

TUESDAY, MAY 28, 2024

12:43 P.M.

ACTING SPEAKER AUBRY: The House will come to order.

Rabbi Taub will offer a prayer.

RABBI TAUB: Almighty God, let us first marvel at our good fortune to have been born or having adopted as our home the United States of America, the greatest country ever conceived by man in the history of the civilized world and more so how grateful that we live in the Eden of this free country, the great State of New York where our war of revolution took center stage.

Very briefly, 200 years ago Giovanni da Verrazzano described our State as a vast coastline with a deep delta in which every kind of ship could pass and every ship has passed. Whether through Ellis Island, Castle Garden, vessels of precious cargo, not of

food, not of barter, but rather immigrants of families, of souls escaping famine, fear and poverty and (inaudible). All seeking shelter in what my ancestors would call in Yiddish, America the Goldene Medina, the golden country. Almighty God, we ask for strength to speak for those whose voices are loud and clear, and to provide a voice for those who can't speak for themselves or fear of doing so.

My children, if you'll humor me, were born in Upstate in Buffalo and now are being raised Downstate in New York. We have traversed New York's valleys and mountains from the southern corner of Richmond County to the northern tip of Clinton County. Two months ago I dropped off one of these daughters at her friend. *No daddy, please don't drop me off at the corner, go around and take me to her door. Why, I asked, what changed?* Maybe it was her age, anxiety. *No daddy, I think someone saw your yamaka, I'm scared to walk alone.* I can testify uniquely to the newness, the freshness of such a fear. We all must vow that this must end today as Jews but no matter what faith or creed; Jew, Muslim, Christian, Black, White, Hispanic, all points in between, we are Americans and we are New Yorkers. Let us find unity where there is unholy divide. Let us discover our commonality from within our differences. Let us embrace the shared humanity that hides in our various and beautiful neglected backgrounds, we are the mosaic of New York State. We beseech you God to bless our leaders here today. May He provide vision for our Speaker Carl Heastie, Majority Leader Crystal Peoples-Stokes, Minority Leader William Barclay and my own

representative Assemblyman David Weprin. For our esteemed Governor, Governor Hochul, we pray for God's grace to continue to shine through her. May our Governor and all of you and all of us continue to use our gifts for the benefit of the citizens of the State. May God bestow upon us good health, strength of spirit, and the continued ability to be guided by His light may these hallowed halls. And all of its duly-elected members be protected, protected always and continue to be a lighthouse to all citizens of the State and the world at-large. And we say amen.

MEMBERS: Amen.

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

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

A quorum being present, the Clerk will read the Journal of Monday May 27th.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move to dispense with the further reading of the Journal of Monday, May the 27th and ask that the same stands approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir. First, I

want to really be thankful and grateful for the reverend's words with us this afternoon, but I'd like to share this quote from former President Harry Truman. It says that "America was built on courage, on imagination and an unbeatable determination to do the job at hand." Again, these words are from our 33rd President, Harry S. Truman.

Mr. Speaker, the members have on their desks a main Calendar and a debate list. We will be calling for the following committees off the floor today: Ways and Means, Codes and Rules. These committees are going to produce an A-Calendar. After housekeeping and introductions we will take up the following bills on consent: Calendar No. 102 by Ms. Jackson; Calendar No. 177 by Ms. Barrett; Calendar No. 186 by Ms. Tapia; Calendar No. 322 by Mr. Lavine and Calendar No. 364 by Mr. Vanel. We are then going to continue consent off the main Calendar beginning with Rules Report No. 125, which starts on page 9. Also we'll be working from our debate list: Calendar No. 472 by Mr. Dilan; Calendar No. 135 by Mr. Rivera and Calendar No. 23 by Ms. Hunter. Rules Report No. 44 by Ms. Rosenthal and Rules Report No. 66 by Mr. Dinowitz. There may be a need for additional floor activity as we proceed. Should that be the case, I will make mention of that at the time. So that's a general outline, Mr. Speaker, of where we're going today. Let us begin with housekeeping. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you. We do have a bit of housekeeping.

On a motion by Mr. Hevesi, page 18, Calendar No.

72, Bill No. A02479, the amendments are received and adopted.

For the purposes of a -- I'm sorry.

Mrs. Peoples-Stokes for a committee.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. If you would please call the Ways and Means Committee to the Speaker's Conference Room.

ACTING SPEAKER AUBRY: Certainly. Ways and Means, Speaker's Conference Room immediately, please.

For the purposes of an introduction, Mr. Weprin.

MR. WEPRIN: Thank you, Mr. Speaker. It's a great pleasure for me to welcome my dear friend and rabbi, Rabbi Moshe Taub, the Rabbi of the Young Israel of Holliswood. After studying in premiere yeshivas in three different countries, Rabbi Taub was appointed Rabbi of the Orthodox community in Buffalo, New York at the age of 24. He also ran the Buffalo Vaad HaKashrus building it up to an international kosher council and certifying products in five continents. After 12 years of service in Buffalo, New York, he moved downstate to my district in Holliswood where I live and became the Rabbi of the Young Israel of Holliswood. Rabbi Taub also serves as a weekly columnist and the chief rabbinic editor at *Ami Magazine*, a New York-based international weekly with the readership of over a quarter-million worldwide. Rabbi Taub has served as the Executive of the Rabbinical Council of America and many other organizations. Among his many duties outside of his synagogue, Rabbi Taub is a talmudic law instructor at both Yeshiva University High School for

Girls in my district and at Shevach High School for Girls. He has lectured at various places including Harvard Law School. He will be publishing a book on July 4th of this year entitled the *Early History of the Jews in America*. He is the father of five children; four girls and his youngest a boy. His wife Nechama works in the nursing home industry.

Mr. Speaker, please extend your usual warm welcome and privileges to Rabbi Taub.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Weprin, the Speaker and all the members, Rabbi Taub, we welcome you back to the New York State Assembly, extend the privileges of the floor and our thanks for you coming this long way to open us up with a prayer. Thank you and congratulations.

(Applause)

Ms. Barrett for the purposes of a introduction.

MS. BARRETT: Thank you, Mr. Speaker. It is my great privilege and honor to introduce the Davidson family who are here and maybe you would rise as I introduce you. Thank you. The Davidson family has joined us today for a privileged resolution which we will be passing at the end of Session today celebrating the life of my very dear and special friend and mentor Joan Kaplan Davidson and the matriarch of this really wonderful family. Here in attendance are Joan's son Matt Davidson, Joan's granddaughter Phoebe Pickering and her daughter Julia Joan, and Teddy Davidson, Joan's grandson, Lucy Davidson, Joan's granddaughter and Emma Davidson Tribbs,

Joan's granddaughter as well.

So let me tell you a little bit about my friend Joan because she is a model New Yorker and an extraordinary citizen and accomplished an amazing amount in her 90+ years. She was born in -- just had a birthday, May 26th, 1927 and in 1975 became chair of the New York State Council of the Arts. She was passionate about the Arts, about our built and natural resources in New York State and celebrating and making sure that -- that they were protected and they were constantly advocated for. So to that end she became Parks Commissioner in New York State in 1993 and then succeeded her father as President of the J.M. Kaplan Fund where she really focused a lot more on philanthropy and helping the organizations that were doing this work, even while doing it herself. In 1993, she founded *Furthermore*, a publishing company to allow for all of these incredible assets in New York; the Arts, the buildings, the historical and cultural history to be permanently printed and in book form and really started a wonderful selection of great books that are published here and, you know, continue to be done today even with *Furthermore*, I understand. She was a founding member of Historic Hudson. She was the Chair of the Hudson-Fulton-Champlain Quadricentennial in 2009 and her work and her amazing passion for New York is really kind of characterized in her greeting or, I guess, I would say her -- what she would say at the end of every letter or every note or every e-mail she would send which was Excelsior. So I want you to please welcome my dear friends who are here today and to help us celebrate

her -- Joan's legacy with welcoming and offering the privileges of the floor to her family, Mr. Speaker. Thank you.

ACTING SPEAKER EACHUS: Certainly. On behalf of Ms. Barrett, the Speaker and all the members of the Assembly, we welcome the Davidson family here to the floor of the People's House. I couldn't have said it better than Ms. Barrett did and of course we heard Julia Joan put her two cents in which is wonderful and always lovely to hear. So but, thank you very much for everything that you've done. Thank you for being here today and I hope you enjoy the proceedings.

(Applause)

Mr. Giglio for an introduction.

MR. GIGLIO: Thank you, Mr. Speaker, for allowing me to interrupt the proceedings for an introduction. Today I have a special introduction. I have my family with me and I'd like to introduce them. The first one is Ann my wife, Thomas our son, Jennifer, the two little ones are Ava Marie and Mia Ann. I would like to say that this year is -- Ava's birthday is in June, she's 9 going on 19. Mia's birthday is in December, she's 7 going on God only knows. Anyway, the most important thing is I wanted to introduce them because they didn't know where grandpa went everyday. Now that they've taken the ride they don't know why I ever did it. But besides that, I just wanted to tell the world those two young ladies own this old man's heart. And one of the reasons I'm going home is so I can spend more time with them. So I would just thank you very much for

offering us the cordialities of the House and your well wishes. Thank you, sir.

ACTING SPEAKER EACHUS: On behalf of Mr. Giglio, the Speaker and the members of this House, we welcome the Giglio family here to the floor. You have to be very proud of grandpa, he's an amazing man and has done an amazing job, and I thank you for coming. I'm sure you're going to have a joyful rest of the day and don't forget to take grandpa home at the end of the week anyway at least, okay? But thank you very much.

(Applause)

Mr. Raga for the purposes of an introduction.

MR. RAGA: Thank you, Mr. Speaker. On behalf of myself, Assemblymember Sarahana Shrestha and Jenifer Rajkumar, I'd love to help welcome just some here on the floor and on the balcony some of the over 200 Nepali community leaders, not just from my district or New York City, but across the State who are coming here to help celebrate the first-ever Nepali Community Day here at the Capitol. It's a community that I've gotten to know to be so vibrant, energetic and kind. Reflective of the diversity of my district in Woodside, Jackson Heights on Maspeth and Elmhurst, but also reflective of New York City and the great State of New York.

So, Mr. Speaker, can you please provide them with all the cordialities of the floor.

ACTING SPEAKER EACHUS: Certainly. On behalf of Mr. Raga and Ms. Rajkumar, welcome to the House and the

Speaker and all of the members are glad to see you. Congratulations, the first Nepali Day here in the Assembly. Hopefully having many, many more. Thank you for attending and thank you for what you do for your community at home. Thank you very much.

(Applause)

Mr. Maher for the purposes of an introduction.

MR. MAHER: Thank you, Mr. Speaker. I rise today to introduce to all of you Nicholas Zica and his father Dan Zica. Nicholas is an Eagle Scout and he is an individual that is part of Troop 33 of Walden, which is in my district. He is the 90th Eagle Scout for the scout troop that has been in existence for 100 years. He is somebody who worked on a special project that helped receive more adoptions for animals. It's the Hudson Valley SPHA [sic]. He created a place for folks to come to make sure they can adopt animals, where there were benches and different activities and really has increased the overall awareness of the facility to lead to more adoptions. He is also a student at Siena College where he has a major in computer science and has an interest in getting into cybersecurity. Please allow our Eagle Scout, Nicholas and his father Dan all of the cordialities of the floor. Thank you.

ACTING SPEAKER EACHUS: Certainly. On behalf of Mr. Maher, the Speaker and all the members, welcome to the Assembly floor, the People's House. He picked the right speaker for this because I also am an Eagle Scout and just a few years ago I was your district chair. So welcome. I hope you enjoy it here and you

enjoy the proceedings that go on and congratulations for achieving the rank that only three percent of the scouts actually achieve. Thank you.

(Applause)

Mr. McDonald for the purposes of an introduction.

(Pause)

Mr. McDonald.

MR. MCDONALD: Thank you, Mr. Speaker. Today we welcome the family of Casey Frankoski, a hero who died serving her country on March 8, 2024 of which this Body in unanimous support passed a resolution in her memory on May 16th. We are joined together by her mother Jill, her father Jim, her brother Jesse, her grandfather Ray, her boyfriend Anthony, her sister-in-law Reigan and families and friends. Casey served her country with honor and distinction as a member of the US Army National Guard. Her dedication and bravery as a Chief Warrant Officer and Black Hawk helicopter pilot exemplified her commitment to protecting and serving others. Beyond her military service, Casey was actively involved in her community from volunteering as a firefighter to participating in environmental conservation efforts. She demonstrated a deep sense of civic duty and responsibility. Casey's love for the outdoors coupled with her passion for travel to find her adventurous spirit whether she was fishing with her boyfriend, exploring the wilderness at camp or attending international events like World Youth Day, Casey embraced life's adventures. Casey's parents Jim and Jill provided her with unwavering support, guidance and encouragement. They were not

just her parents, they were her pillars of strength and her role models instilling in her the values of integrity, compassion and resilience. Jim and Jill's love will continue to be a guiding light for Casey's family and friends as they honor her memory and carry forward her legacy. As we all know yesterday we commemorated the Memorial Day holiday. A time to honor and mourn the US military personnel who died while serving and protecting our country. Casey was among those who we memory [sic]. And her memory we will honor. We extend our condolences and support to the family, their friends and loved ones, and Mr. Speaker, if you could please extend the cordialities of the House and the support of the Assembly, it would be appreciated.

ACTING SPEAKER EACHUS: Absolutely. On behalf of Mr. McDonald, the Speaker and all the members of the House, we welcome Casey's family here to the Chamber and extend the privileges of the floor and hope that you enjoy the proceedings that will occur. On all of our behalf, we're sorry for your loss, but we want to thank you for sharing her with us very much. Thank you.

(Applause)

Page 21, Calendar No. 102, the Clerk will read.

THE CLERK: Assembly No. A03866-B, Calendar No. 102, Jackson, Lee, Simon. 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 EACHUS: Read the last section.

THE CLERK: This act shall take effect on the 180th day.

ACTING SPEAKER EACHUS: 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 26, Calendar No. 177, the Clerk will read.

THE CLERK: Assembly No. A06253-A, Calendar No. 177, Barrett, Seawright, Conrad, McDonald, Stern, Magnarelli, Zebrowski, Smullen, Santabarbara, Cunningham, Shimsky. An act in relation to establishing the New York State Grid Modernization Commission.

ACTING SPEAKER EACHUS: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EACHUS: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Goodell to explain your vote.

MR. GOODELL: Thank you, sir. Two comments. First, I think this bill is very important to ensure grid reliability and I

appreciate the efforts of the sponsor. I also want to note that the sponsor did include on the commission members from the Minority, which I think is also important and I appreciate that gesture on behalf of the sponsor. Thank you, sir.

ACTING SPEAKER EACHUS: Ms. Barrett to explain your vote.

MS. BARRETT: Thank you, Mr. Speaker. I rise to very proudly support this legislation which will really give us the tools and help us address the challenges ahead. Reliability is so important as we're facing the challenges of meeting our CLCPA goals and being able to really engage in all aspects and bring everybody together is my goal to have us all as a State rowing in the same direction and ensure that we have the data to do that. So I proudly vote in the affirmative. Thank you, Mr. Speaker.

