all the members, we welcome this robotics team here to the New York State Assembly. Again, congratulate you on the work that you're doing together, and that the advancing of this society will clearly be through the STEAM kind of programs that you're involved in. Continue that great work and know you are always welcome here. Thank you so very much.

(Applause)

For the purposes of a introduction, Mr. Goodell.

MR. GOODELL: Thank you very much, sir. I ask that you recognize and extend our hospitality to Harry McAvoy. Mr. McAvoy is a long-time Republican Conference staffer. He retired about ten years ago, but his legacy as a policy expert continues. And as every single person in this room knows, when we say something that's thoughtful, intelligent, well-researched, we can thank our staff for their behind-the-scenes work, which is so critical for the future of the State of New York, and Mr. McAvoy was a key part of that for us for many years.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you. On behalf of Mr. Goodell, the Speaker and all the members, Mr. McAvoy, welcome back here to the New York State Assembly. We extend to you the privileges of the floor. Thank you for joining us here today. Hopefully you will continue to influence all of us with your wisdom and your research. Thank you so very much.

(Applause)

Ms. Sillitti for the purposes of an introduction.

MS. SILLITTI: All right. Thank you, Mr. Speaker. We have so many introductions today, what a great group of people we have. So for me, on behalf of myself, Assemblyman Lavine, Stern, the Long Island Delegation, and also Assemblymember Rajkumar who's been a leader on this, it gives me great pleasure to introduce to the Chamber the Eid Coalition [sic]. They are a diverse group of

Muslim-Americans from across New York State, many from my district, though, and to talk about Eid holidays in our schools. And we have a bunch of members here that are joining us, we're so happy that they're here. And the mission of the Eid Coalition [sic] is to provide valuable resources, information, expertise to our communities to support Eid as official school district holidays. You know, there are two Eid holidays, and both are significant to the Muslim faith, and I very much want to thank the Eid Coalition [sic] for coming today, schleping all the way up to Albany, we very much appreciate it, and Mr. Speaker, please welcome our guests to the People's House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Sillitti, the Speaker and all the members, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Thank you for the work that you're doing enhancing your community and the communities of Long Island. Continue that great work, and know that you always have friends here in Albany. Thank you so very much.

(Applause)

Mr. Eachus for the purposes of an introduction.

MR. EACHUS: Thank you, Mr. Speaker. On behalf of Assemblyman Jacobson and Assemblyman Maher and myself, I would like to introduce from my alma mater -- and by my alma mater I'm talking about the school I taught at for many years, Newburgh Free Academy -- the Student Council for the Newburgh Enlarged City School District. These 35 folks up here represent the 13,000 students

of the school district, and they do it very admirably and they do it voluntarily and so I thank them all for their time. The advisors, several who are fellow teachers, so I guess I haven't been gone for that long, are Melanie Larkin, Amanda O'Neill, Linda Rooney and Almira Titre.

And, Mr. Speaker, if you wouldn't mind welcoming them and giving them the cordialities of the floor, I'd appreciate it.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Eachus, Mr. Jacobson, Mr. Maher, the Speaker and all the members, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Hope that you have had a profitable trip here to Albany. Know that we are really appreciative of the work that you're doing to enhance education in your communities. Continue that work, that is how we establish a better future for everyone in this country. Thank you so very much for your work.

(Applause)

Mr. Fitzpatrick for the purposes of an introduction.

MR. FITZPATRICK: Thank you, Mr. Speaker. You know, listening to all of these introductions, I think this is the most I've experienced in my 21 years here. But I'll tell you, it makes me thirsty, and I'd love nothing more right now than an ice cold beer. And lucky for us, in attendance we have members of the New York State Craft Beers -- Craft Brewers Association [sic]. This afternoon at 5 o'clock in The Well, we will enjoy their craft, and I invite everyone to join us beginning at 5 in The Well. So with us today is a dear

friend of mine from Long Island who now serves as the President of the New York State Craft Brewers Association, Mr. Rich Vandenburg of Greenport Harbor Brewing. And also with him is Paul Leone, who is the Executive Director of the New York State Brewers Association. Also, we have Dawn Schulz of Prison City Brewing Company, and we also have Chris Spinelli who is the founder and owner of Roc Brewing out in Rochester. And Prison City is in Auburn, by the way; Greenport Harbor is out on the North Fork of Long Island in Greenport. And finally, Mr. Hutch Kugeman, the head brewer at the Culinary Institute of America, their brewery. With a name like that, that beer's got to be really good.

So I just want to ask you to welcome them to the Chamber and give them all the cordialities of the House, and as you always do such a good job with, Mr. Speaker. Thank you.

ACTING SPEAKER AUBRY: Certainly, thank you. On behalf of Mr. Fitzpatrick, the Speaker and all the members, we welcome you here also to the New York State Assembly, extend to you the privileges of the floor. And with some certainty, we know we'll see you about 5 o'clock.

Thank you so very much. We're so happy that you're here. Continue the work that you're doing to enhance the refreshment industry in this State. Thank you so very much.

(Applause)

Page 15, Calendar No. 160, the Clerk will read.

THE CLERK: Assembly No. A02866, Calendar No.

160, Pheffer Amato, Jones, Wallace, Benedetto, Zinerman, Cruz, Weprin, Otis. An act to amend the Insurance Law, in relation to homeowners insurance deductibles triggers.

ACTING SPEAKER AUBRY: An explanation is requested.

MS. PHEFFER AMATO: Good morning, absolutely. An explanation? For sure.

ACTING SPEAKER AUBRY: Yes, please.

MS. PHEFFER AMATO: I'm sorry, I lost myself.

This bill would establish reasonable standards for the operation of hurricane and windstorm deductibles, and it would promote better understanding of the applicability and amount of hurricane and windstorm deductibles in homeowners and dwelling fire policies. This bill amends Bill [sic] 3 -- 3455 of the Insurance Law to require the Superintendent of the Department of Financial Services to promulgate regulations providing standards for hurricane and windstorm deductibles which create, to the greatest extent possible, uniformity in the operation of such deductibles with respect to triggering events.

ACTING SPEAKER AUBRY: Mr. Blumencranz.

MR. BLUMENCRANZ: Thank you, Mr. Speaker. I'm just going to speak on the bill, thank you.

This bill was introduced a quarter-of-a-century ago. It has been in front of this House quite a long time. The insurance market has changed. We've experienced many hurricanes since the

one that created the need -- or the -- the thought need for this -- this bill, but the -- the environment has changed, as well. New York has, like the rest of the world, experienced the effects of climate change and the reality on the ground in the insurance -- in the property insurance world is that we have a competitive market here in New York.

Since the inception of this bill until now, we luckily today have an example of what uniform triggers and implementation really look like. And you can look no further than the State of Florida who, in 2006, decided to make such an implementation. It has been nothing short of a catastrophe. You have seen the State create the Citizens Insurance Fund to make up for the difference of the departure of the private insurance market. It has increased from a few thousand to 500,000 to over a million homes. This insurance fund is bankrupt. The State will be footing the bill and it will lead to complete economic catastrophe in the State of Florida if it's not addressed.

New York, especially Long Island and the coastal areas of Long Island, will be hit the hardest, has seen relatively good rates compared to other coastal areas, and that's because it has a very competitive market and high home values. The New York Property Insurance Underwriting Association acts as sort of a smaller high-risk pool for the uninsurable. In the last five years we've seen a 60 percent reduction in those who have entered this pool, only around 5,000 homes. That is an amazing number considering how high the risk is. That competitive market that allows for so many of the home buyers

and homeowners on Long Island to -- to purchase insurance relies on the ability for them to negotiate their rates, to decide if a home is, you know, in a very high-risk coastal area that they may determine, and for the sake of the purchaser's and the policyholder's wallet, that they might want to go for higher deductibles. And it -- it really plays a huge role in keeping the prices stable, is having a competitive market, like any other marketplace in a free and open market.

The reinsurance market has changed in New York, as it has in Florida, as in everything goes to non-admitting carriers, and the admitting carriers that do exist in the insurance market there, which you think would be stable, are a -- simply a facade. I can't express enough how outdated this 25-year-old-bill is. It does not take into account the realities of 2023, the environment of 2023, and the effects of climate change. Long Island is in the pathway of hurricanes virtually every year. We are -- we are almost in the same line of destruction as other southern states, and it is so important that we take that into consideration when we look to completely overhaul and create what could be the same catastrophe Florida has created.

I wholeheartedly disagree with this bill. I think that it leads us down a path that would potentially cost the State billions of dollars, and I urge my colleagues to vote in the negative. Thank you very much.

ACTING SPEAKER AUBRY: Thank you, sir.

Ms. Pheffer Amato.

MS. PHEFFER AMATO: On the bill.

ACTING SPEAKER AUBRY: On the bill, ma'am.

MS. PHEFFER AMATO: Mr. Speaker, thanks for the opportunity. I could just say a few names: Hurricane Sandy, Hurricane Irene, Hurricane Isaias, and these are storms that consumers, homeowners, suffered fighting with their insurance company because there's not a uniformity deductible for windstorm or what a windstorm is. Is it the wind? How does that get created? And we created this bill, 25 years, still the consumer is not protected. So we wanted to protect the homeowner with their policy and not worry about insurance companies.

I'm proud to sponsor this bill and I look for my colleagues to support it. Thank you.

ACTING SPEAKER AUBRY: Thank you.

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. Goodell to explain his vote.

MR. GOODELL: Thank you, sir. Ironically, back in 1992, a hurricane called Hurricane Andrew - I don't know how they came up with that name - but Hurricane Andrew struck New York State and it caused a considerable amount of destruction, and as a result of that, the insurance industry in New York was under crisis.

And in response to that, the Insurance Department, in conjunction with multiple experts, examined the way that we write insurance dealing with wind damage, hurricanes and things like superstorms. And from that came the current rules and regulations that govern the ability of consumers to select what type of coverage they want. And so out of that earlier disaster from Hurricane Andrew came the present system. And it seems that we forget history from time to time, and now this bill takes us literally back 30 years to where we were in 1992 with all the problems that were proven to exist in 1992, completely forgetting the horrific problems that we had then and, in the process, eliminating the choice that consumers had to decide what type of deductible, how much the deductible, when it's triggered. We eliminate all that consumer choice and go back to the exact system that proved to be such a disaster 30 years ago.

For that reason, I will not be supporting it. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Goodell in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mr. Goodell.

MR. GOODELL: Thank you, sir, for allowing me to interrupt the proceedings to introduce a truly remarkable woman to our -- our Chambers. And I'd like to introduce Julia Gershun. She is

a former Miss Ukrainian [sic], winner of the Top Model of the World Award in 2017, Miss [sic] Universe in 2018, a TV presenter, an ambassador of UNICEF, and President of the international charitable organization, the Peace Committee of Ukraine. Thank you for coming and standing next to me. It's the only time I'm going to have my picture taken with a world top model.

(Laughter)

During the war in Ukraine - and this is even more important and I think notable than her incredible background - Julia has evacuated more than 10,000 children with their mothers to other European countries. I'm just incredibly overcome by the human tragedy that this war has on individuals and families and children. I'm so thankful that Julia -- Julia is helping out. She's also established rehabilitation programs for -- for soldiers and children with cancer in Israel. She has a deep knowledge of the problems faced by refugees, and is trying to do everything in her power to see that peace in Ukraine will be quickly restored.

On behalf of my colleague, Mike Novakhov, and the rest of our members, please welcome this incredible lady and all that she's doing and extend to her the privileges of the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Goodell, Mr. Novakhov, the Speaker and all the members, Julia, we welcome you here to the New York State Assembly, to the People's House. We are in awe of the work that you've done. Clearly,

the song that used to be sung in my age, beauty is only skin deep, in your case, it comes from within and it is more than just skin deep, it radiates with everything you've done. Please know that we are welcome and honored to have you. Continue the great work. Know that you always have friends here in Albany. Thank you so very much.

(Applause)

Page 7, Calendar No. 22, the Clerk will read.

THE CLERK: Assembly No. A01142, Calendar No. 22, Kelles, Raga, Ardila, Otis, Bores. An act to amend the General Construction Law, in relation to requiring the use of gender-neutral terms in law.

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

MS. KELLES: Absolutely. The purpose of this bill is to require that gender-neutral terms be used in any law, rule, regulation, ordinance or resolution. As the Legislature, we have passed many, many bills changing outdated gender terms in law, the most obvious being that we now have a female Governor, so all previous reference to the Governor in law as "he" became inaccurate. I think most of us can agree on the principles behind this bill, that individuals should be referred to in the manner in which they want to be referred, and our laws should not be exclusionary.

