

WEDNESDAY, MAY 29, 2024

11:12 A.M.

ACTING SPEAKER AUBRY: The House will come to order.

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

(Whereupon, a moment of silence was observed.)

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

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

A quorum being present, the Clerk will read the Journal of Tuesday, May the 28th.

Mrs. Peoples-Stokes.

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

dispense with the further reading of the Journal of Tuesday, May the 28th and that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir. As we move towards the end of May, we are still in the celebration mode of Memorial Day and what was sacrificed for us all so many years ago. So I want to bring these words today, these are from Eleanor Roosevelt. Most of us already know Eleanor Roosevelt and all about her stellar career. Her words for us today: *Courage is more exhilarating than fear, and in the long run it's easier. We do not have to become heroes overnight, just one step at a time.* Again, these words from Eleanor Roosevelt.

Mr. Speaker, colleagues have on their desk a main Calendar and a debate list. We will be calling for the following committees off the floor today: Government [sic] Employees, Governmental Operations, Local Governments, Real Property Taxation and Science and Technology. After any housekeeping or introductions, we're going to work off of the debate list by taking up the following bills: We're gonna start with Rules Report No. 106 by Ms. Solages; Rules Report No. 113 by Mr. Eachus; Calendar No. 22 by Mr. Weprin; Calendar No. 173 by Mr. Anderson; and Calendar No. 436 by Ms. Jackson; Calendar No. 450 by Ms. Paulin; and Calendar No. 455 by Ms. González-Rojas. Afterwards, Mr. Speaker -- we've

got a long day today. I want to appreciate all of the members who are right now in the Chambers. I think we're somewhere close to where we should be as a Majority, but I hope that we will spend some time to focus on being in and around the Chambers today, as opposed to everywhere else in Capitol.

With that, Mr. Speaker, I digress, but afterwards, we're gonna take up the following bills on debate: Rules Report No. 142 by Ms. Cruz; Rules Report No. 220 by Mr. Weprin. Then, Mr. Speaker, we're going to consent yesterday's A-Calendar, beginning with Rules Report No. 141, that's located on page 9. There could very well be a possibility for additional floor activity today. If so, Mr. Speaker, I will acknowledge at that time; however, that's the general outline of where we're going. Let us begin with housekeeping, and thank you, sir.

ACTING SPEAKER AUBRY: Thank you. No housekeeping as of yet, Mrs. Peoples-Stokes, but we do require you to make an announcement.

MRS. PEOPLES-STOKES: The first committee of the day, which is Government [sic] Employees in the Speaker's Conference Room immediately. Thank you, sir.

ACTING SPEAKER AUBRY: Certainly. Government [sic] Employees, Speaker's Conference Room immediately, please.

And for the purposes of an introduction, Ms. Paulin.

MS. PAULIN: Thank you, Mr. Speaker. Today we

have a group of students from Westchester County. So on behalf of Assemblymembers Burdick and Otis and myself, we wanted to welcome a group that's part of our shared Senator's Youth Advisory Council. We have representatives from Armonk, Port Chester, White Plains, Eastchester, Bronxville and Scarsdale, and they took the time to educate themselves and us about transparency, the environment and women's rights.

So I want you to extend them a warm welcome and -- and we thank them for joining us today.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Paulin, the Speaker and all the members, and all the members of the Westchester Delegation, we welcome you here to the New York State Assembly. We extend to you the privileges of the floor. Our thanks for us joining today, for enlightening our legislators on issues that are a concern to you, for your supervisors and teachers who have brought you here today. Continue to have a great day here in Albany and know you are always welcome, and we look forward to the careers that you will pursue in your life. Thank you so very much for being here.

(Applause)

Mr. Santabarbara for the purposes of a introduction.

MR. SANTABARBARA: Thank you, Mr. Speaker. Today I have the honor of introducing a special group called Elected Officials to Protect America, known as EOPA. This group is made up of current and former elected officials from both parties who care

deeply about protecting the environment and our democracy. EOPA runs programs at both the national and State levels. They focus on finding solutions to the climate crisis and making -- making sure that environmental justice is achieved for all. One unique thing about EOPA is that they bring together veterans who are also lawmakers to work on climate issues. This is the only national group that does this, showing the power of diverse experiences in solving problems.

Today we have joining us Alex Cornell du Houx, former Maine State Representative, also a Marine combat veteran and President of EOPA; and Dominic Frongillo, former Caroline, New York Town Council Member and Executive Director of EOPA. They are here in Albany to kick off their health and energy security EV tour at our State Capitol.

Mr. Speaker, if you would please welcome them to the Chamber and extend to them all the cordialities of the House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Santabarbara, the Speaker and all the members, gentlemen, we welcome you here to the New York State Assembly, the People's House. We extend to you the privileges of the floor. Hope that your time here has been beneficial. Hope that your continuing work to improve our world will continue and that you will be successful. Thank you so very much for taking the time. Thank you.

(Applause)

ACTING SPEAKER EACHUS: Page 8, Rules Report No. 106, the Clerk will read.

THE CLERK: Assembly No. A07532-B, Rules Report No. 106, Solages, Levenberg, Slater, Gunther, Jacobson, Otis. An act to amend the General Municipal Law, in relation to the organization of industrial development agencies and the definition of labor organization.

ACTING SPEAKER EACHUS: An explanation has been requested, Ms. Solages.

MS. SOLAGES: Yes, Mr. Speaker. This bill would amend the General Municipal Law to revise the organization of industrial development agencies -- and for the purpose of this -- this debate, IDAs --and the definition of labor organizations within that. It stipulates that all IDAs must have at least one representative from a local labor organization, and either a school board member or a school district superintendent.

ACTING SPEAKER EACHUS: Mr. Brown.

MR. A. BROWN: Thank you, Mr. Speaker. Sorry it took me so long to get up. I just discovered yesterday on debate that I'm elderly, so it just took me a moment longer. Will the sponsor yield?

MS. SOLAGES: For my Long Island colleague, yes.

MR. A. BROWN: Thank you, Madam Sponsor. Is there currently a law or provision that prohibits an IDA from having a labor or a -- a school board member from becoming part of the board?

MS. SOLAGES: So from what I found in law, there's currently no defined board, unless you consider the law that was

passed in 2014 by our former colleague that basically said that within the -- the Nassau IDA and within the (inaudible) IDA, there has to be a consultation with the local villages when passing PILOTs -- payments in lieu of taxes -- under IDAs.

MR. A. BROWN: Thank you, Madam Sponsor. And since you mentioned Nassau and those areas, are you aware that I think all of the bigger IDAs currently have members who fill the shoes of what we're trying to achieve in this bill?

MS. SOLAGES: So all -- you know, all across the State we have IDAs, and their compositions are different. And, you know, they have many members, but not all IDAs have labor representatives and not all IDAs have school board members.

MR. A BROWN: Thank you. One of my bigger questions is, really, are you aware that IDAs are statutorily capped at seven members? And by this ask and not increasing the size of the IDA board would really steer the thinking and the votes towards a specific interest. Perhaps we should increase the size of the board to compensate for what you're trying to achieve and give it a little balance.

MS. SOLAGES: Well, that sounds like another piece of legislation that we can consider. But within the provisions of the bill we actually account for that. And so if you go to line 16 of the bill, it -- it does say that if there is -- if they're at their maximum limit, that they're allowed to temporarily increase the size to allow for additional mandatory members, provided that such the agency shall

decrease to fewer, seven -- sorry, to decrease to seven or fewer members when there are vacancies. So we do account for that.

MR. A. BROWN: Right. Thank you, Madam Sponsor, but that's exactly the point. Like, through attrition it eventually goes back to seven, which is where the problem lies.

MS. SOLAGES: And every IDA has, you know, different sizes, and so some are seven, some are three. So this will allow them to, you know, articulate to -- to make sure that they have a labor representative and also school board members.

MR. A. BROWN: Thank you, Madam Sponsor. You know, in the justification I had a question. It says here, the second to last paragraph, "School districts are required to deal with the budget impacts of PILOTs without having a say in the process", and it finishes off in the same paragraph, "Concerned citizens can be blindsided by IDA agendas released hours before the meeting, leaving little time for public input." I -- I -- is the sponsor not aware that just like a zoning board or a board of architecture or review, or a planning board, proper notice is always given, without exception, way in advance in that notice 20-day period so they -- they would have proper notice. And it certainly wouldn't have been hours, unless there's something I'm missing in the provision.

MS. SOLAGES: It's -- it's required but, you know, I've seen historically that many IDA -- or some IDAs don't do it. And so, you know, I -- I've gone through my own experience with this and so, you know, things happen and, you know, requirements are not met.

MR. A. BROWN: Thank -- thank you, Madam Sponsor. But are you aware that that actually never happens, and there's a clear vetting or that the cases will never -- there's never been a single instance in the State where they didn't vet that and look for the signed notices from every school, from every local municipality that was supposed to be involved?

MS. SOLAGES: And that's why, you know, I really believe the hallmark of government is always oversight, transparency and accountability. And that's why it's so important that we have labor and school board members who are local stakeholders that can be invested into this community development and have a say and be a part of the process and, you know, have discussions and also get community buy-in. You know, the more local involvement we have, the -- the better our government functions. And I think that, you know, this is not, you know, anti-IDA. This is actually promoting, you know, conversations, promoting inclusive government, and allowing people to participate in this -- in this fun process.

MR. A. BROWN: Thank you, Madam Sponsor.

Mr. Speaker, on the bill.

ACTING SPEAKER ZACCARO: On the bill, Mr. Brown.

MR. A. BROWN: Thank you. You know, this -- this bill is actually a little more complicated than it seems. It seems very benign, it seems very nice, and I agree with a lot what the sponsor had mentioned. But it just so happens the sponsor and I were both

involved many years ago on a very particular build that's actually used in case law very often. I happened to have chaired an IDA many years ago, and there was a community, it happens to be the sponsor's community, that really was gonna be hit very hard. We searched high and low, we found a developer in California to put a half-a-billion dollars into buying a local mall and the process went forward. And the way IDAs work, especially the bigger ones -- and I certainly think the one I chaired was the biggest one -- you know, we don't do this on the back of an envelope, we have full accountants, full lawyers. It's full vetting in every which way, shape and form. Well, we saved the community because otherwise, their taxes would have quadrupled. Lo and behold, at one of our board meetings the community came out, *What's happening, our taxes went up?* I said, *No problem, it must be an honest mistake.* Well, the community board and certain legislators came out and said, *You didn't give proper notice to the community.* We showed we did, there's a logical explanation. The Comptroller did their audit and came out that, well, lo and behold, one of the school districts actually held back \$3.5 million and that's why taxes have gone up in the community.

My point is, IDAs serve a very important purpose, and they're actually the biggest contributors, one of the very biggest contributors to public school education and to education. And unfortunately, like I'm a dad of seven, sometimes we've got to do things that the kids may not understand, but it's the industrial development agencies that keep industry, just like in the exact

example of the sponsor's community, and without them these things -- the communities just would not be funded. Unfortunately, public schools -- the public school administrations do not understand, really, what IDAs do, and many people don't. They think it's a tax cut. It's never really a tax cut. It's just a tax stabilization until things can escalate to the full tax impact. But IDAs certainly contribute a great deal more to the -- to -- to school education than people think.

And I thank the sponsor for the bill. I just think it's a bit misguided and it may end up hurting public schools more than it will help. Thank you.

ACTING SPEAKER ZACCARO: Mr. Palmesano.

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

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

MS. SOLAGES: Yes.

ACTING SPEAKER ZACCARO: The sponsor yields.

MR. PALMESANO: Thank you. My first question for you, wouldn't you agree that our IDAs, our local IDAs are at the forefront, at the ground floor of economic development in our local communities, especially in light of the very bad business climate we have in New York State?

MS. SOLAGES: Yeah, so according to the State Comptroller that came out with a report just the other day saying that,

you know, IDAs have increased revenues in certain municipalities. And so this, to me, is not an anti-IDA bill. This is actually a bill to increase local engagement so that we can make sure that we're educating individuals on the fact that IDAs are doing great things, but also making sure that the community has buy-in.

MR. PALMESANO: All right. In your memo, you also -- and -- and my colleague mentioned this -- it says that school districts are required to deal with the budget impacts of PILOTs. And I know you say (inaudible). But are you saying that the -- our school districts are negatively impacted by PILOT agreements that are -- that (inaudible/crosstalk).

MS. SOLAGES: So according to the language, it doesn't say negative nor positive --

MR. PALMESANO: No, I'm --

MS. SOLAGES: -- it just says "impacts."

MR. PALMESANO: -- I'm just saying according to your memo that they're required to deal with it. So I'm -- I'm just asking the question, do you feel, because you -- you want a school board member or a school superintendent appointed, do you feel that school districts are negatively impacted by PILOT agreements?

MS. SOLAGES: So, you know, there's many PILOT that are -- are (inaudible) in -- within the State, so I -- I can't comment on all of them. But this is important to make sure that we have engagement from --

MR. PALMESANO: I understand.

MS. SOLAGES: -- school board members, and also -- or superintendents, because it's important that the community have buy-in. The prior speaker mentioned that there was an issue within my community around IDAs, and lo and behold, we found out it was an error on the school district. If the school district was engaged in the process and they actually maybe were on the IDA, they would have received some training, they would have understand [sic] the impacts that PILOTs would have, and then they would have been able to support a project that would have revitalized --

MR. PALMESANO: Sure.

MS. SOLAGES: -- essentially a dead mall in our district that's now totally revived. So, you know, I don't want to get into the points of the neg -- if --

MR. PALMESANO: No, no, I --

MS. SOLAGES: -- IDAs are negative or positive, I'm just focused on making sure that we have engagement from labor. For example, there are points where we had to claw back some IDA projects because unfortunately they didn't meet the labor standards. And, you know, when -- we have many labor organizations that currently serve on IDA boards, and the only thing I hear right now is that that's a positive experience.

MR. PALMESANO: Okay.

MS. SOLAGES: So why not make sure that all IDAs do that?

MR. PALMESANO: Yeah, okay. So, would you

agree that when an ID -- IDA is engaged in projects and PILOTs, they bring jobs and businesses to the community which then brings in a tax revenue. If they didn't have those PILOT agreements, there would be no tax revenue for the municipalities or the school district, correct?

MS. SOLAGES: So, according to labor organizations, they say that, you know, IDAs bring in jobs, they bring in revenue --

MR. PALMESANO: Sure.

MS. SOLAGES: -- and so having labor members on the IDA board has been proven well because they help in the negotiation processes, they could talk about, you know, some of the pitfalls, they have the nuances. And so it's beneficial to have that labor person within that conversation. And so -- and as -- and as I referenced before, the State Comptroller says that revenue had been increased due to I -- IDAs. And so, you know, I don't want to be in the -- in the conversation of having or be in the point of having a negative conversation because I do think IDAs are beneficial. But again, oversight, accountability and transparency --

MR. PALMESANO: Sure.

MS. SOLAGES: -- the hallmark of our government.

MR. PALMESANO: Sure.

MS. SOLAGES: And we've passed so many IDA reforms since 1993 that, you know, made IDAs much better, and on.

MR. PALMESANO: Sure. And certainly our IDAs are -- have to be truly transparent and compliant, there's rules and

regulations that they have to follow and I believe most -- they all do.

So I do want to ask a question. So my -- my colleague brought it up. So right now statutorily there's only seven members that get appointed, but it's my understanding from your legislation when -- these IDAs would have to accommodate this immediately, there'd be no -- they immediately have to make appointments to labor and school districts right away to these boards, so there's no time to accommodate, right? They have to do this immediately; is that correct?

MS. SOLAGES: So we did amend the bill to ensure that there's enough time, but we also, within the language of the bill starting at line 16, we allow IDAs to go beyond the statutory requirement of seven --

MR. PALMESANO: Temporarily, right?

MS. SOLAGES: -- until there's attrition, until -- until members leave and then, you know, they can return back to their normal five.

MR. PALMESANO: So --

MS. SOLAGES: But there -- I just wanted for the record, there's not -- you know, the maximum is seven, but some IDAs are smaller and medium-sized.

MR. PALMESANO: Sure, but -- so in this case, then, where now it's -- these appointees will be placed on the board so could temporarily be there, both labor and schools would always have a permanent appointment. So when a term of an individual comes up

after, say, two years or three years of whatever the term is, now they would have -- if they've served on that board for a number of years, they've brought expertise, now they would have to be removed from that board under -- under -- under your bill, correct?

MS. SOLAGES: So, they could come back, but also, it would be -- we're leaving local control. So the local authority would have the -- the opportunity to --

MR. PALMESANO: Did you really just say this is local control?

MS. SOLAGES: Yeah.

MR. PALMESANO: Wow.

MS. SOLAGES: Well, I'm using your phrases. We were given the local control for a State entity, because you have to remember that IDAs are a State creature --

MR. PALMESANO: I understand.

MS. SOLAGES: -- that authorizes local control and it's amended by the State many times.

MR. PALMESANO: So -- so let's go back to my question. Seven appointees, the labor and -- and the --

MS. SOLAGES: School board member.

MR. PALMESANO: -- school board member --

MS. SOLAGES: Or superintendent.

MR. PALMESANO: -- gets appointed, so it can be temporarily up to nine. So now I have an individual who's been -- who might have expertise in science and technology, expertise in

construction, expertise in finance, expertise in business development. When that person's term comes up, they would have to be removed from the board, correct? They would no longer be a part of the IDA board according to the letter of your bill, correct? You said --

MS. SOLAGES: So, all IDA members have a term, so it would be up to the appointing authority to -- so we're making the assumption that the appointing authority is going to reauthorize or put them back for their next term. But this --

MR. PALMESANO: I understand.

MS. SOLAGES: -- framework, it -- it mandates a framework for representation and allows flexibility on how boards operate and make their decisions. So local IDA boards will still remain, you know, to their agenda and their strategies, and still have their local say.

MR. PALMESANO: Okay, I understand what you just said, that sounded great. But --

MS. SOLAGES: Thank you.

MR. PALMESANO: -- answer the question. Now --

MS. SOLAGES: So --

MR. PALMESANO: Wait a minute.

MS. SOLAGES: Oh, pardon me.

MR. PALMESANO: I'm sorry. I have that individual with that expertise in housing, finance, business development, construction, who has been a valuable part of that board, who they respect and count on who's done -- helped bring

tremendous projects to the community. Now, when his term ends, or his or her term ends, based on the language of your bill, they would have to step down from the board and not be a part of that board any longer until maybe another position comes up later, correct?