ACTING SPEAKER EACHUS: Thank you.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 28, Calendar No. 186, the Clerk will read.

THE CLERK: Assembly No. A06506-B, Calendar No. 186, Tapia, Zaccaro, Alvarez, Lavine, Rajkumar, De Los Santos, Simone, Reyes, Solages, Dickens, Rivera, Ramos, Ardila, Buttenschon, Forrest, Shimsky, Lucas, Cunningham, Cruz, Simon, Sayegh, Epstein, Bichotte Hermelyn, Bores, Tannousis, Reilly, K. Brown, Blumencranz, Chang, J.A. Giglio, Pirozzolo, DeStefano. An

act to amend the General Business Law, in relation to prohibiting the sale of xylazine.

ACTING SPEAKER EACHUS: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EACHUS: 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.

Page 30, Calendar No. 322, the Clerk will read.

THE CLERK: Assembly No. A09166-A, Calendar No. 322, Lavine. An act to amend Chapter 455 of the Laws of 1997, amending the New York City Civil Court Act and the Civil Practice Law and Rules relating to authorizing New York City marshals to exercise the same functions, powers and duties as sheriffs with respect to the execution of money judgments of the supreme and family courts of the City of New York and defining the term "the sheriff" as used therein, in relation to the effectiveness thereof; and to amend the Real Property Actions and Proceedings Law, in relation to notice of eviction by New York City marshals and electronic filing.

ACTING SPEAKER EACHUS: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EACHUS: 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 33, Calendar No. 364, the Clerk will read.

THE CLERK: Assembly No. A00938-A, Calendar No. 364, Vanel, Otis, Blumencranz. An act to amend the Financial Services Law, in relation to requiring certain disclosures in advertisements involving virtual tokens.

ACTING SPEAKER EACHUS: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EACHUS: 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.

On consent page 9, Rules Report No. 125, the Clerk will read.

THE CLERK: Assembly No. A10212-A, Rules Report No. 125, Committee on Rules, Davila. An act to amend Chapter 375 of the Laws of 1999, amending the Real Property Actions

and Proceedings Law relating to new owners of buildings for which administrators have been appointed pursuant to Article 7-A of such law, in relation to the effectiveness thereof.

ACTING SPEAKER EACHUS: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EACHUS: 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 for an introduction.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker, for allowing me to interrupt our proceedings for the purpose of an introduction. On behalf of our colleague Mr. Kim, would you please welcome Mr. Peter Tu and the Flushing Chinese Business Association.

ACTING SPEAKER EACHUS: Certainly. On behalf of Mr. Kim, Mrs. Peoples-Stokes, the Speaker and all the members of this House, welcome. Thank you for coming. I hope that it's an enjoyable experience and a learning experience for you. I'm sure Mr. Kim is very proud of you as his constituents. Thank you again for coming and thank you for the work that you do for your community and ours.

(Applause)

The Clerk will read.

THE CLERK: Assembly No. A10213, Rules Report No. 126, Committee on Rules, Davila. An act to amend Chapter 84 of the Laws of 1993, amending the Private Housing Finance Law relating to establishment of initial rents in housing accommodations rehabilitated with loans to housing development companies, in relation to extending the effectiveness thereof.

ACTING SPEAKER EACHUS: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EACHUS: 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. 10214-A, Rules Report No. 127, Committee on Rules, Jackson. An act to amend Chapter 613 of the Laws of 1996, amending the General Municipal Law relating to buildings that are part of urban development action area projects and are rehabilitated with municipal loans, in relation to extending the effectiveness thereof.

ACTING SPEAKER EACHUS: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EACHUS: 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.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, thank you for allowing me to interrupt our proceedings for the purpose of an introduction. On behalf of our colleague Mr. Meeks, I am honored to introduce the acclaimed author and sociologist, Professor Dorothy Roberts. Professor Roberts is an author of *Torn Apart* and *Shattered Bonds*, among many other important works. She's a professor of Civil Rights at the University of Pennsylvania. She also serves on the Board of Directors of the National Coalition for Child Protection Reform and on the Advisory Board of the Family Defense Center. She has also served on a national panel of experts overseeing foster care reform in the State of Washington.

Mr. Speaker, would you please welcome this esteemed professor to our Chambers and offer her the cordialities of our House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mrs. Peoples-Stokes, Mr. Meeks the Speaker and all the members,

Professor, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Thank you for joining us. Congratulations on a great career. We look forward to more from you in the future. Thank you so very much for being here.

(Applause)

The Clerk will read.

THE CLERK: Assembly No. A10218, Rules Report No. 128, Committee on Rules, Zaccaro. An act to amend Chapter 777 of the Laws of 1986, amending the Private Housing Finance Law relating to small loans to owners of multiple dwellings to remove substandard or insanitary conditions, in relation to extending the effectiveness thereof.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10219, Rules Report 129, Committee on Rules, McDonald; Weinstein, O'Donnell, Burdick, Shimsky, Dickens, Gunther, Hevesi, Reyes. An act to amend the Abandoned Property Law, in relation to expedited payments of abandoned property under a certain monetary threshold.

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. A10223-A, Rules Report No. 130, Committee on Rules, Zinerman. An act to amend Chapter 253 of the Laws of 2004 amending the Private Housing Finance Law relating to rehabilitated multiple dwellings acquired and reconveyed by the Federal Government, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect June 30th, 2024.

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. A10269, Rules Report No. 131, Committee on Rules, Burke. An act to amend Chapter 429

of the Laws of 2021 amending the General Business Law relating to the applicability of the security guard act of nineteen hundred ninety-two to facilities owned by a public sports venue, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect September 20th, 2024.

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. A10272, Rules Report No. 132, Committee on Rules, Jones. An act to amend the Environmental Conservation Law, in relation to extending the authority of the Department of Environmental Conservation to adopt regulations for hunting in the northern zone.

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 you would please call the Codes Committee to the Speaker's Conference Room immediately.

ACTING SPEAKER AUBRY: Codes Committee, Speaker's Conference Room immediately, please. Mr. Dinowitz awaits you.

The Clerk will read.

THE CLERK: Assembly No. A10277, Rules Report No. 133, Committees on Rules, Burke. An act to amend Chapter 274 of the Laws of 2010 amending the Environmental Conservation Law relating to repair of damaged pesticide containers, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10278, Rules Report 134, Committee on Rules, Lucas. An act to amend the Environmental Conservation Law, in relation to extending provisions related to the

regulation of the amount of Jonah crabs that may be taken.

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. A10333, Rules Report No. 135, Committee on Rules, Jones. An act to amend Chapter 138 of the Laws of 1998, amending the Navigation Law and the State Finance Law relating to the operation of personal watercraft and speciality prop-craft, in relation to the effectiveness thereof.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10336, Rules Report No. 136, Committee on Rules, Jean-Pierre. An act to amend the Transportation Law, in relation to the membership of the Republic airport commission.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A10347, Rules Report No. 137, Committee on Rules, Glick. An act to amend the Environmental Conservation Law, in relation to extending the authority of the Department of Environmental Conservation to manage American lobster; and to amend Chapter 305 of the Laws of 2013 amending the Environmental Conservation Law, relating to the management of American lobster, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10348, Rules Report No. 138, Committee on Rules, Thiele. An act to amend the Environmental Conservation Law, in relation to extending the authority of the Department of Environmental Conservation to

manage striped bass.

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. A10349, Rules Report No. 139, Committee on Rules, Berger. An act to amend the Environmental Conservation Law, in relation to extending the authority of the Department of Environmental Conservation to manage monkfish.

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. A10352, Rules Report No. 140, Committee on Rules, Simone. An act to amend Part PP of Chapter 58 of the Laws of 2020 amending the Environmental

Conservation Law relating to expanded polystyrene foam container and polystyrene loose fill packaging ban, and amending the State Finance Law relating to moneys collected for violations of the expanded polystyrene foam container and polystyrene loose fill packaging ban, in relation to extending the effectiveness thereof.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker. It's my pleasure and honor to introduce on behalf of our colleagues Assemblyman Keith Brown and Assemblyman Steve Stern, the Honorable Edmund T. [sic] Smyth, who is the Huntington Town Supervisor. He was elected in 2022 for a four-year term. Wouldn't that be sweet, a four-year term. He is here because he's recognized by the New York State Senate as part of their Veterans' Hall of Fame. He served six years in the United States Marine Corps Reserves and he rose to the rank of Staff Sergeant. Lifelong resident of Huntington, he resides with his wife of 30 years and their four kids that keep them young.

If you would please welcome on behalf of our Assemblymembers Keith Brown and Steve Stern, the Honorable Edmund T. [sic] Smyth. Thank you, sir.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Goodell, Mr. Brown, Mr. Stern, 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 your service both in the armed services as well as in your own county. Please continue that great work, know that you are always welcome here and a little bipartisan welcome, how about that. Thank you so very much.

(Applause)

Page 38, Calendar No. 472, the Clerk will read.

THE CLERK: Assembly No. A09171, Calendar No. 472, Dilan, Dickens, Taylor, Walker, Davila, Ardila, Hyndman, Lucas, Burdick, Reyes. An act to authorizing a study by the New York State Department of Corrections and Community Supervision to study the treatment of aging prison populations and make recommendations for ensuring humane treatment of such populations.

ACTING SPEAKER AUBRY: Mr. Dilan, a explanation has been requested, sir.

MR. DILAN: Thank you, Mr. Speaker. This bill authorizes the study by the Department of Corrections and Community Supervision pertaining to the treatment and study of aging in prison populations.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

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

MR. DILAN: Certainly, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Dilan yields, sir.

MR. GOODELL: Thank you, Mr. Dilan. What is meant by elderly inmate population?

MR. DILAN: Well, the purpose that -- or the goal we're trying to achieve is to get a handle on folks who are aging in prison. In 1992, less than 4 percent based on DOCCS' data were considered elderly. On DOCCS' monthly report, their report, not in the bill, uses the age of 50 and up. They issue this report on a monthly basis. In '92, they had the entire population above this age of 50 at 4 percent. Today it stands at over 21 percent.

MR. GOODELL: And now of that 4 percent, what was the total number, because obviously our prison population has dropped dramatically since then.

MR. DILAN: So the 4 percent, it would be a moving target because obviously 4 percent in '92, the overall number of incarcerated individuals is different than the overall number of incarcerated individuals today. I think by today's standard the 21 percent, we're looking at - if you use their own number - and I know you probably will ask this because it was asked in committee - that the bill, you know, gives DOCCS latitude on where the age threshold is

and that's intentional by me because I'm not an expert on long-term prisons. I believe DOCCS is. So we purposely gave them the flexibility on age. But if we use their age of 50, you're looking at roughly anywhere from say 6,500 to 7,500 incarcerated individuals.

MR. GOODELL: And that number 65- to 7,500 number of inmates over the age of 50, that number is less than the number that were in prison in that same category in 1992, wasn't it?

MR. DILAN: The total number would be less but the percentage would be significantly higher.

MR. GOODELL: Gotcha. So of course as you might suspect, our concept of elderly changes over time, right? When we were in high school, our teachers were elderly even though they may have been in their 20s.

MR. DILAN: It -- it certainly does. Mine says (inaudible) as well.

MR. GOODELL: And now when I look at the obituaries, I go *oh, my goodness. He was so young. He was only 68.* But you're leaving it up to DOCCS to decide whether it's age 50 and up or age say 65 and up.

MR. DILAN: Yeah, because I think if we put it in the bill, they may have the same thoughts that you have. So by leaving them the flexibility, they can use the criteria that they've used throughout the years to -- to -- to make these determinations.

MR. GOODELL: Now it's my understanding that we currently have about 33,000 inmates in New York State prison. It's

my understanding that we have about 1,250 that are over age 65, about 1,500 that are between 60 and 64. And another 2,080 over age 55. So we're talking about a relatively small number of people. What is the purpose of the study?

MR. DILAN: And also if you use 50 and over, it would be roughly that 65- to 7,500 number that I mentioned before. Your numbers I believe didn't touch --

MR. GOODELL: That's right. I only went down to --

(Inaudible/cross-talk)

MR. DILAN: -- fifty-five. But I guess the purpose of the study is to allow for DOCCS and the -- and the Legislature to -- to do -- in light of the increase by percentage, population over the age of -- over at what is called elderly based on DOCCS' monthly report, you would be able to gear programming as it states in the bill, as outlined in the bill, the types of things that we're looking for in the study whether it be medical services, mental health services, things that help with disabilities and the overall -- whether specialized housing or specialized programming and just unique needs and vulnerabilities for -- for people in general as they age to study that on a long-term basis for those who are in custody.

MR. GOODELL: Is it your position that DOCCS doesn't already address these issues internally?

MR. DILAN: I don't know how they do it internally. But we'd like them, and I think it'd be prudent in -- in -- in light of the

growing percentages, that they report to the Legislature what their long-term plan is. And I believe in the bill as you can see it, it asks them to study it on a five year, ten year, 20 year basis so that, you know, this Legislature and future legislatures would, you know, be able to make informed decisions.

MR. GOODELL: Well, if we consider everyone over the age of 50 to be elderly, does that mean we consider everyone under the age of 50 to be youthful?

MR. DILAN: Well, let's look again. It's the reason why --

MR. GOODELL: I do by the way.

MR. DILAN: Say that again?

MR. GOODELL: I do by the way.

MR. DILAN: Yes. And DOCCS may view it a different way. And they may not use their, you know, the criteria that they set out in their monthly reporting, but we intentionally give them the flexibility because, you know, certainly when I was in my 30s, I thought someone at 50 was elderly but I do not share that view today.

MR. GOODELL: I can relate. Now this calls for a study to see whether or not these individuals are provided with adequate or specialized housing.

MR. DILAN: Yes.

MR. GOODELL: Medical care, need for accessibility and a few other issues. Aren't those the same exact issues, though, that would normally apply to someone who's youthful?

I mean don't we want to make sure that those who are youthful in prison are provided with adequate housing, adequate medical care, adequate access?

MR. DILAN: Yeah, but they have different -- different needs. You know, accessibility you mentioned was, you know, as it states in the bill, more specifically wheelchair-accessibility and other accessibility needs that someone who is more elderly and more frail would need. And I -- I would note that the bill also does not obviously provide a limit on what the maximum age is. It leaves it open to -- to interpretation, so if someone is older, you know, DOCCS can I guess break down the needs based on, you know, their age range and, you know, so they can tell us how many people need disabled housing, they can tell us how many people, you know, need certain things that someone who is more youthful would not need.

MR. GOODELL: And vice versa, right?

MR. DILAN: And vice versa.

MR. GOODELL: Is it that accurate that the incarcerated individuals that are over age 60 or over age 65 are there because they've been sentenced to life in prison or for a very lengthy prison sentence?

MR. DILAN: I would say it's highly likely, right, it'd be highly likely for the majority of -- of folks who -- who become a certain age but it doesn't stop someone who is outside of custody from committing crimes later on in life, but I would say more than likely that would be what the numbers would show.

MR. GOODELL: Is this study a precursor for legislation for elder parole so that once you're over age 50, regardless of the nature of your crime, you'd be more likely to be eligible for parole?