I want to be clear that the intent of this bill is not to dictate the exact words and phrases that would be needed to be used in

law going forward. For example, you can use they/them - and we can discuss that, which I expect that we will be in depth today - but you could also use the person, the individual, and so forth. And those are all also gender-neutral.

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: Thank you, sir.

On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. GOODELL: I appreciate the sponsor's desire that the language in the statutes of New York be gender-neutral, and indeed, last year we unanimously passed a bill that did that for the Governor. But what we did not do last year is refer to the Governor as "they," "them," or "their." Instead, we referred to the Governor as the Governor. And we can rewrite all the New York State statutes to be gender-neutral without creating confusion, or without offending anybody, by using appropriate pronouns like the defendant, or the applicant, or the permittee, or the officeholder. The problem is when we start using the phrase -- the -- the words "they," "them" and "their" and we're referring to a singular person, we can create confusion in how the language is interpreted, especially if the language deals with multiple entities. And so often we have language, for example, that talks about a district attorney and a judge, and if we now start referring to the district attorney as "they," it may create confusion. Or likewise, often we talk about the Governor, and in the absence of the Governor, the Lieutenant Governor, and we start using the word

"they," it could lead to confusion that they both have to agree to some action. And don't need to go there. We can be general -- gender-neutral, as we should be, without using a phrase that only less than one percent of New Yorkers relate to. And so what, we're going to offend the other 99 percent? Most of us would prefer to be addressed as he or she. Only less than one percent like the word "they" and we don't need to have that controversy. We can be clear, we can be precise and we can be gender-neutral, but this bill does not do that. And for that reason, I will not be supporting it.

Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Ms. Kelles on the bill.

MS. KELLES: Thank you so much. I think that it's really important that we don't base our legislation on fear or personal opinions or offense, but that we align our legislation with what is the standard, not just for individuals or social, but what has been recognized as the standard throughout the country by dictionaries, by the American Board Association, so all our legal society across the nation, by the MLA, which is, I'll read the definition, the Modern Language Association Style Guide, the APA, also a style guide, which is the American Psychiatric Association. I have here also the AP style guide, I have also a really important one, which is the Chicago Manual Style Guide, as well as the Association -- sorry, the National Council of Teachers of English. I don't need to read every single one of these, but every single one of them has made a statement specifically in

support of the use singular "they." And I'm just going to read a few that I think are really important. As the Webster Dictionary has added "they" as a singular, from the Merriam -- Merriam Webster Dictionary: Non-binary "they" takes a plural verb despite its singular reference, which can make the grammatical conservative uncomfortable. It's helpful to remember that the pronoun "you" was initially plural, which is why it, too, takes the plural verb even when it's referring to a single person. You are, has of course, been perfectly grammatical for centuries, even when the "you" is an individual.

Now, let's look at the APA style. Why use the singular "they?" When readers see a gendered pronoun, they make assumptions about the gender of the person being described. APA advocates for the singular "they" because it is inclusive of all people and helps writers avoid making assumptions about gender. When should I use the singular "they?" Writers should use the singular "they" in two main cases: A, when referring to a generic person whose gender is unknown or irrelevant to the context, and B, when referring to a specific known person who uses "they" as their pronoun.

Let's go to the American Board Association. First, according to the ABA, let's address the fallacy that all gender -- gender-inclusive language is a recent trend. The use of all gender-inclusive language has been around since at least the late 1380s. It has been used in many works in literature. It appears in Chaucer's *Canterbury Tales* in the 1380s. It also appears in other works that are part of many required reading lists, including Jane

Austen's *Pride and Prejudice*, 1813; Shakespeare's *Hamlet*; Dickens in both the *Picwick Papers*, 1836, and *Nicholas Nicklebee*, 1839; and George Bernard Shaw's *Antony and Cleopatra* in 1898. These are but a few examples of the long history of gender-neutral language. The United Nations guidelines for gender-inclusive language in English also are another great resource. Another comment, do not mistake -- do not make gender visible when it is not relevant to the conversation.

Lastly, from the ABA, here are some additional practical ways to approach updating to all-gender gender-inclusive language, all-gender, gender-inclusive word choices include: One, rather than she or he; staff, rather than manpower; they, them, their rather than he or she, his or hers. And this from the MLA, because it lacks grammatical agreement, this use of a singular "they" has been considered a less desirable option than revising to use the plural or rephrasing without pronouns, but it has emerged as a tool for making language more inclusive, and the MLA encourages writers to accept its use to avoid making or enabling assumptions about gender.

I could keep going on and on and on. These are the experts in the field. They are all saying the exact same thing, that it is time to incorporate they/them as the singular, when it is appropriate, to make all of our language gender-neutral. And I will reiterate for everyone here that this bill does not require that they/them be used for every single bill. As was previously mentioned by my colleague, if someone prefers to use the person, the individual, or more specific, the staff as I previously mentioned, that is also totally acceptable. The

only thing that is not acceptable moving forward for all legislation in New York State as written is to have it be gendered specifically because that is exclusionary, and that is not who we are as New Yorkers, any of us.

Thank you so much. Obviously, I stand in the affirmative to my legislation.

ACTING SPEAKER LUNSFORD: Mr. Pirozzolo.

MR. PIROZZOLO: Thank you, Mr. [sic] Speaker, just to speak on the bill. No disrespect to the sponsor. It's not often, that as an individual and maybe as a legislator, that I become somewhat embarrassed, but today is one of those days. We have such problems that we're facing right now. Right now we have an unprecedented migrant crisis, we have a health crisis, we have to deal with homelessness, mental health issues. We have crime and safety issues, we have tax issues, we have education issues and so much more. The fact that we are spending this much time talking about a bill like this instead of solving the other issues that follow or that are happening in this State right now, I am embarrassed that I have to be sitting here to have this conversation to discuss this. But if this is what "they" want to do, then let "them" do it, but please let's try to fix some of the other problems that the State has. Thank you.

ACTING SPEAKER LUNSFORD: Mr. Ra.

MR. RA: Thank you, Madam Speaker. Would the sponsor yield for a quick question?

ACTING SPEAKER LUNSFORD: Would the

sponsor yield?

MS. KELLES: Of course.

ACTING SPEAKER LUNSFORD: The sponsor yields.

MR. RA: So I just wanted to ask, relative to the language here, it says hereinafter in any law, rule, regulation, ordinance or resolution. So obviously, you know, when we're talking about administrative things, rules, regulations, that's one thing that we can dictate in law, but how can we put something in law that says what any future law that may be considered by this Legislature can do? I mean, are -- are you saying that a bill that was to come before this House that didn't comply with this would be null in some way?

MS. KELLES: No. So any -- when we pass bills, when we write bills --

MR. RA: Yes.

MS. KELLES: -- it incorporates --

MR. RA: Yes, absolutely.

MS. KELLES: -- pieces of language of existing law to show us where we are embedding new language or whether -- where we are changing language. So every time we are doing that, we are bringing in pieces of existing law. When we do that, that will be the opportunity to update. So where there is antiquated language where it is gendered, then we will modify it to be non-gendered. It is not nullifying any of existing law, but it is moving forward when you write a piece of legislation, it will be required to be gender-neutral.

MR. RA: So I --I guess I -- I would disagree with you there. I don't think we have the power to say what any future -- I mean, if a bill were to come before us that doesn't comply with this and we pass it, it doesn't have any less effect of law because this is --

MS. KELLES: We wouldn't pass it without changing -- this is saying by law, the bill would need to be required to comply with existing law. So it would comply with existing law or it would not be passed.

MR. RA: But a -- a bill that comes before us has the potential to be law. This -- this is not a constitutional amendment, it doesn't have any more weight than any other bill that we would pass in this Body. So I don't see how we can -- and, in fact, I just looked on my computer here, there are tons of bills pending before this House that have gendered language, including some that you are sponsoring. So...

MS. KELLES: In general, in General Construction Law, we have done this many times before. This is not new. In fact, we did do, as we discussed last year, that any reference now to the Governor will be non- -- non-gendered. So this is not a new action, this is pretty standard practice.

MR. RA: I -- well, think we're going to -- we're going to agree to disagree there because anything that comes before this House, we -- we have zero power to tell the Legislature what it can and can't do in terms of law in the future. We can change something in the Constitution and that has more weight than law, but

some bill that comes before our House in the future that doesn't comply with this, if we were to pass it, it has no less weight than -- than this does. So I guess --

MS. KELLES: I'll agree to disagree.

MR. RA: -- we're going to have to agree to disagree on that.

MS. KELLES: That's fine. It occasionally happens.

MR. RA: Thank you to the sponsor.

Madam Speaker, on the bill quickly.

ACTING SPEAKER LUNSFORD: On the bill.

MR. RA: You know, so I was just looking, I mean, there's tons of bills pending before this House that have gendered language. I mean, I -- I think it's one thing to say when we're dealing with regulations, rules, all that type stuff, or -- or even trying to get at existing laws with respect to this, but I (inaudible) against it. I -- I don't think we can tell the future Legislature what it can and can't do. And it looks nice on paper, but I don't think it has any actual legal effect to say that a future bill coming before us has to comply with -- with certain things, because we can write a bill that says anything and it has equal weight if it were to pass this House and get signed into law as this if it was to get signed into law.

Thank you.

ACTING SPEAKER LUNSFORD: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: A Party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, Madam Speaker. As mentioned earlier, we are certainly fully supportive of gender-neutral language, but we don't believe this bill is the right way to approach and as a result, most of the Republican Conference will be in the negative; however, those who support this legislation are certainly encouraged to vote in favor here on the floor. Thank you, Madam Speaker.

ACTING SPEAKER LUNSFORD: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Madam Speaker. The Majority Conference is generally going to be in favor of this piece of legislation; however, there may be some of our colleagues that would choose to be an exception. They should feel free to do so by voting at their desk. Thank you.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. González-Rojas to explain her vote.

MS. GONZÁLEZ-ROJAS: Thank you, Mrs. [sic] Speaker. I am -- I stand here to commend the sponsor of this bill for this very important piece of legislation. I have spent my entire career fighting for gender justice, and I recognize how important pronouns

are. And this bill is meant to be inclusive, not exclusive, and it's high time and due time that we ensure that the way in which we write our laws finally match the identities of the 21st Century and is inclusive of everyone.

So thank you so much to the Speaker, and I proudly, proudly vote in the affirmative.

ACTING SPEAKER LUNSFORD: Ms. Kelles to explain her vote.

MS. KELLES: I didn't feel that I needed to step up and explain my vote, but there was a comment made here today that I can't let lie, which is there are more important things that we should be talking about and addressing than the issue of exclusion of entire groups of people from our very laws. I am appalled by anyone who believes that this issue is not important. Last week, a 7th grader who is trans in my community committed suicide because they feel fundamentally unaccepted -- felt fundamentally unaccepted by society itself. I had a member of my family when I asked them if they wanted to come visit Albany and visit the Chamber, who said to me, *No, I don't want to put you in danger*. We have an unprecedented number of people committing suicide from the LGBTQI community because of how they are being treated across this country, as if they are lesser of human beings. That is what our law currently says. That is what we are correcting today, so that we can -- we can write laws out of love, out of acceptance, out of inclusion. That is all. And for anybody who feels offended by the simple use of a pronoun, then we really

have bigger problems than just this word.

So I am hoping that everybody can embrace this with the compassion, with the spirit of it that was intended, for inclusion of everybody moving forward in New York State. They have a right to be here, they have a right to be identified, they have a right to be included. Thank you so much.

ACTING SPEAKER LUNSFORD: Thank you.

Ms. Walsh to explain her vote.

MS. WALSH: Thank you very much. So, I -- I do feel that this is not high on my list of priorities, this piece of legislation. I'm not going to support it. I want to just offer just a quick story. My sister had hip replacement surgery a couple months ago, she's doing very well. She got into the patient portal to read some of the doctor's notes and the doctor's notes refer to her all the way through as they/them. And that confused her because she had checked the box identifying as female, and she would expect, out of respect for her and the way that she identifies herself, to be referred to as she or her throughout all of her medical records. And she brought it up to the doctor's office and their response was, *Well, it's just easier that way. We can just use they/them throughout it and that just covers everybody. It's easier for dictation.* So it is offensive when people are not being addressed in the manner that they would like. And I just don't believe that it's fundamentally disrespectful to people who identify as trans or as something different, someone different, when they read the New York State laws. I think that as has been pointed

out by others, we do use gender-neutral terms to describe the office held or the defendant, or the defense attorney and -- where we do not have to use pronouns at all.