MS. SOLAGES: So, this bill would give other individuals who have their own expertise to be on the board.

MR. PALMESANO: I understand that.

MS. SOLAGES: So yes, that current person who has experience would then have to leave, but now we're reappointing, and I hope the appointing authority appoints someone who has another level of expertise that might be vital and essential to the conversation of economic development. So, you know, we might be losing one individual, but we're also gaining another individual who might have insight, who have fresh eyes and new ideas, will have the opportunity to participate.

MR. PALMESANO: I understand, but based on the language of your bill, that person who brought tremendous expertise, tremendous value for years to that local community, who was appointed by that local community members -- local government now would be off the board, which you just said. So I'll -- I'll move on; that's correct, right?

MS. SOLAGES: So their -- their term would be up and the appointing authority would have the local control to have the decision --

MR. PALMESANO: But they wouldn't be --

MS. SOLAGES: -- and, you know, this really is about, you know, making sure that we have, you know, representation that's diverse and inclusive --

MR. PALMESANO: I understand.

MS. SOLAGES: -- and can have conversations. So, you know --

MR. PALMESANO: I understand all that.

MS. SOLAGES: -- it's up to the local -- it's the local appointing authority to have the say of who goes off the term, they will make the decision.

MR. PALMESANO: Well, when the term expires they're gonna be removed from the board, based on language of this bill. Let me ask you a question: Why not just -- if you want a labor and school appointed to the board, why not just add two spots to increase the statutory account -- authority?

MS. SOLAGES: It sounds like a -- a bill that the member could submit.

MR. PALMESANO: Huh?

MS. SOLAGES: That -- that sounds like a great piece of legislation.

MR. PALMESANO: Well, why don't we amend this bill to do that and then we can make it a better bill? Because then you have what you want and then we still have those individuals that could still have those same people. Why not do that, right? Let's pull the bill and amend it and make it a better bill. Not interested?

MS. SOLAGES: We appreciate the suggestion, and I'll maybe talk it over to the sponsor, but I urge my colleagues to support this legislation because it's ensuring that we have local control and local say in economic development projects from local individuals.

MR. PALMESANO: What about conflicts of interest? Sometimes there are members that represent interest groups, now you're gonna have schools, labor, you know, there's like a duty of care responsibility. So say there's a project that comes up and it benefits a local school district or it might benefit a specific labor union. Wouldn't those individuals have to abstain or recuse themselves from the voting then?

MS. SOLAGES: So, everyone has the same obligations, so if you have a conflict of interest it's the same obligations as passed under the Public Authorities Accountability Act of 2005, I think what you're referencing, that creates more gov -- more governance and also transparency and accountability. So, you know -- and that was IDA reform that was passed by the State Legislature and so, you know, that same conflict of interest still applies.

MR. PALMESANO: Okay.

MS. SOLAGES: And that goes for any members because the members of this -- of that body, of that agency could be conflicted in any sorts. They would have to disclose that and recuse themselves.

MR. PALMESANO: Is there any -- anything in this

legislation that would impact, like, if you look at a school district, sometimes they have multiple jurisdictions, sometimes they go into different counties. When that appointee comes, does it -- could it be any school district, any school official? How -- how are you going to deal with those multiple jurisdictions?

MS. SOLAGES: I think it would be under the IDA, so it would be under -- so wherever the project is, it would be under the IDA -- the governing IDA's jurisdiction.

MR. PALMESANO: So if it's -- if it's -- if it's -- so those appointees would be from wherever they want?

MS. SOLAGES: So if it was from, let's say -- pick a school board -- a -- a school, William Buck School -- that sits on the IDA board, that's, you know, irrespective of where the project is, that school board member would sit on there. It's not -- it's not every district sitting on the IDA board. It's one member that's appointed that would be -- that would qualify as a school board member or superintendent.

MR. PALMESANO: Okay. And you believe this bill is absolutely necessary, needed, and again, not just adding it to them -- you're taking -- you're really taking away appointees, two local appointees from a local -- from these local communities by the words of this bill by not adding, you're just saying they have to replace.

MS. SOLAGES: So I think that, you know, school board members have a vested interest in economic development, and they have a vested interest in making sure that their school district

remains a vibrant, you know, entity within the school community and to the -- and to the community and neighborhood --

MR. PALMESANO: Sure.

MS. SOLAGES: -- and labor has a vested interest in making sure that we have jobs and job protection. And so for me, I think that we are providing, you know, individuals the opportunity to ensure that we're promoting economic development and creating a more business-friendly place in New York State. And right now, this paradigm does exist. This is not an anomaly that school board members or -- or labor serves on IDA boards. And I know and I've seen it myself on Long Island that when labor is engaged, you know, the projects are better, the jobs are better, the revenues are better. So, you know, all we're doing is taking the best practices that we see across the State and applying it to all the IDAs.

MR. PALMESANO: And for the record, again, there's nothing saying that school board members or school officials and labor, under the current structure that we have now, cannot be appointed to these IDA boards, and in many instances they are, correct?

MS. SOLAGES: So, currently there's -- there's no defined -- defined school board member except for within the Town of Hempstead and within, actually, Nassau County IDA. We passed a bill here in the State Legislature in 2014 that allowed members of the Village of the Town of -- of Hempstead and Freeport to serve on the IDA board when they're talking about projects. So there is, you know,

history around us creating extra positions on the IDA board.

MR. PALMESANO: Extra positions, but not removing positions to fill them with other spots. This is doesn't create extra. This replaces existing spots with two new spots. So it's not additional. It's replacing the current control that the locals have.

MS. SOLAGES: So from what we heard from IDAs, they didn't want to expand the board. So from groups that we've talked to and engaged with who do work with IDAs, they, you know -- we didn't hear about them, you know, suggesting to expand the board. But again, maybe that's another piece of legislation that we could consider in the future.

MR. PALMESANO: I think an amendment to this bill probably would be better.

My last question I have for you -- actually, I think I've covered enough on the questions.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. PALMESANO: Mr. Speaker, my colleagues, right now our IDA boards are comprised of local volunteers. They volunteer their time. They bring their expertise, their talent, their knowledge, their experience to our local communities. And they do include local government officials, workforce development, business, financial, and also, yes, they have labor and school officials that serve on these boards. We know we have a terrible business climate here in New York State. Our local IDAs are at the forefront of making sure

our local economies are trying to grow and create jobs in our local communities to address the challenges that they face. When we talk about the issue of taxes and business development, if these IDAs didn't -- weren't operating and didn't have the -- the ability to operate and work with their expertise, we wouldn't have tax revenue coming in -- a PILOT for -- for our school districts, for our communities, because the businesses wouldn't come because of the climate. We need our IDAs and we need to give them flexibility and the autonomy they have to do to use the expertise in their community who they believe would be the valuable addition. It's not a one-size-fits-all approach time and time again. I mean, we talk about it -- we talk about this before, too, that --

(Buzzer sounds)

Thank you.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes for the purposes of announcement.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker, for allowing me to interrupt our debate proceedings for the purposes of letting people know that they should -- those who are on the Government [sic] Operations Committee and the Chairperson should move towards the Speaker's Conference Room immediately.

ACTING SPEAKER AUBRY: Thank you. Government [sic] Operations, Speaker's Conference Room immediately.

Mr. Palmesano for a second 15.

MR. PALMESANO: Thank -- thank -- thank you, Mr. Speaker, my coll -- just to finish my comments on the bill. To think now -- I mean, I think the -- the fallacies in this bill, if they believe -- if there's a -- this mandate to have specific appointees to this board, we shouldn't be taking away existing appointees, which is essentially what this bill does. So you could have someone with tremendous expertise in financial, tremendous expertise in housing and construction, business development who have brought value to that board, who helped create economic activity, helped bring in jobs to a local community, helped bring in tax revenue to a local community. Now, based on the language of this bill, that person would have to be removed from the board. That makes no sense.

I know the -- the sponsor talked about local control in this bill. This is absolutely not about local control, this is about usurping local control. I mean, time and time again, we see these things, bill after bill, legislation after legislation that we've done that usurps local control. I'll give you just a few of them: We passed legislation to mandate even-year elections, usurping local control. We passed legislation that would basically take away local control for the siting [sic] of wind and solar; the State gets to decide it. We take -- we added to that this budget, taking away local control for the siting of transmission, and then battery storage. We also took away local control of the assessed valuation of these projects. Assessors are the local determinated -- determinator of tax assessments in the community. The State of New York, in its wisdom, said no, not for

wind and solar or other projects that deal with so-called "clean energy," that -- they don't have that ability to assess anymore at that level. If the State wants to change it, they can do that.

Yesterday, we did a bill that took away local control on what type of website they could use. I mean, one thing after another. Our -- our economic development office -- agencies, they are the last-stop-shop to try to help improve our local communities which are being burdened with high taxation, burdensome and costly regulations, burdensome mandates like the energy -- the -- the -- the Green New Deal energy mandate that's coming down to our local communities.

This also sets a very dangerous precedent by mandating to the locals that you have to make these appointees. What would be next? Our IDAs bring in jobs, they bring in tax revenue. Think about it. If we didn't have them, they wouldn't bring in this -- if we didn't have that development, that tax revenue, the PILOTS wouldn't go to the school districts to help support our kids and their programs.

This is not a good bill. It could be amended, should be amended. If you want to do this, if you're mandating this, then you should add the appointees so the locals could still have that control of who they want to appoint on those seven spots. But to remove that, to think that the State of New York is saying, *Now you have to make these appointments and, you know, Mr. Smith, thank you for your years of service serving our IDA, thank you for your expertise, your*

knowledge, your business development. You can no longer serve on the board because the State of New York says you can't because we're removing your position because we have to meet this mandate. This just makes no sense whatsoever, Mr. Speaker and my colleague. In these different -- difficult economic times, this is not the way we should be going. We should be empowering our local IDAs and continue to enforce local control. But this is just another example of a pattern of legislation and bills this House has brought up to continue to usurp local control. I went through the list. I don't need to go through it again, but it's a dangerous precedent. It's a one-size-fits-all that New York State says, *We know best for the local community.* I will tell you, New York State does not know what's best for the local community. Local communities know what's best for their local community, not the State of New York. And I went through the list, I won't go them again. And Mr. Speaker and my -- Mr. Speaker and my colleagues, again, this is bad legislation. It should be amended to add if this is something you're gonna mandate. Don't take away those appointments from those local municipalities, those local governments, in this appointee process.

So for that reason, Mr. Speaker, I'm gonna be voting in the negative and I would urge my colleagues to do the same. Thank you.

ACTING SPEAKER AUBRY: Mr. Maher.

MR. MAHER: Thank you, Mr. Speaker. Will the sponsor for, I believe, just one question?

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

MS. SOLAGES: Yes.

ACTING SPEAKER AUBRY: The sponsor yields.

MR. MAHER: Okay. I think we touched on this a little bit, but this impacts town IDAs, city IDAs, and county IDAs, right?

MS. SOLAGES: Yes, all IDAs.

MR. MAHER: Okay, so -- all IDAs. So if you are, let's say, Orange County in my district, you have a county IDA. You made a comment about that particular development will have that school district involved --

MS. SOLAGES: No, no.

MR. MAHER: Okay.

MS. SOLAGES: That -- that -- I was speaking on a piece of legislation --

MR. MAHER: Okay.

MS. SOLAGES: -- for this bill, the appointing authority, which is, let's just say your example --

MR. MAHER: The county.

MS. SOLAGES: -- the Orange County IDA, would appoint a school board member of their choice, as well as a -- someone from a labor organization. And so it's just one school board member or superintendent.

MR. MAHER: All right. So that -- in my opinion,

that creates a little bit of an issue because, say, in Orange County you have over a dozen schools districts, let's say it's Monroe-Woodbury School District but the project's in the Town of Montgomery, there's less of an incentive for that person to be invested in that project because it might be something they actually want in their community, right? It creates some dynamics there where it may not make the most sense from a county standpoint. Would -- would I -- would you be able to, say, go to the -- the local county BOCES? Would that be something that you could do as an equivalent to have a BOCES board member be on that IDA at the county level?

MS. SOLAGES: So, you know, this -- this bill speaks more of the -- we're trying to gain the expertise of the school board member and of the, you know, superintendent. And so, you know, we have a fiduciary -- those board members have a fiduciary responsibility to the IDA board and to the -- the public. And so, you know, if there is a conflict of interest where a project is trying to bid between two areas, I -- I would think that would meet the qualifications of a conflict of interest. But the purpose of the bill is to make sure that we're just having the -- the expertise and the -- the local investment of school districts in the area. So it's a school board member that could, you know, be appointed by the Orange County IDA, for example. And, you know, the Orange IDA would have the autonomy to appoint any school board member that they choose, or superintendent that they choose.

MR. MAHER: Okay. So from a town and a city, I'm

following you. I think it's actually, potentially, a very positive thing for a city to have that school district which encompasses the city to have buy-in from a conversational standpoint with their local IDA on all these projects, because they should support it, right? And they should be educating themselves on, you know, the benefit of having this company and programs that could create and help fund in terms of community benefit agreements for school districts. I think when it comes to the county, there is an issue there that maybe in the future an amendment could change where if there is a county IDA, it would be specific to a BOCES that may -- may exist, or its equivalent, because I do believe it could create some issues, not in terms of conflict of interest and voting, but the process. Let's say you have somebody from a community where the development doesn't exist, and they want to, potentially, have that in their community. They may disrupt the process, and that could create a different problem, just at the county level. I honestly think from a city and town level there's a lot to be said about forcing some of these conversations by having them be on the board, but at county level, I -- I would love to see us kind of work on that.

And I think that's the only question I had, so on the bill, Mr. Speaker.

MS. SOLAGES: Do you want an answer to the question, or...

MR. MAHER: Yeah, I would, actually, if you have one.

MS. SOLAGES: So, you know, like I said, you know, board members have a responsibility, you know, they have a fiduciary responsibility that do right by the public and not put any influence -- influence or conflict before that. So I'm hoping that, you know, the Orange County IDA or IDA appoint individuals who can have a clear mind, clear thoughts, and be able to, you know, rule on projects on their merits and on their ability to -- to drive up revenue and create jobs and all the things that IDAs do.

MR. MAHER: So -- so it's your perspective that in, let's say a county-wide, the school district representative isn't necessarily specific to that project in their community, but creating an added value by representing school districts as a whole in the county; is that --

MS. SOLAGES: Correct; yeah, yeah.

MR. MAHER: Okay.

MS. SOLAGES: And being able to have that dialogue. You know, school board members are elected locally and so that's a local voice to advocate for communities and also create community buy-in. You know, maybe talk to school districts about the benefits or the negatives of the IDA -- IDA projects or, you know, conversations. So this is about making sure that we give the local entities the ability to have conversations and be a part of the dialogue.

MR. MAHER: Okay, I appreciate that. Thank you for your -- your answers.

On the bill, Mr. Speaker.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. MAHER: Okay. I do think at the county level it could create some issues. I'm hoping not, but I think that is one area where maybe it would make the most sense for somebody related to a BOCES or a BOCES board member in that county would probably be something that we might want to think about amending.

Just a quick minute, I just -- I think it was very nice that in the memo it was carefully worded that it's not negatively or positively impacting, but the reality is local IDAs get demonized often when a lot of these folks don't necessarily have an interest in giving these tax breaks out to companies that maybe don't need them to survive. But the dynamic is we need to compete with Connecticut, Pennsylvania, New Jersey, other states that are more affordable, where our State is not, and the incentives are given so that we can compete, not that companies need them to exist and to function. Sometimes they do, but obviously an Amazon and some of those other larger companies, it's more about competing to get them here to provide the economic value.

I also think when it comes to engaging school districts, we haven't had a lot of those conversations because it's easier to be able to just write a letter and say, *We're against this, it's going to hurt us fiscally*. But the reality is, when you have vacant property, you're paying taxes on that vacant property. When you have a company come in and you create a Payment In Lieu of Taxes, you're not taking away any benefit or any potential revenue from a school

district, you're only adding to it after year and year and year. So that is something I just wanted to note on the record, because there's a lot of folks from all walks of life that just don't understand that value and that concept, as well, when it comes to IDAs.

And that is all I have on the bill, Mr. Speaker. Thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. McDonald.

MR. MCDONALD: Thank you, Mr. Speaker.

On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. MCDONALD: I want to thank the sponsor, particularly for the amendments made for this legislation. Labor and education are critical stakeholders when it comes to economic development in a community. Prior to coming here to the Legislature 12 years ago, I served as Mayor for 13 years in Cohoes, but I also during that 13 years was Chair of the IDA and also President of the LDC, one-stop-shop. And my first initiative in 2000 was to have the school board designate a board member to be part of the IDA, because economic development's about partnerships. It's not about he versus she, it's not about us versus them. Sadly, and we're hearing this from both sides, IDAs sometimes get villainized when they're trying to move forward with economic development. The truth of the matter is the tax climate in this State is challenging. A lot of the burdens to building items are challenging; well-intentioned, but challenging.

And sometimes when an entity is making a decision of maybe it's Cohoes versus Colonie, or whether it's New York versus Kansas, it does boil down to a lot of things. Energy's one of them, but numbers and -- and the ability to make it happen is another.

So I thank the sponsor for moving this legislation forward, I thank the Speaker as well. I think this is logical. No one's being dislodged. We're adding a position and in the future if somebody decides to get off, then we move back down to the regular number. This is a very smart way of accomplishing this -- this initiative. And I'll also take a moment to say, you know, we spend a lot of times talking, lambasting, villainizing IDAs. LDCs seem to be going about their way without much oversight. Quite frankly, it's time that we, now that we have labor and education on board, that maybe we take a look at what is economic in 2024? IDAs are so 1950s language, and economic development is measured differently now. It's not just on jobs created, it's economic impact. And maybe as an effort next year, maybe we can take a larger look at this.

So once again, thanks to the sponsor.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Goodell.

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

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

MS. SOLAGES: Yes.

ACTING SPEAKER AUBRY: The sponsor yields.

MR. GOODELL: Thank you, Ms. Solages. Just a little -- a few follow-ups. So, in my county I have 17 school districts. This bill would require either a school superintendent or a member of the school board to serve on our IDA, correct?

MS. SOLAGES: Yes. So the appointing authority would essentially appoint a -- an individual who is either a school member or a superintendent.

MR. GOODELL: And of course as was mentioned between you and my colleague, there's a temporary increase in size, but presumably, the first person that comes up for renewal will be kicked off?