MR. DILAN: No. So there's a separate piece of legislation on that, but this is solely to study, you know, how as a State and how DOCCS as an agency deals with the increasing percentage of people who are aging in prison and then tailoring their operations and -- and planning based on the needs of those individuals. And it even includes the -- the -- the -- the programs that DOCCS provide and includes any training that their -- their employees may need.

MR. GOODELL: I see. Have you discussed this legislation with DOCCS?

MR. DILAN: I have not.

MR. GOODELL: I see. And do you know whether or not DOCCS thinks they need to study this population or whether they're already providing adequate services?

MR. DILAN: I don't know the answer to that.

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

MR. DILAN: Thank you, Mr. Goodell.

MR. GOODELL: Sir, on the bill.

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

MR. GOODELL: The older I get the more I

appreciate studying the elderly. But notwithstanding that, I also have fairly good confidence that those who are running our prison systems are aware of the unique requirements of those who are over 50 or 60 or 65 as the case may be. I never would consider anyone 50 to 55 as being elderly or even under the age of 60 elderly. You can't even retire and collect Social Security until now it's closer to 65, and if you use 65 as your definition of elderly, you're only talking about 1,200 inmates. I don't think we need a statute directing DOCCS to pay attention to the 1,200 inmates that are over age 65. I think they're doing an adequate job and I haven't seen any data that indicates otherwise. For that reason while I appreciate the desire to look out for our elderly, I don't think this is a requirement that we need to address by statute. Thank you, 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, should certainly vote yes here on the floor of the Assembly. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. The Democratic Conference is going to be in favor of this piece of legislation; however, there may be a few that would desire to be an exception. They should feel free do so at their seats. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you, ma'am.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Dilan to explain his vote.

MR. DILAN: Thank you, Mr. Speaker. First, I want to start by just saying to -- to Mr. Goodell, I appreciate the debate and just say to you, and I know this may be premature but I may not get another chance to say that it's been a pleasure one serving with you, your credit to your conference, your credit to this House, and your credit to the State. And, you know, while we disagree a lot, I certainly will miss you.

But on the bill where we certainly disagree, I think the most important thing for us as legislators is to get the answers as to how DOCCS is handling situations like this, and while they may do it internally they certainly don't share it with -- with us. While they may make some things available on their website, I think it'll be this Legislature and future legislatures that will have to craft legislation dictating how DOCCS goes forward in the future. And from my time here just in 2014 when I started to today, that's changed drastically, and I haven't been here as long as some. So over the next 20 years, you know, certainly it's going to change a lot and I believe this study

will be helpful in that regard. Now if it turns out that DOCCS is doing everything that we asked them for in this bill, that certainly will be good to know as well, but right now, you know, we don't know that and that's the reason why I support the bill. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Dilan in the affirmative.

Mrs. Peoples-Stokes to explain her vote.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. I want to -- first of all, I certainly want to say ditto to my colleague's comments regarding the Minority Leader here and his tenure here has been stellar. But I also want to say on this bill, though, is that sometimes, particularly for elderly people, it's important that you understand what all the data is, what are the touchpoints. As we move particularly in our institutions towards telemedicine, I think it's critical that we understand how people are being treated. The object of being incarcerated is supposed to be humane, first of all, and I don't doubt that it is, but I would love to see the data on that, particularly for people who are up in age. And so I think it's a reasonable request and I applaud the sponsor for asking for it and I'm looking forward to voting in favor.

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

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Ms. Walsh for the purposes of a introduction.

MS. WALSH: Thank you very much, Mr. Speaker. I'm joined here today by the Mayor of the Village of Ballston Spa, Frank Rossi, Jr. Ballston Spa sits at the heart of my district and is also the home to my district office. Mayor Rossi was elected to office first in 2022 and works tirelessly to keep "A Village of Friends" a safe and desirable place to live, work and play. Mayor Rossi's community involvement expands beyond the traditional roles of his office as he regularly attends sporting events for the local school district, oftentimes even taking a trip to away games. He understands the importance of educating our youth as well. He's invited the Ballston Spa High School Varsity Football team to be active participants in the Village's 9/11 Memorial Ceremony, and his work alongside members of the Board of Trustees has also helped to secure Federal grant funding, continuable loved village events and start new traditions for all those in the community to enjoy.

Mr. Speaker, would you please join me in welcoming Mayor Frank Rossi Jr. to the Chamber today and extend to him the privileges of the floor.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Walsh, the Speaker and all the members, we welcome you here, Mayor, to the New York State Assembly, extend to you the privileges of the floor. Thank you for taking so great care of your community. Continue that work particularly as it effects the young people of our State. And we are always welcome to have you here,

sir. Thank you.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if you could please call the Rules Committee to the Speaker's Conference Room.

ACTING SPEAKER AUBRY: Rules Committee, Speaker's Conference Room. Will you please go there immediately?

Page 24, Calendar No. 135, the Clerk will read.

THE CLERK: Assembly No. A04820-B, Calendar No. 135, Rivera, Benedetto, Bronson, Clark, Colton, Conrad, De Los Santos, Dinowitz, Glick, González-Rojas, Hevesi, Jackson, Jacobson, Lunsford, McDonough, Meeks, Peoples-Stokes, Reyes, L. Rosenthal, Seawright, Septimo, Sillitti, Simon, Steck, Taylor, Thiele, Stirpe, Stern, Ardila, Walker, Kelles, Burdick, Santabarbara, Shimsky, Cunningham, Zinerman. An act to amend the Real Property Law, in relation to requiring the disclosure of lead-based paint test reports in real estate transactions.

ACTING SPEAKER AUBRY: Mr. Rivera, an explanation has been requested, sir.

MR. RIVERA: Thank you. Before you is a bill that would act to amend the Real Property Law in relation to requiring the disclosure of lead-based paint test reports in real estate transactions.

ACTING SPEAKER ZACCARO: Mr. Goodell.

MR. GOODELL: Thank you, sir. Would my

colleague yield for a question?

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

MR. RIVERA: Yes, sir.

ACTING SPEAKER ZACCARO: The sponsor yields.

MR. GOODELL: Thank you, Mr. Rivera. What is the average cost of this type of test?

MR. RIVERA: Sorry. Could you say that again?

MR. GOODELL: What is the cost of this type of test?

MR. RIVERA: Sure. After discussions with individuals in the business, people that actually not only do certified testing but actually teach certifications, it looks as though the average cost of a test is somewhere between 3- and \$500, give or take.

MR. GOODELL: Between 3- and \$500?

MR. RIVERA: Correct.

MR. GOODELL: And how many real estate transfers do we have in New York State a year?

MR. RIVERA: Oh, how many actual real estate transfers? Couldn't tell you. A large -- large number, I imagine.

MR. GOODELL: We're talking 100,000? Couple 100,000?

MR. RIVERA: Your guess is as good as mine.

MR. GOODELL: So this bill by itself would add

millions and millions of dollars to the cost of real estate transactions in New York State, right?

MR. RIVERA: Well, truthfully, the way that it's set up currently is that the cost of performing the actual test itself is deductible on the part of the seller through the transfer tax into the closing process.

MR. GOODELL: Now if a seller doesn't perform the test or give the test results to a buyer, then the buyer can deduct from the purchase price, right?

MR. RIVERA: You're saying in a scenario wherein which a test is not done or where a test is done?

MR. GOODELL: Where a test is not done.

MR. RIVERA: Well, if this law passes as is and the test isn't done, then there's a penalty for not producing the test. If the scenario you're sort of looking at is if a test is done and it's determined that a house has to throw out a number \$10,000 worth of lead that can either be abated or remediated, I suppose the buyer could look at that scenario and say well, then I want to deduct that amount from the sale of the price and that's when the buyer and seller negotiates.

MR. GOODELL: But this provides -- if the test is not done, then the buyer can deduct up to \$500 from the purchase price, correct?

MR. RIVERA: No.

MR. GOODELL: Well, I'm taking a look at page 5, line 51. Well, actually it's 47 through 51.

MR. RIVERA: The \$500 is the maximum amount that can be deducted for the cost of the -- of the test.

MR. GOODELL: And that's paid -- so it's deducted from the purchase price by the buyer, correct?

MR. RIVERA: Well, it's deducted from the transfer tax by the seller.

MR. GOODELL: Okay. Now you have a number of exemptions.

MR. RIVERA: Correct.

MR. GOODELL: Are there exemptions for houses that are built after 1974?

MR. RIVERA: This only defines the real estate that it would sort of touch on this would be any house built before 1978.

MR. GOODELL: Where's that in your bill?

MR. RIVERA: In the section of definitions. It says, *residential real property shall mean any property improved by residential dwelling erected prior to the year 1978.*

MR. GOODELL: So this would not apply then at all by definition to any house after 1974. What about houses that were built before 1974 that have already gone through red -- led remediation? Are they exempt from doing this further test?

MR. RIVERA: They are not.

MR. GOODELL: Why?

MR. RIVERA: Well, because at the point of sale an actual certificate needs to be provided to the buyer stating that an

exam had been done by a certified inspector.

MR. GOODELL: Am I correct that rent-stabilized apartments in the City of New York must go through lead abatement when they become vacant?

MR. RIVERA: It's true that the City of New York has a -- truthfully one of the best laws on the books for an individual municipality. When it comes to lead in general, there are laws in the City of New York that make it so that yes, units have to be tested. But the -- aside from the actual testing, the bill doesn't just speak to testings. The bill speaks to reporting, and that that report needs to be provided both to the incoming buyer as well as the Department of Health. So even if a house presumably had been remediated before, chances are that report that was furnished in that, you know, review, had not been filed either with the incoming tenant or buyer and the Department of Health.

MR. GOODELL: Now before we leave the New York City requirement, which you -- you complimented, am I correct that in New York City that lead abatements typically runs 50- to \$75,000 per unit?

MR. RIVERA: I'm not sure how much of it goes in for New York City.

MR. GOODELL: Okay.

MR. RIVERA: I guess I can't speak to that. But truthfully in the end, the bill doesn't speak specifically to remediation or abatement. The bill doesn't make it mandatory, doesn't make it a

requirement. It solely makes it so that a report is furnished letting the tenant or incoming buyer know where lead is.

MR. GOODELL: Now this bill talks about contracts where the sale is *as is*. If the contract says the sale is *as is*, does that exempt the seller from having to provide this test?

MR. RIVERA: No. There's no waiver for that type of contract. The only exemptions are the ones that are listed below and the type of transactions that won't have to go through the process.

MR. GOODELL: Okay. Now this applies not only for the sale of houses but also for leases, correct?

MR. RIVERA: Correct.

MR. GOODELL: So we're now imposing a \$500 -- 3- to \$500 cost on every landlord for every housing unit that was built before 1974?

MR. RIVERA: Well, truthfully in scenarios like a -- like a sale, you're looking at a case wherein which a seller is going to be, you know, making money off of the sale of a property and therefore the cost is going to be relatively small because one, they're going to be able to deduct the cost of the -- of the test from their closing costs, but then also it's not as if they have to in some mandatory way remediate the lead. When it comes to a lease, yes, that would have to happen. But, it only has to happen once per unit, once per dwelling.

MR. GOODELL: Thank you very much for those clarifications.

Sir, on the bill.

ACTING SPEAKER ZACCARO: On the bill.

MR. GOODELL: I appreciate my colleague's concern about lead, and the good news is that the amount of people that are testing positive for excess lead has been dropping dramatically over the last several years. In part because lead paint was outlawed in 1974. And so after, you know, 50 years since lead paint was used, the amount of lead paint that's available in apartments has dramatically decreased. The challenge that we have whenever we act on legislation like this is trying to do a cost-benefit analysis, and I'll just give a simple example. There's reports out of New York City that the cost of lead abatement that's required whenever a rent-stabilized apartment becomes vacant can run anywhere from 50- to \$75,000 per unit. Here's the problem: That local law that requires lead abatement that costs the landlord 50- to \$75,000 per unit, then hits the reality of legislation passed by the Majority in this House that caps the amount that you can recover to \$30,000 per unit. Now think about that. You have a City requirement that costs you anywhere from 50- to 75,000 and then you have the State Legislature saying you cannot raise the rent to recoup that investment, guess what's happening? If you came to the conclusion that those vacant units are unaffordable to re-rent, you are correct. And so while New York City has a horrifically low vacancy rate, 1.2 or 1.3 percent, the vacancy rate in rent-stabilized apartments is 25 percent. Think about that. The combination of our restrictions on what you can recover, combined with the New York

City's requirements that you spend a small fortune, means those units are being eliminated from the market through attrition. So at the very -- very moment that the poor are clamoring for a relief that want more affordable housing, we here in the State with our lead restrictions and our caps on recoupment, are eliminating the very affordable housing they need. And now we take that lead requirement and we (inaudible). And we impose a new cost on every seller of up to \$500 to provide this test. And there's some recoupment on it, as my colleague mentioned. But the bottom line is the additional time it takes slows down the real estate transfer. The upfront money makes it more difficult to sell, not every sale results in a profit, but I can absolutely assure you that every time we add expenses to the closing, it's the buyers that ultimately pay. So while everyone around the State is saying *we need more affordable housing*, this is one more legislative piece that adds to the cost of housing. One more thing to keep in mind. We already disclosed the danger of lead and we require a written acknowledgement by both the buyers and sellers on lead for every single real estate transaction, that's already in law. We already do that. But what we don't do is require landlords to spend up to \$500 per unit to do a test, the cost of which they will pass on to our poor tenants who are struggling to make rent payments now.

So while I appreciate my colleague's desire to minimize lead, we are making already substantial progress and we already require disclosure of the dangers of lead and whether or not we are aware of any problems. For that reason I don't think this

expensive piece of legislation is necessary. Thank you, though, to my colleague for answering my questions. Thank you, Mr. Speaker.

ACTING SPEAKER ZACCARO: Read the last section.

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

ACTING SPEAKER ZACCARO: A party vote has been requested.

Mr. Goodell.

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

ACTING SPEAKER ZACCARO: Ms. Solages.

MS. SOLAGES: The Majority Conference will be voting in the affirmative. Those who wish to vote in the negative can do so at their desk.

ACTING SPEAKER ZACCARO: 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 15, Calendar No. 23, the Clerk will read.

THE CLERK: Assembly No. A00725, Calendar No. 23, Hunter, Jacobson, Sillitti, Wallace, Reyes, Eachus. An act to

amend the Election Law, in relation to the order in which candidates appear on the ballot.

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

An explanation has been requested, Ms. Hunter.

MS. HUNTER: Thank you, Mr. Speaker. This bill simply modifies the order in which candidates appear on the ballot. It requires that offices should be listed on the ballot in descending order based on the size of the electorate and requires certain Federal offices to be listed before state, county, or local offices.

ACTING SPEAKER ZACCARO: Mr. Norris.

MR. NORRIS: Thank you, Mr. Speaker. Will the sponsor yield?

ACTING SPEAKER ZACCARO: Ms. Hunter, will you yield?

MS. HUNTER: Yes.

ACTING SPEAKER ZACCARO: The sponsor yields.