I -- I just think that this is something that we probably collectively will not agree upon. I will be voting in the negative.

Thank you.

ACTING SPEAKER LUNSFORD: Ms. Walsh in the negative

Ms. Shimsky to explain her vote.

MS. SHIMSKY: Thank you, Madam Speaker. If you call someone a policeman instead of a police officer, or a fireman instead of a firefighter, you are definite -- you are feeding into old stereotypes. And to those who think that's not important, that in a way cuts into the livelihood, the job options, the job prospects, the promotion prospects of over half the population. And that has to be a concern of the State. In terms of the gender neutral for -- for the LGBTQAI+ community, I know people who identify as nonbinary, and us older folks sometimes do have a little bit of confusion with it. But what I've noticed is the younger generation handles it perfectly fine, they're never confused about anything. This is something that they have grown into and this is something that I think we older folks need to grow in on -- grow into as well.

I will, therefore, be voting in the affirmative.

ACTING SPEAKER LUNSFORD: Ms. Shimsky in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mr. Fall.

MR. FALL: Madam Speaker, can we go to Calendar No. 34 on the debate list by Ms. Cruz?

ACTING SPEAKER LUNSFORD: Page 8, Calendar No. 34, the Clerk will read.

THE CLERK: Assembly No. A03057, Calendar No. 34, Cruz, Ardila, Colton. An act to amend the Criminal Procedure Law, in relation to requiring the court, prior to accepting a plea, to advise the defendant of the risk of deportation if he or she is not a citizen.

ACTING SPEAKER LUNSFORD: Mr. Goodell, why do you rise?

MR. GOODELL: Thank you, Madam Speaker. A point of order. The title of this bill is, *An act to amend the Criminal Procedure Law in relation to requiring the court, upon [sic] accepting a plea, to advise the defendant of the risk of deportation if "he" or "she" is not a citizen.* The title of this bill violates the bill that the Majority just passed with a unanimous vote. And so a point of order, I think we should not proceed with this if it violates what we've just passed.

Thank you, Madam Speaker.

ACTING SPEAKER LUNSFORD: The point is not

well taken.

Ms. Cruz, an explanation has been requested.

MS. CRUZ: I'm not sure where to begin, starting with the fact that as Mr. Goodell well knows, the bill just passed has not been signed into law just yet, but that was adorable. And so yes, an explanation. This is an act to amend the Criminal Procedure Law in relation to requiring the court, prior to accepting a plea, to advise the defendant of the risk of deportation if they are a noncitizen.

ACTING SPEAKER LUNSFORD: Ms. Walsh.

MS. WALSH: Thank you, Madam Speaker. Will the sponsor yield?

ACTING SPEAKER LUNSFORD: Will the sponsor yield?

MS. CRUZ: Absolutely.

ACTING SPEAKER LUNSFORD: The sponsor yields.

MS. WALSH: That's great. Okay. So last year we took up this bill, we had bipartisan opposition and a Governor's veto. Has the bill changed at all since last year?

MS. CRUZ: It has not.

MS. WALSH: Okay. So let's talk a little bit about what the bill requires. Current -- under current law, the bill requires -- or the -- the law requires that defendants be notified of the risk of deportation if they are charged with a felony; is that correct?

MS. CRUZ: That's correct.

I'm sorry, can you repeat that? The bill requires that...

MS. WALSH: The -- under current law for felonies, prior to allocution they have to be notified of the risk of deportation?

MS. CRUZ: That's correct, it's based on case law, yes.

MS. WALSH: Okay. So under this bill, is it true that it expands it to include misdemeanors but not violations?

MS. CRUZ: That is correct.

MS. WALSH: Okay. So is there currently, under current law, a duty on the part of defense counsel to advise their client of the risk of deportation?

MS. CRUZ: There is.

MS. WALSH: Okay. So this bill doesn't eliminate that requirement, but imposes an additional requirement on judges to use specific language and notify individuals charged with misdemeanors of the risk of deportation; is that correct?

MS. CRUZ: I would frame it differently. It's not an additional requirement given that it's already in case law. What we're doing is ensuring that there is unity in the language that is used, and that we are also including misdemeanors as certain misdemeanors are deportable offenses.

MS. WALSH: Okay. But this -- this law requires -- or this bill requires everybody, whether they are actually at risk of deportation or not, to be so advised.

MS. CRUZ: That's correct.

MS. WALSH: Okay. And there is no opportunity or -- I'll -- it's not allowed for the court to inquire, or may the court inquire as to the immigration status of the individual defendant?

MS. CRUZ: That's correct.

MS. WALSH: Okay, just, correct in which way? They -- they cannot inquire or they -- they do not inquire?

MS. CRUZ: Let me just double check.

MS. WALSH: Yeah.

(Pause)

MS. CRUZ: Yes. And once that statement, that initial statement has made by the judge, no additional statement or inquiries into the person's immigration status are to be made.

MS. WALSH: But there -- there can be an initial inquiry, or -- or -- I thought that this was a blanket requirement on anyone appearing before the court with a misdemeanor who was going through an allocation. Is that -- am I -- am I mistaken? I'm sorry.

MS. CRUZ: The way that we've framed the bill, there is nothing talking about what happen -- what can happen before. But once that statement has been made, there's no additional conversations or statements to be made related to a person's possible removal from the country if they take a plea or if they are found guilty.

MS. WALSH: Okay. So a defendant who is a U.S. citizen comes before a court, is doing an allocation on a misdemeanor,

does the judge administer this statement? And for the benefit of our colleagues, it says if you are not a citizen of the United States you may become deportable, ineligible for naturalization or inadmissible to the United States based on a conviction by plea or verdict. Does that statement get administered to an individual who is a U.S. citizen?

MS. CRUZ: It -- yes, it gets administered to everyone who appears before the court.

MS. WALSH: To everyone, okay. And the fact that the defense counsel already has an independent duty to so advise their client doesn't impact at all this requirement on the judge.

MS. CRUZ: That's correct. That is an independent requirement based on Supreme Court decisions.

MS. WALSH: And what happens -- under this legislation, what happens if the judge fails to put this statement on the record?

(Pause)

MS. CRUZ: They can apply to have their -- their plea vacated.

MS. WALSH: All right. And is that -- who -- who will hear that -- that request? Does that go to an -- an appellate level?

(Pause)

MS. CRUZ: Yeah, if the procedure is over then it would go to an appeals court.

MS. WALSH: Okay. And under this, does this legislation indicate what -- what should happen at the appellate level

if that admonishment was not given?

MS. CRUZ: There's already case law indicating that -- as I mentioned earlier, right now case law says judges have to make this particular statement and there's already case law saying --

MS. WALSH: In felonies.

MS. CRUZ: Yes.

MS. WALSH: For felonies.

MS. CRUZ: There's already case law saying if there's a failure to make that particular statement then there are -- then there are certain -- and certain grounds aren't met, then the case can be vacated. It would be the same exact thing.

MS. WALSH: All right. So one clarification. Again, using my example of a U.S. citizen that has been -- has failed to be admonished, they -- they apply, say, to get theirs vacated. Would -- would that -- would that lie or not because there wasn't any actual --

MS. CRUZ: No, no.

MS. WALSH: -- risk of...

MS. CRUZ: Because we have written language in the law that says you would have to prove potential or actual immigration consequences in order to have it vacated.

MS. WALSH: Okay. So that's -- that's a relief, anyway, that if you didn't really have any risk of deportation anyway, it can't be used as a basis to try to get your --

MS. CRUZ: That's correct, that's not -- that has not been the intention of the bill.

MS. WALSH: Okay. And -- but you could have somebody who is 1,000 percent guilty who -- who does go through this plea allocution, there's -- there's a mistake made and it's -- it's not made on the record that that person could have their conviction or their plea overturned. In fact, it would, it would overturn it.

MS. WALSH: The plea, as -- as you and I know, being attorneys, guilt and constitutional protections are two separate conversations. And so if a person's constitutional rights were vacate -- were -- were violated, then there would be grounds to have it vacated. It doesn't mean that the DA can't turn around and bring a new case and make sure that it's done -- make sure that the judge is doing what they need to do.

MS. WALSH: So because of double jeopardy, right, you can't come back and charge the person again for the -- the same once it's been vacated?

MS. CRUZ: Hold that thought.

(Pause)

So in conversation, I -- I think because it's a technicality and we'd have to -- you know, we don't have our -- our Westlaw here with us to go back and do the research, but we believe that because it was a technicality that the case could just begin afresh.

MS. WALSH: Oh, okay. You -- you've conferred with some people and that's what you -- that's what you said.

MS. CRUZ: Yes.

MS. WALSH: Okay.

MS. CRUZ: Yes.

MS. WALSH: All right, very good. Thank you so much.

Madam Speaker, on the bill.

ACTING SPEAKER LUNSFORD: On the bill.

MS. WALSH: So, I think the reason why we had so much opposition to this last year, and as the sponsor stated, the bill hasn't changed despite the fact that the Governor vetoed it. I just want to share with you the -- the Governor's reason for the veto. There was a claim that the requirements of this bill would result in the vacatur of otherwise lawful convictions where defendants were fully aware of the immigration consequences of their actions. As previously stated, defense attorneys are already required by law to advise their clients of immigration consequences of any conviction. Additionally, the Governor mentioned that this bill would impose a rigid requirement on the court while also prohibiting the court from using its discretion to mention anything specific about immigration consequences.

So the reason why I'm not in favor of this bill and there were so many people who kind of agreed with -- with me last year is that while I think the -- the reasoning of -- of trying to make sure that defendants fully understand the importance of their pleas, it -- it really throws out the idea that their defense counsel already has this requirement, and it also doesn't really credit the fact that many judges in so many words already advise their clients -- or the defendants about the risk of deportation if they're not a citizen. The --

the fact of the matter is that for misdemeanors, there isn't -- I don't believe that there is a risk of deportation because it was for felonies specifically. I remember when I first started in the Assembly, there was a bill that was passed and signed into law which took a one-year sentence and minused I think one day off of it so that it would protect people from being deported for being convicted of felonies. It gave them a -- a -- a year minus one day. But in any event, I think that the Governor's veto was well-considered. I think the bill doesn't really give the judges very much credit for what they're doing. They're already in many instances, notifying -- probably in the vast majority of instances already notifying defendants. It seems silly to me to require a judge to notify everybody coming before the court, even people who are citizens and -- and prohibits, basically, a judge from being able to inquire to be able to tailor-make the allocution to really accurately reflect the risk that the defendant may or not be in, vis-à-vis their naturalization status.

So for those reasons I'll be voting in the negative and I would encourage my colleagues to do the same. Thank you, Madam Speaker.

ACTING SPEAKER LUNSFORD: Mr. Fall for the purposes of an announcement.

MR. FALL: Madam Speaker, can you please call the Rules Committee to the Assembly Parlor?

ACTING SPEAKER LUNSFORD: Rules Committee to the Assembly Parlor.

Ms. Cruz.

MS. CRUZ: Thank you, Madam Speaker.

On the bill.

ACTING SPEAKER LUNSFORD: On the bill.

MS. CRUZ: So, this is literally one sentence with a comma. One sentence that once we make into law would be uniform, not subject to interpretation, not left up to a judge to figure out if this is the way in which she wants say it, not allowed to be in a language where the defendant perhaps understood, maybe didn't understand. Not left up to a well-meaning attorney who might have ten other cases that day, but it's left up to a judge. We look up to judges because they are the face of the court. And when you step into a courtroom as an attorney or as a defendant, you pay attention to what the judges say. And we are not creating something that isn't already in the law. We're expanding it, we're clarifying it, and we're providing uniform language which I actually think will lead to many -- a reduction in appeals because we're going to have clarity, we're going to have uniformity, and we're going to have a requirement that can't be left to interpretation.

I'm going to disagree, obviously, since I'm bringing up the bill again with the veto, in that it imposes an undue burden in the courts because it does not. Again, it's already in case law. Judges are already supposed to be doing this. We are actually making it, I would argue, easier by providing uniform language by ensuring that everyone who steps in front of the court has to hear it. And I'd like to

remind folks also that, you know, just because you get the statement doesn't mean you have to take the plea or not take the plea. It's one sentence. We want to make sure that people's constitutional rights are protected when they make the decision to take a plea, to not take a plea, to make sure that when they are stepping into that, they know what other consequences it could have to their lives and their families.