MS. SOLAGES: No, it's whoever -- whoever vacates their seat. So if it's a person choosed [sic] to leave the IDA board, then they -- they vacate, and then ---

MR. GOODELL: But the -- the first two people --

MS. SOLAGES: -- and then it, you know, through time it returns to its -- its normal size.

MR. GOODELL: So the first two people who vacate or whose term expires are off, right? They either have to resign or when their term is up, they're off.

MS. SOLAGES: So, it's the seat -- the members are vacated, yes. So -- I just wanted to confirm.

MR. GOODELL: So, I have tremendous respect for my school superintendents, they've gone through a lot of training and

education and experience in school administration. Most of them, in fact, I'm not aware of any of them that have focused on economic development or industrial development or those types of issues because they're experts in schools.

MS. SOLAGES: So --

MR. GOODELL: So my question is, what makes you think that a school board superintendent in my county has more expertise than any of the existing members?

MS. SOLAGES: So, two things. So, you know, school board --

MR. GOODELL: Oh, by the way, just so we're clear, the local appointing authority now, as my colleague Mr. McDonald mentioned, they can appoint a school district superintendent under the current law, right? They can do that.

MS. SOLAGES: Which question do you want me to answer first?

MR. GOODELL: Okay, so let me order them for you.

MS. SOLAGES: Okay.

MR. GOODELL: First question: Under current law, the local appointing authority can appoint a school superintendent to the IDA board, correct?

MS. SOLAGES: Yes.

MR. GOODELL: And under current law they can also, if they want, appoint a member of the school board on the IDA

board, right, under current law?

MS. SOLAGES: Yeah.

MR. GOODELL: And so having that universe of potential applicants, including school board superintendents and school board members, my local government has decided that the best seven people do not include one of those. What makes you think, or this Legislature think, that a school board member or a school superintendent is more qualified than any one of the seven that were already selected by the local appointing authority with full knowledge that they could have appointed somebody else, like a school superintendent?

MS. SOLAGES: So -- and we're not comparing board members, because it's up to local control to decide that. But, you know, other regions have --

MR. GOODELL: But two of them will be thrown off.

MS. SOLAGES: -- implemented models where school boards and economic development agencies work together to forecast the impacts of development on, you know, faced by the community. So it's been proven to be effective and it's proven to show that revenue has increased.

MR. GOODELL: But if --

MS. SOLAGES: But in addition, just -- just to your point, you know, school board members have a vested interest in local property taxes because they're directly impacted by school funding.

So they understand the metrics, so they have a particular expertise that they can bring to the table when considering these economic development projects and also land use. And also consider that, you know, when you're building certain items such as housing, how that would impact the local communities and local schools.

MR. GOODELL: But we've already --

MS. SOLAGES: And so it's going to be --

MR. GOODELL: We've already agreed that all those

--

MS. SOLAGES: -- it's going to be a holistic conversation.

MR. GOODELL: Excuse me. We already agreed that the local appointing authority can already consider all those positive factors in deciding whether to appoint one of those individuals, correct?

MS. SOLAGES: Yes.

MR. GOODELL: They can already consider that.

MS. SOLAGES: But this would stipulate that all --

MR. GOODELL: So my question is --

MS. SOLAGES: -- all IDAs do the same because we've seen that this is an effective model. You know, we've see that IDAs --

MR. GOODELL: Oh, wait, wait. You've seen that as an --

MS. SOLAGES: -- all over the State --

MR. GOODELL: -- effective model in my county?

ACTING SPEAKER AUBRY: Members, members. Can we kind of give each other a little room to answer?

MR. GOODELL: I'll step a little bit back.

ACTING SPEAKER AUBRY: And a little bit of patience as she answers your questions.

MR. GOODELL: Thank you. So what do you know about any of the seven existing members in my county?

MS. SOLAGES: So, I know that there's many IDAs that are currently operating that have labor, that have school board members, and they're able to have economic development projects that benefit the community. So we've seen the positives, and I'm sure there's negative examples, but (inaudible) about community engagement and engagement and giving the local control to the local entity so that they can, you know, appoint individuals. And they have the say of who to appoint. They can appoint an individual who might understand some of these qualifications and have expertise. And also just to your question, you said, you know, how do they have -- how do they know about the nuances of IDAs. This House has passed legislation to ensure that IDA board members are trained before they start serving. So that's under the Public Authorities Accountability Act of 2005, and also the Public Authorities Reform Act of 2009 that requires, you know, not only reporting, but training for IDA board members. So they're trained in the nuances of the IDA so that they understand when sitting on the board how to, you know, deliberate on

these -- on these, you know, projects.

MR. GOODELL: Thank you very much.

On the bill, sir.

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

MR. GOODELL: All right. We have 62 counties in this State, and we have over 1,500 municipalities, and not all of them have an IDA. But I would challenge any member in this Legislature to name any one of the members of my county's IDA without looking it up on Google. Let me make it easier. I challenge any one of you to name any single member of an IDA that's not in your own county. Well, if you don't know a single member outside of your own county, then what makes you think you're qualified to say that two of them in each county will lose their position because of this legislation unless, by chance, they happen to be a representative or a member of the school board or a school superintendent or labor leader? What makes us think that we know better than every one of those independent elected officials that make that decision on who's the best qualified for their IDA? If you don't know a single one of them or any of their backgrounds, then what gives you the right to say two people have to be thrown off so that we, for political reasons, can appoint some special interest group? My county IDA has always had a labor representative. God bless them. From time to time, they've had a school representative. God bless them. They're focused on what's best in their community, I'm sure your IDA is focused on what's best

in your community. They're focused on having the best qualified people and it's none of our damn business to tell them that they should select somebody else.

ACTING SPEAKER AUBRY: Ms. Walsh.

MS. WALSH: Thank you, Mr. Speaker. Will the sponsor yield for just a couple of questions?

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

MS. SOLAGES: Yes.

ACTING SPEAKER AUBRY: Ms. Solages yields.

MS. WALSH: Thank you very much. Just a couple of follow-ups. It's been a little while since I sat on my county IDA and I'm trying to -- I don't know Statewide what's the case, it -- was it mentioned earlier, what is the -- the largest size that an IDA can be in terms of number of members?

MS. SOLAGES: So, statutorily IDA -- the board has to be comprised of seven individuals.

MS. WALSH: At a maximum.

MS. SOLAGES: At the maximum.

MS. WALSH: Okay. What -- is there a minimum number? Is it three; did I hear that correctly?

MS. SOLAGES: I -- I don't believe there's a minimum, but I think three is probably the minimum to -- to deliberate on projects --

MS. WALSH: To have an odd number of

individuals.

MS. SOLAGES: -- to have odd -- yeah.

MS. WALSH: Okay.

MS. SOLAGES: Because you can't just have one.

MS. WALSH: Yeah, okay. That's kind of what I thought. Let's -- let's assume for the moment that the minimum number that an IDA could have, and I know there are, I looked it up quickly, I think 107 IDAs in New York State. So out of those 107, let's say that there are some that have three members. This legislation would -- would require that two -- eventually, two of those members be specific individuals with specific expertise either in school or in union matters, correct?

MS. SOLAGES: Yes, yes.

MS. WALSH: Okay. Do you know, because I don't, I don't remember back that far, is training required of IDA members? Do they have to go through training?

MS. SOLAGES: Yes. So, according to the -- the Public Authorities Accountability Act of 2005, and then we also modified it in the Public Authorities Reform Act of 2009, there are requirements for training for IDA members, and also ethics requirements for them as well, so they understand conflict of interest and whatnot.

MS. WALSH: Okay, very good.

MS. SOLAGES: So between those two reforms, that defines it.

MS. WALSH: Was there -- was there any consideration made to the idea of perhaps instead of requiring that certain individuals be on the IDAs with the specific experience in union matters or in school, that perhaps requiring all IDA members to be trained and informed about either obligations or sensitivities or concerns of unions and school boards be part of their training?

MS. SOLAGES: So, you know, every IDA board member has their different perspectives and, you know, we want to make sure that there was an individual who had, you know, deep knowledge and experience of educational matters, as well as labor matters, too -- as well.

MS. WALSH: Okay. Thank you very much for answers.

Mr. Speaker, on the bill.

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

MS. WALSH: Thank you. So, I -- I thought it was interesting that the sponsor indicated that part of the reason for this bill was to encourage local control and local say, but we're -- but then I thought, well, that's interesting because we're -- we're doing it through a State mandate that's -- that's coming in. How ironic is that? We -- we want to encourage local control and local say, but we're doing it through a State mandate. I -- I think that the training idea might be a better idea than to actually require a couple of individuals to actually sit and be on the IDA. Again, as has been said by my colleagues, you know, if that is the choice of a particular appointing

body to specifically choose, then so be it. That -- that's great. But to mandate it I think is -- is not the best way to go, particularly when you consider that if, as was said during debate, that the smallest IDA could be three members and this bill would require two -- eventually, I understand that there's idea that you could add those members and then through attrition go back to your original number, but it -- it's possible that two out of those three members could be mandated to be certain specific individuals, being specifically union or -- or school.

So I -- I don't -- I don't support the bill as it's currently -- as it's currently laid out. I think that local -- the real way to ensure local control and local say is to not take up pieces of legislation like this. So I'll be in the negative, and thank you very much, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes for the purposes of a
announcement.

MRS. PEOPLES-STOKES: Mr. Speaker, we're moving right along on our committee work as we're in process of this debate, so if we would now call the Government -- the Local Governments Committee to the Speaker's Conference Room, immediately.

ACTING SPEAKER AUBRY: Certainly. Local Governments, Speaker's Conference Room immediately, please.

And Ms. Giglio.

MS. GIGLIO: Thank you, Mr. Speaker. Will the

sponsor yield?

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

MS. SOLAGES: Yes.

ACTING SPEAKER AUBRY: Ms. Solages yields, ma'am.

MS. GIGLIO: Thank you. So, what if -- I mean, I know that we wouldn't have any problems getting a labor board member onto an IDA board, but school board members are volunteers. The school board -- being on a school board takes a lot of time, the training for IDAs takes a lot of time. I know because I appointed five IDA members when I was on the Town Board in Riverhead, and I -- I see sometimes that school board members even have a hard time coming to IDA meetings because they're at home cooking -- you know, doing whatever with their families. So what happens if they advertise for a school board member or a superintendent to be on an IDA and nobody jumps at the position? Do they have to advertise that every year until they get a school board member on the IDA?

MS. SOLAGES: You know, speaking with my local school districts, and this bill was supported by the School Boards Association, you know, I don't think that there's gonna be any issues finding individuals to serve on -- serve in this capacity because, you know, we give local control so the local entity can appoint either a school board member or -- or a superintendent.

MS. GIGLIO: Yeah, and I -- I know, because like I

said, I've appointed many members to the IDA board and, you know, they understand once they're in the role what their position actually is and should be after the training and what have you. But I'm just saying, for instance, no -- there is no school board member or a superintendent that wants to be on the IDA board, then what?

MS. SOLAGES: So there's a solicitation that goes on and, you know, I -- I think that there are individuals who want to serve. You know, there are many school board members and superintendents who want to be engaged. Even, you know, just proposing this legislation I had a superintendent who wanted to participate and looked forward to, you know, submitting his resume to be considered on the IDA board. So, you know, I think that there's gonna be many opportunities for people to serve, and I think we're gonna have a surplus of individuals wanting to serve.

MS. GIGLIO: But what if they don't?

MS. SOLAGES: So --

MS. GIGLIO: I live in a small town, I live in Riverhead Town, there's 34,000 in population. We have one school district, the school board members are volunteers. You know, we've put it out there in the past for a school board member or for anybody to be on the IDA board and nobody really came forward. So what happens --

MS. SOLAGES: You said nobody came forward, but you said you appointed five individuals.

MS. GIGLIO: Well, five individuals from the

community, not school board members or labor board members. So what happens if no school board members come forward and say they want to serve on the IDA?

MS. SOLAGES: I -- I think that's not a realistic hypothetical.

MS. GIGLIO: Well, you need a solution to that because they may not want to be. Like I said, they're volunteers. They don't get paid to be on the school board, they spend a lot of time in school board meetings and executive meetings, and they may not --

MS. SOLAGES: What if there's too many school board members who are interested?

MS. GIGLIO: -- want to take away from their families to serve on an IDA board. So if nobody from the school board or the superintendent wants to be on the IDA board, you don't have an answer as to what happens?

MS. SOLAGES: So this bill allows for the local entity to appoint a school board member or a superintendent, and I just don't believe that there's going to be a scenario where they're not able to find an individual who wants to serve, because I -- you know, I do believe that schools want to be engaged in this process. You know, they -- they deal with PILOTs and school funding issues, and they want to be able to serve in a capacity that will promote a collaborative effort between economic development and education. And like I said, the School Board [sic] Association has endorsed this bill and supports this bill because they've heard loud and clear from their members that

this is something that they are interested in participating. The New York State School Boards Association --

MS. GIGLIO: I agree -- listen, I'm -- I'm going to be supporting the bill. I agree that there should be a school board member and there should be a labor board member on the -- on the IDA. But I -- I want to know what the mechanism is if nobody, you know, goes to the position and then, you know --

MS. SOLAGES: It would be the same mechanism that's currently in law for, you know, if they cannot find a -- a person to serve on an IDA board, they would just have to keep searching for an individual. But, you know, school boards have multiple members, you know, there are multiple superintendents. You know, I -- I think that there are going to be --

MS. GIGLIO: Well, we only have one -- in -- in Riverhead Town, we have our own IDA --

MS. SOLAGES: No, I mean multiple superintendents, excuse me. But there's also different calibers of superintendents. There's superintendents of schools, there's superintendents of curriculum, the superintendents of, you know, different --

MS. GIGLIO: We don't have that.

MS. SOLAGES: -- you know, there's multiple superintendents within different school districts.

MS. GIGLIO: Yeah, we don't have that.

MS. SOLAGES: So I -- I think that we're gonna have

a multiplicity of individuals who are interested in serving.

MS. GIGLIO: Okay. Well, we don't have that in the Town of Riverhead. And the Town of Riverhead does have their own Industrial Development Agency and, I don't know, it's really --

MS. SOLAGES: And if that --

MS. GIGLIO: -- a thankless job, honestly. I mean, in speaking to the IDA members that on there, you know, they get criticized when they go to the supermarket or whether -- it's a very small town. So I don't know, I just think it would be difficult, but thank you very much.

MS. SOLAGES: But just to your point, that's why it's so important that we need to educate and engage communities. You know, already there's conversations being had about what IDAs do, whether there's a negative or positive impact. But fostering conversations and ensuring that there's collaboration between different entities, such as the school community and economic development only strengthens the process --

MS. GIGLIO: I agree.

MS. SOLAGES: -- of economic development within our communities. So I think --

MS. GIGLIO: I agree.

MS. SOLAGES: -- this is an opportunity for us to do that.

MS. GIGLIO: Thank you.

And, Mr. Speaker, on the bill.

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

MS. GIGLIO: Okay. So, I think it's very important to have school board members because, you know, sometimes we have school board members or a superintendent that will write a letter to an IDA saying, you know, *We're concerned about this*, or, *We object to this*. And, you know, it's really not enough unless the voice is actually there and their voice is reported in the local media which lets the community know what the position is. Because, you know, right now in the Riverhead School District they're -- they are busting at the seams. They have so many kids enrolled in this school, they applied for budget increases. They recently got a 5 percent increase, but still have to lay off 50 people. And there's really no room for expansion in the school district. The district office just moved down the road to open up, you know, the old district office to PPS, pupil services. So right now in the Riverhead School District there are 1,467 units being proposed, and the impact that that would have on the school district without having a school board member on the IDA to express what the concerns are is really very troubling to me that they can just build that number of units in a different town that attend the Riverhead School District. I -- I think it's -- the school board members knows what the school district can handle, and based on the type of housing can weigh in on what the applicant for the housing project can do to help alleviate some of the burden to the school district. And labor definitely should have a position on because they can identify inflated costs, which is why applicants sometimes go

before the IDA to say, *The project's going to cost me \$40,000 -- \$40 million*, but a labor person can say, *No, based on construction standards that may only cost \$20 million. Do you really need the IDA benefits?* And all of that can be evaluated, especially if there's State money involved in the project, which a lot of these affordable housing and housing projects have, is State funding to make sure that those projects are being built with prevailing wage, with apprenticeship, with project labor agreements if they can get them, and I think that's the next step that should be expanded. Because if State money is funding these projects, then these projects should be paying a living wage for the employees that are building those projects.

So I -- I support the bill. I -- I feel that we should probably be looking at maybe nine members instead of seven so that nobody does lose their position on the IDA, but that can sometimes get complicated when you increase the numbers on a board of decision makers. So, I am supporting the bill and I'm hoping that we'll be able to get a school board member that wants to be on it. I highly doubt it, but I'm supporting the bill. So thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. Will the sponsor yield for a question?

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

MS. SOLAGES: Yes.

ACTING SPEAKER AUBRY: The sponsor yields.

MRS. PEOPLES-STOKES: So, Madam Sponsor, in my county, Erie County, the IDA is made up of several key interest groups that is the reason why, I believe, the economy and particularly the economy in the City of Buffalo is doing much better now than it did in years past. So on that board is Denise Abbott. She is the President -- no, no, no, not Denise Abbott, Denise McGowan. She is the -- from the Association of the County's school boards. So would her position from that association be permissible in your legislation?

MS. SOLAGES: So it says shall -- so reading from the legislation, shall members -- such members may include representatives of local government, school and business, and shall at least include a representative of local labor organizations and either a school district superintendent or a representative of a school board. So my belief is that --

MRS. PEOPLES-STOKES: So the County Association of School Boards would be a -- would be perfect for that. So I just wanted to be clear on that, and -- because I think there is a county association of school boards in most every county. And so even if there is the issue that was mentioned by -- previously by our colleague, that it could be dealt with at that level.

The second point I want to ask is because there's so many different IDAs across the State of New York and they all are different sizes, do any of them have term limits?

MS. SOLAGES: So, they don't have term limits, but they do have a term. So their term does end and the appointing

authority would have to reappoint them.

MRS. PEOPLES-STOKES: So if their terms are five years, your term is up, the appointing authority, which could be the county, which could be the city, which could be whatever entity got you there, would have to reappoint you, or they could reappoint someone who fits what your legislation is suggesting?

MS. SOLAGES: So, they would appoint someone either with the school board -- well, there currently will because they're allowed to expand -- they will currently have a school board member and an individual with, you know, labor affiliations. And so --

MRS. PEOPLES-STOKES: Okay, so that -- that's a given that there isn't already those two positions in place in some IDAs.