MR. NORRIS: Thank you, Ms. Hunter. So I want to get this correct. This is a pretty substantial change, correct, on the ballot, because typically we have the offices of State Supreme Court Justice sometimes before even the members of Congress, correct?

MS. HUNTER: Correct.

MR. NORRIS: And this bill would now shift those

justices to the back of the ballot --

MS. HUNTER: Correct.

MR. NORRIS: -- or at least to the end of the ballot --

MS. HUNTER: Correct.

MR. NORRIS: -- as well as all judicial offices,
correct?

MS. HUNTER: Correct.

MR. NORRIS: Would that include the offices of
County Judge, Family Court Judge, City Court Judge, Town Justice --

MS. HUNTER: Yes.

MR. NORRIS: -- Civil Judges, all of them? Would it
matter whether those races are contested or not?

MS. HUNTER: No.

MR. NORRIS: So sometimes right in the State of
New York we have cross endorsements or they win the primaries and
they're appearing on all -- all the lines, but sometime there's also
contested races either by nomination or due to the primary process,
particularly in the offices of, you know, County Court Judge, Family
Court Judge, City Court Judge, but those -- those judicial offices
would be all shifted to the end of the ballot.

MS. HUNTER: Correct.

MR. NORRIS: Well, why is that?

MS. HUNTER: Simply just a logical order and I
would think if you asked most voters who would be on the ballot first
they wouldn't say a Supreme Court Judge would be before the

President of the United States. And we want to make sure that there isn't voter drop-off and I know in places like in Nassau County, there was a significant voter drop-off because of congressional -- or excuse me, judicial candidates on the ballot before even Federal races.

MR. NORRIS: And do we know if that's the reason why because you have the judges in between?

MS. HUNTER: Well, voter drop-off we have percentages and we know that people go through voting for some judges and before they even get to Congress they drop off and don't complete the rest of the ballot. So we're just trying to make a uniform order for folks to understand across the State what order offices are left.

MR. NORRIS: Has it been traditionally done by the order of jurisdiction in the past? I mean obviously I understand the President of the United States, the Governor should be first. But isn't it oftentimes done just by jurisdictional, a logical sake for the rest of the ballot?

MS. HUNTER: We want to make sure that this is uniform across the State. So county Boards of Elections can and they do, but we want to make sure that there isn't an instance where in some counties judges are first and other counties we have the president say first.

MR. NORRIS: Okay. Has there ever been a situation where the President of the United States has followed a judge?

MS. HUNTER: You said followed by a judge?

MR. NORRIS: The President of the United States would follow the judge. I mean I've never seen that in the ballot 25 years I've seen ballots in New York State.

MS. HUNTER: I don't know.

MR. NORRIS: Okay. I -- I think one of the main reasons why we have the order that we have today under present law is based upon the jurisdictional size. So, for example, the Board of Elections start with the President of the United States and then they go to the -- Governor would be in the other even year and then they have usually the (inaudible) district or the other districts are fairly large over the counties and they comprise of a particular county so that's why they go next and the races follow thereafter. I have not seen where there's been an issue with that. It's logically worked that way well for many years. I'm just trying to figure out if you have any data or information regarding this drop-off or how things are done in other states as well.

MS. HUNTER: Well, as -- as far as other states, I don't know but the president is elected every four years so your instance where you're talking about the off-year elections where there could be an instance where we saw like I said in Nassau County where judges were on the ballot before a Congressperson and 24,000 people dropped off the ballot and did not vote for their Congressperson in the 20th Congressional District.

MR. NORRIS: Okay. So let me just ask you a

question: Don't you think it would be wise for us to continue to promote voter education to explain to the constituencies that quite frankly every office is important, not just president, member of the Assembly, judges, mayors, council, that we should really take the time when we get our ballot to vote for offices if they so choose and we say give it a consideration, on the ballot through some voter education.

MS. HUNTER: I do think education is extremely important and that probably would be well-suited for civics lessons and I think maybe having conversations with the folks who have the Education and Higher Education Committees would better be served answering that question, but I think having uniformity relative to not having confusion relative to the ordering of the ballot statewide is easy for -- for all of us to be able to follow. And mind you, a lot of people don't know who these judges are. You know that they're not able to campaign in a way that may be partisan. Candidates are able to campaign, they don't have a platform, they can't really tell you how they would vote on specific cases. They can tell you their education, they can tell you, you know, who they're married to and where they grew up, but really you're not getting much information about the candidate. Not diminishing obviously what they're running for, but we want to make sure those folks in order of the electorate are placed first in the ballot and having uniformity across the State.

MR. NORRIS: Okay. Let me just point out something. So where I come from up in Niagara County we have a lot of town offices. You know, oftentimes they're unopposed, town board

has done a good job. People don't run for those offices very often. So you have all of these uncontested races potentially. So let's say maybe county legislators uncontested, and you have town supervisor, town board, town clerk, highway superintendent. And then you either have the county court judge which quite frankly is a very important position, has a lot of interest oftentimes, at least in our neck of the woods, you can file petitions to run in a primary and get the nomination. Is it fair that those contested judicial offices are at the bottom of the ballot following all of the uncontested races in between?

MS. HUNTER: We're just trying to make uniformity. I don't know about fairness. I'm just trying to make sure that it is consistent across the State.

MR. NORRIS: Thank you very much, Ms. Hunter. I appreciate you answering my questions.

Mr. Speaker, on the bill.

ACTING SPEAKER ZACCARO: On the bill.

MR. NORRIS: The point of my last question to the sponsor is there is no perfect solution to this situation, because oftentimes you have judicial offices that may be contested which will now be at the very end of the ballot or may be on the flipside of the ballot, because if we move these elections to even years, oftentimes you're going to see two sides of the ballot. And I don't think that's necessarily fair either when you have contested judicial races at the very end of the ballot after you may potentially follow uncontested ballot -- races on that ballot. And I also want to say that for the Board

of Elections oftentimes where our counties are, it's very important to have that uniformity, which they have. And oftentimes where I come from it has the President or the Governor because they lead the ticket and then they move on through the other races, but jurisdictionally those counties all fall within a judicial district in particular to the State Supreme Court. And that's why traditionally, from my experience, it's placed where it is. And sometimes there are actually contested races for Supreme Court, and sometimes there's not. But those contested races should be given just as much credence as the offices, for example, that we hold, member of the Assembly. We often hear about how important our judges are, particularly in this Chamber. They are very important and they should be given the same courtesy to be in the ballot based upon jurisdiction as everybody else.

So for those reasons and also to promote voter education, I would ask that to be considered going forward when the Governor reviews this bill or the other House if they have not done so already. So for the reasons I have stated before, I will be opposing this bill and I encourage my colleagues to do the same. Thank you very much, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Norris in the negative.

Read the last section.

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

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 should vote yes on the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Ms. Solages.

MS. SOLAGES: The Majority Conference will be voting in the affirmative and those who wish to vote in the negative can do so now.

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

(The Clerk recorded the vote.)

Mr. Jacobson to explain his vote.

MR. JACOBSON: Thank you, Mr. Speaker. I want to thank the sponsor for -- for having this bill and for getting it across the finish line. It is so important that we encourage people to vote and one way to do that is have those offices that people care about and that are out there come first. When I ran the first time for the Assembly there were nine Supreme Court races. I think both my opponent and I were lucky that anybody voted for Assembly. So I want to thank the sponsor for this. This is a bill that will increase voter turnout for the contested races and I proudly vote in the affirmative.

ACTING SPEAKER AUBRY: Mr. Jacobson in the affirmative.

Ms. Walsh to explain her vote.

MS. WALSH: Thank you very much, Mr. Speaker.

So I just think that this is really interesting because I think that there has been consistency generally about -- my understanding is the way that the ballot's been set up is that you go from the largest geographic areas and then work your way smaller. So, for example, I live in the 4th Judicial District, which is enormous that goes up to pretty much the Canadian border and that's a big geographic area. So those Supreme Court judges are going to be ahead of those of us who represent, you know, the same roughly what, 135,000 or so people, but we're going -- we're going to go after that. It just seems to me that this problem has been created by the Legislature, by insisting upon putting so many races on even number of years which we argued against and thought that was a dumb idea to begin with. Well now, what we've warned about in our debate, we warned about the possibility, the probability of an under-vote as you got further down the ballot. So now this is an attempt to try to make sure that at least members of the Assembly and Senators don't get harmed by the very policy that was enacted by the Legislature. So what we're going to do is we're going to end up harming some of the judges. And I just kind of chuckled a little bit because of you kind of say no. Well, we want more voter engagements, we want to put the more interesting races at the beginning. I think that that's kind of short hand for just saying we want our races a little bit further up the ballot so nobody drops off when they're voting along the -- along the ballot for us.

So I'll be voting in the negative. This -- this situation is not broken. I see no need to fix it. And if it is broken, it's because

this Legislature broke it. So I'll be voting no.

ACTING SPEAKER AUBRY: Ms. Walsh in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 5, Rules Report No. 44.

THE CLERK: Assembly No. A00589-A, Rules Report No. 44, L. Rosenthal, Dinowitz, Colton, Epstein, Walker, Burdick. An act to amend the Public Housing Law, in relation to requiring the Division of Housing and Community Renewal to establish a publicly accessible online database of building-wide major capital improvements.

ACTING SPEAKER AUBRY: Ms. Rosenthal, an explanation has been requested.

MS. ROSENTHAL: Okay. This bill would require the Division of Housing and Community Renewal to create an online database for major capital improvements pursuant to rent regulation.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

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

MS. ROSENTHAL: Yes.

ACTING SPEAKER AUBRY: Ms. Rosenthal yields,

sir.

MR. GOODELL: Thank you, Ms. Rosenthal. What is the information that's currently required in order to get authorization to raise rent for a substantial improvement?

MS. ROSENTHAL: Let me get my... okay. Right now an itemized list of the work performed, a description or explanation of the reason for such work, certifications provided by the owner and contractor regarding the cost of the work and dates the work started and ended, proof of payment, copies of all necessary approvals from government agencies for the work done, affirmation that the building is free of any hazardous or immediately hazardous violations would be applicable with local municipalities and a list of tenants with their respective rent-regulated status.

MR. GOODELL: I see. So the current regulations require an itemized list of work performed, the reasons for the work, certifications, cost estimates, backup documentation, certification. What does this bill add to that already extensive list?

MS. ROSENTHAL: Well, that is for HCR's internal use. This bill would require that certain facts or statements from the landlord be put on their website.

MR. GOODELL: And what would this bill add that the current law does not provide? This also has additional reporting requirements, correct?

MS. ROSENTHAL: This -- this bill would add transparency. And it's -- it's a public database so, you know, if

somebody wants to move into that building, any building, for example, they can look and see oh, the roof was repaired 30 years ago so in all probability it will need to be repaired soon, I might have to pay an MCI, so maybe I don't want to live in that building, or sometimes and I've seen this happen, landlords apply for MCIs when the work has not actually been done. Could be a mistake, but in any event, it's good to have a public database so you can look up what the -- the tenants are paying MCIs so they should have a look at exactly what's being done.

MR. GOODELL: Would you, if you don't mind, taking a look at the bill on page 1, lines 12, 13, 14, 15, and 16. Are those items already reported or are those new items that would be reported?

MS. ROSENTHAL: Wait. The cost, make and model, where the name of the company and installation cost. Some of it, some of it.

MR. GOODELL: So the question is, why does a landlord who is doing a substantial renovation need to list the make and model of every item that was purchased? I mean windows, boilers. Most of us wouldn't know what the make and model even meant.

MS. ROSENTHAL: It's a transparency measure since the tenants are the ones paying the MCI.

MR. GOODELL: So you think the tenants want to know the make and model of the boiler or the windows or --

MS. ROSENTHAL: I think at times they do.

MR. GOODELL: I see. And what about where the item was purchased? Why would that be relevant to a tenant to know whether an item was purchased online, in New York City, in New Jersey, or elsewhere in the country?

MS. ROSENTHAL: You know, and we put this in the 2019 HSTPA that there has been fraud within the MCI realm. For example, some, not all, have purported to fix a roof, fix a boiler, asking for MCIs to be paid for by tenants, but that work has actually not been done, which is why in the HSTPA we require HCR to audit 25 percent of the MCI applications.

MR. GOODELL: Well, in terms of reviewing the MCI, the authorization to cover these costs, why is there any aspect of that analysis that's based on the make, model, or where the item was purchased?

MS. ROSENTHAL: You know, there are certain requirements that HCR demands of landlords. We -- we just want to make sure that -- that's actually done.

MR. GOODELL: Now as you know, you can buy a number of items from a -- a store, maybe from a Lowe's or Home Depot or whatever, and they'll provide, as part of the cost if you're buying their carpet they'll install it for you. Those installations are not done by Home Depot or Lowe's employees, they're done by subcontractors. Do we anticipate the landlords will demand from Home Depot who the subcontractors are in order to comply with line

15, which requires identification of the company or individual conducting the installation?

MS. ROSENTHAL: If they have to, they have to. I'm sure that HCR also requires some of this information. I mean in the past we've seen episodes or instances of someone's brother-in-law actually performing the work and maybe giving a discount but the discount is not what is passed on to tenants.

MR. GOODELL: You're not really questioning the skill of my brother-in-law of course, right?

MS. ROSENTHAL: What's that's? Not you. I'm not talking about you.

MR. GOODELL: Thank you. And I appreciate that and so does he. Do we have an estimated cost of this additional reporting requirements?

MS. ROSENTHAL: Well, this -- this cost is on DHCR. It's not on the landlord.

MR. GOODELL: Well, DHCR is not reporting the make, model, where the item was purchased, who installed it, or the installation cost, right? All that has to now be reported by the landlord.

MS. ROSENTHAL: Yes.

MR. GOODELL: And DHCR then has some poor staff person that has to correlate all this information right?

MS. ROSENTHAL: Well, these requirements are -- in this bill are also requirements in the application for rent increase

based on an MCI.

MR. GOODELL: I see. And if for some reason the landlord is inaccurate in reporting the cost, make, model, where the item was purchased, who installed it, would that then trigger the sanctions that apply on the MCI program?

MS. ROSENTHAL: I don't think there's a -- I don't believe there's a penalty involved here.

MR. GOODELL: I'm sorry?

MS. ROSENTHAL: The requirements from DHCR are the requirements and if you don't -- perhaps they don't approve the MCI but that's no different here.

MR. GOODELL: I see. But so my question, I'm sorry I wasn't very clear. My question is if the landlord inaccurately reports to DHCR the cost, make, model or where the item was purchased or who put it in or how much they charged to install it, would that then trigger the MCI sanction provisions which provide that a false affidavit would disqualify the owner from any future MCI applications and a denial of their ability to recoup their investment?

MS. ROSENTHAL: We're not changing the existing law.

MR. GOODELL: And this would then fall within that existing law; is that correct?

MS. ROSENTHAL: Well, if it's based -- if the online explanation is based on the applications submitted by the landlord, then they -- they have transgressed in the first place.

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

MS. ROSENTHAL: Thank you.

MR. GOODELL: Sir, on the bill.