Accepting a guilty plea could lead to deportation. It's a simple statement. And I'm going to be voting later in the affirmative and I hope my colleagues do, as well. I will say, before I finish, for -- for Dreamers, these pleas have been almost a death sentence. And what I mean by that is you have these young people who have come to this country who perhaps made a mistake along the way, and they couldn't qualify for -- for DACA, or had their DACA taken away because perhaps they made a mistake and didn't understand the consequences. Not understanding the consequences, especially when it's as easy as one sentence or providing additional time for that defendant to get the opinion of an immigration attorney so that they know what they're getting into is not enough reasons to not vote yes. I'm going to urge everyone, because we here care about people's constitutional rights regardless of whether they're guilty or innocent, regardless of whether they were born in this country or another country. We are here to protect everyone's constitutional rights and this is what this bill does.

Thank you, Madam Speaker.

ACTING SPEAKER LUNSFORD: Mr. Burdick.

MR. BURDICK: Thank you for the opportunity to express my support with this bill.

ACTING SPEAKER LUNSFORD: Mr. Burdick on the bill.

MR. BURDICK: On the bill.

ACTING SPEAKER LUNSFORD: On the bill.

MR. BURDICK: Thank you. I want to commend the sponsor of this bill and I want to thank the Speaker for allowing it to come to the floor. This is a commonsense and very simple measure. This is not a heavy burden. We just heard from one of our colleagues on the other side of the aisle that judges already are providing such notice. So if they're already providing such notice, why should there be any kind of problem making it clear and uniformed? If anything, as the sponsor mentioned, it will declutter, it will clarify, it will make the process go more smoothly. And yet, if that notice is not given and if the defendant makes the wrong decision because of lack of knowledge to accept a plea, those consequences could be dire and could result in an utter change in the course of their lives. So I vote in the affirmative. Thank you.

ACTING SPEAKER LUNSFORD: Read the last section.

THE CLERK: This act shall take effect in 90 days.

ACTING SPEAKER LUNSFORD: A Party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, Madam Speaker. The Republican Conference is generally opposed to this legislation for the reasons mentioned. Those who support it can certainly vote in favor here on the floor. Thank you, Madam Speaker.

ACTING SPEAKER LUNSFORD: Mr. Fall.

MR. FALL: Thank you, Madam Speaker. The Majority Conference will be in the affirmative on this piece of legislation. If anybody wants to vote no, they would have to come to the Chamber. Thank you.

ACTING SPEAKER LUNSFORD: 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 has passed.

Mr. Fall for the purposes of an introduction.

MR. FALL: Thank you, Madam Speaker. On behalf of our colleague Member Simon, she has guests here from her district that are here for Dyslexia Awareness Day. They're here to advocate for equity and needed resources, and the guests that she has here include Nequan McClean and son Jay Iris McClean, they're with the Educational Council Consortium. They also have Dr. Canton and her son Dylan Canton, Emily Hellstrom and Ruth Genn. They're with the Literacy Academy Collective. Doreen Duffessy, Debbie Miller Meyer, Isaac Rosenthal, Zahabeet Poz, Marcus Soutra, Eleanor Whitebay,

Claire McCue and Leora Radisilla and Mary Jo Carroll. If you could please welcome them to the People's House.

ACTING SPEAKER LUNSFORD: On behalf of Ms. Simon, the Speaker and all the members, we welcome you to the floor of the Chamber. We thank you for the critical work you do. We extend the privileges of the floor and hope you enjoy the proceedings. Thank you very much for joining us.

(Applause)

Mr. Fall.

MR. FALL: Madam Speaker, can we go to Calendar No. 170 on debate by Mr. Steck?

ACTING SPEAKER LUNSFORD: Page 16, Calendar No. 170, the Clerk will read.

THE CLERK: Assembly No. A04428, Calendar No. 170, Steck, Hunter, Santabarbara, Dickens. An act to amend the Real Property Law, in relation to requiring the modification of restrictive covenants prior to the sale of real property.

ACTING SPEAKER LUNSFORD: An explanation has been requested, Mr. Steck.

MR. STECK: Thank you, Madam Speaker. We have debated this bill before. The bill makes it unlawful to include restrictive convenance in deeds and requires the modification of deeds to eliminate such restrictions with respect to all the things, all the types of discrimination made illegal under the Human Rights Law. What the bill does is prevents these restrictions from running with the

land, meaning that they're permanent and immutable and could never be changed. And the -- these types of restrictions in Federal Law have been illegal by virtue of Supreme Court decision insofar as say, for example, race is concerned, and this bill makes all the categories covered in the Human Rights Law illegal for purposes of restrictive covenance as well. And while it may be true that lawyers might be aware of the illegality of certain particular restrictive covenance, the owners of property are not and can behave as if those restrictions were in effect. So the opportunity exists every time there's a transfer of property to modify the deed so that no one will be left with the false impression that these things are valid any longer in the State of New York. Thank you.

ACTING SPEAKER LUNSFORD: Mr. Goodell.

MR. GOODELL: Thank you, Madam Speaker.

Would the sponsor yield?

ACTING SPEAKER LUNSFORD: Mr. Steck, would you yield?

MR. STECK: Certainly.

ACTING SPEAKER LUNSFORD: The sponsor yields.

MR. GOODELL: Thank you, Mr. Steck. All of these factors that you want to eliminate in future deeds, are any of them lawful under Federal court decisions?

MR. STECK: So, I do not think frankly, for example, that source of income discrimination is prohibited under

Federal court decision. That is, I believe, something included in New York law so it would, as I understand it, the purpose of it is if you have some form of public assistance you can't be discriminated against on that basis. That is an example of something that I don't believe is part of Federal Discrimination Law.

MR. GOODELL: I've seen deed covenance that prohibit the use of the property for a bar, or the use of the property for a bawdy house - I think that's how it's pronounced - the house of prostitution. Are you saying that under this language those restrictive covenance would now be illegal?

MR. STECK: I do not see those items mentioned in the statute.

MR. GOODELL: But those all relate to source of income, right?

MR. STECK: Well, anything in the world can relate to source of income but it's not a specific prohibition on the source of income. I think for that, my learned colleague would have to go to the decisions of the State courts to see how broadly source of income has been interpreted but I do not believe it has been interpreted broadly enough to exclude covenance of that type.

MR. GOODELL: I see. So all those covenance in existing deeds under your opinion of this language that relate to the use of the property for any income-related activity would still remain valid.

MR. STECK: I do not believe source of income is

the same as use. Again, this is why as my learned colleague well knows we have courts that often determine the gray areas that might exist, but to my knowledge, the examples that counsel is giving - and I apologize for using that word in this Chamber - but in any event, the examples that are being given would not implicate this language.

MR. GOODELL: Now this specifically prohibits restrictive conveyance that relates to race or national origin, right, or ancestry, correct?

MR. STECK: That is correct.

MR. GOODELL: So New York State is a proud home of several Indian nations and the Seneca Nation, their territory has restrictive deed conveyance. In fact, under their deed conveyance you cannot sell property to someone who is not a member of the Seneca Nation, and it's related specifically to their ancestry and their race. Are you saying then that those conveyance would be struck?

MR. STECK: I believe that the status of Native Americans and their properties are protected by the Constitution of the State of New York and perhaps also by treaty, which as we know would supercede any contrary enactment of this Body.

MR. GOODELL: But there's nothing in this language to provide for an exception for the Senecas, for the Oneidas or any other nation from limiting their territory from being owned by others other than members of the tribe?

MR. STECK: I think it would prohibit that if it is not in an area that is constitutionally protected or by treaty. So if my

learned colleague was to buy a property from a Native American that was in his town, he could do so.

MR. GOODELL: I see. Now this also prohibits any deed restriction that relates to sex -- yeah, sex or sexual orientation, correct?

MR. STECK: Correct.

MR. GOODELL: But as you know sometimes there's housing that's sold specifically for a sorority, for example. And the deed itself may say *this property was donated by the sorority sisters and can only be used for a sorority*. Would this language then strike those restrictive convenance?

MR. STECK: So I again, we go to the particular language. But the purpose of this is to deal with - as my colleague knows - restrictions that run with the land and are forever and ever. So let us say for example that some alumna of a particular school had been given land to be used for a women's dormitory and that school went out of business, that restrictive covenant would no longer be able to be used to prevent other uses of the property. However, those type of bequests can be dealt with in manners other than a restricted covenant that runs with the land for time and memorial.

MR. GOODELL: This currently restricts any restrictive convenance relating to religion as well. And as you know, oftentimes they'll be a religious organization that acquires property, and it's not unusual particularly in your older deeds to see a restrictive covenant. And that restrictive covenant reflects the fact that the seller

may have been a very devout Catholic or very devout Christian in that particular religion and gave that property to that religious order at a -- for nothing or for a very reduced price. This would eliminate all those convenance, correct?

MR. STECK: My answer is exactly the same with respect to religion as I just gave with respect to gender.

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

On the bill, Madam Speaker.

ACTING SPEAKER LUNSFORD: On the bill.

MR. GOODELL: Those of us who practice in real estate understand that a seller can only sell what the seller owns. And so if you bought property with a restrictive covenant, the purchase price that you paid for that property when you bought it reflected the fact that there's a restrictive covenant on it, that you can't do anything you want with that property. As a result, when you sell it, you can only sell what you own and you didn't own because you never purchased, you never owned all those rights to use the property for any purpose. And we have recognized historically in the State of New York, as my colleague should acknowledge, that there are a lot of restrictive covenants that fall within this language that we think ought to be valid. For example, the restrictive covenant in any Indian nation will say *this property can only be sold to a Native American*. That falls within this language. We're told it doesn't matter if it falls within this language, it doesn't matter if this language would bar that type of

restrictive covenant. The courts won't enforce it because it might "might" be preempted. There are restrictive covenants saying *I'm giving this property for free to the Catholic Church because I'm a devout Catholic*. It's not appropriate to simply eliminate the restriction. How do we deal with that under current law if the Catholic Church wants to sell it? It goes in front of a Supreme Court Judge, and a Supreme Court Judge determines whether the sale is consistent with the original intent, and that's a process that should continue. It shouldn't just be eliminated.

I have in my county and I'm sure you have in your counties or your Assembly Districts organizations that cater to particular nationalities. In my situation I have the Vikings Club. You have to have some sort of Scandinavian blood to be a member of the Viking Club and that can be reflected in their deed. We have organizations in all of our districts that cater to particular groups of people like those who are disabled, like our ARCs. This would strike all those. I appreciate the desire to avoid discrimination, and indeed in every case where that restrictive covenant is inappropriate the courts have already ruled that it's unenforceable. So this is a bill that's looking for a problem because the courts have already solved it. It's not necessary, it's not needed, but inadvertently creates a whole host of other issues by eliminating judicial review on the sale of not-for-profit properties that might have such a restrictive covenant and eliminating the rights, at least on paper, of the Seneca Nation and other nations to protect native lands that are part of a territory

overriding hundreds of years of legal precedent in terms of the rights of a seller to sell only what they have bought by eliminating those restrictions and allowing the seller to sell more than they have bought in the first place. It creates more problems than it solves and it's completely unnecessary because the courts already have a process in place and have already struck those clauses where they need to be struck and enforce them where they need to be enforced. For those reasons I will be opposing this. Thank you, Madam Speaker.

ACTING SPEAKER LUNSFORD: Mr. Fall for the purposes of an announcement.

MR. FALL: Madam Speaker, can you please call the Ways and Means Committee to the Speaker -- to the Assembly Parlor?

ACTING SPEAKER LUNSFORD: Ways and Means Committee to the Assembly Parlor.

Mr. Steck.

MR. STECK: Thank you, Madam Speaker.

Very briefly on the bill.

ACTING SPEAKER LUNSFORD: On the bill.

MR. STECK: The Real Property Law that's typically cited is very, very ancient, and one of the purposes of being in the New York State Assembly is to change the law where it needs to be changed. Every one of the salutatory purposes that were identified by my learned colleague can be accomplished by other means other than restrictive covenants in deeds that last forever and may mislead the

owner of the property as to the lawfulness of such restrictions.

Therefore, I will be voting in the affirmative and urge my colleagues to do the same. Thank you.

ACTING SPEAKER LUNSFORD: Mr. Pirozzolo.

MR. PIROZZOLO: Thank you, Madam Speaker.

Will the sponsor yield?

ACTING SPEAKER LUNSFORD: Would the sponsor yield?

MR. STECK: Yes.

ACTING SPEAKER LUNSFORD: Sponsor yields.

MR. PIROZZOLO: Just a question for clarification.

It talks about here source of income.

MR. STECK: Yes.

MR. PIROZZOLO: So I imagine that would be the source of income of the borrower. Could that be stretched to use as source of income of a potential use of the property?