MS. SOLAGES: Well, yes -- so yeah, to your point, so if they already qualify, then they don't -- they meet the standard, so they don't need to expand.

MRS. PEOPLES-STOKES: Thank you. Thank you very much.

Mr. Speaker, on the bill.

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

MRS. PEOPLES-STOKES: I actually see this as a valuable solution to what could enhance economic development for all citizens. And the reason I say that is because sometimes we look at IDAs or business communities or business operations and think that

they only look one way and they only come from one experience. And with that limited view, we actually limit our economic development capacity. And so sometimes I think it's okay to want to see an expansion on that. And I probably would not be able say this if I didn't see it happen in own community when there were opportunities for other people who had not been ever given an opportunity to serve in these positions, was given. Like right now, the President of the NAACP is on the IDA board. The former President of the Buffalo Urban League is on the IDA board. They bring an experience to that board, the same objective, by the way, to create jobs and employment and economic development for the community they live in, except rather than the person who has been there the longest -- and, by the way, I'm not gonna say they didn't serve well, but they didn't serve all. And so sometimes if you want all to be served, you need to have all at the table.

And so I want to commend, you know, the sponsor on this legislation, and I can realize how challenging it could be for people to say, you know, *There's nothing wrong with my IDA*. I guarantee you that 20 years ago some people would have said that about Erie County's. They can't say that anymore, they can say, *Our IDA is better*. And I believe yours will be better, too, if you will allow a new level of citizens to serve. Thank you.

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, but I expect several of my members will also support this and they should do so by voting yes at their desk. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Majority Conference is going to be in favor of this piece of legislation; however, there could be a few that would desire to be an exception. They should feel free to do so at their seats. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Lavine to explain his vote.

MR. LAVINE: Thank you. I want to recognize the efforts of the sponsor. I once served as counsel for an Industrial Development Agency, but that was quite a few years ago. And that was during the days when IDAs, even those in neighboring communities, did not compete with each other. So it's a very competitive atmosphere today, and the developers and their attorneys have become very skilled at manipulating one community IDA against another community IDA. At great risk are our school districts, who

depend on funding, municipal funding and taxpayer funding, to be able to maintain their programs. Having someone from labor, having someone from a school district on an IDA is nothing more than a needed check and balance on today's business enterprises.

So I think this is a great idea, it is not a panacea. But not too many of the bills that we do pass are panaceas, but it's a certain step in the right direction and I'm very pleased to support it. Thank you.

ACTING SPEAKER AUBRY: Mr. Lavine in the affirmative.

Mr. Smith.

MR. SMITH: Thank you, Mr. Speaker, to explain my vote. I'm supporting this bill. On Long Island, particularly in Nassau and Suffolk County, in my opinion I think that the IDA process sometimes is an unfortunate one. It's become so unaffordable to do business in the State of New York, particularly Downstate, that we oftentimes have to create these huge incentive packages, sometimes dealing away contributonal local property taxes for 30 years, one such development in my district. And I think it's important to have a voice of labor, but also a voice of education involved in that process.

I think if you speak to most of your constituents, I know myself, the biggest issue people talk about are our property taxes. Seventy percent of the property tax bill that local folks pay from where I come from goes to the school districts. And the school

districts rely on property taxes and -- in addition to the -- the State, you know, school aid to -- to fund their operations. So when they are not being considered in these decisions being made, oftentimes a development will come up and say, *We'll have 40 children living in this development*, but then they'll get benefits accordingly based on that tax impact, but they might have 140 students that come from that development.

So I think it's critical that we have representatives from education on that to hopefully look at some of these applications and say, *You know what? Maybe you want to sharpen your pencil a little bit*. And in addition, having labor representatives, I know down in Suffolk County we have that on many of the IDA boards and it's proven critical when applications are coming forward. It's a unique perspective.

So for that reason, I support this bill. Thank you.

ACTING SPEAKER AUBRY: Mr. Slater.

MR. SLATER: Thank you, Mr. Speaker. I also wanted to just lend my voice in support of this legislation and thank the sponsor for bringing it forward. In my district in both Westchester and Putnam County, we already have labor representatives on our IDAs and it's proven to be very beneficial for the projects that have come in. It helps the industry, it helps to make sure that the jobs that are created are high-quality and local jobs, and it also protects taxpayers by making sure that they are, in fact, real projects that are coming to the table benefitting from the IDA benefit packages that are

being offered. Also not to mention the knowledge base that is brought to the table as well, when you have members of labor sitting at the table, having these discussions with members of the business community. Again, Westchester is represented by IBEW, and in Putnam County we have a member of the Carpenter's Union that already sit on these boards. And I just want to echo what my colleague had just said about schools as well. In Westchester and Putnam County also, school taxes making up more than 70 percent of total tax bills, very important for them to be part of these conversations as well, and to be acknowledged when it comes to the IDA benefits that are being offered for these development projects.

And so with that, I will be supporting it and I encourage my colleagues to do the same. Thank you very much, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Slater and Mr. Smith in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, would you please call the Real Property Taxation Committee to the Speaker's Conference Room for a meeting immediately?

ACTING SPEAKER AUBRY: Real Property Committee [sic] in the Speaker's Conference Room immediately,

please.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. I have the pleasure, on behalf of our colleague Ms. Cruz to introduce Girls Rule the Law, Inc. It was founded in 2016 by Mirna Santiago, she's an attorney. And since its inception, it has committed to fostering a more representative society by creating pathways to legal, legislative and judicial fields for underrepresented and underprivileged youth, particularly in middle and high school girls. Their mission is to inspire and empower these young women by providing them with exposure to accomplished professionals in these fields through engaging events, school-based programs and personal mentorship opportunities during speed mentoring programs. Each year nearly 1,500 individuals participate in their in-person events.

Mr. Speaker, would you, on behalf of our colleague Ms. Cruz, please welcome these amazing young women and their mentors and sponsors to our Chambers. I believe these young ladies have been here before. I was admiring of what they do then, and I certainly do even more so admire what they do now and the capacity for where they're going in life. Mr. Speaker, please offer them the cordialities of the House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mrs. Peoples-Stokes, Ms. Cruz, the Speaker and all the members, ladies, we welcome you back here to the New York State Assembly. We extend to you the privileges of the floor. Really grateful that you

are here, in fact, to witness one of the debates that we have as we proceed to try and do our part in making new laws. I hope this has been beneficial to you. I hope it will inspire you to continue you on this journey that you have begun. And know that there are places here in this Body for you, as well as in the other House, no matter how it turns out. Thank you again so very much. We're so pleased have you. Thank you to the staff that has brought you and your advisors. We appreciate the fact that you're paving the way for these young people to improve this State and this country and this world. Thank you so very much.

(Applause)

Page 9, Rules Report No. 113, the Clerk will read.

THE CLERK: Assembly No. A09003, Rules Report No. 113, Eachus, Dinowitz, Kelles, Colton, Alvarez, Stirpe, Ramos, Reyes, Burdick, Taylor, Walker, Darling, Jackson, Cunningham, Simon, Sillitti, Gunther, Aubry, Santabarbara. An act to amend the Civil Service Law, in relation to preventing outsourcing during a hiring freeze.

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

MR. EACHUS: Thank you. This bill would provide that while a hiring freeze is in effect for State workers, Executive agencies shall be prohibited from contracting, subcontracting or hiring any third party to perform services that would ordinarily be performed by a State employee subject to a collective bargaining agreement. By

preventing the outsourcing of State services, this bill will protect the job security of our dedicated public employees. It will also ensure that New Yorkers continue to receive high-quality State services and promote transparency and accountability for the State.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

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

MR. EACHUS: I will.

ACTING SPEAKER AUBRY: The sponsor yields, sir.

MR. GOODELL: Thank you. I just had a couple of questions to make sure I understand this bill. Now, this bill would be triggered by a hiring freeze even if nobody was actually laid off; is that correct?

MR. EACHUS: That's correct.

MR. GOODELL: And it would apply if there was a hiring freeze even if no one left the department or agency that was affected. In other words, day one of a hiring freeze, full staffing, this would kick in; is that correct?

MR. EACHUS: Correct.

MR. GOODELL: Now, it would also apply, of course, if there's a hiring freeze and there's a substantial reduction in staffing as a result of attrition, correct?

MR. EACHUS: Correct.

MR. GOODELL: So under that type of scenario, let's say there's a substantial reduction in staffing as a result of attrition and a critical function needs to be performed. Would this law then require that existing employees double up on already overworked schedules?

MR. EACHUS: There is a possibility that could happen, should the rehiring or hiring of individuals into those spots not occur right away.

MR. GOODELL: Is there a waiver under this in the situations, for example, where the employees want help for a special project or a particular project?

MR. EACHUS: I would say that if employees want or need help, that we should have those people within our departments to fulfill that need.

MR. GOODELL: So you're saying that if there's a special project, maybe it's limited in time or duration, say three months, this would force the State to bring in employees off a Civil Service list and hire them for three months and then lay them off and incur unemployment?

MR. EACHUS: That is a possibility, but again, we go back to the way that you had started this. This is only during a hiring freeze.

MR. GOODELL: Now, what if during a hiring freeze there is an emergency, like a tornado or a superstorm or something of that nature where a municipality, even with full staffing, would

typically reach out and subcontract for assistance maybe in clearing the roads or cutting debris or removing debris or whatever? Even in an emergency, this would prohibit the subcontracting of critical services?

MR. EACHUS: Well, you started the statement with "municipalities", and this does not apply to municipalities.

MR. GOODELL: Well, let's -- let's say the State of New York, then, right? I mean, let's say there's a superstorm on Long Island. This would preclude the State of New York from seeking private contractors to assist in the cleanup if there was a hiring freeze at that time?

MR. EACHUS: Well, I believe we already have cooperative agreements with temporary help, you know, in certain circumstances of emergency.

MR. GOODELL: Right, but this would -- this would eliminate those temporary agreements, right?

MR. EACHUS: No, I don't believe it would -- no. Again, this is during a hiring freeze when we're bringing somebody in where we have laid people off from those jobs --

MR. GOODELL: Well, this is not --

MR. EACHUS: -- and they're filling in for those jobs that we've laid them off from.

MR. GOODELL: But just to be clear, this would apply even if there's no layoff, correct?

MR. EACHUS: I'm -- I'm sorry, repeat the question.

MR. GOODELL: Sure. Just to be clear, this would apply even if there's no layoff, correct?

MR. EACHUS: Well, the Executive can -- if it's an emergency -- if we're still talking about that emergency situation, the Executive can, you know, do away with this temporarily.

MR. GOODELL: Ah, the great power of the Exec.

MR. EACHUS: Yes, unfortunately.

MR. GOODELL: But we're all clear, this does not apply necessarily to layoffs, right? I mean, this is triggered by a hiring freeze, not a layoff.

MR. EACHUS: That's correct.

MR. GOODELL: Okay. Thank you very much.

MR. EACHUS: You're welcome.

MR. GOODELL: Sir, on the bill.

ACTING SPEAKER RIVERA: On the bill.

MR. GOODELL: Thank you. Under current Civil Service Law, municipalities, including the State, are obligated to do impact bargaining typically if they're subcontracting out work that would otherwise be done by employees. There are times during fiscal stress or fiscal emergencies that a municipality, including the State of New York itself, will implement a hiring freeze. And the concept of a hiring freeze is we're not laying off anyone, but we're gonna downsize the workforce through attrition. And a hiring freeze is typically a much more humane, if you will, a much more compassionate way to reduce your costs without throwing families into chaos with a layoff.

The problem is that sometimes when you're doing a hiring freeze, the attrition can be unequal. I mean, you might have one department where nobody retires and you might have another department where a lot of people are retired. And when you have hiring freeze and there's a lot of people retiring in a particular unit or department, the amount of work that everyone else does goes up exponentially. And so what happens if you're short-staffed, you're an employee, you're working as hard as you possibly can, and a critical project comes up that needs additional work? In that situation, you might be begging your boss to hire some temporary help to help you. You might be begging your boss to subcontract with a third party, *Please help us. We're understaffed, overwhelmed. We need help.* And this bill says that it would be illegal for any State agency to help out any of those beleaguered employees by reaching out to the private sector even if it's just for a temporary but critical project.

I appreciate my colleague's desire to make sure that employees are not replaced by third parties without an opportunity for employees to do it, but a blanket ban I think goes too far. Thank you, sir.

ACTING SPEAKER RIVERA: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER RIVERA: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you. I appreciate my colleague's desire to make sure that employees aren't laid off and replaced by subcontractors, although in a hiring freeze no employees are laid off. I actually think the most compassionate thing for our employees is to give the State the authority on a temporary basis to hire some help for them. And for that reason, I will not support the blanket ban. I certainly want to be able to do everything we can to make the life of our employees better, including the ability to hire help.

Thank you.

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

(The Clerk announced the results.)

The bill is passed.

Page 29, Calendar No. 22, sub. The Clerk will read.

THE CLERK: Assembly No. A00530-A, Calendar No. 22, Weprin, Otis, Paulin, Zinerman, Carroll. An act to amend the Election Law, in relation to watchers.

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

An explanation has been requested, Mr. Weprin.

MR. WEPRIN: Thank you, Mr. Speaker. This bill amends Section 8-500 of the Election Law to allow attorneys who are

State residents and licensed to practice law in New York State to be poll watchers anywhere in the State. Under current law, a poll watcher must be registered to vote in the county in which they intend to serve. Attorneys licensed to practice law in New York State are not restricted in their practices to any locality or court. They may practice before any court in the State, as well as before the Board of Elections everywhere in the State. There should be no restrictions on their ability to be a poll -- to be in a polling place on Election Day.

ACTING SPEAKER RIVERA: Mr. Norris.

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

ACTING SPEAKER RIVERA: Does the sponsor yield?

MR. WEPRIN: I'd be happy to, Mr. Norris.

MR. NORRIS: Mr. Weprin, has there been examples that have driven you to file this bill before the House for consideration?

MR. WEPRIN: Well, there's been a problem in getting attorneys to serve as poll watchers, and this just broadens the universe to have poll watchers. And of course, as you know, there are requirements to have poll watchers from -- from each party, major party.

MR. NORRIS: Okay. So in terms of -- do you know how many poll watchers can actually be there at the sites, at -- at an election district?

MR. WEPRIN: I have been told it's three --

MR. NORRIS: It's three.

MR. WEPRIN: -- poll watchers.

MR. NORRIS: And -- and who appoints them? Do you know who appoints them?

MR. WEPRIN: I've been told the parties of the lawsuit -- or the election.

MR. NORRIS: Okay. And -- and typically, who are the poll watchers? I mean, are they party leaders, are they volunteers? Who are they at the sites?

MR. WEPRIN: They're generally volunteers, but you know, we need more attorneys to serve in that capacity because they're more likely, if anything comes up, to be able to go to court and -- and to be there with the legal background.

MR. NORRIS: Under your bill, are there equal representation for attorneys to be present? For example, at the polling site right now, the poll inspectors, there is equal representation, Republican and Democrat, typically two each for inspectors. So is there equal representation if there is an attorney, let's say a Republican attorney who shows up at the polling site, to make sure there's also a Democratic attorney present at that site?

MR. WEPRIN: I believe so, yes.

MR. NORRIS: So they have to be equal under your bill? So if -- if -- they can't act if there's not another attorney present?

MR. WEPRIN: Well, I think the -- I think that's

under current law now. The only difference is that we're allowing attorneys that may be residents of different counties, if they're admitted to practice in the State of New York, to be one of those attorneys as a poll watcher in a -- in a particular county.

MR. NORRIS: Okay. So, for example, now if -- if there's a challenge with a petition, right, and you have to go in front of the hearing -- in front of the Commissioners, Board of Commissioners, usually they're given an opportunity to have counsel from both sides; is that correct?

MR. WEPRIN: That is correct.

MR. NORRIS: Okay. And if you're in the court -- courthouse and you're having a case, you're allowed to have, if you're two parties, prosecution, defense, if you have a plaintiff, a defendant in a civil matter, you're allowed to at least provide an opportunity to have counsel present, right, at the hearings?

MR. WEPRIN: That is true.

MR. NORRIS: Okay. So I guess what I'm concerned about on this bill is that you could have an attorney come there, pop up that day and not have notice to the other side that the attorney is actually coming there to that site. And I'm a little concerned because as a former Elections Commissioner, it's been difficult to get poll watchers, number one, to volunteer, but also to have election inspectors who actually go and perform these very important duties. And I'm an attorney myself. I know at times when you just say the word "attorney", it can be intimidating to non-lawyers just generally

by the title of attorney, and I have concern that if an attorney shows up there without notice to -- to the inspectors, they may feel a sense of intimidation or concern about them doing their duties. And maybe that's something that has not been thought out in the legislation, but it is a concern of mine by allowing this blanket authority to go anywhere in the State of New York. I mean, there could be an army of lawyers sent up from Queens to Niagara County, or from Niagara County to Queens, and really have no notice and it could cause potential, I think, chaos and intimidation at the polls while it's going on. So that's my concern, and if you want to certainly rebut that you're certainly able to.

MR. WEPRIN: Well, you know, one is I don't think -- you do not have to be an attorney to be a poll watcher, as you know. So this is just broadening the universe. As you pointed out correctly, it's hard to get poll watchers, and certainly poll watchers that have any form of experience or knowledge about the Election Law. So this just broadens the universe. It really doesn't make any sense to restrict a poll watcher to a particular county because undisputedly, any attorney who is licensed to practice in the State of New York can appear in any county in the State in any court in the State. So this just doesn't seem to be consistent with that current law of people admitted to practice law in the State of New York, and that's why the bill is -- is necessary. It just broadens the universe for poll watchers.

MR. NORRIS: Thank you, Mr. Weprin, for answering my question. I appreciate that.

Mr. Speaker, on the bill.

ACTING SPEAKER RIVERA: On the bill.

MR. NORRIS: Thank you, Mr. Speaker. I just want to say that, yes, it is true that if you're a licensed attorney you can go practice anywhere in the State of New York, you can practice before any board that takes place. However, in this unique circumstance, there is typically no judge present at a polling site, there are paid inspectors who are doing their job, equal of both parties. You have volunteers who come there as poll watchers. And actually, the law -- a law right now currently says you have to live in the county or the city and be a qualified voter to even serve as a poll watcher in those areas. So I have concerns that without equal representation of representatives who are attorneys of both parties with proper notice that they will be on site raises alarms to me. And also, I do have concerns about having an attorney present at the site, particularly maybe traveling to a new jurisdiction or new area, and putting some intimidation just by the mere fact of them being there, on our poll watchers there. I certainly want to make sure everyone has the opportunity to vote, and those who vote are qualified to vote. But this is too broad. It expands it too further in the State of New York, and for those reasons I will be opposing this bill and I encourage my colleagues to do the same.