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

MR. GOODELL: This bill in my opinion has great news and not so great news. The great news from my perspective is it doesn't apply to my district, thank God. The not so great news is that we keep hearing from New York City how incredibly difficult it is to find high-quality apartments, and that the tenants are screaming that they want improvements and they want better housing and they want lower cost housing. Yet, every day we turn around and we add more and more requirements on landlords and more and more expense and more and more administrative hassles just to be able to maintain and upgrade an apartment. And so this says that if you're a landlord and you want to improve the apartment for your tenant, you now have to report the make and model of every kitchen appliance you put in. The make and model of the boiler, the windows or any other major improvement. And you have to report where you purchased it. Do we care whether it was purchased on Long Island, Westchester or New York City? And you have to name the company where you purchased it from and the cost so that your competitors all know how much you're paying and you don't have any proprietary information anymore, and what happens if you make a mistake? The answer is if

you make a mistake, you can be disqualified from recovering any of the expenses that you put into that apartment and disqualified in the future for rent increases based on future investments. You know in my county, we welcome landlords who upgrade the apartments. And other counties with this legislation, you run them through the wringer and then wonder why they aren't making more investments. I appreciate the desire for transparency, but we don't need the list of make and model and cost of every improvement and who put it in and how much they were paid and where the property of these items were purchased at the risk of losing your entire investment by not filling out accurately more administrative burdens and oversight by the State of New York. For that reason, because I love tenants even the ones in New York City and hope that at some point we encourage landlords to make investments rather than penalize them for doing so. I will not be supporting this particular bill. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Ra.

MR. RA: Thank you, Mr. Speaker. Will the sponsor yield?

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

MS. ROSENTHAL: Yes.

ACTING SPEAKER AUBRY: Ms. Rosenthal yields, sir.

MR. RA: Thank you. So just in terms of when this is going to be done, this is after a landlord has gone through the process

of getting this all approved that this will then be posted online or is it during the process of making the improvement?

MS. ROSENTHAL: No, no. It's after.

MR. RA: It's afterwards. So the landlord will have gone through and I looked at the Regulation 9 NYCRR 25224 and there seems to be a number of things that the landlord has to do as they're making an application, all the things they need to give to DHCR for -- for this work. And that information, that application, is all available currently to the tenant, correct?

MS. ROSENTHAL: I believe that it's not publicly available. The tenant would have to make a request to see it.

MR. RA: Okay. So would that be from -- how would that work? Is that from the DHCR or the landlord or could be both, perhaps?

MS. ROSENTHAL: You know, the tenant wants to know -- let's say the landlord says I've spent X amount on a roof. The tenant wants to look at the receipt. So it might be say Home Depot, you know, whatever material they used for the roof and the cost on the receipt. So the tenant might -- might be interested in -- in looking at that. I mean right now the tenant has to fill out a records access request form and this would just make it easier.

MR. RA: Okay. But they are entitled to that information currently.

MS. ROSENTHAL: Yes. They would -- can request to review the owners MCI at DHCR's Gertz Plaza office. So they'd

have to travel somewhere to see it.

MR. RA: Okay. Now in terms of what this now is going to do, now we're not here taking those records, that process of application and just putting it online, instead we're creating a database that's going to have these specific things; make, model of these appliances, where they were purchased, all of that mixup, correct?

MS. ROSENTHAL: All -- all the information that the landlord was required to submit to date HCR in order to get approval to pass the cost along to the tenant.

MR. RA: Okay. So essentially somebody at DHCR is going to have to pull all this information out of those applications and compile it into this database that people can go and search.

MS. ROSENTHAL: They have each application --

MR. RA: Yes.

MS. ROSENTHAL: -- and then they would have to upload it to a database.

MR. RA: Okay. So the admission of burden is going to be on them to --

MS. ROSENTHAL: Perhaps, you know, perhaps it's already in -- in the right form and they just have to put it up.

MR. RA: Okay. Thank you.

Mr. Speaker, on the bill.

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

MR. RA: Thank you. Just -- just to reiterate what my colleague said. I mean if you look at the regulation it's very

detailed in terms of what needs to be provided, a copy of the written informed tenant consent on an improved DHCR form, itemized list of the work performed, description and explanation of the reason for the work, photographs of the apartment where the work is taking place, using a licensed contractor, resolve any outstanding hazardous or violations within the space, and then it's very prescriptive as to -- to the tee of different types of boilers, burners, windows, all of those types of things, the estimated life of those items. So this is a very detailed regulation. And my concern, like my colleague just stated, is we seem to be always putting up more obstacles to improving these apartments while we continue to talk about a housing crisis. We want our landlords to invest in their properties. We want the properties to certainly remediate and fix any hazardous conditions, but on top of it put in new boilers, put in new windows, put in the things that will make the property comfortable, desirable when it comes on the market and I think here we are again putting another thing in the place of that.

So for that reason I'm going to be voting in the negative. I -- I think that we cannot continue to make it more and more difficult to invest in these properties. We want our landlords to want in invest in the properties and we don't want to do something where -- so it seems to me that some very small violation could end up in a situation that the landlord now cannot only not recover the investment made in that apartment, but on any other apartment, and I don't know why you would want to a landlord under those circumstances. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: A party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed to this. Of course those who want to support it, can vote yes here on the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Ms. Solages.

MS. SOLAGES: The Majority Conference will be voting in the affirmative. Those who wish to vote in the negative can do so now.

ACTING SPEAKER AUBRY: Thank you both.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Rosenthal to explain her vote.

MS. ROSENTHAL: Thank you, Mr. Speaker, to explain my vote. I wanted to clarify that major capital improvements are largely paid for by the tenant. So if you buy something in a store, you get a receipt it, it describes how much you pay and what you bought. You put it in for your records. There is no reason that that same receipt should not be available online for the tenant to see. In addition, there is nothing in this bill that says DHCR cannot post the receipts. That would be very easy, I'm sure they'll be able to figure it

out and how to handle it and this will educate tenants and others about what work was done and how much it cost. So I vote in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Ms. Rosenthal in the affirmative.

Mr. Novakhov to explain his vote.

MR. NOVAKHOV: Thank you, Mr. Speaker. I would like to explain why I'm voting -- why I'm in the negative for this bill. You know, I've with the -- a number of landlords in my district and outside of my district and they're all saying one thing, we cannot continue doing business in New York because of the regulations and the bills that you guys create in the New York State Assembly. Just doesn't make sense to make business in the State of New York. It does not make sense to renovate the apartments anymore and this is what the tenants are requesting. They want to live in nicer, newer apartments. But the landlords, the management companies, they're not able to do this because of our regulations. And I would like to advise the sponsor of this bill to meet with landlords more often to listen to them, to listen to what they're saying, not just tenants but landlords because we have a huge problem in our State and we need to resolve this. So please, please meet with the landlords and listen to them more often dear sponsor of the bill. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Novakahov in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 6, Rules, Report No. 66, the Clerk will read.

THE CLERK: Assembly No. A01745-A, Rules Report No. 66, Dinowitz, Seawright, Otis, Jacobson. An act to amend the Public Service Law, in relation to complaint handling procedures by the Public Service Commission.

ACTING SPEAKER AUBRY: An explanation has been requested, Mr. Dinowitz.

MR. DINOWITZ: This bill establishes response requirements to building complaints made by consumers. We all represent consumers, and expands complaint handling procedure requirements to commercial entities, small businesses.

ACTING SPEAKER AUBRY: Mr. Lemondes.

MR. LEMONDES: Thank you, Mr. Speaker. Will the sponsor yield?

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

MR. DINOWITZ: Yes, I will.

MR. LEMONDES: Thank you. I appreciate it. And I want to say although I firmly believe that having a complaint resolution process is a beneficial attribute, could you comment on the decision to have that for only 15 days?

MR. DINOWITZ: Only 15 days?

MR. LEMONDES: Yeah. It's 30 for municipalities versus individual customers 15 days.

MR. DINOWITZ: Well, we could change it. We could change one of them but 15 days seemed like an appropriate number of days. Fifteen days I think is pretty long, actually.

MR. LEMONDES: I would disagree. I think that's abnormally short. I nonetheless -- I appreciate your response. And then additionally, could you comment on the -- and clarify the fine. Is it \$100 per day per customer or a \$100 per day period?

MR. DINOWITZ: No. I believe the \$100 a day -- let me just get the bill out. We have two separate fine schedules here. Yeah, per customer, per person.

MR. LEMONDES: But it is \$100 per day that the business would be fined for each day after the quote, unquote established expense was not met.

MR. DINOWITZ: When you say the business, you're talking about the utility now, right?

MR. LEMONDES: Correct, yes

MR. DINOWITZ: Yeah, the utilities. The ones with the high rates.

MR. LEMONDES: And that could be thousands of dollars, correct? If there were multiple -- multiple customers demanding responses?

MR. DINOWITZ: It certainly could be which is why they should do the right thing and do things in a timely fashion.

MR. LEMONDES: I couldn't agree with you more. I mean it's -- you know, any business -- any business or utility that wants to be responsive, wants to provide something sensible, understands I'm sure the value of quick response time. Nonetheless, in a situation of an act of God, that response time might be impeded by something where the utility was simply trying to get the utility back to work so-to-speak, correct?

MR. DINOWITZ: I doubt it.

MR. LEMONDES: So under -- there's no circumstances where that timeline would be extended or the cost reduced.

MR. DINOWITZ: Well, again, 15 days to give a written response seems to me to be plenty of time, and even if there is an act of God, those acts of God don't usually cause the need to have extended response time. Certainly not beyond 15 business days. We can't expect it the next day necessarily, but that's why we gave them plenty of time.

MR. LEMONDES: And is there -- thank you, I appreciate that. Is there any provision for harassing complaints where somebody is submitting multiple letters day after day, organizing people, groups to do the same thing so that the utility is simply flooded with these letters which they are then required to respond to and if not within the period would be charged as (inaudible).

MR. DINOWITZ: Well, I would dispute your characterization of someone who is trying to organize other utility

consumers to complain when there's legitimate -- the complaint as harassing, people have the right to file complaints.

MR. LEMONDES: Right. I agree.

MR. DINOWITZ: And I know that utility may not like those complaints but that in and of itself does not constitute harassment.

MR. LEMONDES: Of course. This is a gray area. I understand that. What I'm trying -- what I'm trying to do is --

MR. DINOWITZ: I'm not sure it's gray at all but okay.

MR. LEMONDES: What I'm -- what I'm trying to do is illuminate the fact that any one of us in here could get everybody else to submit a letter on the same day that inundated that particular entity, made it impossible for them to respond within the time period and therefore they're incurring these huge bills fee schedule, which then would return to the ratepayers.

MR. DINOWITZ: Well, I -- I think that's a very unlikely hypothetical. I don't think people out there are going to take the time to try to get other people to file harassing complaints. Nor do I think it's easy to get people to do anything to tell you the truth. So I -- I can't imagine the scenario where that would actually be the problem.

MR. LEMONDES: I would never underestimate the veracity of people and/or consumers that have a problem trying to make the problem bigger. And if it's legitimate that's okay. I'm not

trying to protect an entity that's doing something wrong. I'm simply trying to say that that entity may very well need some protection if this were to pass with respect to acts of God and other things like that. I -- I would prefer them to be putting their energy and time to being able to conduct their primary mission, whatever that is, versus having to respond to things that ultimately are going to drive rates higher.

MR. DINOWITZ: I think that businesses have to be able to respond to legitimate complaints made by customers and I am much more concerned about the needs and legitimate complaints of customers than I'm worried about a utility, such -- you know, I'm not going to name names but I know which utilities serves my area -- worried about them having to respond within 15 very long business days should be a snap for them. These are not tiny little companies that have no resources, but customers should expect to be able to get a written response within a reasonable period of time. And I think 15 business days certainly is a very reasonable period of time.

MR. LEMONDES: I agree with you partially. There's nothing wrong with having that entity responsible to its customers, but let's say that entity has 10,000 customers, there's an act of God and 10,000 complaints come in and they simply can't do it. They're stuck between again restoring what their primary function is versus responding to letters of this nature. I would prefer to have them doing their job and getting the utility operational. Nonetheless we don't have to agree. I just wanted to make the point.

MR. DINOWITZ: Well, we don't. And -- and by the

way, doing their job and responding to a complaint are not mutually exclusive, and I think once they resolve the complaint and then they have time to -- to issue a letter, it should be plenty of time and I'm not sure how examples there are of 10,000 people complaining to a utility, even ConEd. I don't know how many examples there are of such a thing.

MR. LEMONDES: Have you ever lead a large organization?

MR. DINOWITZ: No, I haven't.

MR. LEMONDES: Okay. Let me tell you something. When you do, there's a lot to respond to, and so that's where the nature of this -- the nature of this line of questioning is going.

MR. DINOWITZ: Well, if you have an organization that you are the head of and it's a large organization, you should be able to respond to complaints. I mean you can't just do everything you want unilaterally and never expecting to be questioned or have a complaint. I mean that's -- like we get complaints, you get complaints, our constituents all the time and I'm pretty sure that you try to respond to them as quickly as possible. I know I do. And people have a right to expect to have their complaints resolved for better or worse and then get something in writing and it's important to get something in writing. You know, if you get a phone call, an oral response may mean nothing because at a later date that could be denied. So that's why it's important to have this and I'm sure you

would want that for all of your constituents.

MR. LEMONDES: I want my constituents to be able to get the answers that they need and I think everybody in this Chamber strives to do that. The point that I'm trying to make is that 15 days under certain circumstances, plus the fee schedule, may not be realistic. I'm not in disagreement with the premise of the bill. I think -- I think it's necessary to have this, but I'm just -- what I'm questioning is the timeline required for the response.

MR. DINOWITZ: Well, these utilities probably want to get their payment within a specified period of time. So they should also be able to respond to a complaint within a specified period of time.

MR. LEMONDES: I couldn't agree with you more; however, what -- what -- what I must not be communicating clearly, there are acts of God in situations where it may not be possible. And if that fee schedule is levied, that ultimately is going to drive rates higher for consumers, which is what I'm trying to avoid. So I want my constituents to not have to pay as much. And this is one of the things that taken into consideration might help them not do that. Thank you very much.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. LEMONDES: The spirit of the bill is sound; however, requiring a written -- a written response in such a short period of time could be unnecessarily costly, and that's the point that I

was trying -- trying to make. There's nothing wrong with requiring a response. There's nothing wrong with the utility having to do so, but without taking into account unnatural circumstances, acts of God, et cetera, you are putting a condition on the utility that it may not be able to satisfy. And so having said that is all I wanted to bring out is that with a few modifications, I could support this; however, in its current format, I cannot and would ask everyone else not to until those modifications are made. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Palmesano.

MR. PALMESANO: Yes, Mr. Speaker. Will the sponsor yield for some questions?

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

MR. DINOWITZ: I'd be delighted.

ACTING SPEAKER AUBRY: Mr. Dinowitz yields, sir.

MR. PALMESANO: Thank you, Mr. Dinowitz. I appreciate your time. My colleague covered a lot of it. I just had some questions I wanted to kind of clarify. Under the current law before this bill might pass and become law, this would apply just to residential customers, correct? But this bill would make it to all industrial commercial and all customers; is that correct?