MR. STECK: So we had already discussed that with your colleague and I had indicated that my understanding of source of income, though I do not have an exhaustive knowledge of every single decision of a court in the State of New York on the issue, but the prohibition on source of income had to do with prohibiting discrimination against people because they received public assistance. It does not relate to the problem that you've been talking about where someone gives a piece of property and puts in a restrictive covenant prohibiting its use as a bar. I don't think it touches upon that. But

again, that would relate to the particular decisions of the courts on what is meant by source of income.

MR. PIROZZOLO: Okay. Well, just for conversation because I am concerned because there are many towns and municipalities. I, myself, even own a piece a property where it says that you're not supposed to put a mobile home, for example, or there may be a restriction on the size of the acreage as to how many houses you can have because let's say you buy a piece of rental property for real estate purposes, right? You want to buy property for -- I'm sorry, for rental -- rental purposes where you want to make income. So now that's really where I have that concern because that could pretty much wipe out any covenant of any municipality, of any district anywhere in New York State. So I would love a much greater understanding of rental of source of income.

MR. STECK: So that source of income has absolutely nothing to do with lot sizes. That is a zoning matter and not implicated one iota by this legislation.

MR. PIROZZOLO: Okay. Well, I really just want to be sure of that because --

MR. STECK: I'm sure.

MR. PIROZZOLO: -- if I were able to put up two houses instead of one house - and I don't mean me specifically, right, but if they buy you were able to put up multiple homes rather than what that covenant says but just want to be sure. Thank you.

MR. STECK: That this has nothing to do with lot

sizes.

ACTING SPEAKER LUNSFORD: The Clerk will read. Oh, sorry. A Party vote has been requested. Read the last section.

THE CLERK: This act shall take effect in 180 days.

ACTING SPEAKER LUNSFORD: A Party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, Madam Speaker. The Republican Conference will be generally opposed to this legislation. Certainly those who want to support it are encouraged to vote yes on the floor. Thank you, Madam Speaker.

ACTING SPEAKER LUNSFORD: Mr. Fall.

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

ACTING SPEAKER LUNSFORD: 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.

Mr. Fall.

MR. FALL: Members have on their desk the A-Calendar. Madam Speaker, I now move to advance the A-Calendar.

ACTING SPEAKER LUNSFORD: On a motion by Mr. Fall the A-Calendar is advanced.

On consent, the A-Calendar, page 3, Rules Report No. 134, the Clerk will read.

THE CLERK: Assembly No. A00237, Rules Report No. 134, Sayegh, Dickens, Buttenschon, Seawright, DeStefano, Thiele, Santabarbara, Tague, Durso, Shimsky, Jacobson. An act to amend the Public Service Law, in relation to the emergency response plans relating to downed wires.

ACTING SPEAKER LUNSFORD: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Sayegh to explain his vote.

MR. SAYEGH: Thank you very much, Madam Speaker, to explain my vote. You know we all witnessed the last decade the increase in storms and disasters as a result of serious outages are resulting in the loss of power and very often one of the most dangerous situations when there's downed wires. And the law was such where you needed a -- an emergency plan in place and a utility company to basically put -- to be put on notice by an emergency whether on the county, municipality level to put the utility company on notice and they had within 36 hours. This legislation allows them

to be put on notice by individuals. Very often an individual may have an emergency situation and by the time they reach the emergency management takes -- may take a lot of time. This really starts the clock kicking for the 36 hours by not only emergency crews but also for an individual. I think it's safety-related. It's time-sensitive. It's time where we look at protecting our residents in a positive way and in a very proactive way to tell the utility companies this is what needs to happen whenever God forbid there's an emergency. Thank you very much.

ACTING SPEAKER LUNSFORD: Mr. Sayegh in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00892, Rules Report No. 135, Jacobson, Otis, Sayegh, Gunther, Gibbs. An act to amend the Municipal Home Rule Law, in relation to the definition of "population" for purposes of providing substantially equal weight for the population of the local government in the allocation of representation in the local legislative body.

ACTING SPEAKER LUNSFORD: The bill is laid aside.

THE CLERK: Assembly No. A01084, Rules Report No. 136, Walker, Burdick. An act to amend the Private Housing Finance Law, in relation to requiring the publication of the number of

veterans on certain housing waiting lists.

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

THE CLERK: This act shall take effect in 180 days.

ACTING SPEAKER LUNSFORD: 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. A01260, Rules Report No. 137, Kelles, Mitaynes, Fahy, Otis. An act to amend the Local Finance Law, in relation to providing a period of probable usefulness for broadband and related telecommunications infrastructure.

ACTING SPEAKER LUNSFORD: On a motion by -- on a motion by Ms. Kelles, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, Madam Speaker. The Finance Law provides a period of useful (inaudible) life -- useful life

for various capital projects. And so if you have a capital project with a useful life of five years, you can only borrow on a bond for that project with a bond length of five years. What this bill does is establish a useful life for broadband investments of ten years. So that means you cannot borrow on a 15-year basis or a 20-year basis if you're building broadband when this bill goes into effect. Because of the concern that this bill establishes a shorter useful life than the actual anticipated lifespan of some of that equipment, the New York State Economic Development Council stated that they had concerns that interest rates rising now it may be a better time to have a longer useful life characterization than this bill provides. So there may be some colleagues that are concerned about this ten year useful life. I'm okay with it but I just want to make sure my colleagues were aware of that concern. Thank you, Madam Speaker.

ACTING SPEAKER AUBRY: Mr. Goodell in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A01261, Rules Report No. 138, Kelles. An act to amend the Tax Law, in relation to authorizing the County of Cortland to impose a tax on real estate transfers; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER LUNSFORD: Home Rule

message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: 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. A01296, Rules Report No. 139, L. Rosenthal. An act to amend the Correction Law, the Public Health Law and the Tax Law, in relation to replacing all instances of the words or variations of the words feminine hygiene products and sanitary napkins with the words menstrual products and pads, respectively, or a variation thereof.

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

THE CLERK: Assembly No. A01477, Rules Report No. 140, Buttenschon, Magnarelli, Sayegh, DeStefano. An act to amend the Not-for-Profit Corporation Law, in relation to authorizing the maintenance of abandoned cemeteries.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: 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. A02105-A, Rules Report No. 141, Meeks, Kelles, Cruz, Taylor, González-Rojas, Clark, Simon, Jackson, Jean-Pierre, Gallagher, Hevesi, Zinerman, Darling, Gibbs, Paulin, Fall, De Los Santos, Burgos, L. Rosenthal, McMahon, Cunningham, Walker, Stirpe, Anderson, Dickens, Carroll, Weprin, Bichotte Hermelyn, Aubry, Reyes, Lucas, Rivera, Pretlow, Otis, Peoples-Stokes, Kim, Benedetto, Ardila, Bores, Lavine, O'Donnell, Epstein, Raga, Simone, Glick, Steck, Seawright, Forrest, Shrestha, Shimsky, Burdick, Zebrowski, Thiele, Septimo, Zaccaro, Eachus, Fahy, Davila, Tapia, Mitaynes, Conrad, Cook, McDonald, Mamdani, Sillitti. An act to amend the Executive Law, in relation to expanding eligibility for victims and survivors of crime to access victim compensation funds by removing the mandatory law enforcement reporting requirement, providing alternative forms of evidence that would show that a qualifying crime was committed and the confidentiality of certain records.

MR. GOODELL: Lay aside.

THE CLERK: Assembly No. A02134-A, Rules Report No. 142, Dinowitz. An act to amend the Multiple Residence

Law and the Multiple Dwelling Law, in relation to requiring owners and agents of multiple residences and multiple dwellings to provide names and contact information of residents to emergency personnel.

ACTING SPEAKER LUNSFORD: The bill is laid aside.

THE CLERK: Assembly No. A02753, Rules Report No. 143, E. Brown. An act authorizing the Bais Tefila of Inwood to receive retroactive real property tax exempt status.

ACTING SPEAKER LUNSFORD: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: 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. A03233-A, Rules Report No. 144, Gunther. An act to amend the Tax Law, in relation to extending authorization to impose certain taxes in the county of Sullivan.

ACTING SPEAKER LUNSFORD: Home Rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: 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. A03335-B, Rules Report No. 145, Joyner. An act to amend the General Municipal Law and the Retirement and Social Security Law, in relation to increasing the special accidental death benefit of certain deceased members.

ACTING SPEAKER LUNSFORD: Read the last section.

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

ACTING SPEAKER LUNSFORD: 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. A03598, Rules Report No. 146, Pretlow. An act to amend the Local Finance Law, in relation to bonds and notes of the City of Yonkers.

ACTING SPEAKER LUNSFORD: Home Rule message is at the desk. On a motion by -- oh, go ahead. On a motion by Mr. Pretlow, the Senate bill is before the House. The Senate bill is

advanced. Home Rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, Madam Speaker. I will be voting no on this bill as I have on the other bills that provide for the private sale of municipal bonds. As I mentioned in the past, the private sale of municipal bonds violates the longstanding historic practice in New York State of requiring that these bonds, like other municipal contracts, be put out for open competitive bidding. And the reason we have open competitive bidding is number one, history has proven over and over again that we get the best price or the best interest when it's open competitive bidding. Number two, when you have open competitive bidding you don't have winners and losers, you don't have those who are given the opportunity and those who are prevented the opportunity from doing business with the government. Open competitive bidding allows for everyone to have a fair and equitable chance at bidding. And number three, in addition to getting the best price and being fair to everyone, it avoids the opportunity for fraud and collusion. And there are a dozen ways to Sunday where somebody who's getting a very lucrative opportunity, an insider's track, a behind-the-doors private negotiation to come out financially ahead and reward the people in government that give them that

opportunity. So I oppose this and would recommend a vote against it. And I would note that last year the Republican Conference was virtually unanimous opposed to it. And I hope that is the case again this year. Thank you, sir -- ma'am. Thank you, ma'am.

ACTING SPEAKER LUNSFORD: Mr. Goodell in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03776, Rules Report No. 147, Conrad, Thiele, Otis. Concurrent Resolution of the Senate and Assembly proposing an amendment to Section 5 of Article 8 of the Constitution, in relation to the exclusion of indebtedness contracted for sewage facilities.

ACTING SPEAKER LUNSFORD: On a motion by Mr. Conrad, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: 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. A03866-A, Rules

Report No. 148, Jackson, Lee. An act to amend the Public Housing Law, in relation to requiring entities responsible for the provision of vital services to coordinate and work expeditiously to restore service whenever such service is interrupted.

ACTING SPEAKER LUNSFORD: The bill is laid aside.

THE CLERK: Assembly No. A03933-A, Rules Report No. 149, Colton, L. Rosenthal, Seawright, Williams, Rivera, Thiele, Epstein, Cook, Glick, Hyndman, Fall, Cruz, DeStefano, Sayegh, Davila, K. Brown, Anderson. An act to amend the General City Law, in relation to requiring the collection of recyclable materials at parks, playgrounds, historic sites and other recreational facilities in cities with a population of one million or more; and to amend the Environmental Conservation Law, in relation to providing state assistance therefor to municipalities.

ACTING SPEAKER LUNSFORD: Read the last section.

THE CLERK: This act shall take effect in 30 days.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce -- announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03946, Rules Report No. 150, Fahy, Stirpe, Dickens, Gallagher, Seawright, Simon, Kelles, Thiele, Colton, Epstein, Jacobson, Burdick, Shrestha, Gunther, González-Rojas, L. Rosenthal, Clark, Carroll, Cruz, Hunter, Ramos, Hevesi, Otis, Gibbs, Steck, Tapia, Reyes, Simone, Cunningham, Levenberg, Shimsky, Taylor, Sillitti, Mamdani, Stern, Darling, Dinowitz, McMahon, Glick, Burgos, Lavine, Raga, Anderson, Mitaynes, Bores, Alvarez, Eachus, Pretlow, Septimo, Aubry, Vanel, McDonald, Forrest, Davila, Walker, Jean-Pierre, De Los Santos, Rivera, Zebrowski, Williams, Zaccaro, Kim, Paulin, Sayegh, Weprin, Lunsford, Cook, Wallace, Burke. An act to amend the Environmental Conservation Law, in relation to requiring the disclosure of insurance information on permit application for the construction of pipelines upon any freshwater wetlands.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Fahy to explain her vote.