Thank you, Mr. Speaker, and thank you, Mr. Weprin, for being heard.

ACTING SPEAKER RIVERA: Read the last

section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER RIVERA: A party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed to this legislation for the reasons mentioned by my colleague. Those who support it are certainly encouraged to vote yes on the floor. Thank you, sir.

ACTING SPEAKER RIVERA: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Democratic Conference is generally in favor of this piece of legislation; however, there may be a few that would desire to be an exception, they should feel free to do so at their desk.

ACTING SPEAKER RIVERA: 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

ACTING SPEAKER RIVERA: Mrs. Peoples-Stokes for an announcement.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. If you would please call the Science and Technology

Committee to the Speaker's Conference Room immediately.

ACTING SPEAKER RIVERA: Science and Technology Committee in the Speaker's Conference Room.

Page 39, Calendar No. 173, the Clerk will read.

THE CLERK: Assembly No. A06090, Calendar No. 173, Anderson, Meeks. An act to amend the Banking Law, in relation to including participation in a banking development district as a factor when assessing a banking institution's record of performance.

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

Mr. Anderson, an explanation has been requested.

MR. ANDERSON: Thank you, Mr. Speaker. The purpose of this piece of legislation is to amend the Banking Law to include participation in the bank development district program as a factor for considering and consideration of a banking institution's record of performance. What the bill does is it creates incentives for financial institutions that are a part of the banking development district program on and operated by the Department of Financial Services to be able to receive extra credit and support in that regard for joining this program. Thank you Mr. Speaker.

ACTING SPEAKER RIVERA: Mr. Curran.

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

ACTING SPEAKER RIVERA: Does the sponsor

yield?

MR. ANDERSON: I will yield.

ACTING SPEAKER RIVERA: Sponsor yields.

MR. CURRAN: Thank you, Khaleel. So Khaleel, we spoke about this on a couple of different points, I just want to clarify a couple things. So, so basically, this is going to apply to every state- chartered bank in New York, correct?

MR. ANDERSON: Yes. It's going to apply to every state-chartered bank.

MR. CURRAN: And right now every state-chartered bank has to get, you know, accessed through the CRA, the Community Reinvestment Act by the DFS on a regular basis, right?

MR. ANDERSON: That's correct.

MR. CURRAN: All right. So my understanding in creating a banking development district, three things has to happen. One, obviously there has to be a bank that wants to create the district. Two, there has to be a municipality that's willing to participate in that BDD. And then third, DFS has to actually prove it, and the reason for the municipality is the bank will actually get certain deposits if it's willing to participate in that BDD, right?

MR. ANDERSON: That's correct. That's the process to become a BDD.

MR. CURRAN: So Khaleel, let me ask you. Since a bank is not alone in being able to establish a BDD, what happens in a case where a bank is willing to and wants to create one but they can't

find a municipality that wants to participate or for whatever reason DFS chooses not to create that business development district? What does a bank then do to comply with this legislation?

MR. ANDERSON: Yeah. So I think -- I think -- I want to make sure we're understanding the bill correctly. This does -- this bill does not hinder anyone, any financial institution to become a member of the BDD or part of the BDD program. It merely states that if you are a member of that program then the rating that you get for the CRA, that's considered, you know, as you're going through with your institution. So it doesn't -- it doesn't, you know, prevent you from becoming a BDD or being a part of the program. It just gives you that sort of extra credit from the CRA. As you know, the CRA looks at multiple factors. It looks at credit lending. It looks at credit -- the ability for credit needs and assessing those for communities. It looks at marketing. It looks at overall participation. It looks at geographic distribution of credit programs and services for that specific community. So I just want to be clear, this bill does not prevent one or the other, it adds two. So it's not a negative, it's a plus.

MR. CURRAN: And thank you for saying that because that was my major concern. So what you're saying is a bank that either doesn't want to or can't participate in a BDD isn't going to get penalized, correct?

MR. ANDERSON: They will not be penalized, right.

MR. CURRAN: But here's -- here's the flip side then. So if a bank is actually able to participate because it was able to find a

municipality and a DFS approves it, they're going to get like as you have said, extra points or extra credit --

MR. ANDERSON: Sure.

MR. CURRAN: -- on their CRA review.

MR. ANDERSON: Sure.

MR. CURRAN: Doesn't that actually create a scenario where if a bank who wants to create a BDD but can't, but has an excellent CRA review, and the like you indicated, a lot of the factors that go into CRA have to deal with the review of how that bank is going into underserved areas with geographical information about credit lending and products being offered in those areas of being underserved. Isn't there a scenario where a bank that can't participate in a BDD, has an excellent CRA rating is going to be rated lower by DFS from a bank that is able to establish a BDD but with a lower CRA review?

MR. ANDERSON: Yeah. So it's a really good question, and I just want to be clear that nonparticipation is not counted as a negative factor. One, for the BDD program and secondly, when you think of the Community Reinvestment Act, there's a multitude of different factors when assessing someone's CRA rating. This is just one of those factors that we're adding to the menu of factors. So you --

MR. CURRAN: And again, it's all with the intent of increasing BDDs within the State, which I think we all want. We want to encourage banks within underserved areas, but it does create a

situation where a bank is unable to participate in a banking development district and get a lower CRA from a bank that is able to participate in it because of numerous factors beyond that bank's control and has a poorer CRA review. It's just because of that extra credit, and that is important to point out and to recognize within this legislation if it gets passed.

MR. ANDERSON: No, and I -- and I thank you for that. I don't read and neither do the staff, read the legislation as causing a net negative. It's just something in addition to that you'll be able to see. So, for example, if I'm an organization that meets the critical factors of being in good CRA standing and then I'm also going to apply to be a BDD and I'm in the BDD, that helps me now increase my CRA rating if I want to go on and do something else as a financial institution or credit institution. So that's -- that's something to warrant but I hear your point, but I just want to reiterate that this does not cause a net negative for those institutions.

MR. CURRAN: Just two more things.

MR. ANDERSON: Sure.

MR. CURRAN: Before we spoke --

MR. ANDERSON: Only two?

MR. CURRAN: Only two. So this only applies to state-chartered banks, not other financial institutions say credit unions, it doesn't apply to credit unions.

MR. ANDERSON: That's correct. We are State legislators and we only have the responsibility over state-chartered

institutions.

MR. CURRAN: All right. What would you say to somebody who would allege that this is yet another requirement that we're putting on banks that may create even a more unlevel playing field between banks and other financial institutions that do not have to comply with this and other regulations?

MR. ANDERSON: Sure. So I would say to those institutions, of course New York and New Yorkers deserve the best of the best. We want institutions that are going to serve with distinction in our communities and particularly communities that are underbanked and underfinanced and underresourced and this is just an extra level of protection and affirmation for those communities who are concerned. When we go to a store and we're looking at the nutrition label and on the front of the product it says 13 grams of protein, that's an additional plus as to why I may purchase that product because I know that it has a good source of protein with 13 grams of protein versus if it says 3 grams of trans fat, which is the not the better item to consume health-wise, others will argue I'm not a doctor but others will argue I'm not a nutritionist, but in any case having that extra gold star is not going to harm the consumer. It's actually going to ensure the consumer is more informed.

MR. CURRAN: Thank you. And the effective date of this, this is upon the Governor's signature, right?

MR. ANDERSON: That's correct.

MR. CURRAN: Is it a little unrealistic to believe

that a bank who is not a participant in a BDD can actually then go about creating a BDD within the time period of the next CRA if this becomes effective right upon the Governor's signature?

MR. ANDERSON: I'm sorry. Can you repeat?

MR. CURRAN: Sure.

MR. ANDERSON: You're a little low.

MR. CURRAN: Is it realistic to believe that a bank can comply with this legislation if they're not already a participant in a banking development district within that time period before their next CRA assessment?

MR. ANDERSON: I don't think that it's -- it's -- I don't think that there would be a hindrance. You know, as I read the bill and as our program staff and I have reviewed the bill, again, this bill would add on to. So if you're not able to get in on that CRA reporting, you're still going to be acknowledged as an institution within the BDD program, which is what they're intending to do if I understand your question correctly.

MR. CURRAN: Thank you, Khaleel. Thank you for the answers.

Mr. Speaker, on the bill.

ACTING SPEAKER ZACCARO: On the bill.

MR. CURRAN: So I appreciate the sponsor's responses to my questions and I -- listen, he shares the intent of everybody to make sure that we get banking institutions in underserved areas as best that we can, but this particular bill, if we're

link up being a participant in a banking development district with a mandatory CRA review, it's unnecessary because the CRA review, as the sponsor stated, has many factors that are derived from making sure that they serve -- that they are in and serving underserved areas. And the second thing that is -- that is very important is that many people may believe that this is just yet another requirement on banks that are going to make even a more unlevel playing field with other financial institutions that do not have to comply with this.

So for those reasons I'm going to be opposing this legislation. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you. 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 vote yes on the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes.

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

sir.

ACTING SPEAKER AUBRY: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Anderson to explain his vote.

MR. ANDERSON: Thank you, Mr. Speaker, to explain my vote. This particular piece of legislation, Mr. Speaker, will provide again as stated in the debate, an opportunity for a financial institution to increase their CRA rating. I think that this particular program is critical as we're looking for solutions to our underbanked and underserved communities like the ones that I represent, and I think it's important that we support this legislation and I hope that my colleagues will join me in voting yes. Mr. Speaker, I will be voting in the affirmative.

ACTING SPEAKER AUBRY: Mr. Anderson in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 49, Calendar No. 436, the Clerk will read.

THE CLERK: Assembly No. A09329, Calendar No. 436, Jackson, Burdick, González-Rojas, Glick, Taylor, Raga. An act to amend the Real Property Law, in relation to requiring landlords and lessors provide notice to tenants about bed bug infestation.

ACTING SPEAKER AUBRY: An explanation is

requested, Ms. Jackson.

MS. JACKSON: Okay. So this bill will require a landlord of a residential premises to provide written notice to all tenants of a bed bug infestation within 24 hours of having knowledge of the infestation.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

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

MS. JACKSON: I yield.

ACTING SPEAKER AUBRY: The sponsor yields.

MR. GOODELL: Thanks, Ms. Jackson, I had a few questions I was hoping you could help us understand how this bill would work in practice. The bill requires a landlord to give notice to tenants quote, "upon having knowledge of a bed bug infestation." Would this bill require that the knowledge be to the actual owner or could the notice come, you know, be given by a tenant to say an employee or leasing agent or some third-party that's related to the landlord?

MS. JACKSON: Thank you for your -- your question, Mr. Goodell. The bill would require that the tenant -- well, I'm sorry. The bill would require that once the landlord is made aware of -- of the infestation, that they alert the tenants. So if the landlord has someone else in place that's doing the work of being a landlord, of

handling the property, then that person should be responsible for making sure that other tenants are aware of this infestation.

MR. GOODELL: So the reference to *landlord* does not mean necessarily the owner?

MS. JACKSON: It says landlord or lessor, right?

MR. GOODELL: Yes. So that would cover then not just the owner but also a sub -- in a situation where there's a subtenancy?

MS. JACKSON: You're asking if someone is subleasing a place, if they're responsible for alerting the landlord?

MR. GOODELL: I mean the lessor could be the owner --

MS. JACKSON: Yeah.

MR. GOODELL: -- or it could be somebody who leases the building from the owner and subleases it to tenants, in which case the lessor would be responsible and not the owner?

MS. JACKSON: Yes.

MR. GOODELL: I see. And then it requires the landlord or lessor to provide notice to all tenants and lessees on such premises. What type of notices would meet this statutory requirement?

MS. JACKSON: So it says written, right? And so written can be actual notice that you put up in the building, or it can be an e-mail, or it can be like how my co-op does notifications. We send out notice by our app w's, and so as long as they give out the

notice in written form that's fine.

MR. GOODELL: So any reasonable method whether it's text, e-mail, voicemail, obviously first-class mail, posting in the lobby, all those would qualify?

MS. JACKSON: I would say everything except for voicemail because it's not text. It has to be written text.

MR. GOODELL: I see. But text or an e-mail would qualify as written?

MS. JACKSON: Would suffice, yes.

MR. GOODELL: I see. And it says not only to all tenants and all lessees. Is there a difference between tenants and lessees?

MS. JACKSON: In the bill?

MR. GOODELL: Yeah.

MS. JACKSON: No. It's not necessarily a difference. It's just the language used to -- to acknowledge who should be responsible for notification.

MR. GOODELL: Now this says the notice has to be sent out within 24 hours. You know, in the Civil Practice Law and Rules if you send a notice by mail, five days are added. Is the notice to be measured from the date the letter is put in the post office or the date of receipt?

MS. JACKSON: So this bill doesn't go into the, I guess, the specifics because we want to make sure that it -- it gives wide enough range for landlords to use their discretion on how to best

alert their tenants, right? And so, as long as they -- once they are fully aware that there is an infestation and they make attempts to alert the tenants, they have done exactly what the bill is asking them to do within the 24 hour period.

MR. GOODELL: Now if the landlord immediately upon hearing of this infestation or the tenant immediately upon learning of the infestation hires a qualified contractor or their themselves eradicate the issue, right, does the landlord still have to give notice?

MS. JACKSON: Yes. So the notice is about once they have -- once they know that there's infestation, it's their duty now to report and let people know that it's there. Whether it's already been taken care of is not what this bill is trying to make sure it happens. They want to make sure that people are aware that there was -- there was or is an infestation so that they can better prepare themselves for it.

MR. GOODELL: Is there any obligation on a part of the tenant to report to the landlord a bed bug infestation?

MS. JACKSON: Not -- not in this bill. This bill does not speak to that. I know in New York City there is -- there is a request that tenants make landlords know -- aware that they have an infestation but this bill doesn't speak to that. This bill is speaking to making sure that the person who owns and operates the building is letting everyone else know that there was an infestation within 24 hours.

MR. GOODELL: Now of course if a landlord knows of an infestation early, they can address it a lot quicker, a lot safer and a lot less expense then if they find out a lot later, right?

MS. JACKSON: I agree.

MR. GOODELL: If a tenant fails to notify the landlord in a timely manner, is the tenant liable for damages?

MS. JACKSON: No. This bill doesn't speak to that. This bill does not speak to anyone being liable for -- for damage, one way or the other.

MR. GOODELL: Of course we would hope that not only would tenants report it immediately but that tenants would take all the appropriate steps to stop the infestation, right? And it needs the tenant's cooperation to stop the infestation because you have to wash all the clothes, right, and take certain procedures which only the tenant themselves can do effectively. Is the landlord liable to tenants if the landlord fails to meet this 24 hour requirement?

MS. JACKSON: Say that one more time, Mr. Goodell. Is the landlord...

MR. GOODELL: Is the landlord going to be liable to tenants for costs incurred by the tenants, for example, in going to the laundromat and washing all the bedding and sheeting if the landlord doesn't meet the 24 hour requirement?

MS. JACKSON: No. This bill does not give either landlord or tenant the right to sue for damages or anything like that because of it. This bill is simply asking for the landlords to make their

tenants fully aware that there was an infestation or is an infestation in their building.

MR. GOODELL: And this bill requires the notice within 24 hours. What happens if the landlord receives notification say just before sundown on Friday and they're Jewish. Do they get an extension until the first -- the next business day or if they receive notification on a holiday or a Sunday? Do they get an extension to the first business day?

MS. JACKSON: Well, this bill doesn't speak to extensions or holidays or anything of that nature. It speaks to the fact that we know that we want to get rid of the infestation as soon as possible and reduce the amount of people that's impacted by it. So we would hope that everyone use their best judgment and to make sure that they alleviate the problem as soon as possible and alert people as soon as possible. So it does not speak to the language of holidays or any other thing that would keep somebody from doing -- giving the notice within 24 hours.

MR. GOODELL: Of course I keep hearing that there's a housing crisis in New York City caused in large part by --

MS. JACKSON: I'm sure bed bugs is not the reason.

MR. GOODELL: Well, I hope not. But a lot of it relates to a shortage of affordable housing. Does this do anything to encourage landlords to invest in more housing in the City of New York or does it now add one more burden?

MS. JACKSON: Mr. Goodell, I don't know how the

bed bugs that we're asking landlords to alert others of is keeping the housing stock low.

MR. GOODELL: But this bill would require landlords to have personnel, staff or processes in place so that if they get a notification of a bed bug infestation a Saturday they can get the notice out by Sunday, right?

MS. JACKSON: Well, the truth is that there's already things in place that New York State and New York City are requiring of our landlords, right? We are required by law to make sure that we keep our buildings and our apartments up to standards and codes that people can live in. So I'm not sure -- I'm not sure if I'm answering your question. If you can ask it one more time, maybe I'll get it.

MR. GOODELL: So this will obviously impose more cost on landlords, right, because they're going to have to have the staff and the processes in place to respond if they hear of a bed bug infestation. They have to respond on holidays and weekends and evenings and whatever to get out the 24 hour notice, so it does increase -- inherently will increase the cost to landlords.

MS. JACKSON: I mean think of it -- think if you had an emergency like a fire in one of your buildings, you would figure out a way to get people -- you would figure out a way to get there to get people to be helped and -- and be able to alleviate others that are not impacted. So not saying that bed bugs are like fires, but the same staff that you would use if you had a fire in your

development would be the same staff that you would use if there was a bed bug infestation and you need to alert people in 24 hours.

MR. GOODELL: Does this bill impose any obligations on landlords to address the bed bug infestation?

MS. JACKSON: This bill does not speak to that but I'm sure you're going to put in some great legislation to address that one.

MR. GOODELL: And does the bed bug infestation in neighboring apartments effect the warranty of habitability?

MS. JACKSON: So bed bugs travel quickly. They can travel within minutes to different rooms and they spread like - I don't want to say wildfire, but they definitely can lay up to 500 eggs in one life -- in one lifestyle -- one lifetime. And so we want to make sure that everyone is fully aware if they -- even if they live not in the apartment, but the apartment next to them, the apartment above them, everyone should be aware that there was an infestation or is an infestation.

MR. GOODELL: Thank you very much for all your clarifications.

Sir, on the bill.

ACTING SPEAKER AUBRY: Mr. Goodell on the bill.