MR. DINOWITZ: Well, we do expand it because we believe and support small businesses.

MR. PALMESANO: Sure. Now one of the parts of

the bill that I want to ask you about, it looks like it removes PSC discretion on page 2 where you had in its discretion and also -- you use strong language where it says the commission shall use its best effort to complete its investigation and review and to issue within 90 days its final written determination of any appeal pursuant to the section. So then you get into the new section saying any failure by utility. What's the purpose of taking away the discretion of the PSC to address this issue and to strike that section that says the PSC would use within their best -- within their best determination to try to complete the report within 90 days of an appeal?

MR. DINOWITZ: The purpose of taking out the words in its discretion is because we don't want them to --

MR. PALMESANO: You don't want the PSC to have discretion?

MR. DINOWITZ: No. We want to make sure this happens. And the PSC with all due respect to the people on PSC, their -- their job is not necessarily to represent customers, utility consumers. They don't represent one particular group. That's why we should have passed -- we did pass legislation which sadly the Governor vetoed, creating a utility consumer advocates office but in either case we want to make sure that they do right by the consumers, the utility consumers.

MR. PALMESANO: Right. Other part of the justification of your memo I was reading in the first paragraph, you talk a lot about COVID and during the COVID time frame --

MR. DINOWITZ: Well, that's when the memo was written. Maybe it should be updated but we did talk about COVID, but everything we said there still holds true.

MR. PALMESANO: So let's talk about the 15 days. When does that take effect exactly? Is it once a complaint is filed and they have to issue a report within this 15 days or does it have to go through a complete investigation?

MR. DINOWITZ: After there's a ruling, they have 15 days to convey that information, 15 business days, which is longer than fifteen days might I add. Usually at least two days longer, maybe four days longer. So they have plenty, plenty of time but it starts running after they've, you know, issued their ruling.

MR. PALMESANO: So it's not 15 days. So just for the record, it's not 15 days after the initial report or complaint comes in to be able to file a report. It has to be 15 days after the completion of the investigation, correct?

MR. DINOWITZ: Yeah, not 15 days from the complaint but from the completion, that's correct.

MR. PALMESANO: So, for example, my understanding of the process now with the PSC, someone would file a complaint with the PSC. Next the PSC would take that complaint, send it to the utility, the utility would do a complete investigation and report it back to the PSC, then the PSC will look at it and make a decision and that decision would be appealable. So it's at that point in time after the appeal -- even the appeals process. So when the PSC

made that decision before the appeal process, would they have to issue a report then or would it be after they go through the full appeal process?

MR. DINOWITZ: No, 15 days after the decision.

MR. PALMESANO: So the decision is made and then they have to issue a report, but if the utility wanted or someone wanted to appeal that decision --

MR. DINOWITZ: They could appeal that decision but that -- that has no bearing on whether or not they have to supply the written response within 15 days of the decision.

MR. PALMESANO: But if any decision is appealable, why wouldn't you wait until the final appeal on the decision, because you might have the preliminary decision but then there's appeal to adjudicate that. I would have to issue a report before you complete the entire process of the appeal. Why not say okay, at least, you know, have the appeal process complete (inaudible) and then a decision is going to be finalized, that's when the decision is finalized. But you're saying here on the floor that once that decision issued, the utility be required to -- file a report, but then they could still appeal the process, right?

MR. DINOWITZ: Well, the utility company could try to drag this out indefinitely as long as they can, but what I'm saying is they got to decide that once the decision has been made, they should respond in writing. It's really not that hard.

MR. PALMESANO: So they -- they would not be

able to -- I know you used the word drag things out, but I mean we're talking about a legal process that, you know, people have in the process. So you're saying the report has to be issued before the investigation is complete because --

MR. DINOWITZ: That's not what I said at all. That's not what I said. I said the report has to be issued once the investigation is complete. And what you're asking is whether or not we have to then wait additionally until an appeal has been adjudicated. And what I'm saying is that the -- the response should be given within 15 business days from when the -- from when the initial decision is made.

MR. PALMESANO: So in your opinion, I guess on your side, you don't think -- you think an investigation is complete when the initial determination is rendered and the appeal, which is part of the due process has not been adjudicated.

MR. DINOWITZ: An appeal is not part of the investigation. An appeal is an appeal.

MR. PALMESANO: Well, sure it is. Well, we're going to have to disagree on that.

MR. DINOWITZ: Well, no. There's nothing to disagree on. The investigation is the investigation, they make a decision.

MR. PALMESANO: But it's not final until it's adjudicated, correct?

MR. DINOWITZ: Well, nothing's ever -- well, it

may not be adjudicated. Once the decision has been made, the investigation is over when they appeal it. That doesn't mean they start --

MR. PALMESANO: It's a preliminary determination until an appeal takes place. So how do you -- how do you mandate that okay, you have to come up with a report on the issue to get that out there to all those who complain, but yet you still can go through the appeal process which is your right and then it comes back and say the PSC rules that the utility is right. So they send out -- they send out a decision but now their -- now it's final once that appeal is adjudicated. So to think that now you have to send out a decision, it's not final until it's adjudicated. That's what I'm trying to get at.

But I've got another question for you. It doesn't seem like there's any language, like my colleague mentioned, if there's circumstances outside their control whether it's a storm, whether it's a flood, anything like that. There's no language or flexibility in the -- in the language that I'm reading here that would allow for that. Basically you have these hard set time frames, 15 days after the investigation you say it's completed but we know is not complete until it's finally adjudicated, right? So there's no -- there's no --

MR. DINOWITZ: Again, I didn't say that, you did. The storm or whatever particular event that you're talking about might delay the ability of the utility to conduct its investigation as quickly as we might like, but the 15 business days that we're talking about runs from when they issue their response. So I don't even see how these

events, whether it's a storm or an earthquake or anything else, I don't think that has a bearing on anything.

MR. PALMESANO: Well, I mean any issue could have a bearing on something. So I guess my next question to you then. So we have the decision, then we have the appeal. But again, it's your -- your argument and your belief that the decision has to be again issued, once the decision -- the preliminary decision is issued before it's finalized with the appeal process as part of the process, they do not -- they have to issue the report before the appeal process and that's what we agreed to what you said, right?

MR. DINOWITZ: No. I didn't even use the word preliminary decision, I said decision.

MR. PALMESANO: Decision.

MR. DINOWITZ: A decision could be appealed. I suppose the appeal could be brought to court for that matter beyond that. I mean it could go on indefinitely.

MR. PALMESANO: Okay. And right now under the law, you don't necessarily have to have a written report. The decision could be made with the PSC and utility to convey that referral back to the customer without a written notification but now this would require all complaints to have a written notification, correct? Where under the current structure and policy we do not have that requirement; is that true, is that correct?

MR. DINOWITZ: This legislation will require after 15 business days, no later for the information on the decision to be

given to the customer, and for those of us who are concerned about the consumers that makes a lot of sense.

MR. PALMESANO: Okay. Well, I just want to say thank you for your time. I appreciate the conversation.

Mr. Speaker, on the bill.

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

MR. PALMESANO: I think there are some areas of this, I understand what the sponsor's trying to do. I commend his intentions but with a lot of legislation the intentions don't match out to that with the ability. Right now the PSC has jurisdiction over this issue. They have the expertise. If there's changes they're recommending it needs to be done. They can implement these things through a proceeding. Also, I think it's kind of the wrong approach to take away discretion from an agency that's tasked with monitoring all customers, all utilities. They're going to need some flexibility as well but to say that we take that away from them I think it's not the approach. There should be more -- I don't see it, my colleague talked about it, there's no flexibility in the law or this language that deals with times that could come up and outside of the utility's control. But I think that part of the bigger problem here is, you know, from conversations that I had before, we went through the process of what it takes to go through a complaint process. We talked about it. First, an individual files a complaint with the PSC, then the PSC takes that complaint, sends it to the utility, the utility has to do an investigation

and then report that back to the PSC who looks at that and makes a -- makes a decision. And now, based on this bill according to the sponsor, it would be the requirement of the utility to now then issue a written report even though they have the ability to appeal this decision and so they would be required to issue a report, then they could appeal the process, they could go back and the PSC could reverse and agree with them, but yet they issued a report. This is I think a flaw, one of the major flaws in the law, at least it was the intent of the sponsor to be this way whether the PSC would have some determination on this. This process does not end until you get through the appeal process. It has to be adjudicated. Everyone has a right to appeal. We see that right throughout. You can't just say -- now, you know, now you have to do a report midway and then you can't follow through with the appeal process. Well, you can follow through with it but you could be reversed on appeal but you still had to do that report and it's costly. Under the current law and regulations right now it is not a requirement that written notifications be provided as long as it's conveyed, the resolution of the matter between the PSC, the utility and the customer. And I think adding that into the mix could make it much more complicated and costly especially when you talk about, you know, thousands of complaints that could be handed down from one area or another from jurisdiction. I think there's a lot of questions that revolve, you know, around the timing of the investigation when it completes and 15 days, I think that's a very short time frame, especially when you could be dealing with complicated matters.

Especially when you're talking about commercial, industrial customers being impacted now too, when you get into time of use, you get into supply and demand, which is a little bit more complicated, some peak hours which is a little bit more complicated than the residential. I think that adds problematic to the issue as well from a timing perspective. I just think there's some flaws in this legislation. I think there definitely needs to be some clarification on this 15 days and when that report would have to be done. I would argue it would be better if they complete the process, the decision is made. Like any other decision there's always a process for the appeal, it's not finalized until the appeal is adjudicated and decided upon. We shouldn't be making utilities or municipalities having to provide a written report until it's completely finalized. You don't need to do a midway report and spend time and resources and money which is ultimately going to be paid by the ratepayer, ultimately going to be paid by the taxpayer if it's a municipality. I think there's a way we can look at this and adjust this in a better way. I understand what the sponsor is trying to do, I commend him from his intentions on it but I think there's a better way to do this. I think this language in this bill is problematic in what it's trying to address and so for that reason, Mr. Speaker, I'm going to be voting in the negative. But I will say one more thing. Sorry, Mr. Aubry. I wonder how this process is going to work when, you know, individuals have complaints about the utility bills because they're paying higher rates for the Green New Deal that's being advanced by the Majority that's going to increase rates. We've already talked about

prices at the pump increasing 63 cents a gallon, home heating costs increasing 79 percent. If we don't change or make a change in the methodology, last year the PSC authorized \$43 billion in future ratepayer increases to pay for the so-called Green Energy Policy. So there's going to be a lot of complaints from customers for sure. But they should be directed at the Majority and the Governor for advancing this policy that doesn't take cost, affordability and reliability into consideration.

So for the reasons I talked about in the debate and those other points I just added I'm going to be voting no, Mr. Speaker.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: A party vote has been requested.

Ms. Walsh.

MS. WALSH: Thank you, Mr. Speaker. The Republican Conference will be in the negative on this particular piece of legislation. But if colleagues wish to vote in the affirmative, they may certainly do so at their desks. Thank you.

ACTING SPEAKER AUBRY: Ms. Solages.

MS. SOLAGES: The Majority Conference will be voting in the affirmative. Those who wish to vote in the negative can do so right now.

ACTING SPEAKER AUBRY: Thank you both.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Ms. Solages.

MS. SOLAGES: Thank you, Mr. Speaker. We will continue our work with these bills: Rules Report No. 95 by Mr. Zebrowski; Rules Report No. 106 by Ms. Solages; Rules Report No. 113 by Mr. Eachus; and Calendar No. 22 by Mr. Weprin.

ACTING SPEAKER AUBRY: Page 7, Rules Report No. 95, the Clerk will read.

THE CLERK: Assembly No. A02852-A, Rules Report No. 95, Zebrowski, Stirpe, Steck, Paulin. An act to amend the General Municipal Law, in relation to requiring municipalities to maintain municipal websites.

ACTING SPEAKER AUBRY: An explanation has been requested, Mr. Zebrowski.

MR. ZEBROWSKI: Thank you, Mr. Speaker. This bill requires that all municipal corporations maintain an official website, specifically an official.gov domain name website.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

ACTING SPEAKER AUBRY: Mr. Zebrowski, will

you yield?

MR. ZEBROWSKI: Yes, I'll yield.

ACTING SPEAKER AUBRY: The sponsor yields.

MR. GOODELL: Thank you, Mr. Zebrowski. Do you have any sense of how many municipalities this bill would affect, other than all of them.

MR. ZEBROWSKI: Right, all of them. There are -- I mean, do you want the total number of municipalities?

MR. GOODELL: Yeah.

MR. ZEBROWSKI: One thousand, four hundred-and-sixty-nine.

MR. GOODELL: And of those 1,469 municipalities, how many of them use.com as opposed to.gov?

MR. ZEBROWSKI: I am not sure.

MR. GOODELL: Would this, in effect, outlaw the use of.com for all those municipalities?

MR. ZEBROWSKI: They could still do it, but they'd have to have a.gov; they could have both.

MR. GOODELL: Now, what's the cost of converting a webpage from.com to.gov?

MR. ZEBROWSKI: I'm not sure of the cost of converting, but I'll note that.gov is free and.com costs money. So at some point, if there's a cost of conversion, that will be covered by the fact that.gov is free.

MR. GOODELL: In addition to requiring every

municipality you mentioned, there were 1,000 --

MR. ZEBROWSKI: I believe it's 1,469.

MR. GOODELL: One thousand, four hundred-and-sixty-nine municipalities to comply. This also requires every one of those municipalities to provide certain information that they're not currently required to provide on their webpage, correct?

MR. ZEBROWSKI: Correct.

MR. GOODELL: And that would include, for example, all agendas, all minutes, budgets, audit reports, fiscal plans; is that right?

MR. ZEBROWSKI: So these are things that they're already required to post in some forms, but now would be required to be on websites, basic information, financial reports, meeting and election notices, an updated version or hyperlink to the Municipality Law and codes, and resolutions.

MR. GOODELL: Now, current law has a caveat, it says "to the extent practical," information relating to financial statements, budgets, independent audit reports and everything else will be posted. Why are we eliminating "to the extent practical"? Are we requiring now municipalities to do this even if it's not practical?

MR. ZEBROWSKI: I don't think any -- it could be not practical anymore in this day and age. The internet is everywhere in our society, and certainly I think most New Yorkers, if they needed some information about their municipality, the first thing they would do would be to do an internet search and would be shocked, I think, if

-- if they found out their municipality, which is a taxing jurisdiction, does not have a website.

MR. GOODELL: Is there any provision for a waiver from any of these requirements?

MR. ZEBROWSKI: No.

MR. GOODELL: Thank you very much for clarifying the bill.

On the bill, sir.

ACTING SPEAKER AUBRY: On the bill.

MR. GOODELL: Certainly in my municipality -- in my district, and I'm sure across the State, there are literally thousands of municipalities that have well-established web pages that use.com. And that's the case, certainly, in my county; my county uses.com for all of their transactions, for all their web pages, for all their interactions. And say, oh, I just switched it over, well, my county can probably do it, they have an IT department. I also have a village that has less than 500 residents. Their mayor is part-time, their staff is part-time, they don't have an IT department; yet, here we are on High mandating that every single municipality change a web page to.gov.