MS. FAHY: Thank you, Mr. Speaker [sic]. I rise to just speak in support of this legislation that I've had a couple of years with the -- the Senate, and I just want to acknowledge that we had a

visitor here today from Tennessee. Our Tennessee represents the New York's -- a Tennessee State Representative Justin Pearson who also had a similar bill that he is working on in -- in Tennessee. And this bill is really a transparency bill for the public to know who is proceeding with a pipeline in -- in individual community as well as how it is being funded and if it is appropriately insured in case of any problems as we have seen in -- in some communities around the country. So it's really a transparency bill and with that I vote in favor of it and appreciate the support as well as from the Committee and the Speaker. Thank you.

ACTING SPEAKER LUNSFORD: Ms. Fahy in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03996, Rules Report No. 151, Glick. An act to amend the Environmental Conservation Law, in relation to hunting and fishing licenses.

ACTING SPEAKER LUNSFORD: The bill is laid aside.

THE CLERK: Assembly No. A04121 -- I'm sorry, A04128-A, Rules Report No. 152, Gallahan. An act to amend the Tax Law, in relation to extending the authorization for Ontario County to impose additional rates of sales and compensating use taxes.

ACTING SPEAKER LUNSFORD: Home Rule

message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote.

(The Clerk will record the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04265, Rules Report No. 153, Paulin. An act to amend the Transportation Law, in relation to requiring information concerning services for human trafficking victims to be made available in lactation rooms in commercial service airports.

ACTING SPEAKER LUNSFORD: Read the last section.

THE CLERK: This act shall take effect in 60 days.

ACTING SPEAKER LUNSFORD: The Clerk will record the vote.

(The Clerk recorded the vote.)

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04847-A, Rules Report No. 154, Jacobson, Santabarbara, Eachus, Colton,

Buttenschon. An act to amend the General Municipal Law, in relation to prohibiting individuals in certain positions from taking any position with a business or entity doing business with an industrial development authority.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A04881-A, Rules Report No. 155, Simpson. An act to amend Chapter 368 of the Laws of 2008, amending the Tax Law relating to authorizing the County of Warren to impose an additional mortgage recording tax, in relation to extending the effectiveness thereof.

ACTING SPEAKER AUBRY: 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. A04918-A, Rules Report No. 156, Palmesano. An act to amend Chapter 365 of the Laws of 2005, amending the Tax Law relating to the mortgage recording tax in the County of Steuben, in relation to extending the provisions of such Chapter.

ACTING SPEAKER AUBRY: 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. A05042, Rules Report No. 157, Hevesi, McDonald. An act to amend the Public Health Law, in relation to newborn screening for Duchenne Muscular Dystrophy.

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. A05056, Rules Report No. 158, Conrad, Thiele, Jacobson. An act to amend the Local Finance Law, in relation to extending the exclusion of indebtedness contracted for sewage facilities.

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. A05212, Rules Report No. 159, Wallace, Aubry, Jean-Pierre, Seawright, Epstein, Taylor, Cruz, Simon, Dickens, Cook, Otis, Reyes, Colton. An act to amend the Public Authorities Law, in relation to gender balance in state and local public authorities; and providing for the repeal of such provisions upon the expiration thereof.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05345-A, Rules Report No. 160, Santabarbara. An act to amend the Tax Law, in relation to the imposition of sales and compensating use tax in Schenectady County.

ACTING SPEAKER AUBRY: 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. A05406, Rules Report No. 161, Gunther, Woerner, Santabarbara, Taylor, L. Rosenthal, Brabenec, Hevesi, Braunstein, Reyes, Buttenschon, Sayegh. An act to amend the Public Health Law, in relation to the employment of the persons to function as infection preventionists in certain general hospitals.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05477, Rules Report No. 162, McDonald, Steck, Stern, Colton, Dickens, Gunther, Glick, Gibbs, Wallace, Jacobson, Sillitti, Ramos, Bendett, Maher, Simpson, Reilly, Brabenec, Durso, Norris, Beephan, McGowan, K. Brown, Angelino, Reyes, Walker, Raga. An act to amend the Real Property Tax Law, in relation to exempting income earned working at the polls from the definition of income.

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. A05606, Rules Report No. 163, Magnarelli. An act to amend the Vehicle and Traffic Law, in relation to the distribution of fines from speed violation monitoring systems in work zones.

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. A05687, Rules Report No. 164, Barrett, Epstein, Santabarbara, Kelles, Seawright, Conrad, McDonald, Stern, Simon, Hyndman, Zebrowski, Rivera. An act to amend the Public Authorities Law, in relation to requiring the New York State energy research and development authority to develop a real-time mobile application with a corresponding map with information on electric vehicle charging stations and to make such

information available on the authority's website.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect in 90 days.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Barrett to explain her vote.

MS. BARRETT: Thank you, Mr. Speaker. I just want to thank my colleagues for sharing in this legislation which is really such an important step in making sure that we bring all of New York State with us as we try to achieve our climate goals as we work to -- to reach the -- the goals set out in the CLCPA. This is a Home Rule State. Our communities and our towns are so important and making them part of our solutions is really essential if we're going to reach those goals. So thank you to my colleagues.

ACTING SPEAKER AUBRY: Ms. Barrett in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05801, Rules Report No. 165, Woerner. An act to amend the Town Law, in relation to aquatic growth control districts.

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. A05928, Rules Report No. 166, Stirpe, Lupardo, Gallahan, Gunther. An act to amend the Agriculture and Markets Law, in relation to including certain lands used in single operation for the production of tree nuts in the definition of agricultural land.

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. A06085-A, Rules Report No. 167, K. Brown. An act to amend the Alcoholic Beverage Control Law, in relation to a license to sell liquor at retail for consumption on certain premises.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06115, Rules Report No. 168, Paulin, Hevesi, Jacobson, L. Rosenthal, McDonald, Kelles, Thiele, Glick, Burdick, Simon, Levenberg, Steck, Stern, Colton, Rajkumar, Stirpe, Reyes, Rivera, González-Rojas, Ardila, Dickens. An act to amend the Public Health Law, in relation to enacting the Lead Pipe Right to Know Act.

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

THE CLERK: Assembly No. A06569, Rules Report No. 169, Fall. An act to amend Chapter 395 of the Laws of 1978, relating to moratoriums on the issuance of certificates of environmental safety for the siting of facilities and certification of routes for the transportation of liquefied natural or petroleum gas, in relation to extending the effectiveness of the provisions of such chapter.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06601, Rules Report No. 170, Reyes, Anderson, Rivera, Dinowitz, Gallagher, Cruz,

Seawright, Zinerman, Forrest, Simon, L. Rosenthal, Mitaynes, Lavine, Weprin. An act to amend the Banking Law, in relation to prohibiting State chartered banking institutions from investing in and providing financing for private prisons.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06672-A, Rules Report No. 171, Epstein, Burdick, Clark, Colton, Dinowitz, Gallagher, Gibbs, Jackson, Kelles, Magnarelli, Seawright, Simon, Steck, Zinerman, Dickens. An act to amend the Civil Practice Law and Rules, in relation to establishing venue in actions to recover student debt.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06696, Rules Report No. 172, Fahy. An act to amend the Education Law, in relation to the practice of physical therapy.

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

THE CLERK: This act shall take effect in 365 days.

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. A06751, Rules Report No. 173, Jacobson. An act to amend the Alcoholic Beverage Control Law, in relation to a license to sell liquor at retail for consumption on certain premises.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06793, Rules Report No. 174, Bichotte Hermelyn. An act to amend the Alcoholic Beverage Control Law, in relation to a license to sell liquor at retail for consumption on certain premises.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06857, Rules Report

No. 175, Fall. An act to amend Chapter 306 of the Laws of 2011, authorizing owners of residential real property in high risk brush fire areas in the borough of Staten Island to cut and remove reeds from their property, in relation to extending the expiration and repeal date thereof for an additional year.

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. A06941, Rules Report No. 176, Bronson, Lupardo. An act to amend the Alcoholic Beverage Control Law, in relation to permitting the sale of beer at retail on Sundays; and to repeal certain provisions of the Alcoholic Beverage Control Law relating thereto.

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. A06949, Rules Report No. 177, Glick. An act to amend the Environmental Conservation Law, in relation to exempting certain geothermal boreholes at depths beyond five hundred feet from certain 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.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07154, Rules Report No. 178, McDonald. An act to amend the Public Health Law, in relation to adult immunization reporting requirements.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07155, Rules Report No. 179, Pheffer Amato, Santabarbara. An act to amend the Civil Service Law, in relation to crediting of probationary service.

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.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if we could now go to Calendar No. 47 -- I'm sorry, Calendar No. 81 on page 10 by Ms. Paulin followed by Calendar No. 126 on page 13 by Mr. Dinowitz. In that order, sir.

ACTING SPEAKER AUBRY: Thank you, Mrs. Peoples-Stokes. Page 10, Calendar No. 81, the Clerk will read.

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

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

MS. PAULIN: Yes, thank you. The bill would require menstrual products to be offered for free in public college and university restrooms.

ACTING SPEAKER AUBRY: Ms. Walsh.

MS. WALSH: Would the sponsor yield, please?

ACTING SPEAKER AUBRY: Will you yield?

MS. PAULIN: Yes.

ACTING SPEAKER AUBRY: Sponsor yields.

MS. WALSH: I'm super delighted to be debating this bill with you this afternoon.

(Laughter)

Okay. Just a couple of questions. When the bill talks about school buildings, does that include all buildings on campus including residences or dorms or -- or is there some subset that's going to have to --

MS. PAULIN: It's all restrooms.

MS. WALSH: All restrooms, okay. Does it include men's restrooms as well?

MS. PAULIN: That's a good question. I -- I would say probably not.

MS. WALSH: Probably not?

MS. PAULIN: Yeah.

MS. WALSH: Okay. Okay. And is there any projected cost for -- to the schools for having to comply with this?

MS. PAULIN: So most SUNYs and CUNYs already have this program in place or they have a pilot. There is a -- a foundation that does give money for institutions that want to do this. So we don't anticipate any cost and evidence of that didn't even go to Ways and Means.

MS. WALSH: I'm sorry? I didn't hear that last part.

MS. PAULIN: It didn't -- it didn't even go through

Ways and Means.

MS. WALSH: Oh, okay. Oh, okay. Gotcha. Okay.

Thank you very much.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, Ms.

Walsh.

MS. WALSH: So back in 2019, you might remember that, the Assembly passed a change to the Public Health Law which required that feminine hygiene products be provided free of charge in any grades 6 through 12 public school buildings in those -- in those restrooms. So this bill appears to just take it that next step further and require it in all public colleges and universities. So, I mean basically my concern with this bill is that I think that for grades 6 through 12 there's been some data, some studies about period poverty and girls not wanting to go to school because they're menstruating and if they don't have appropriate products and -- and I can understand that. By the time we get to college, however, in the United States of America - not in a Third World country - in the United States of America, there are things that students need to have with them in order to be living on campus or participating in campus classes. They need pencils, they need pens, they need paper, they need binders, they need books and they need to be able to provide for their own personal care. And my objection is requiring -- having the State require that these products be provided for free. And my overall concern is kind of like where does it end? I -- I think that again, in -- in other countries we have -- we

have read about instances where period poverty is a thing. I just think that at some point -- and I think -- I guess I draw the line on this bill, I think at this point when you go to college you need to have the things that you need to be at college. And, you know -- I -- I don't believe that the State should be -- should be financing this. The other thing I just thought was interesting given our conversation earlier this afternoon was back in 2019 we referred to these products as feminine hygiene products. And now in the span of only four years now, we're going to change the language so that it's -- it's no longer feminine hygiene products and now it's menstrual products. And there are I know other bills that are pending in the Legislature to make that change in other -- in other areas. So I guess we're -- we're just trying to make our terminology more correct -- politically correct -- I don't know, correct. So anyway, I won't be supporting this bill. I think that when a young woman goes to school she needs to be prepared and part of being prepared is being able to provide for her own personal hygiene. I don't think the State or the taxpayers should be paying for it. Thank you.

ACTING SPEAKER AUBRY: Thank you, Ms.

Walsh.

Mr. Goodell.

MR. GOODELL: Party vote, sir.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: A Party vote has

been requested.

Mr. Goodell.

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

ACTING SPEAKER AUBRY: Mr. Vanel.

MR. VANEL: This is a Party vote. Members in the -- in the Majority will be voting in the affirmative and members that wish to vote in the opposite must come so to do so.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 13, Calendar No. 126, the Clerk will read.

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: An explanation is requested, Mr. Dinowitz.

MR. DINOWITZ: Sure. This bill would prohibit an

employer from requiring an employee or person seeking employment to waiver, arbitrate or otherwise diminish any existing or future claim, right or benefit to which the employee or person seeking employment will otherwise be entitled to under any provision of New York State or Federal Law.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

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

MR. DINOWITZ: Yes.