MR. GOODELL: Thank you. I appreciate my colleague's comments on this and the bill on its face is very simple. It says upon getting knowledge that there's a bed bug infestation the

landlord has to notify all the other tenants within 24 hours. I appreciate my colleague's desire to get that information out quickly. I think 24 hours is unreasonable in the context of, you know, Jewish sabbath or holiday or a weekend, and it raises a lot of potentially unintended issues such as, will this now trigger our landlord's obligation to do something about it? What if the tenant who has the infestation, what if they're Jewish and won't cooperate during that 24 hours to address it? I mean not that they don't want to, they're religiously precluded from it. What if the tenant has a bed bug infestation and goes out on vacation? Does this create any obligation on the part of the tenant to actually address the bed bug situation in their own apartment? The answer is no. Without the tenant's cooperation the landlord can't address it. Because in order to address bed bug infestations you got to wash all the linens, and if the tenant's not willing to cooperate, the landlord is just putting up notices *Welcome to my building, Apartment 1A has a bed bug infestation*. So I appreciate the concern, but it leaves so many issues open including liability issues. And it would be refreshing if this Legislature started passing laws to make it easier to be a landlord, easier to provide high-quality affordable housing and not add more and more and more and more and more restrictions on landlords. So I appreciate the concern that we want to know what's happening in our neighboring apartments and whether they have bed bugs, but I think imposing this burden on the landlords is inappropriate. Thank you, sir.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 30th day.

ACTING SPEAKER AUBRY: A party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed. Those who wish to support it can vote yes here on the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Fall.

MR. FALL: Thank you, Mr. Speaker. The Majority Conference will be in the affirmative on this piece of legislation. For those that would like to vote in a different direction, they can do so at their desk.

ACTING SPEAKER AUBRY: Thank you both.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Jackson to explain her vote.

MS. JACKSON: Thank you, Mr. Speaker, for allowing me to explain my vote. You know our grandparents were on to something when they wrapped everything in plastic, but now we are ripping everything up in plastic and acting brand-new. I'll let you all catch that later. But back to the lecture at hand, bed bugs. I remember in 2010 when bed bugs tore up New York City. We were wrapping everything back in plastic. We shut down our movie theaters. We had to buy covers for our beds and our pillows to protect

us at night. And you know, we all -- the only thing this bill is asking us to do is to be good neighbors, good landlords and alert the people around us. We know that -- that a female bed bug can lay up to how many - 500 eggs within her lifetime - and for me, I just -- it just makes me itch just to think about it. So I am voting in the affirmative. I am going to miss these debates with my colleague on the other side and I hope that everyone else is voting in the affirmative with me.

ACTING SPEAKER AUBRY: Ms. Jackson in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 50, Calendar No. 450, the Clerk will read.

THE CLERK: Assembly No. A05790-B, Calendar No. 450, Paulin, Sayegh, Weprin, Hevesi, Gunther, Zebrowski, Colton. An act to amend the Public Health Law, in relation to quality improvement and increased consumer transparency in assisted living residences.

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

MS. PAULIN: Thank you, Mr. Speaker. It relates to quality improvement and increased consumer transparency in assisted living residences.

ACTING SPEAKER AUBRY: Mr. Jensen?

MR. JENSEN: Thank you, Mr. Speaker. Would my

-- would my esteemed colleague from Westchester County yield for some questions?

ACTING SPEAKER AUBRY: Esteemed colleague, will you yield to Mr. Jensen?

MS. PAULIN: I'll think about it, yes.

MR. JENSEN: Thank you very much and I appreciate her yielding for some questions. The first thing I want to ask, so the effective date of this legislation is 30 days after a signature by the Governor but the implementation date is the end of January 2025. Are there any concerns whether from you or from relevant stakeholders that depending on when there's action by the Governor on this legislation if it is passed by both Houses, that it could be a fairly short time period for all the legislation to actually be implemented?

MS. PAULIN: So this is very, very similar to two proposals that were in the Executive Budget the last two years. So we believe that they already have most of this done, organized and therefore the timing should work.

MR. JENSEN: Okay. So there's no concern about the -- the quick implementation date after effectiveness?

MS. PAULIN: I would imagine that if the Governor wants to implement this as we think they will, that if there's any concern, we can agree to a Chapter Amendment, but we believe that it should be okay.

MR. JENSEN: Okay. Continuing in this bill, there's

a provision that DOH in consultation will relevant stakeholders would establish a form and format for assisted living facilities or residences to be serving on the quality of their respective facilities. Is that a survey in the sense that they are currently surveyed by inspectors or is that by an actual survey of asking questions of the residents who reside in these locations?

MS. PAULIN: So it would have to be on their records and that they would submit them, because the top 20 percent would get an 18 month delay in terms of an actual inspection.

MR. JENSEN: Mm-hmm.

MS. PAULIN: So they would then be forced to do it electronically or, you know, without that -- without that physical inspection. Certainly if there was any question marks at the inspection on the data that they submitted, it would -- it would be remedied, but the -- the survey would have to be --

MR. JENSEN: So the survey would be under the confines of what is currently in existing law about ALRs being inspected every 12 to 18 months currently by DOH health inspectors.

MS. PAULIN: That would be in person, yes.

MR. JENSEN: Okay. So currently I know in the inspections of nursing homes and long-term care facilities, there is a concern that there has been some lag in compliance with existing law on timing because of a lack of staffing at the Department of Health. Are we comfortable and secure in the DOH currently having enough staff to appropriately and adequately conduct these inspections?

MS. PAULIN: That part of it is the -- was a direct lift from the Executive's proposal so if they're not concerned or they perhaps are recognized that they have to add staff to do it, I don't think that we should be concerned.

MR. JENSEN: Okay. In the provision that the assisted living residences have to provide reports annually and post information, they would include the monthly -- starting monthly serving rates, ranges for rent, the admission residency agreements, consumer-friendly summaries of all service fees, would that have to be submitted to DOH and posted on a specific website that's publicly accessible or would that -- and/or would that have to be posted at the residence in a publicly-viewable location?

MS. PAULIN: It would have to be posted on DOH's website and we actually say in a conspicuous place. I don't know how many times you looked at that website, but conspicuous is a real key word in this -- in this proposal.

MR. JENSEN: Okay. So I want to go back to what you had mentioned previously about the top quartile of ALRs that are deemed to be highest, they would -- they would then only have to be inspected or surveyed every 18 months. What would happen if there was a facility that was in the bottom 75 percent that after their yearly inspection then overcame, you know, bumped themselves up in the quartile? Would it be a moving, almost like a Formula 1 race where, you know, somebody who's, you know, in fifth place would go down to sixth and so on and so forth?

MS. PAULIN: If it looks like everybody is doing really well we can come back and revisit, but yes. It would be the top 20 percent.

MR. JENSEN: Okay. So if -- if -- I know and previously I made up a fictional hospital that some of our colleagues thought was a real hospital Jensen Memorial. If Jensen Memorial Health System now had an assisted living residence as part of it and we were in the top quartile and we were on month 14 of not being inspected, we then drop into the bottom 75 percent, would that trigger an immediate survey or inspection by the Department of Health or would that -- would that ALR then go to the bottom of the list or would they be -- I guess where would they end up in --

MS. PAULIN: So the bill's silent on that. That would really be up to the Department to figure out those time -- timelines, but I would imagine if you're within the top 20 percent and you're on the 18 month schedule, that they're not going to change that midway.

MR. JENSEN: Okay. Are there any other whether it's in the Department of Health or any other State agency, are there any other provisions that you're aware of where we have different inspection rates or survey rates for facilities based on performance or would this be a new introduction in Public Health Law or any other existing law?

MS. PAULIN: It's new.

MR. JENSEN: It's new? Okay. Is this something

that we would look to if it is effective to essentially reward facilities for exceptional surveys or inspections, we would look to apply to other care facilities like nursing homes or other --

MS. PAULIN: Well, nursing homes are regulated by the Federal Government so we don't have that option, but I would think that if the -- if it works as an actual incentive and it might, then sure, we should look at it because we have to build much -- many more incentives into the system to reward good behavior.

MR. JENSEN: Okay. Thank you very much, Ms. Paulin, I appreciate your answers.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. JENSEN: Thank you, Mr. Speaker. I appreciate the chairwoman answering my questions, and while I -- I do understand the -- the need for this legislation and believe that, you know, we should ensure that individuals, especially our elderly population whether they're living in assisted living residences or nursing homes have robust and timely and adequate inspections. I do have concerns with the implementation date of the end of January 2025 on this legislation. So certainly while I will be supporting this legislation as I did in the Health Committee, I do believe that we need to look at whether through a Chapter Amendment or some other measure looking at changing when the implementation date of the portions of this bill that would force the assisted living residences and DOH to -- to create new information or start posting information, we

should look at the implementation date. So thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 30th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 50, Calendar No. 455, the Clerk will read.

THE CLERK: Assembly No. A06982, Calendar No. 455, González-Rojas, Hevesi, Darling, Hyndman, Lucas, Levenberg, Septimo, Taylor, Raga, Burdick, Reyes, Bores, Lee. An act to amend the Executive Law, in relation to the maximum age at which a homeless youth can continue to receive shelter services.

ACTING SPEAKER AUBRY: Ms. Rojas, an explanation is requested.

MS. GONZÁLEZ-ROJAS: Thank you, Mr. Speaker. This bill would allow homeless youth who enter a transitional independent living center under the age of 24 to continue to receive shelter services beyond the current maximum 18 month length of stay to 24 months or more when a municipality believes that circumstances exist to warrant such an extended stay.

ACTING SPEAKER AUBRY: Ms. Walsh.

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

ACTING SPEAKER AUBRY: Ms. González-Rojas, will you yield?

MS. GONZÁLEZ-ROJAS: Yes, I will.

ACTING SPEAKER AUBRY: Sponsor yields.

MS. WALSH: Thank you very much. So what is the current age limit that has been placed in the law that we're changing with this legislation?

MS. GONZÁLEZ-ROJAS: Well, under current law the municipality already may choose to provide services to youth up to age 24 if they have elected to do so in their comprehensive plan. However, the current language related to transitional independent living programs is limited to only allowing districts to provide extended services for youth under -- up to age 21.

MS. WALSH: Up to age 21, okay. And a lot of my questions are just going to be running through some scenarios. I'm trying to understand -- well, let me start at the beginning kind of. Where did this bill idea come from to increase the age from 21 to 24?

MS. GONZÁLEZ-ROJAS: Well, a lot of municipalities have actually opted in. We know it's for many young people who are in crisis and need these kind of services, the age of 21 they may not be ready to transition out independently. And many municipalities, including Schenectady which I believe you represent, towns there and in New York City as well, they have moved up to the

age of 24. And also when you look at stats across the country and in New York State, most youth-related stats are -- are up to the age of 24. So it really aligns with many policies that municipalities have opted in.

MS. WALSH: Okay. And what's the floor? What's the youngest age that you can enter the transitional independent living support program?

MS. GONZÁLEZ-ROJAS: Fourteen years old.

MS. WALSH: Fourteen. And that's -- because I thought it was 16, but then I saw something in the language that said it could actually be lower than that. So 14 would be the youngest --

MS. GONZÁLEZ-ROJAS: Mm-hmm.

MS. WALSH: -- and under this legislation, what's the oldest that an individual could be when leaving a transitional independent living support program or TIL, I'll call it a TIL.

MS. GONZÁLEZ-ROJAS: Yeah, the bill would allow them to enter by 24. They could stay up to 18 or 24 months if the municipality deems it necessary to do so.

MS. WALSH: And could they go beyond that 24 months, because I was unclear as I was looking at it.

MS. GONZÁLEZ-ROJAS: Only under extenuating circumstances. If a municipality believes there's circumstances that exist that weren't such extended stay, they'd have to provide written notification that's made to OCFS 60 days prior to an expiration of a youth maximum permissible stay. So they have a whole list of

requirements that they'd have to submit in order to grant that. And it's very rare that that stay is extended beyond the 24 months.

MS. WALSH: Okay. And the 18 to 24 months that someone could stay and regardless of what age they are when they first come in, is that a consecutive time period? In other words, can an individual come in, go out, come back in and then you add up all that time and it gets to 24 months, or is it one, you know, consecutive stay of 18 to 24 months?

MS. GONZÁLEZ-ROJAS: We believe it's a totality of time.

MS. WALSH: Okay, okay. Yeah, I couldn't find that. I didn't get a chance to read through all the regulations and everything yet, but --

MS. GONZÁLEZ-ROJAS: I think the goal is that they receive these services that are critical to allow them to live independently and have the support that they need so that they're able to transition out successfully.

MS. WALSH: Absolutely. Do you have a sense of -- you mentioned that it was optional with the -- with the municipality or the -- the county that would be taking this up to decide whether they want to give that additional time or not. Do you have a sense of the percentage or number of communities that actually do that?

MS. GONZÁLEZ-ROJAS: We -- OCFS, the most common -- it's most common for youth to remain in a transitional independent program for one to six months, so that's 42 percent.

Fourteen percent of youth remain from 0 to 30 days, 25 percent remain from seven to 12 months, 11 percent remain from 13 to 18 months, 7 percent of youth remain from 19 to 24 months, and less than 1 percent remain for 24 months or longer so it's very, very minimal.

MS. WALSH: It's very rare, okay. And so, let's -- let's take an example of -- and I understand from the statistics that you just gave that this might not be a common example, but just to give everyone a, you know, a chance to consider what the age could be. Let's say you're -- let's say you're coming in the day before your 24th birthday, okay, under this legislation. And then the -- the place where the program is located is a community that has extended it to 24 months. So that individual could be -- could spend all of their 24th year and all of their 25th year and just before they turned 26 they would need to leave if it's a 24 month extension, unless they're able to make the case to OCFS that they're extenuating circumstances and if there are, how much more time could they get?

(Pause)

MS. GONZÁLEZ-ROJAS: Yes. There's not a particular cutoff and again, we're going back to the statistics, less than 1 percent even reach the 24 month mark, but they would have to have very extenuating circumstances to get approval for that.

MS. WALSH: But if they did get it approved, do I understand it correctly that there is no outside date or time that they would then need to leave by if they're able to show the extenuating

circumstances that you mentioned? Can they stay, you know, forever theoretically?

MS. GONZÁLEZ-ROJAS: In the requirement of submitting a request to OCFS they would have to provide a -- an anticipated successful discharge date. So they do have to provide a sense of how long that individual would need to stay beyond that -- that time period with the extenuating circumstances that are presented to them.

MS. WALSH: And does that need to be adhered to or once you get to the end of that could there be a further application for more time?

MS. GONZÁLEZ-ROJAS: Yeah. We don't think that they would continue to -- continue to extend the stay. Again, hopefully, you know, they could get the services that they need whether it's shelter, whether it's mental health services, et cetera, that they can transition out and then perhaps into an adult facility, if necessary.

MS. WALSH: Okay. How many -- do you know how many individuals are actually participating in this program in New York State right now?

MS. GONZÁLEZ-ROJAS: I know that in -- not right now, but there's a census in New York City that I found really interesting about youth who are homeless and they do a one night at one point in time. In January 2023 there were 3,673 homeless youth, 3,526 that were sheltered - and this is all in New York City - 85

percent were between the ages of 18 and 24.

MS. WALSH: Okay. Thank you for that. So if this legislation then as we mentioned at the beginning would change the age from 21 to 24 --

MS. GONZÁLEZ-ROJAS: To enter the program, yes.

MS. WALSH: To enter the program and then we discuss how they could then stay for the additional time beyond that. Do we know or do we anticipate how many more individuals would be served with this change in the law?

MS. GONZÁLEZ-ROJAS: We don't have an estimate, but again, the percentage of people who reach that maximum, even the 24 length stay, is very, very minimal. It's less than 1 percent.

MS. WALSH: Is there any idea of the -- of the financial impact of doing this?

MS. GONZÁLEZ-ROJAS: Yes. So the runaway and homeless youth service are reimbursed through service plans so these are developed by the county youth bureaus and it's approved by OCFS. The State reimburses the local 60 percent of their cost associated with these services. And then in this year's enacted budget we allocated \$8.48 million, which is an increase of 1.4 million over the last fiscal year.

MS. WALSH: And was the reason for the increase specifically for this transitional independent living support program or

was it just overall?

MS. GONZÁLEZ-ROJAS: It's just more overall --

MS. WALSH: More overall?

MS. GONZÁLEZ-ROJAS: -- for the counties, yes.

MS. WALSH: Now I saw that back in 2022 this bill was vetoed by the Governor. Was the bill changed in any way in response to the veto?

MS. GONZÁLEZ-ROJAS: So some of the -- the response in the veto memo was not accurate. She talked -- she talked about, you know, the -- the lack of additional services, the no potential maximum stay, the upper age, so again, it's -- it allows you to stay longer with OCFS approval but that's something that was already in existence. It just allows the entry age a little bit older at the age of 24.

MS. WALSH: Okay. So is it fair to say that the legislation didn't change in that when you read the Governor's veto message you didn't feel that it was an accurate reflection of what the legislation did?

MS. GONZÁLEZ-ROJAS: Yeah, I didn't carry this bill last year, but I know looking at the veto memo and conferring with staff that it wasn't really an accurate representation of the bill.

MS. WALSH: Okay, very good. Those are all my questions. Thank you very much for -- for your answers and, Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill.

MS. WALSH: So we were having kind of a -- a

humorous discussion yesterday about when somebody becomes old, we were all laughing about that. I mean it actually kind of ties in with this bill a little bit, because when -- when does a youth -- when is a youth no longer a youth, I think it's kind of what I was thinking about in reading this bill. If this is supposed to be -- certainly -- I mean certainly providing programming and services for homeless youth is something that we have an interest in doing in the State. We know that the youngest homeless youth that can come into a program like this can be as young as 14, usually more like 16 but 14 can be the youngest. And now under this legislation moving it from age 21 to age 24 when they can even enter the program, the -- the oldest even if it is uncommon, the oldest homeless so-called "youth," I'm using air quotes, would be 26 years old and maybe even older. I mean I -- I don't know. I think the Governor -- although maybe the -- the veto message was not completely accurate in some respects. I think that the concern was that by extending the age where a homeless young person, adult, young adult can come into this program would have an unintended consequence perhaps of shifting focus and support to some of the younger folks that are coming in to avail themselves of these services, and that -- and we really don't know what the fiscal impact is going to be anyway of doing this. So the reason that I don't support this bill is not that I don't think that we should have homeless youth services, I do. I just think that the existing law and the ability to extend the age even now from coming into the program at 21 and then having the person leave at around the age of 23, almost 24 is

sufficient. And I think that we know that in this Chamber and in this Body through the budget we've been talking about creating other housing opportunities for young adults and perhaps that might be a better way to address this concern rather than expanding this program to include, we don't know how many more people and we don't know -- we don't know what the financial cost would be. So I was thinking about as a -- as a parent of six kids that range from 31 to almost 18, I think sometimes about when does -- when does a youth become an adult. And I think over time, you know, I think that that number keeps kind of creeping up. You know, my dad was -- joined the Navy and fought in World War II at 19. That's changed a lot even just since that generation. But I do think that by changing this legislation and changing the program and expanding it this much, I don't believe it's warranted. I think the program is just fine the way it is and I would leave it that way.