But it's more than just the impact on municipalities. There are many of us that routinely interact with a municipal entity and have in our computers already set up the web page. In my example, I do a lot of real estate, I have Chautauquagis.com, one of my favorites, boom I hit that, I go right to the web page. Every single person who has a pre-filed web page link, a bookmark or a favorites

that goes to a.com would have to change it, and why? I mean, I can access Chautauquagis.com just as well as I can access Chautauquagis.gov.

So we are imposing all this administrative work on every single municipality that uses.com with no ascertainable benefit to their residents, overriding every one of their elected officials who made their own decision for their own municipality on how they best want their web page designated. Let's show some respect for our local elected officials, let's show some respect for the village trustees who set up a web page that was.com, or a county legislator and county execs that use.com, or anyone else. We don't have to rule on how they govern their municipality. No need to impose additional costs, burdens on all of our municipalities across the State simply to meet what we think is better than.com. Thank you, sir.

ACTING SPEAKER AUBRY: Ms. Byrnes.

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

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

MR. ZEBROWSKI: Yes, I'll yield.

ACTING SPEAKER AUBRY: The sponsor yields, ma'am.

MS. BYRNES: Thank you. I agree with what was just said so I won't repeat that line of questioning, but my line of questioning is if we turn away from a second from the municipality and its obligations, you said your concern was that residents, citizens

should be able to be able access the information for towns and villages more easily; is that correct? You think people should be able to go on line and be able to see minutes from meetings and know what's going on in government, right?

MR. ZEBROWSKI: Yes. And that's one of the reasons why I put forth the bill; not the only reason, but one of them.

MS. BYRNES: Okay. We've talked about this so many times in this -- in this forum. Do you have any concept of how many people in rural areas, and we've talked about it here on other bills, have no access to internet, even if they have the internet, they have no access to reliable internet. I have a good portion of my Assembly district which does not have internet, and if somebody calls up the providers and says, what would it cost to have internet run to my home, they're routinely told \$20,000. Obviously, your average person when we have an average household income of about 55,000 isn't going to spend 20,000 just to get hooked up to the internet. I have areas where I can drive for a long period of time and even on my phone, because if you say people can go onto their phones and look it up, where I have zero bars on my iPhone driving through huge parts of my district. How do you expect the common, decent people who want to access this information, who have no internet and can't even get on an iPhone to try to find it, what's the point in having this available if it is still unreachable by the average person?

MR. ZEBROWSKI: Well, first of all, I agree that building out broadband is important. As Chair of the Committee on

Corporations, I've worked on programs like Connect All Program to try and make as much progress as we can. But just because some New Yorkers don't have access to the internet doesn't mean that this bill is a burden. They can access their government any way that they do right now. But I would find it hard to believe that any of those municipalities have nothing on the internet, that they're not using the internet at all.

MS. BYRNES: My questions, as I pointed out differentiate from Mr. Goodell's because I'm talking about those people, those residents of the area that are so concerned that they would be able to jump on the internet, either through a computer, an iPad, a phone, to find out what's going on, you know, but yet we, as a legislator [sic] are doing nothing to get these people online to even do their schoolwork, but yet you think they should easily be able to look at their municipal government's --

MR. ZEBROWSKI: A, I'm not -- I'm not --

MS. BYRNES: I mean, that's not really fair, is it, to require this burden and extensively say you're trying to help the citizens when you're not doing anything to effectuate what they need.

MR. ZEBROWSKI: Fair?

MS. BYRNES: Yup.

MR. ZEBROWSKI: This is unfair to your constituents that don't have internet? I'm not forcing them to have the internet, I'm not forcing them to do anything. And are you aware of the Connect All Program, or have you looked at any of those

budgetary provisions that we've attempted to install and get money in to provide broadband across the State?

MS. BYRNES: Absolutely, and in my county, they ran a survey that it would be \$30 million to connect all the people who are not -- not just had limited internet, but had no internet to get them on board and there was so few households that were hooked up in those programs that it's not even funny.

MR. ZEBROWSKI: So your -- so your argument is because they don't have internet, that me requiring municipalities to have websites is unfair to those people?

MS. BYRNES: It's unfair in that you are justifying the need for this bill by indicating on how helpful it would be to residents when we are not doing anything to help those residents. That's how it's unfair.

MR. ZEBROWSKI: No, I respectfully disagree with your sense of what's fair and unfair. If they right now access their municipalities in another way, maybe they walk down to village hall or town hall, they'll still be able to do this. I'm not forcing anybody to access the internet. They can go about their ways. But I think in this day and age we should require municipalities to at the very least have a website. I don't think that that is too much to ask for. And furthermore,. Gov is actually more secure and in this day and age of cybersecurity and cyber attacks, I do think we should require our municipalities to register their domains with an agency that's actually regulated by the Federal Government.. Gov is registered -- is

maintained by the CyberSecurity and Infrastructure Security Agency. It also has criteria in terms of dual-factor authentication, they preload new domains which requires that (inaudible) connections with the website, ensures that the content you publish is exactly what visitors get. There's been situations where there's been cybersecurity issues where there's been clones of websites. So we need to get into this century, and I've actually had this bill for a long time, but most -- most governments now have a website. There's a handful of stragglers that won't -- that will have to after this law, and they should get on the ball. But how it's not fair to somebody that doesn't use the internet is beyond me.

MS. BYRNES: If I can be heard on the bill.

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

MS. BYRNES: As Mr. Zebrowski just said, we need to get into this century. Well, you know what? All of my constituents say that also, and especially in rural New York. We argue and we ask in the budget and the bills for our municipal areas, are more heavily populated areas, not just to have access to internet, but they want affordable internet. Affordable internet is a wonderful thing, but we have vast parts of this entire State that don't have affordable internet, they have no internet, no ability, no financial resources. All the money, all the billions and millions of dollars that have been spent by this State over the last few years, they're not reaching the people in my area, and every time I get calls, you know, and we look up on the map,

who may or may not get internet at any time in the reasonable future, vast areas are excluded. When they do go into an area, it might be one or two. I have more neighborhoods that have poles come in from each end of the street and stopped two or three or four houses in the middle that are never connected and are told that will be \$20,000 if you want internet.

If we're going to keep pushing these bills, then gosh darn it, we should actually get serious about actually making sure that we are getting into this century and that we do provide our citizens, all of our citizens, with adequate internet. Thank you. I'll be voting no.

ACTING SPEAKER AUBRY: Mr. Maher.

MR. MAHER: Thank you, Mr. Speaker. Will the sponsor yield?

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

MR. ZEBROWSKI: Yes.

ACTING SPEAKER AUBRY: Mr. Zebrowski yields, Mr. Maher.

MR. MAHER: Okay, thank you, appreciate it. So as someone who was a village mayor and a town supervisor, I'm very aware of this process by which some of these websites are run, I'm doing a little bit of research, there are a ton that don't have.gov, so I guess I'm trying to understand why the mandate to.gov. The first question I have is can you have a.gov and a.com, or.org if this is passed; can you have multiple?

MR. ZEBROWSKI: Yes.

MR. MAHER: Okay. So another thing you said that I'm just a little confused about, you said it's free. How is.gov free?

MR. ZEBROWSKI: It's free, it's run -- it's run by a Federal agency and it's free.

MR. MAHER: Do they do the upkeep? Do they physically input all the changes in realtime that a municipality has?

MR. ZEBROWSKI: No, they -- they host the domain for free.

MR. MAHER: Right, okay, which is pretty much the most inexpensive part of building a website and running a website, when it comes to the upkeep that's not free because that's time, right? The municipality has time, and if you are a small municipality, even a larger one, you don't have that time still so you're either hiring a part-time employee or, you know, working with a private company that, you know, builds websites and maintains them to get them the information they need. I assume when the Empire Center did this report, and it's something I have to ask them, that they would say the upkeep and the out-of-date information might have been what didn't give a passing grade. Is that something that kind of came up in your conversations with the Empire Center? I'm just trying to understand why you've been carrying this bill.

MR. ZEBROWSKI: I -- I don't remember having a conversation with the Empire Center, and this bill has been around for a while. It came from my brain in that municipalities should have a

website. Everybody has a website, you know.

MR. MAHER: Okay.

MR. ZEBROWSKI: These municipalities, they're not a club, right? They are -- they have laws, they have ordinances, people pay taxes, they are serious entities. If they don't want to be a village anymore, they should dissolve and become a town. I don't think it's too much to -- to require them to maintain a website.

MR. MAHER: Okay. If I could ask your brain I'm just very specifically on.gov.

MR. ZEBROWSKI: Yes.

MR. MAHER: Why.gov? I can understand a municipality should have a website --

MR. ZEBROWSKI: Right.

MR. MAHER: -- I can get there, but why.gov?

MR. ZEBROWSKI: It's more secure. It's run by a Federal agency, we should have consistency there. A lot of municipalities are enabling a whole bunch of their residents to do a whole bunch of things on line, and there are more and more cybersecurity threats out there. So when somebody's dealing with a government, it makes sense to have consistency, they have security, and they're constantly updating that. And like I said, it's run by a Federal agency. So I think it makes sense for all of our municipalities in the State, really I think every state should do this so that you know if you're on a.gov, you're in the right spot.

MR. MAHER: Okay. Just specifically to the security

part, and I understand generally what you're trying to say. Can you speak to some information in your research that shows that a government website is more secure than a private.com that maybe has partnerships with security companies, with their business to make sure that those companies have the best protection, sometimes better than governments.

MR. ZEBROWSKI: Well, you can -- you can still hire a security agency if you deemed fit on.gov website, but beyond giving everybody, and like I said, there's been websites cloned --

MR. MAHER: Right, yeah.

MR. ZEBROWSKI: -- so beyond giving people the sense that if you're going to your official government and perhaps you're putting in financial information, or something like that, and it could be secure if it's -- if it's.gov. They're also constantly reviewing and updating the things. Like I said earlier, they sort of within the domain hosting process have, like, dual-factor authentication and other security features to ensure that the things published are actually the things published by the municipality and they can't sort of be hacked into.

MR. MAHER: Okay. If you have a municipality, and I know that in your district we share a mutual friend, Mr. Howard Phillips, Town of Haverstraw's got a.org. If they want to adhere to this law, they'll have to have a.gov. Can they, again, just have townofhaverstraw.org as well as.gov?

MR. ZEBROWSKI: Yes.

MR. MAHER: They don't have to change the branding.

MR. ZEBROWSKI: No, and there's even a way where it can automatically --

MR. MAHER: Redirect.

MR. ZEBROWSKI: Redirect, you're right.

MR. MAHER: Okay, okay. Did -- is this something where you thought about may be creating an opt-in as opposed to forcing the.gov? I'm just, again, trying to really better understand why it has to be a.gov, or again it's just your opinion as the sponsor of the bill?

MR. ZEBROWSKI: Right, my first version of the bill did not require that --

MR. MAHER: Okay.

MR. ZEBROWSKI: -- but at some point we amended that if we're going to require all municipalities to do this, that it made sense for there to be consistency across website domains.

MR. MAHER: So when you say requiring municipalities to maintain a municipal website, you still are giving them that liberty and that ability to work with a private entity, but also now mandating them to have a.gov --

MR. ZEBROWSKI: Right.

MR. MAHER: -- is really the heart of it.

MR. ZEBROWSKI: Yeah, they can hire a, I don't know what it's called, a web administrator or whoever.

MR. MAHER: Well, I mean, the flexibility for local bill, just say they have a local business and they want to support local businesses to have them promote their website and build their website, they can still have the ability to do that.

MR. ZEBROWSKI: Yeah, sure.

MR. MAHER: Okay. All right. Thank you.

MR. ZEBROWSKI: Thank you.

MR. MAHER: On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. MAHER: I appreciate the sponsor for answering some of my questions, I do have some concerns. A couple municipal officials that I spoke to also had some concerns so I wanted to air them out. I agree with some of my colleague's comments, for sure, and concerns, and just not a lot of time to do the research I would liked to have done on a bill like this that could impact a large number of municipalities and communities, so for that reason later on I'll be voting in the negative. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mr. Beephan.

MR. BEEPHAN: Thank you, Mr. Speaker. Will the sponsor yield?

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

MR. BEEPHAN: I'll be quick, I promise.

ACTING SPEAKER AUBRY: The sponsor yields,

sir.

MR. BEEPHAN: Quick question on the URL. I know that you can have both, you should keep your old URL, your.us or.org in addition to the.gov, but which one has to be the primary?

MR. ZEBROWSKI: Gov.

MR. BEEPHAN: So they have to actually change their website to.gov and redirect their.us or.org to that. Does this mention anything regarding e-mail addresses? Does a municipal e-mail address have to change?

MR. ZEBROWSKI: No.

MR. BEEPHAN: Okay, sounds good. That's it. I told you it would be quick.

MR. ZEBROWSKI: Thanks.

ACTING SPEAKER AUBRY: Ms. Giglio.

MS. GIGLIO: Thank you, Mr. Speaker. Will the sponsor yield?

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

MR. ZEBROWSKI: Yes, I'll yield.

ACTING SPEAKER AUBRY: Mr. Zebrowski yields.

MS. GIGLIO: Thank you. I've been texting back and forth to the IT administrator for the Town of Riverhead because I was on the town board at the time that we switched to a.gov and had to change all the e-mails over to Office 365 so they would be.gov, and

the website had to be redesigned for all the forms, all the links and everything that had to be on that website that -- and it was -- it was quite expensive, actually. So my question for you is any of this funded in the State Budget for the municipalities to transition to a.gov?

MR. ZEBROWSKI: No.

MS. GIGLIO: No, okay. So you had just indicated that they could hire a webmaster and then the webmaster could do all this, or redesign the website. So do you have any idea, like, how much time that involves? I know that we in the municipality in the Town of Riverhead, it really stopped everything for a very long time where we couldn't even get e-mails. So...

MR. ZEBROWSKI: So there is a website right now hosted by the United States Government that walks people through this process. They said on an outside number it could take 30 days.

MS. GIGLIO: Yeah, so that's a long time not to get any e-mails or be able to receive any applications.

MR. ZEBROWSKI: Well, I -- I don't know that that means you can't get any e-mails in the process. I'm not -- I'm not familiar with that.

MS. GIGLIO: But uploading all the applications and then on many of the systems they have all the tax numbers already built into the website where people can go and get their tax bill, they can pay their taxes online, so all that would have to be changed. I agree with you -- anyway, and you answered my question that it's not

funded, so it's an unfunded mandate, correct?

MR. ZEBROWSKI: Yes.

MS. GIGLIO: Okay, thank you.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill.

MS. GIGLIO: Where it's a -- it's a laudable cause, it really is, because the.gov definitely is more protective and has those protections in place than a.com; however, it is another unfunded mandate being pushed down to local municipalities and counties at a time when the economy is so bad that people are trying to figure out how to pay their tax bills, they're not paying their tax bills, the school districts are not getting reimbursed at a timely fashion, and I just think it's an unfunded mandate that's not needed at this particular time, and I agree with my colleagues that it should be an opt-in or a period of time to be able to integrate it into their system. So I will be voting no. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Mr. Tague.