ACTING SPEAKER AUBRY: Mr. Dinowitz yields, sir.

MR. GOODELL: Thank you very much, Mr. Dinowitz. It's my understanding that there's a Federal statute that deals specifically with this, the Federal Arbitration Act and there are a number of Federal court decisions including Supreme Court decisions that deal with the preemption issue including of course a Northern Kentucky Area Development District v. Snyder, Allied-Bruce Terminix Co. v. Dobson, City Court Stores [sic] v. Adams. And don't they consistently hold that the Federal Arbitration Act supercedes any contrary State law?

MR. DINOWITZ: I don't believe that those things that you mentioned would supercede this.

MR. GOODELL: Well, in Northern Kentucky Area

Development the court specifically invalidated a Kentucky State Court case -- I'm sorry, invalidated Kentucky State law that outlawed mandatory arbitration agreements as a precondition of employment. Isn't that exactly what this bill is purporting to do?

MR. DINOWITZ: Well, they didn't invalidate anything in New York last I checked.

MR. GOODELL: I -- I apologize. I -- I didn't hear your answer.

MR. DINOWITZ: I said they didn't invalidate or -- or there's no suggestion that they would invalidate anything here in New York.

MR. GOODELL: Oh, so your view is if the Supreme Court invalidates identical legislation in Kentucky, that's not relevant to what we do in New York?

MR. DINOWITZ: This isn't that. This isn't the same exact bill.

MR. GOODELL: Okay. Now in that case, in the Kentucky case, they invalidate it because they said you cannot, by State law, bar arbitration agreements as a precondition of employment. Isn't that the purpose and intent of your bill?

MR. DINOWITZ: Well, I -- I wouldn't put it quite like that. The purpose of this bill -- we want to make sure that employees or potential employees aren't coerced into signing agreements that they don't want to sign but feel that they have no choice in signing and that's -- that's the purpose of this is. The two

sides aren't on an equal footing and therefore in some cases what employers or potential employers do can be characterized as, coercion, and this attempts to not have that be the case.

MR. GOODELL: Now this bill only applies to preemployment requirements, correct?

MR. DINOWITZ: I'm sorry. Preemployment?

MR. GOODELL: Yes.

MR. DINOWITZ: No. It applies to employees or potential employees.

MR. GOODELL: It says *no employers shall require as a condition or a precondition of employment*. So you're saying that -- well, let's start with a precondition. What's wrong with an employer saying if you want to work with me these are the terms and conditions.

MR. DINOWITZ: Well --

MR. GOODELL: Why is it -- why can't an employer, before an employee accepts the job, say these are the terms and conditions? And this says an employer cannot include, as one of those terms and conditions, an agreement to arbitrate, correct?

MR. DINOWITZ: Well, I -- I -- I would say that it depends upon what the terms and conditions are. If the -- if it's about the salary or how many hours a week that one would be working, that's one thing, but to deprive somebody of rights that they should have because of this unequal relationship, that's a different case. So not everything, in my view, is up for negotiation. But, of course, a person seeking a job or hoping to keep a job might feel coerced into

agreeing to something that they really shouldn't or shouldn't have to because of this unequal relationship and -- and feel that they have no choice. So as I said, I would differentiate between certain basic things like salary, hours worked and these other things like, you know, giving up your rights.

MR. GOODELL: As -- as you know, one of the most common clauses in a union contract sought by the union is binding arbitration. Now this bill allows binding arbitration in union contracts, correct?

MR. DINOWITZ: If it's -- if it's negotiated, sure.

MR. GOODELL: And why is it that you only allow binding arbitration at a request and in an insistence of a union but don't allow the same provision to be available, even available to private sector employees that might want it?

MR. DINOWITZ: Well, I -- I would differentiate between the two --

MR. GOODELL: I -- I -- I meant non-union --

MR. DINOWITZ: I -- I -- I got what you meant.

MR. GOODELL: -- employees.

MR. DINOWITZ: I would differentiate between those two situations in that unions -- a union is on a more equal footing with the employer, whereas an individual is just not on the same footing and therefore could be more easily coerced into doing something that he or she may not want to do or think is advisable to do.

MR. GOODELL: Does this bill allow binding arbitration in a non-union workplace if requested by a majority of the employees?

MR. DINOWITZ: I don't know that I see anything specifically in here that addresses that.

MR. GOODELL: In fact it's barred, right?

MR. DINOWITZ: Is that a problem?

MR. GOODELL: It would be if it was a majority of employees if they were requesting it, most assuredly.

MR. DINOWITZ: I haven't heard any situation where that's happened, have you?

MR. GOODELL: It's not my legislation, sir. I haven't checked that.

MR. DINOWITZ: Well, maybe you should've.

MR. GOODELL: One other question. The courts, New York courts, including our former Chief Judge, have repeatedly applauded the use of arbitration as an alternative to expensive and timely time-consuming court actions for the efficiency and the quickness of decisions. Why should we ban binding arbitration in the employment context outside of a union when the courts themselves recognize the benefits, when the Federal government recognizes the benefits and there's almost universal recognition that binding arbitration is faster and much less expensive than court litigation?

MR. DINOWITZ: Well, first, she is the former Chief Judge. We won't get into why that's the case but I don't know that I

would place any stock into what her opinion and that's all it was was an opinion on this issue. And as I said, she's no longer the Chief Judge. I -- I don't remember what the second part of your thing was.

MR. GOODELL: Well, what about the rationale she articulated?

MR. DINOWITZ: I'm sorry. Say it again.

MR. GOODELL: What about the rationale that she articulated as by the way has been articulated in numerous other court cases.

MR. DINOWITZ: Perhaps -- perhaps binding arbitration may be quicker, and maybe that's good sometimes but being faster is not necessarily better.

MR. GOODELL: Thank you for those comments, sir.

On the bill.

MR. DINOWITZ: You're very welcome.

MR. GOODELL: On the bill.

ACTING SPEAKER LAVINE: On the bill.

MR. GOODELL: Thank you, Mr. Speaker.

Congress has recognized the validity and the value of binding arbitration in the employment context. If there's an individual that wants to bring an employment action against the employer in court, it is very expensive and very time-consuming, which is why generally the unions seek, as part of the negotiation, binding arbitration. It is a benefit that our union employees routinely negotiate for. This

legislation ignores the Federal rationale, it ignores the Federal statute, it ignores the fact that union members routinely negotiate for this benefit and this legislation makes that option illegal for non-union employees. And as my colleague acknowledged, it doesn't matter if the majority of the non-union employees ask for it. This bill says we don't care what the employees want, you can't have it. So the problems with this bill are number one, it is preempted by Federal law and there are multiple Supreme Court decisions that say it. And just because we spell the name of our State differently than the other states that have had identical legislation knocked out it doesn't mean the Supreme Court is going to change their mind. Number two, it discriminates against non-union employees by prohibiting them from having the same benefit. And last, it's unfair to all of our non-union employers who want to extend that benefit to their employees or for their own reasons want to avoid expensive litigation and want to have a quick, efficient, cost-effective means of resolving employment issues so that they can have a harmonious workforce. For those reasons I'll be opposing it and recommend the same be opposed by my colleagues. Thank you, sir.

ACTING SPEAKER LAVINE: Thank you, Mr. Goodell.

Read the last section. A Party vote has been requested.

Mr. Goodell.

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

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

ACTING SPEAKER LAVINE: Mr. Vanel.

MR. VANEL: This will be a Party vote. The Majority will vote in the affirmative. Those who wish to vote against the bill must come to the House and vote accordingly.

ACTING SPEAKER LAVINE: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Simon to explain her vote.

MS. SIMON: Thank you, Mr. Speaker. Having done employment discrimination law I can tell you that forcing arbitration on employees before they are employed actually doesn't save any money, it doesn't necessarily result in a better result. It keeps people from being able to go to court for the kinds of causes of action that are actually better handled under rules of evidence in a court. In reality the employment bar is very much against forced arbitration, and I'm very pleased that the sponsor has brought this -- this bill to the floor because it's a very important step in the right direction for New York. Thank you.

ACTING SPEAKER LAVINE: Thank you, Ms. Simon.

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

(The Clerk announced the results.)

The bill is passed.

Assembly Resolution No. 439, the Clerk will read.

THE CLERK: Legislative Resolution

commemorating the one-year anniversary of the mass shooting at Tops Friendly Markets in Buffalo, New York on May 14th, 2023, and honoring the victims, survivors, families, and community-at-large in the wake of this devastating tragedy.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes on the resolution.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker, for the opportunity to thank this honorable Body for their support last year and their support this year for the families who lost so much during the massacre that happened in Buffalo at the Tops Market around the corner from my house last year. It just so happens that this year, Mr. Speaker, that commemoration happened on Mother's Day, which made it even more difficult for the families who lost someone, but it also made it difficult for those of us who lost our own mothers. Death is always hard. We all know that none of us are getting out of here alive so we're all going to go that way sooner or later, but when you go the way of a gunman who traveled almost four hours to get to your community specifically for the purpose of killing Black people with a high-speed weapon that you know he's only shooting for almost just two minutes and he killed ten people and shot three others. And he had the audacity to apologize in front of Black

people who were mortified to a White guy who was shot by accident because he didn't come to shoot him. He only came to shoot Black people, he said that. What a difficult thing for those people to deal with on Mother's Day, to remember how their mother was slaughtered while she went to go to the supermarket. And I've heard it said that the only thing that will stop a good man -- a bad man with a gun is a good man with a gun. There was a good man with a gun in that market that day, Mr. Speaker. He was a retired police officer Aaron Salter. He had a gun but he was not totally body-armed as this hateful creature was that came four hours away to kill Black people. He was totally body-armed. I don't care what kind of weapon you had, you weren't going to get to him. He was prepared to protect himself. He didn't stand down until the police department came, and thank God for the police department. People always want to talk about, you know, what police don't do. I'm telling you what they did do in the case of Buffalo. And the fact that they were not Black officers because Buffalo has a lot of Black officers. The man would've still been shooting if they had have been Black officers. But they were White officers so they still lived. And, quite frankly, in my book they're heroes because they saved a lot of other Black people from being shot just by their presence alone. And so to honor that kind of experience for people I want to thank you all. Thank you for all your support this year and all your support last year, particularly my colleagues from in and around Western, New York from both sides of the aisles who showed up in big numbers to support people who live in my district.

And I'm eternally grateful for that, but I just want to leave one message as we memorialize the lives of these people who went. This hate in America is not new. It's not new, it's very old. It's the same hate that Billie Holiday sang about years ago, strange fruit hanging from a tree. What was that fruit that was hanging from the tree that was so strange? It was a Black man while they were on a picnic, that's why I don't go on picnics nowadays. I'll go to a cookout but don't invite me to a picnic because I know what they meant when they were started. That same hate still exists, we remember Emmett Till. It's the same hate that still exists in our society today. You turn the news on, you might hear stuff from some people who are elected in office, the spirit of the exact same hate that that young man had in his heart when he rode into Buffalo intending to kill Black people. So I thank those of us who understand that that hate has proliferated itself in our society for far too long, and I will tell you that the people who have the best opportunity to stop it don't look like me. And I would ask you if you really are sincere about your thoughts and prayers about the people who lost their lives, then you will begin working with us to stop hate, and it's real simple, treat people like you want to be treated. We saw hate in this Chamber today, Mr. Speaker. You very admirably introduced a colleague from Tennessee who stood up not for himself but for children who had been killed with an assault weapon in his role as a state legislator. They removed him from his job. There were people in this Chambers today that disrespected that and wouldn't even stand. Yet every time we introduce people in this

Chamber we all stand, but some people showed their hate today. So it's not like it's gone. So I won't need your thoughts and prayers if you're not going to be willing to help me deal with eradicating this hate. And so I thank you for the opportunity to put this resolution forward. I want to thank the Speaker and his staff for allowing our halls in the concourse last week to be the pictures of these victims to be shared. And I thank all the support that I have always received from this honorable Body whether you hate me or not in my quest to work in the interest of my people. Thank you, Mr. Speaker.

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

(Applause)

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

Thank you, Mrs. Peoples-Stokes.

Assembly Resolution No. 496, the Clerk will read.

THE CLERK: Legislative Resolution mourning the death of Caroline Joyce Whitby, distinguished citizen and devoted member of her community.

ACTING SPEAKER AUBRY: Ms. Seawright on the resolution.