So I'll be voting in the negative and I would encourage my colleagues to do the same. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mr. Hevesi.

MR. HEVESI: To explain my vote.

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 for the reasons mentioned by my colleague. Those who support it should vote yes on the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Mr. Fall.

MR. FALL: The Majority Conference will be in the affirmative on this piece of legislation. For those that would like to vote no, they can do so at their desks.

ACTING SPEAKER AUBRY: Thank you, sir.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Hevesi to explain his vote.

MR. HEVESI: Thank you, Mr. Speaker. I rise to commend my colleague for her great work on this bill. The impetus for this bill I believe is the recognition that for kids who are 21 to 24 years old, one-third of those who are of that age group who leave foster care become homeless automatically. So you have a problem with the number of kids who are falling into homelessness. Then add into the fact that these are still young people, you don't want them in the adult shelters. So this bill is not only good for the kids, it's also going to save you money in the long-term because these services are cheaper than the adult services that they are looking to offset. This is an outstanding bill for kids. This is an outstanding way to stop and prevent homelessness from happening, and this is an outstanding way

to save taxpayer money. So I would like to thank my colleague, Ms. González-Rojas for her great work on this bill and I am in support of this legislation. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Hevesi in the affirmative.

Ms. González-Rojas to explain her vote.

MS. GONZÁLEZ-ROJAS: Thank you, Mr. Speaker.

I appreciate my colleague's question but I think this exposes a fundamental difference between the aisles. I believe that all New Yorkers should be able to access stable and affordable housing and Social Services and in particular moments when they need support in achieving stability. There's no universally-agreed international definition of a youth age group. The National Institute of Health says the brains frontal lobe, especially the prefrontal cortex isn't fully mature until the age of 25, and the United Nation defines youth as those persons up to age 24. That definition was endorsed by the General Assembly in a resolution in 1981. But beyond that -- here's what I know: Each year thousands of young people are sleeping in the streets of our State. According to New York City Youth Census, on January 24th, 2023 in the dead of winter, 3,673 youth were deemed homeless and 85 percent were between the ages of 18 and 24. I believe as legislators we have a moral obligation to come up with solutions that address this crisis. New Yorkers are struggling and these young people, many who are LGBT and young girls and children of color, they need our help. This change would assist young

people who are vulnerable to exploitation and trafficking and I think this is worthwhile. So with that said, I don't know if we've done enough on housing this year, but I would certainly urge the Governor to sign this bill into law to ensure that our young people across the State will always have a warm bed to rest in every night. So with that I proudly vote in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Ms. González-Rojas in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 10, Rules Report No. 142, the Clerk will read.

THE CLERK: Assembly No. A00136-A, Report No. 142, Cruz, Stern, Burdick, Simon, Darling, McDonough, Sillitti, Weprin, Colton. An act to amend the Insurance Law, in relation to homeowner natural disaster preparedness, home safety and loss prevention courses.

ACTING SPEAKER AUBRY: Explanation is requested, Ms. Cruz.

MS. CRUZ: Thank you, Mr. Speaker. This bill would require DFS to issue a request for proposals to implement the homeowner natural disaster preparedness home safety, a loss prevention program authorized in the 2016 budget.

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: Thank you. Would the sponsor

yield?

MS. CRUZ: Sure.

ACTING SPEAKER AUBRY: Ms. Cruz yields, sir.

MR. GOODELL: Thank you, Ms. Cruz. Is there funding in this year's budget for this program?

MS. CRUZ: No.

MR. GOODELL: But this bill would require the Department to issue a request for proposals for the program, right?

MS. CRUZ: Yes.

MR. GOODELL: And the bill would take effect immediately upon signing by the Governor.

(Pause)

MS. CRUZ: One second, Mr. Goodell.

(Pause)

So Mr. Goodell, so while the bill would take effect now, the request for proposals for funding to actually carry out these courses would not come into effect until March 1st, 2025.

MR. GOODELL: I see. And this bill goes on and requires the Department of Financial Services to submit a budget request, correct?

MS. CRUZ: That's correct.

MR. GOODELL: But doesn't the State Constitution say that only the Governor can submit a budget?

MS. CRUZ: Well, Mr. Goodell, this is pursuant to an already required project that the DFS was supposed to have carried

out and it's been about five years or so -- and yeah, 2016 and they have not completed it.

MR. GOODELL: Well, I understand all of that, but isn't the Constitution clear under Article VII that the Governor prepares the Executive Budget, not the Legislature? The Legislature can most assuredly amend it to include the funding, but it's solely the responsibility of the Governor to submit the Executive Budget, right? We can't by law direct the Governor's agencies or departments to submit a budget request to us, can we?

MS. CRUZ: I'm not familiar with that section of the law, Mr. Goodell.

MR. GOODELL: It's -- we can pull it up on our tabs, it's Article VII, Section I think 4. I'm sorry, Article VII, Section 1, which says, the head of each department shall furnish the Governor such estimates as the Governor requests, not to us but to the Governor, that's Section 1, Article VII, Section 1. Section 2 says the Governor within a certain time frame shall present the budget to us. Then certainly we can amend the budget as we often do and that's of course in Sections -- the subsequent sections. So my question is, while I appreciate that you want to fund this program, we have to do that once we receive the budget, right? We can't by law direct a department head to submit a budget.

MS. CRUZ: Mr. Goodell, I'm going to trust what you're reading because I'm not going to pull it up right now is correct. But I do want to remind us that this was already a requirement. So it

isn't me asking DFS to actually carry this out. This was a 2016 budget law that we passed back then that was already requiring DFS to do this and they have failed to do so. So we are asking them to actually submit the process, if you will.

MR. GOODELL: Was funding provided for this program in the current budget this year?

MS. CRUZ: No.

MR. GOODELL: Was it included in either one-House budget this year?

MS. CRUZ: Not that I'm aware of.

MR. GOODELL: So why are we blaming the Governor or the Department for not funding it when we didn't include it in either our one-House nor in our budget amendments?

MS. CRUZ: Not sure, Mr. Goodell.

MR. GOODELL: Okay. Thank you. I appreciate it. Sir, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. GOODELL: From -- from what I've read this is likely to be a helpful program that would help homeowners prepare for natural disasters. As my colleague mentioned, we included the statutory authorization for this several years ago, but apparently neither the Governor nor even the Majority in this Legislature found it fit to provide funding for it, and that often happens. I don't think we can pass a bill that unconstitutionally requires a Department to submit a budget request directly to us. The budget process is spelled out

carefully in our Constitution. It requires department heads to submit their request to the Governor and for the Governor to decide whether or not to include that budget in her Executive Budget, and if she doesn't and we think it should be in there, the correct and constitutional process is for us to amend the budget, subject to a veto or approval by the Governor. So since this process that's reflected in this bill, while laudable, is unconstitutional, I can't support it. Thank you, sir, and thank you to my colleague.

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. For the reasons I mentioned, while I support the program, I also support the Constitutional process for budgets. As a result, the Republican Conference is generally opposed to this particular legislation. Those who support it are welcome to vote yes on the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Fall.

MR. FALL: The Majority Conference will be in favor of this piece of legislation. For those that would like to vote no, they can do so at their desks.

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.

Page 24, Rules Report No. 220, the Clerk will read.

THE CLERK: Assembly No. A10343, Rules Report No. 220, Committee on Rules, Weprin. An act to amend the Insurance Law, in relation to anti-concurrent causation clauses.

ACTING SPEAKER AUBRY: On a motion by Ms. Sillitti [sic], the Senate bill is before the House. The Senate bill is advanced.

An explanation is requested, Ms. Sillitti [sic].

MR. WEPRIN: Thank you, Mr. Speaker. This bill amends Section 3416 of the Insurance Law. (Mic cut out)

ACTING SPEAKER AUBRY: One minute, Mr. -- Mr. Weprin. Hold for one minute. Your mic is not on. Now try it.

MR. WEPRIN: This bill adds Section 3416 of the Insurance Law to prohibit insurers from excluding coverage for any loss or damage to property resulting from water or waterborne material that backs up through sewers or drains or overflows or is discharged from a sump -- sump pump or related equipment on the grounds that the loss or damage may have been caused directly or indirectly by an excluded peril contributing concurrently on any sequence to cause the loss. Past storms such as Superstorm Sandy in 2012 and Tropical Depression Ida in 2021, brought strong winds,

intense rainfall and record storm surges which interfered with the normal drainage of sewage in many areas causing New Yorkers to experience sewage backing up into their homes. Many residents who had purchased sewage backup coverage found that their property insurance policy would not cover the damage because of anti-concurrent causation clauses in their policies. This legislation would address this shortfall and ensure New Yorkers throughout the State are properly covered in those instances.

ACTING SPEAKER AUBRY: Mr. Blankenbush.

MR. BLANKENBUSH: Thank you, Mr. Speaker.

Will the sponsor yield?

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

MR. WEPRIN: I'd be happy to.

MR. BLANKENBUSH: So anti-concurrent clauses. Tell me exactly what you listed all of the stuff in the -- in your bill, but basically just what does that do?

MR. WEPRIN: Well, they're going to claim it could be an act of God or something, a natural disaster. However, this ensures that in those type of situations through no fault of the homeowner that they get coverage.

MR. BLANKENBUSH: Okay. So if I have -- there's different kinds of homeowners. Let's say I have a homeowners 3 policy, HO3. HO3 policies don't even cover backup from sewer, backup from sump pumps and so forth. So what we're saying here is

that a homeowners 3 policy because I'm either in an -- in an area without sewer backup, without the need for coverages that the policies that are going to be issued under this law, under this bill, H03 policies, would cover flooding and water backup even though an H03 normally doesn't do that?

MR. WEPRIN: It only -- it's only to policies that cover water backup policies.

MR. BLANKENBUSH: So it wouldn't effect HO3's?

MR. WEPRIN: Not if they don't have that coverage.

MR. BLANKENBUSH: Okay. So let's say I have a homeowner's policy that does have that coverage. It will only -- it will effect those policies under the anti-concurrent clause.

MR. WEPRIN: Correct.

MR. BLANKENBUSH: So no matter what the peril is, no matter how the water is coming in, whether it's through a covered peril or not, it's got to be covered.

MR. WEPRIN: Correct.

MR. BLANKENBUSH: Up to -- up to the -- what kind of coverage would be on a -- on a policy like that? A total -- the claim would have to be paid. Does the homeowner's deductible, is there a different kind of deductible that's going to be used?

MR. WEPRIN: It's up to the limits of the policy. I would assume that the deductible would still apply.

MR. BLANKENBUSH: So it would cover up to the policy limits?

MR. WEPRIN: For that specific water backup endorsement.

MR. BLANKENBUSH: Wow, okay. Doesn't -- doesn't the concurrent bill legislation -- doesn't it also result in matching premiums with risk?

MR. WEPRIN: Yes. I've been told yes.

MR. BLANKENBUSH: So in other words if every policy is going to be covered by this risk, people in my area are going to be covered for say flooding that doesn't need to be covered for flooding and if they did, isn't there the national flood coverage that they could go to if they're living on the lake or the river?

(Pause)

MR. WEPRIN: Yeah. I'm told it's not flood insurance. It's only for homeowners that specifically buy the -- the backup policy. Incidentally, this is a bill that is supported by the Department of Financial Services. So there --

MR. BLANKENBUSH: Well, that doesn't excite me too much but... so here's the -- here's the question when I'm reading this -- this bill. You said it doesn't cover flooding.

MR. WEPRIN: Right.

MR. BLANKENBUSH: But what if flooding is the cause of the backup coming through the sewer systems and all that? My understanding is that it's going to have to be covered, right?

(Pause)

MR. WEPRIN: I've been told it's the damage caused

by the backup which is covered in the policy.

MR. BLANKENBUSH: So the insurance companies are going to have to try to match premium with risk, though. So if in fact the risk is going to be increased, premiums are going to be increased. And if the premiums are going to be increased in areas that need it, the rest of us are going to be paying higher premiums because of the -- of this bill.

(Pause)

MR. WEPRIN: Well, the purpose of the bill and the reason why it's being supported by the Department of Financial Services is that homeowners are expecting to be covered by this special policy that they got and we want to just make sure that they're made whole.

MR. BLANKENBUSH: I'll go on the bill, Mr. Speaker.

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

MR. BLANKENBUSH: You know, I -- I understand my fellow members from Long Island who went through Sandy that understand some of the problems that the anti-concurrent clauses cause in policies; however, not where I live. So I'm going to have to have increased premiums on my policies so that I could make the Long Island people happy, because they want that coverage and I don't need that coverage. So the bottom line is if you are putting this type of coverage on every single homeowner's policy, there's only one

thing that could happen, our premiums are going to go up. I don't care how you match that, but when you look at risk and then you look at premiums, premiums have to go up. If they don't go up right away, it will be waiting until the renewals come and the claims come in over the course of -- of the year. So I -- I just worry that I'm going to have to have increased premiums. And let me tell you what's happening in California, because the California Legislature is mandating homeowners' policies to their consumers. State Farm and All State have pulled out of California. We are on that track of following California like we do on a lot of bills. We are on track of doing what exactly was happening in California. So if they can't raise their premiums high enough, they're just going to not sell those policies and it's going to happen like the same way that it's doing in California. That's why, Mr. Speaker, I'm against the bill and I hope that many of my colleagues will follow on that track. Thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Hawley.

MR. HAWLEY: Would the sponsor yield for a singular question?

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

MR. HAWLEY: You mentioned that the backup of water, sewers, drains would pay up to the limits of liabilities, is that correct, of the policy?

MR. WEPRIN: Including the deductible.

MR. HAWLEY: Right. So if you've got a \$900,000 out of your homeowner's 7 or 10 or 12 whatever policy you've got, and that includes backup of sewer, of septic or sump pump malfunction, it's going to pay up to \$900,000?

(Pause)

MR. WEPRIN: Yeah. It's only going to cover up to the coverage limits of that particular endorsement.

MR. HAWLEY: So you can -- you can buy additional coverages if you're so inclined and you want to pay some more premium for it. An H010, for instance, a homeowner's 10 policy normally comes with about \$10,000 for that sump pump malfunction or sewer or septic backup, but you can buy maybe another \$25,000 for 80 bucks a year. So you're not going to pay up to the limits of the liability of the policy of the 900,000. Merely the limits of what that endorsement and/or extra coverage that you purchased; is that correct?

MR. WEPRIN: That is correct.

MR. HAWLEY: Okay.

MR. WEPRIN: And it also depends on what the insurance contract itself says.

MR. HAWLEY: Sure, okay.

ACTING SPEAKER AUBRY: Gentlemen, gentlemen, just let's wait a minute until we get those people settled in the back. We've got too many people standing around.

(Pause)

Proceed, thank you. Everybody stay seated in the

back, please. Go ahead, gentlemen.

MR. HAWLEY: I don't really have any more questions. I think it's another example of requiring more and more of businesses, in this case insurance companies, and I think it's another example of being anti-business in the State. We ought to change that topic around and start to be pro-business, helping businesses to stay here, not fleeing the State, including individuals, and as Mr. Blankenbush indicated, Mr. Weprin, State Farm and All State have pulled out of the State of California, and we certainly don't want to see that here limiting competition and keeping premiums down. We don't want to see that happen here.

So I'm going to encourage people, even on Long Island, not to vote for this and use some common sense. Thank you.

MR. WEPRIN: And I want to make it clear that this doesn't apply just to Long Island. It's a Statewide jurisdiction and we don't know what kind of disasters there may be in Upstate New York over the next few years. So this is basically a consumer-oriented legislation and it's endorsed by the Department of Financial Services as well.

MR. HAWLEY: Well, it may be endorsed by the Department of Financial Services, but it's not endorsed by insurance companies, and I would dare say probably not endorsed by policy owners who are going to have to pay an extra premium for coverages being forced upon them by the State legislature.

MR. WEPRIN: That's your opinion.

ACTING SPEAKER EACHUS: Read the last section.

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

ACTING SPEAKER EACHUS: A party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed to this insurance mandate. Those who support it should certainly vote yes on the floor. Thank you.

ACTING SPEAKER EACHUS: Mr. Fall.

MR. FALL: The Majority Conference will be in favor of this piece of legislation. For those that would like to vote no, they can do so at their desks.

ACTING SPEAKER EACHUS: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Blankenbush to explain your vote.

MR. BLANKENBUSH: Thank you, Mr. Speaker. I certainly do know that this is a Statewide bill and I certainly know that that's going to premium increase where I live and everybody else, and because it's a Statewide bill, that's why I am certainly voting no.

(Applause)

ACTING SPEAKER EACHUS: Mr. Blankenbush in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mr. Fall for an introduction on behalf of Mr. Ramos.

MR. FALL: Thank you, Mr. Speaker. On behalf of Member Ramos, we have members of the TaiPei Economic and Cultural Office of New York, and distinguished members of the Taiwan community to celebrate the passage of the Taiwan Heritage Day Resolution that we'll have later here today. So if you could kindly welcome this distinguished group to the People's House.

ACTING SPEAKER EACHUS: Certainly. On behalf of Mr. Fall, Mr. Ramos, thank you very much for coming today. And on behalf of the Speaker and all the members of the House, we welcome you, this distinguished group, to the floor of the Chamber and we extend the privileges of the floor and hope you enjoy the proceedings. Thank you for your patience and thank you for joining us.

(Applause)

Mr. Goodell for an introduction.

MR. GOODELL: Thank you, sir. On behalf of our colleague Assemblyman Lester Chang, it is my great privilege and pleasure to introduce several distinguished guests who are up here visiting us in the Capitol as part of the American Asian Pacific Island Heritage Day. And joining us are David Zhou, who is a Folsom Family Association; Mrs. Zi Ping Ruan, who is with the Chinese

Funding Association; Simon Lam, who is a community activist; Alex Chen and Steven Chen, who are retired proud members of the New York Police Department, also Stella Li and Xin Li, who are performers with the International Chinese Cultural Association.