MR. TAGUE: Thank you, Mr. Speaker. Will Mr. Zebrowski yield for a question?

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

MR. ZEBROWSKI: Yes.

MR. TAGUE: I can see the smile on the face.

MR. ZEBROWSKI: No, somebody passed me a card

as I'm debating the bill, so...

(Laughter)

MR. TAGUE: Mr. Zebrowski, will there be a waiver for municipalities that don't have internet service?

MR. ZEBROWSKI: No.

MR. TAGUE: Well, I don't understand how we can mandate this in rural Upstate, New York where we have municipalities that don't even have internet service. Aren't we kind of putting the cart before the horse? Maybe we should make sure that everybody has internet service before we mandate this on those municipalities?

MR. ZEBROWSKI: We're doing our best to, as I said earlier, fund programs that provide internet service. So you're saying in these municipalities, they don't interact with the internet at all?

MR. TAGUE: I have members sitting right here in this row that have at least one municipality in their district that does not have internet service where they cannot send stuff from one place to another. They may have a computer system that they keep track of their records and stuff, but they don't have internet service. Villages and towns, some villages and towns do where they can send out information, but we -- we -- you want to talk about rural equity, we've been talking about this for years that we don't have internet service in some of our rural areas. Perfect example, those members that have gone on my farm tour, the biggest complaint I have is when we go into

rural Upstate, New York they can't check their e-mails because there's areas where there's no service.

MR. ZEBROWSKI: Totally -- totally agree it's an important issue that we need to continue to make progress on, but in those municipalities, does the mayor or supervisor have e-mail?

MR. TAGUE: What's that? I'm sorry.

MR. ZEBROWSKI: Does the mayor or supervisor have e-mail?

MR. TAGUE: They probably have it at their home.

MR. ZEBROWSKI: All right. So somewhere in the area --

MR. TAGUE: But we can't -- we're not going to mandate them to do the business of the town or the village from their home computer, right?

MR. ZEBROWSKI: No, but my point is there is some internet capacity for these folks, right?

MR. TAGUE: I can't -- I can't speak to everyone, but I'm telling you that I know that there are areas within my district and these municipalities do not have internet service.

MR. ZEBROWSKI: And there are new products that are coming out all the time, you know, satellite-related internet; it doesn't have to be broadband.

MR. TAGUE: Those satellite internet -- those satellite internet things do not work, and secondly, again, this is a financial mandate on villages, towns. We're already the most

unaffordable state in the country and we're going to put more of a burden on these small towns and villages, especially in Upstate New York.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. TAGUE: Thank you very much, and thank you, Mr. Zebrowski, it's always an honor and pleasure talking with you. Again, we put the cart before the horse. Let's make sure that we got service completely around -- fully around New York State before we mandate this on our small, especially rural Upstate villages and towns and communities. I'll be voting no for those reasons. Thank you.

ACTING SPEAKER AUBRY: Mr. Gallahan.

MR. GALLAHAN: Thank you, Mr. Speaker. Will the sponsor yield for a couple of questions?

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

MR. ZEBROWSKI: Yes.

ACTING SPEAKER AUBRY: Mr. Zebrowski yields.

MR. GALLAHAN: Thank you. Like my colleague stated earlier, I have a long tenure as a town supervisor, and during that tenure, myself and two other employees created our website, and it's a.org website. It's a fine website, it works great. And in our wisdom to save money, we said, hey, if we contract with you for three years versus one year, can we get a break? Absolutely, so we

did. So now we have a.org website that's paid for for three years. Your bill takes effect 180 days after the Governor signs it. What do we do with the rest of that contract?

MR. ZEBROWSKI: You -- you set it up so that it redirects your constituents to.gov and then they can be -- they can have the benefit of being more protected at.gov.

MR. GALLAHAN: Perfect. Okay, example -- that's perfect, you led me right into my next question. So the second thing we did was we protected the town against hackers and fraud with an insurance policy through.org. Our insurance policy is part of our -- our blanket for the town. The illustrious government website that we're going to now, I'm presuming from what you're telling me has greater security. How's that going to affect the insurance policy the towns, counties and villages take out to protect themselves? I would assume it would become -- become maybe non-existent?

MR. ZEBROWSKI: You took out an insurance policy just for your website, or is that in some sort of umbrella clause?

MR. GALLAHAN: It's a rider on our insurance policy that protects us against hackers.

MR. ZEBROWSKI: Alright.

MR. GALLAHAN: Yes.

MR. ZEBROWSKI: Well, this should -- maybe you should call them up and this could lower your premium. I mean, that's like saying, you know, if you make your property more safe does it violate your insurance policy? No, call them up, maybe they'll make

it cheaper.

MR. GALLAHAN: Is there somewhere that I could reach out and find the statement correct that you made that this.gov website is that much more secure than a.org or a.com so that I can take that to my towns and villages?

MR. ZEBROWSKI: If you give me your cell phone number I'll -- I'll text you. If you give me cell phone, I'll text you the U.S. Government website that explains the added levels of security.

MR. GALLAHAN: I'd like to have that, but I don't believe you have my cell phone number, you'll have to e-mail that to me, I don't believe you can text me that.

(Laughter)

MR. ZEBROWSKI: I'm sorry, I missed that. What?

MR. GALLAHAN: I said you'll have to e-mail that to me, you don't have my -- we didn't -- we've never given each other our cell phone numbers, so you'll have to -- you'll have to e-mail that to me.

MR. ZEBROWSKI: I promise you I don't prank call anybody.

(Laughter)

MR. GALLAHAN: Restricted, I'm sure.

MR. ZEBROWSKI: All right. After the debate, I'm happy to share with you the website.

MR. GALLAHAN: Okay, thank you very much, because I would assume that all these municipalities are paying for

these -- these insurance policies. They should be -- they should be lowered.

Mr. -- Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. GALLAHAN: As a town supervisor, we constructed, I was also a legislator for the County of Ontario, when we did our budgets, we were in charge about 92 percent -- I'm sorry, about 8 percent of the budget; 92 percent are mandates, and a big part of those are unfunded mandates and this just piles on, again, to the towns and villages that have to switch over, that have paid the three years, such as the town that I was involved in, another unfunded mandate and for that reason, Mr. Speaker, unfunded mandates is the reason I cannot support this bill. Thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

Read the last section.

THE CLERK: This act shall take effect on the 180th day.

ACTING SPEAKER AUBRY: A party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker. The Republican Conference is generally opposed to this mandate, but some of my colleagues may want to support it by voting yes on the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Ms. Solages.

MS. SOLAGES: The Majority Conference will be voting in the affirmative. Those who wish to vote in the negative can do so now. Thank you.

ACTING SPEAKER AUBRY: Thank you both.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Flood to explain his vote.

MR. FLOOD: Thank you, Mr. Speaker. I'm not going to sit up here and act like I really know IT and security and all that stuff, I can just tell you that in my district I have five different municipalities, villages, four of which would be affected by this change. I also happen to come from Suffolk County where a couple years ago, there was a massive breach, massive data transfer, it was hacked. Cost the county millions of dollars, pushed services back by months, all the while having a.gov website. So -- and it took going into private outside companies to fully secure this. So I'm not doubting that maybe the.gov is more secure than maybe a.com; however, when you have sophisticated hackers like we saw down by my county, that really doesn't matter much. I think this is going to be an unnecessary burden on local governments, especially as some of my colleagues said, at a time where villages, people in general are scrambling for money, so I vote in the negative. I, you know, encourage my colleagues to do the same.

ACTING SPEAKER AUBRY: Mr. Flood in the negative.

Ms. Walsh.

MS. WALSH: Thank you, Mr. Speaker, just briefly to explain my vote. I think -- I think that this debate has really shown what we talk about all the time here which is that one-size-doesn't-fit-all when we're talking about our communities. If we're talking about really large towns that have full staffs, or if we're talking about a town like the one that I'm town attorney for a town that is on Sacandaga Lake up in Saratoga County that's got about, give or take, 1,300 people full-time residents there. That town decided that their website was not really adequate and not really up-to-date so they took a big step this year, end of last year, this year, and appropriated funds to hire an outside firm to come in and re -- you know, redo their website and bring it up-to-date, and they're -- they're not going to be real happy to learn that the platform that they chose was a.com. So they also are having a really hard time because they don't really have people on staff, they're too small to have their own IT department and so the town clerk basically has to figure out how she's going to be able to get into this, she's having a hard time with it, to go into the existing platform and update it with minutes and things like that, so it's a learning curve. You know, some of these smaller towns, it's just -- it's difficult. So ideas for amendment would be to make this apply to towns of a certain size threshold, eliminate the.gov requirement, provide an opt-out. I think, you know, the idea of having municipalities, even small ones, have an online platform that -- that people who don't live on the lake, who maybe live -- just come in for

the summer, maybe they need to get information and they do have the ability to access it. You know, I could see the utility of a bill like this but I just think in its current form I can't support it so I'll be voting in the negative. Thank you.

ACTING SPEAKER AUBRY: Ms. Walsh in the negative.

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, sir, and thank you for the spirited debate on both sides of the aisle. I appreciate the comments from both my colleague to my right and who's actually to the left of me, and my colleagues on the left who are actually more on the political right of me. It's only appropriate on the floor of the Assembly that everything's backwards. But just for fun I looked, Chautauqua County is.com, Cattaragus County is.org, Wyoming County,. Net, Genessee County,. Ny.us, and the great thing about having different systems, is they can't all be hacked at the same time. So in any given time, less than 20 percent of our municipalities will likely go down.

Anyway, again, my thanks to my colleagues. I'm voting no because I think we ought to leave it up to the local elected officials who are elected to make the best decision for their municipality. And I was not elected as the elected official for any one of the seven villages in my town, I have less then 1,000 residents, God bless them, I think their job is harder than mine. But let's respect our local officials, they're the ones that were elected to make these kind of

decisions, not us. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Goodell in the negative.

And, Mr. Goodell, you're on the right-hand side for me.

(Laughter)

MR. GOODELL: As well as should be, sir.

(Laughter)

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

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, members have on their desk an A-Calendar. I'd like to move to advance that A-Calendar.

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

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir. Now, do you have any further housekeeping or resolutions?

ACTING SPEAKER AUBRY: Page 3, resolutions, the Clerk will read.

Main Calendar, page 3, the Clerk will read.

THE CLERK: Assembly Resolution No. 2277, Rules

at the request of Ms. Rajkumar.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 28, 2024, as Nepali-American Heritage Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 2278, Rules at the request of Ms. Rosenthal.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 28, 2024, as Menstrual Hygiene Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 2279, Rules at the request of Ms. Solages.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 31, 2024, as Save Your Hearing Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 2280, Rules at the request of Ms. Sillitti.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2024, as Celiac Disease 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 Resolution No. 2281, Rules at the request of Mr. Zebrowski.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2024, 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 Resolution No. 2282, Rules at the request of Ms Solages.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim July 2024, as Plastic Free 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 Resolution No. 2283, Rules at the request of Mr. Cunningham.

Legislative Resolution memorializing Governor

Kathy Hochul to proclaim August 31, 2024, as Trinidad and Tobago Flag Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 2284, Rules at the request of Mr. Hevesi.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim September 7, 2024, as Duchenne Muscular Dystrophy Awareness Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 2285, Rules at the request of Mr. Slater.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 6-12, 2024, as Physician Assistant Week in the State of New York.

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

THE CLERK: Assembly Resolution No. 2286, Rules at the request of Ms. Wallace.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim November 2024, as Veterans and Military

Families 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.

We do have some housekeeping.

On a motion by Ms. Paulin, page 28, Calendar No. 198, Bill No. A07085, amendments are received and adopted.

On behalf of Mr. Lavine, Bill No. A09166-A, the Clerk will read the title of the bill.

THE CLERK: An act to amend Chapter 455 of the Laws of 1997.

ACTING SPEAKER AUBRY: Motion to reconsider the vote by which the bill passed the House.

The Clerk will record the vote.

(The Clerk recorded the vote.)

The Clerk will announce the results.

(The Clerk announced the results.)

The bill is before the House and the bill is laid aside.

Resolution No. 2296, the Clerk will read.

THE CLERK: Assembly Resolution No. 2296, Ms. González-Rojas.

Legislative Resolution mourning the death of Cecilia Gentili, successful advocate, talented actress, and cherished community leader.

ACTING SPEAKER AUBRY: Ms. González-Rojas

on the resolution.

MS. GONZÁLEZ-ROJAS: Thank you, Mr. Speaker. Almost four months ago, we lost a giant and a leader in the LGBTQ rights movement, and specifically on the trans-rights movement. Cecilia Gentili was a Partner, a mother to many, a sister, a dear friend, a mentor, and so much more. On Tuesday, February 6th, Cecilia transitioned from this life. Cecilia was only 52, and she immigrated to New York from Argentina. She had a number of remarkable achievements as an artist and an actress, including on the show, *Hoes*? She was also a gifted advocate who captured the hearts and minds of people, elected officials and leaders everywhere she went. After working at Apicha Community Health Center, she was hired as Director of Policy at GMHC, and later became the Senior Director of Policy. But to her girls and her friends, she was a trans-Latina Olivia Pope. She walked up and down the halls of our State Capitol and helped us pass the Gender Expression Nondiscrimination Act, and to repeal the so-called Walking While Trans ban. As a survivor of human trafficking, she also helped pass legislation that provided relief to human trafficking victims, which vacated their offenses. She was also a cofounder of the DeCrim NY Coalition, which is working to pass to Stop Violence in the Sex Trades Act, which I proudly support.

I can go on and on about Cecilia's victories and triumphs, and there are so many. While she deserves all her flowers, what really made Cecilia the leader she was is the way she made people feel. She was funny, authentic, kind, and inspiring and gave us

hope every time she was in the room. She was also deeply humbled despite her many, many recognitions. She was grateful she lived past the average age of a transgender woman of color, which is still in the early 20s. But the truth is that Cecilia's love and her light are immortal and will stay with us always, and these halls were lucky to have such an amazing and beautiful soul come to fight for truth and justice.

As a legislator, I benefitted from listening to and witnessing Cecilia's leadership and dedication, and I'm proud to have considered her a friend and a sister in this work. And today with me is Peter, Cecilia's partner and her friend. A number of ceremonies have been organized in honor of this beautiful angel, and we want to make sure we did so here in the State Capitol, which she helped change and transform. Peter joined us recently as well in the Capitol for lobby day in honor of Cecilia and to make our State safer for sex workers who are criminalized by our unjust carceral system.

Thank you so much to you both for being here and for supporting Cecilia and lifting her up as she fought for so many of us. As Cecilia would want, we will keep fighting, keep advocating, and do so with the joy that she gave to so many. May she rest in trans power always and forever. Thank you so much.

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

(Applause)

We do have numerous other fine resolutions, Mrs. Peoples-Stokes, we will take them up with one vote.

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

(Whereupon, Assembly Resolution Nos. 2287-2296 were unanimously approved.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I now move that the Assembly stand adjourned and that we reconvene at 10:00 a.m., 10:00 a.m., Wednesday, May the 29th, Wednesday being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 5:04 p.m., the Assembly stood adjourned until Wednesday, May 29th at 10:00 a.m., Wednesday being a Session day.)