MS. SEAWRIGHT: Thank you, Mr. Speaker. On behalf of Assemblyman Fred Thiele, Assemblywoman Deborah Glick and myself, today we honor and memorialize Joyce Whitby who died on April 22nd at age 88 years old. She was a founding member of

EEGO, East End Gay Organization, a former member of the Board of Directors of SAGE, the Feminist Press at CUNY. She was the Editor of Sarah Weddington's book *A Question of Choice* on Roe vs. Wade and was an avid activist and leader of numerous organizations and boards. Her commitment to excellence and her spirit of humanity carried over into all fields of enterprise including all of her charitable and civic endeavors. She leaves behind a legacy which will long endure the passage of time and remain as a comforting memory to all who were privileged to have known her. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, Ms. Seawright.

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

We have numerous other resolutions we will take 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. 493-498 were unanimously approved.)

Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: Yes. We -- we still have resolutions on page 3 of the main Calendar. We will go to them, Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir.

ACTING SPEAKER AUBRY: Assembly No. 483, the Clerk will read.

THE CLERK: Assembly No. 483, Mrs. Clark.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 12, 2023, as Provider Appreciation Day in the State of New York.

ACTING SPEAKER AUBRY: Mrs. Clark on the resolution.

MRS. CLARK: Thank you, Mr. Speaker. I rise today. It is only fitting that we honor our child care providers always on the Friday before Mother's Day because I can't think of a single working mother who doesn't rely on a child care provider. They are one of the most integral pieces of our lives as we try to make everything work and make all the plates balance and I just find it my privilege to get to be in a Body that cares a lot about child care, that talks a lot about child care and is doing what we can to make sure our providers have what they need to support our families. There's a lot more work we need to. We've done a lot this year to ensure that our staff and child care workers and providers are getting more resources and more dollars, but it's more of a temporary solution, not a permanent one. So I just want to let them know how much we really recognize the work they do everyday. Those who showed up during the pandemic to support families, our frontline workers who had to go to work and our providers who went and bent over backwards to make sure that they were there for the families even during a pandemic. So

we will keep our work going here. We will make child care work for everybody. We will make sure our providers, our workforce are paid what they deserve. We'll make sure all families can afford it and child care will one day be truly universal in the State of New York. So thank you so much for this resolution and excited to honor them today. Thank you.

ACTING SPEAKER AUBRY: Thank you.

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

THE CLERK: Assembly No. 484, Ms. Simon.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 17, 2023, as Dyslexia Awareness Day in the State of New York.

ACTING SPEAKER AUBRY: Ms. Simon on the resolution.

MS. SIMON: Thank you, Mr. Speaker. Today we had family and friends and teachers and legislators all gathered today for Dyslexia Awareness Day. And this is so critically important because our young people and our adults with dyslexia have difficulty processing those words, but the reality is part of the reason that so many people have difficulty reading and right now we are educating on grade level about 35 percent of our fourth graders are reading proficiently, which means we are leaving behind over 60 percent of our young people and they are not all dyslexic. So the answer is that we know how to teach reading in a way that conforms to the brain

science but it is even more critically important for those individuals with dyslexia. I want to thank all of the members who came today to Dyslexia Awareness Day. The number of members and senators who participated and co-hosted today's events and to say that one of the things that I hope that this Legislature will continue to focus on is to improve the teaching of reading. We need to do professional development, we need to change what we're doing in our schools and we also need to change what we're doing in Higher Education in our schools of education so that the teachers that we train for the future are in fact know how to teach reading in our classrooms and right now that is not happening because we're using methods of teaching reading that simply don't work. So I want to again thank you for your support of Dyslexia Awareness Day today and I look forward to your continued support for Dyslexia Awareness Day next year. Thank you very much.

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

THE CLERK: Assembly No. 485, Mr. Lemondes.
Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 19, 2023, as Armenian Heritage Day in the State of New York.

ACTING SPEAKER AUBRY: Mr. Lemondes on the resolution.

MR. LEMONDES: Thank you, Mr. Speaker. I rise

with the utmost respect and humility to honor this day on behalf of all of those killed and displaced by the Greek Pontian genocide commonly and historically referred to as the Armenian genocide in recognition of their fate which ensnared so many, two of whom were my grandparents. Ironically, this is the second time anyone in my family has spoken publicly of this since our arrival here in the 1920s. And I do so not to seek pity but simply your acknowledgement that it occurred. For the benefit of those who may not know, this genocide was the first State-sponsored mass genocide of modern civilization and served as the blueprint from which the Germans refined the concept to use against the Jews 20 years later. Their participation was as a result of the Ottoman German wartime alliance. Many German officials witnessed firsthand the atrocities committed against these ethnic Christian minorities. Taking place from 1914 to 1922, it was a systematic extermination of an entire population where Ottoman Turks directed the killing of over 353,000 Anatolian Asia Minor Greeks and another million Armenians and Assyrians. An equal number were forced to flee their homeland in one of the most condemnable atrocities in the history of the world. These refugees were largely considered stateless and were resettled worldwide, and depending on the source consulted, these numbers of those killed and resettled are considered conservative. The Ottoman regime sought to consolidate its wartime position and to finance the turkification of Anatolia by confiscating the assets of murdered or deported Armenians, Greeks and Assyrians. This illegal redistribution of

property also provided incentive for large numbers of ordinary people to join in the assault on their neighbors.

Last, crimes against humanity must always be condemned because studies by genocide scholars demonstrate the single best predictor of future genocide is denial of past genocide coupled with impunity for its perpetrators. Genocide deniers are three times more likely to commit genocide again than other governments. Let us be forever vigilant and thank you for listening. 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 No. 486, Ms. Rosenthal.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2023, as Be Kind to Animals Month in the State of New York.

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

THE CLERK: Assembly No. 487, Mr. Zebrowski.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2023, as Hepatitis C Awareness Month in the State of New York.

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

adopted.

THE CLERK: Assembly No. 488, Mr. Durso.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2023, as Amyotrophic Lateral Sclerosis Awareness Month in the State of New York.

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

THE CLERK: Assembly No. 489, Ms. Buttenschon.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim July 2023, as Ice Cream Month in the State of New York.

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

THE CLERK: Assembly No. 490, Mr. DeStefano.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim August 2023, as Children's Eye Health and Safety Awareness Month in the State of New York.

ACTING SPEAKER AUBRY: Mr. DeStefano on the resolution.

MR. DESTEFANO: Thank you, Mr. Speaker. I know a lot of people are very disappointed that I didn't get to speak on the resolution yesterday so I wanted to make up for it today and speak on this one. The purpose of this resolution is to bring awareness to

children's eye and health safety. In the United States one out of every 20 children between the ages of three and five have a serious eye condition and left untreated this ailment can cause profound negative long-term implications for our younger citizens. It's important to have our children get regular eye exams to ensure that if they suffer from nearsightedness, farsightedness, astigmatism, lazy eye, crossed eyes, drooping of the eyelid and color deficiency of color blindness.

On November 19, 2018 Caitlyn Michiels, a constituent of mine from Long Island, was diagnosed with Bilateral Anterior Uveitis, A rare eye disease which is the third leading cause of blindness in children. Unfortunately she had a difficult time finding doctors to treat her many of whom saying they could not perform treatments on children. And through this young girl's tireless efforts, Children's Eye Health and Safety Awareness Month, Caitlyn's Law, was passed by the Suffolk County Legislature in April of 2019. The new law directs the Suffolk County Health Department to implement updated information about eye health and urges families through various programs to get regular checkups and Bilateral Anterior Uveitis is an inflammation of the middle layer of the eye. This layer includes the iris and the adjacent tissue known as the ciliary body. If untreated, it can cause permanent damage and loss of vision from the development of glaucoma, cataract, retinol edema. And uveitis can be blurred vision, sensitivity to light and irregular shaped pupil, red, sore and inflamed eye. And since the symptoms of Bilateral Uveitis are similar to those of other eye conditions, an optometrist will carefully

examine the front of the inside of the eye under a microscope using high magnification to determine if an individual has this -- this disease. The doctor may also perform and arrange for other diagnosis tests. Treatment of this rare eye disease usually includes prescription eye drops which dilate the pupils in combination with anti-inflammatory drug treatment, usually takes several days and in some cases several weeks. Even though it usually responds well to treatment, the condition intends to occur. Bilateral Anterior Uveitis can also result from a trauma to the eye and can be associated with general health problems such as rheumatoid arthritis, syphilis, tuberculosis among other diseases. Through public awareness, we should seek to minimize the devastating effects of this disease among all the citizens of the State of New York. After fighting her fight, she started a nonprofit named Caitlyn's Vision. This organization advocates for children eye care, provides educational material to families, awards scholarships for students entering optometry, helps families pay for medical bills and donates frames from recycled glasses to help the poor citizens who cannot afford these new frames. Thank you, Mr. Speaker. I urge all my colleagues and Governor Hochul in supporting this worthy resolution.

ACTING SPEAKER AUBRY: Mr. Pirozzolo on the resolution.

MR. PIROZZOLO: Thank you, Mr. Speaker. I would like to thank the sponsor for this resolution. As an eye care provider and eyewear provider myself, I especially work with children

and I am very happy to see that this resolution is being taken up by the Governor. And I would also like to say there's probably plenty of room for future legislation on the subjects in the future and I'd like to look forward to working with my colleagues to do that. But thank you to the sponsor for bringing this to our attention.

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 No. 491, Mr. Sayegh.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim August 24, 2023, as Ukrainian American Heritage Day in the State of New York.

ACTING SPEAKER AUBRY: Mr. Sayegh on the resolution.

MR. SAYEGH: Thank you very much, Mr. Speaker. I rise today to present this resolution declaring August 24th this year as Ukrainian American Heritage Day in the State of New York. And this will also be in conjunction with the observance of Ukrainian Independence. I think all of us recognize in today's time with the war in the Ukraine what the Ukrainian community is going through throughout our State and our nation and of course in the Ukraine. Although we hear tragedies, the impact is tremendous on the people of the Ukraine that have suffered as a result of this lengthy war that has taken a tremendous cost of lives. Ukrainian Americans for me are a community that are extremely active in my City of Yonkers and in our

State there's nearly 140,000 Ukrainian Americans and over a million Ukrainian Americans in the USA. And I can tell you their activity, their hard work, their commitment in the legal and the health field and the business field is tremendous. So I'd like to make this resolution and will be presenting it to various established Ukrainian organizations in my city, St. Michael's Church, The Ukrainian Youth Center and the SUMA Federal Credit Union. And I'd like to congratulate the Kazickas (phonetic) that has led the efforts of the Ukrainian American community in Yonkers, Westchester County and the State. Thank you very much.

ACTING SPEAKER AUBRY: Mr. Brook-Krasny on the resolution.

MR. BROOK-KRASNY: Mr. Speaker, I will be very, very short and concise. Glory to Ukraine, glory to the heros. This the worst that as we speak now young Ukrainians is fighting the country that where I was born and it's very unfortunate. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

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

THE CLERK: Assembly No. 492, Ms. Lunsford.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim November 8, 2023 as STEAM Day in the State of New York.

ACTING SPEAKER AUBRY: Ms. Lunsford on the

resolution.

MS. LUNSFORD: Thank you, Mr. Speaker, for giving me an opportunity to celebrate STEAM Day here in New York. STEAM stands for Science, Technology, Engineering, Arts and Math and despite what my engineering husband says, arts does belong there because art helps unlock the creativity that is essential to the innovation that we see in STEAM education. If you had an opportunity to visit with some of the robotics teams that we're here today, you got to see that many of the STEAM educators in our community are children themselves. They're captains of the STEAM teams, they are robotics kids, they are camp counselors, they run Lego clubs at our local libraries. We need to start now building the workforce of the future. Right now about seven percent of our nation's jobs are in the STEAM field and that's only going to grow. STEAM education isn't just for work, though. It's to help everyone understand the way our technology and our society works. More and more we are basing our lives on technology. And it's important that we understand coding as much as we understand photosynthesis because it is the building blocks of our society. I'm proud to support this resolution. Thank you for giving me an opportunity. And if you haven't had the opportunity to see the robotics kids in action we'll have them back again next year. Thank you so much.

ACTING SPEAKER AUBRY: Thank you.

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

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. Do you have any further housekeeping or resolutions?

ACTING SPEAKER AUBRY: We have exhausted all the work we can.

MRS. PEOPLES-STOKES: Good job, Mr. Speaker, good job. I now move that the Assembly stand adjourned and that we reconvene at 10 a.m., May the 18th, tomorrow being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned until 10 a.m. tomorrow the 18th.

(Whereupon, at 5:05 p.m., the Assembly Stood adjourned until Thursday, May 18th, at 10:00 a.m., Thursday being a Session day.)