So if you would extend our welcome and our hospitality to these distinguished guests, I would appreciate it. Thank you, sir.

ACTING SPEAKER EACHUS: Certainly. On behalf of Mr. Goodell and Mr. Chang, we welcome you, the Speaker and all the members of the House here to the floor. You certainly have a diversity of talents. Thank you for what you do for your community and for all of New York State. I hope that you enjoy your proceedings this evening and I want to thank you for joining us today.

(Applause)

On consent page 9, Rules Report No. 141, the Clerk will read.

THE CLERK: Assembly No. A00038-A, Rules Report No. 141, L. Rosenthal, Seawright, Raga, Bores, Weprin. An act to amend the Insurance Law, in relation to providing health insurance coverage for scalp cooling systems for the preservation of hair during cancer chemotherapy treatment.

ACTING SPEAKER EACHUS: The bill is laid aside.

THE CLERK: Assembly No. 136 -- I'm sorry. Assembly No. A01035-B, Rules Report No. 143, Bichotte Hermelyn,

Dickens, Taylor, Gibbs, González-Rojas, Simon, Lee. An act to amend the General Business Law, in relation to prohibiting the use of social media platforms for the purposes of collecting debts.

ACTING SPEAKER EACHUS: The bill is laid aside.

THE CLERK: Assembly No. A01309-B, Rules Report No. 144, L. Rosenthal, Kelles, Walker, Darling, Shimsky, Burdick, Reyes, Davila, Steck, Paulin, Gunther, Otis, Hevesi. An act to amend the General Business Law, in relation to establishing a right of action for claims arising out of coerced debts.

ACTING SPEAKER EACHUS: On a motion by the Senate [sic], the Senate bill is before the House. The Senate bill is advanced and the bill is laid aside.

THE CLERK: Assembly No. A01873-A, Rules Report No. 145, Kim, Hevesi, Burdick, Gallagher, González-Rojas, Forrest, Lucas, Mamdani, Hyndman, Reyes, Sayegh, Taylor. An act to amend the Labor Law, in relation to student loan repayment information.

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

THE CLERK: Assembly No. A01910-B, Rules Report No. 146, Zinerman, Aubry, Hyndman, Otis, Lee, Weprin. An act to amend the General Business Law, in relation to requiring retailers of micromobility devices, bicycles with electric assist and

limited use motorcycles powered by lithium-ion batteries, and lithium-ion batteries intended for use in such devices or bicycles to provide customers with an operating manual.

ACTING SPEAKER EACHUS: On a motion by Zinerman [sic], the Senate bill is before the House. The bill is advanced. The bill is laid aside.

THE CLERK: Assembly No. A02121-A, Rules Report No. 147, Stern, Lupardo, Buttenschon, Lunsford, Shimsky, Jensen, Byrnes, Maher, Barrett, Slater. An act to amend the Real Property Tax Law, in relation to volunteer firefighter and ambulance worker benefits.

ACTING SPEAKER EACHUS: Read the last section. Oh -- I'm sorry.

On a motion by Mr. Stern, 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 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. A02729, Rules Report No. 148, Otis, Seawright, Simon, Stirpe, Sayegh. An act to amend the

Real Property Law, in relation to requiring landlords to mitigate damages when commercial tenants vacate premises in violation of the terms of the lease.

ACTING SPEAKER EACHUS: The bill is laid aside.

THE CLERK: Assembly No. A03250-A, Rules Report No. 149, Epstein, Kelles, Reyes, Sillitti, González-Rojas, Ardila, Shimsky, Simon, McDonald, Levenberg, Taylor, L. Rosenthal. An act to amend the Election Law, in relation to allowing pre-registered voters to apply for an absentee or early mail ballot.

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. Epstein to explain your vote.

MR. EPSTEIN: Thank you, Mr. Speaker. I rise to explain my vote. This is a really simple fix for people who preregister to vote. Up to now, they haven't been able to get absentee ballots until they turn 18, but in some usual certain situations, like for example, my son who is a October 24th birthday, when he turned 18 he was eligible to vote but he wasn't in New York so he couldn't request an absentee ballot in time. This allows people to -- who are pre-registered to get the absentee ballot as long as they turn 18 by Election Day. This is

going to help thousands of New Yorkers who want vote to be disenfranchised even if they don't live in New York State at the time because they're off in college or someplace else. I encourage all my colleagues to vote in the affirmative.

ACTING SPEAKER EACHUS: Mr. Epstein in the affirmative.

Mr. Ra.

MR. RA: Thank you, Mr. Speaker. Just quickly, I actually want to commend the sponsor on this. I have an early November birthday, and the year I turned 18 was actually two days after Election Day, but it's very -- there's been years my birthday has been on Election Day, there's been years it's been the day before, the day after. So this really does address a need for -- for those folks to be able to vote in their first election, and especially in a situation where somebody is turning 18 while they're away at college for the first time and have no other option but to be able to vote absentee. So I'm happy to be casting my vote in the affirmative.

ACTING SPEAKER EACHUS: Mr. Ra in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03283-A, Rules Report No. 150, L. Rosenthal, Taylor. An act to amend the Real Property Tax Law, in relation to information to be provided with all

new and renewal leases for certain housing accommodations.

ACTING SPEAKER EACHUS: The bill is laid aside.

THE CLERK: Assembly No. A04099-A, Rules Report No. 151, Clark, Aubry, Lunsford, Reyes, Simon, Glick, Raga, Rozic, Davila, González-Rojas, Zaccaro, Bichotte Hermelyn, McDonald. An act to amend the Social Services Law, in relation to the use of child care block grant funds for the statewide presumptive eligibility period for the receipt of child care assistance.

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.)

Ms. Clark to explain your vote.

MS. CLARK: Thank you, Mr. Speaker. I rise to explain my vote on an exciting moment as we head to presumptive eligibility for child care assistance across our State. Way too often families and parents are put in a position where they get a job offer or they have another child or something different happens in their life and they need child care assistance right away but the process can take anywhere from 30 and upwards of 60 days we've heard to be approved. You can't tell your boss, your new boss that you can't come to work for 30 days. You need to go right away. And presumptive

eligibility now that we have been given clearance and guidance by the Federal Government to allow our child care dollars to be used in this way, it will go a long way to helping those families to be able to go to work the next day if they're presumed eligible under certain situations, which is very easy to do, something we have seen work time and time again, and really can be the difference both for parents who need to go to work and children who need a safe place to stay.

So I'm really excited for this moment. It's been a long time coming to get here, and it's been a support of a lot of different people so I'm very thankful to see it pass and I vote in the affirmative.

ACTING SPEAKER EACHUS: Ms. Clark in the affirmative.

Mr. Hevesi to explain his vote.

MR. HEVESI: Thank you, Mr. Speaker. In under ten seconds this is a great bill and I want to thank all of my colleagues for voting for it, particularly Assemblymember Clark who's been fantastic on this issue. Really important for our child care providers in the State of New York. Thank you to everybody here.

ACTING SPEAKER EACHUS: Perfect, 9.5 seconds. Mr. Hevesi in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill has passed.

THE CLERK: Assembly No. A04138-A, Rules

Report No. 152, McMahon, Wallace, Conrad, Simon, Stirpe, Gunther, Thiele, Bronson, Hevesi, Seawright, Dickens, González-Rojas, Glick, Zebrowski, Cruz, McDonald, Kelles, Bendett, McDonough, DeStefano, Morinello, Hawley, J. M. Giglio, J. A. Giglio, Stern, Raga, Gandolfo. An act to amend the Public Health Law, in relation to Down Syndrome diagnosis awareness.

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.

THE CLERK: Assembly No. A04914-B, Rules Report No. 153, Kelles. An act to amend the Highway Law, in relation to designating a portion of the State Highway System as the "Peter Wheeler Memorial Bridge."

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 the opportunity to interrupt our proceedings for the purposes of an introduction. It is my pleasure, as well as I believe many of those in the Chambers as I speak, to introduce to some and present to others the Majority Leader of the City of Buffalo Common Council. Some of you all might remember her as my senior advisor. Her name is Leah Halton-Pope. So Leah Halton-Pope, Majority Leader of the Buffalo City Council. If you would provide for her the cordialities of our House and welcome her, I would appreciate it. Thank you, sir.

ACTING SPEAKER EACHUS: Certainly. On behalf of Mrs. Peoples-Stokes, the Speaker and all the members of the House, welcome and thank you for what you do, we appreciate it. And you have a wonderful companion there to work with. Thank you for everything you do for the City of Buffalo and for New York State. Thank you for joining us today.

(Applause)

The Clerk will read.

THE CLERK: Assembly No. A05014-A, Rules Report No. 154, Gray, Blankenbush, Bendett, DeStefano, J. M. Giglio. An act to amend the Criminal Procedure Law, in relation to

designating as peace officers certain Ogdensburg Bridge and Port Authority security personnel.

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.

THE CLERK: Assembly No. A05265-A, Rules Report No. 155, Lavine. An act authorizing the County of Nassau Assessor to accept an application for a real property tax exemption from Lubavitch of Old Westbury.

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. A05461, Rules Report

No. 156, Hunter. An act to amend the Social Services Law, in relation to conciliation and non-compliance with public assistance employment; and to repeal certain provisions of such law relating thereto.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A05745, Rules Report No. 157, Reyes, Dinowitz, Epstein, DeStefano, Simon, Jean-Pierre, Colton, Darling, Forrest, Cruz, Burgos, Dilan, Raga, Jacobson. An act to amend the Workers' Compensation Law, in relation to claims for mental injury premised upon extraordinary work-related stress.

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

THE CLERK: Assembly No. A06022-A, Rules Report No. 158, Paulin, Sayegh, Jensen, Colton. An act to amend the Social Services Law, in relation to requiring periodic reviews of pending applications for material change in the coverage status of certain matters relative to new health technology assessment or medical evidence.

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 for the purposes of a introduction.

MR. GOODELL: Thank you, Mr. Speaker, for allowing me to intercede on our proceedings here for an important introduction. We are very fortunate to have with us, on behalf of Assemblyman Ra and the entire Nassau Delegation, several very distinguished guests including Congressman Anthony D'Esposito; Joseph G. Cairo, Jr. who is the President of the Nassau OTB; Arthur Walsh who is the Nassau County Chief Deputy County Executive and he's joined by Butch Yamali and Mike Deery, and they're up visiting us here in Albany as part of Nassau County Day. So would you welcome these distinguished guests from Nassau County on behalf of the entire Nassau County Delegation. Thank you, sir.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Goodell, the Nassau County Delegation, the Speaker and all the members, gentlemen, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Understand that you're here advocating for your county, as is your right and your privilege and your responsibility. We hope that you enjoy this day. We hope that your trip will be successful and good luck to all of you. Thank you so very much.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if we can

now turn our attention to the last three bills on consent today, Rules Report No. 180 by Mr. Weprin --

ACTING SPEAKER AUBRY: Shh. Let's try that again, thank you.

MRS. PEOPLES-STOKES: I'll repeat. We're going to continue our work today on consent with Rules Report No. 180 by Mr. Weprin; Rules Report No. 200 by Mr. Otis; and Rules Report No. 221 by Ms. Sillitti, in that order, Mr. Speaker. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Page 17, Rules Report No. 180, the Clerk will read.

THE CLERK: Assembly No. A08942, Rules Report No. 180, Weprin, Colton. An act in relation to directing the Department of Financial Services to conduct a study examining the increasing costs of insurance premiums, the lack of availability of insurance coverage for losses from flooding, and the possibility of supporting a private flood insurance market in the State.

ACTING SPEAKER AUBRY: On a motion by Mr. Weprin, 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.

Page 20, Rules Report No. 200, the Clerk will read.

THE CLERK: Assembly No. A09821, Rules Report No. 200, Otis, Williams. An act to amend the Insurance Law, in relation to increasing the number of properties eligible for the coastal market assistance program.

ACTING SPEAKER AUBRY: On a motion by Mr. Otis, 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.

Page 24, Rules Report No. 221, the Clerk will read.

THE CLERK: Assembly No. A10344, Rules Report No. 221, Committee on Rules (Sillitti). An act to amend the Insurance Law, in relation to parametric insurance.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 30th day.

ACTING SPEAKER AUBRY: The Clerk will record

the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. If I could ask members go to page 3 so we might take up our resolutions.

ACTING SPEAKER AUBRY: Page 3, resolutions.

Assembly print 2297, the Clerk will read.

THE CLERK: Assembly Resolution No. 2297, Rules at the request of Mr. Ramos.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 29, 2024, as Taiwan 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. 2298, Rules at the request of Mr. Eachus.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 29, 2024, as Senior Health & Fitness 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. 2299, Rules at the request of Ms. Solages.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 4-10, 2024, as Late Onset Hearing Loss Awareness 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. 2300, Rules at the request of Ms. Kelles.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2024, as Ehler Danlos Syndrome 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. 2301, Rules at the request of Mr. DeStefano.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2024, as Teen Self-Esteem Month in the State of New York.

Mr. DeStefano on the resolution.

MR. DESTEFANO: Thank you, Mr. Speaker, for the

opportunity to speak on this resolution. As many of us know, teen self-esteem is a crucial aspect of adolescent development that can greatly impact various aspects of their lives. Having a healthy level of self-esteem allows teenagers to navigate through challenges, make positive decisions and build strong relationships with others. On the other hand, low self-esteem can lead to feelings of worthiness -- worthlessness, insecurity and even depression. These are several factors that can influence teen self-esteem, including social media, peer pressure, family dynamics and personal experiences. In today's digital age, teenagers are constantly bombarded with unrealistic standards of beauty, success, and popularity, which can take a toll on their self-worth. Peer pressure to fit in and to conform to certain norms, which can cause teens to doubt themselves and seek validation from others. Building and maintaining healthy self-esteem in teenagers requires a combination of self-awareness, positive reinforcement and support from loved ones, encouraging teens to focus on their strengths, set realistic goals and practice self-care can help boost their confidence and sense of self-worth. Providing a nurturing environment at home and at school where they feel accepted and valued can also make a significant difference in their self-esteem. It is important for adults and caregivers to be mindful of the impact of their words and actions that have teenagers with their self-esteem, offering encouragement, praise and constructive feedback in a supportive manner can help teens develop a positive self-image and resilience in the face of challenges. By fostering a culture of

acceptance, respect and empowerment, we can help teenagers cultivate a strong sense of self-esteem that will serve them throughout their lives.

Thank you, Mr. Speaker, for the opportunity.

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. 2302, Rules at the request of Mr. Alvarez.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim June 25, 2024, as El Dia Del Bodeguero 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. 2303, Rules at the request of Ms. Jackson.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim August 11, 2024, as Hip-Hop Celebration 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. 2304, Rules at the request of Ms. Rajkumar.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim August 15, 2024, as Indian Independence 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. 2305, Rules at the request of Ms. Lunsford.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim September 2024, as Early Intervention 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. 2306, Rules at the request of Mr. Zebrowski.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 29, 2024, as Furniture and TV Tip-Over Prevention Awareness Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 2307, Rules at the request of Mr. McDonald.

Legislative Resolution memorializing Governor

Kathy Hochul to proclaim October 2024, as Spina Bifida 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. 2308, Rules at the request of Ms. Jean-Pierre.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim November 3-9, 2024, as Veterans Awareness 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. 2309, Rules at the request of Mr. Slater.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim November 17, 2024, as Prematurity Day in the State of New York.

ACTING SPEAKER AUBRY: Mr. Slater on the resolution.

MR. SLATER: Thank you very much, Mr. Speaker. Just quickly on the resolution. I know we are months away from Prematurity Day, but I think it's important for us to shine a light on risks and hardships created by premature births. I also want to take an opportunity to raise up my own daughter who was born 36 weeks

preterm and spent nearly a week in the NICU. And I remember those days vividly, and I remember how hard those days were, but I also knew that we were blessed in comparison to some of the other families that were there along with us during that time. These days, I have a rambunctious and energetic four-year-old who if I would let her, she would probably step on the softball field in a little bit and hit a home run or two with the rest of us. And so, there is good news about premature births and the success of a healthy life ahead of those who are born early, but do also, of course, want to continue to shine a light for those families who continue to struggle with some of the hardships associated with premature births, as well.

And with that, Mr. Speaker, I appreciate the opportunity to raise these families up, raise these individuals up and, again, keep in mind that they were all able to have successful lives, and we continue to hold them up and hope that they continue to be great examples for us here in the State of New York. Thank you very much.

ACTING SPEAKER AUBRY: On the resolution, Mr. Slater, we congratulate you about your family, happy to hear the news.

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

Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: Well, we do have some housekeeping, Mrs. Peoples-Stokes, let's try to get through this.

On a motion by Ms. Rosenthal, page 42, Calendar No. 228, Bill No. A05990-A, amendments are received and adopted.

On a motion by Mr. Lavine, page 43, Calendar No. 322, Bill No. A09166-A, amendments are received and adopted.

On behalf of Ms. Paulin, Bill No. A00175, Assembly bill recalled from the Senate. The Clerk will read the title of the bill.

THE CLERK: An act to amend Chapter 154 of the Laws of 1921.

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 amendments are received and adopted.

On behalf of Mr. Cunningham, Bill No. A07939-A, Assembly bill recalled from the Senate. The Clerk will read the title of the bill.

THE CLERK: An act to amend the General Business Law.

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 amendments are received and adopted.

On behalf of Mr. Thiele, Bill No. A01353, Assembly bill recalled from the Senate. The Clerk will read the title of the bill.

THE CLERK: An act in relation to the eligibility of (inaudible/cross talk).

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 amendments are received and adopted.

On behalf of Mr. Thiele, A01640, Assembly bill recalled from the Senate. The Clerk will read the title of the bill.

THE CLERK: An act in relation to the eligibility of enrolled members.

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 amendments are received and adopted.

We do have a privileged resolution, Resolution No. 2310, the Clerk will read.

THE CLERK: Assembly Resolution No. 2310, Ms. Levenberg. Legislative Resolution celebrating the life of Sharon Julie Feldman Rowe, devoted wife and mother, entrepreneur, author and pioneer of the reusable bag movement.

ACTING SPEAKER AUBRY: Ms. Levenberg on the resolution.

MS. LEVENBERG: Thank you, Mr. Speaker. I rise to recognize the incredible life of Sharon Julie Feldman Rowe, who was indeed a devoted wife and mother and friend to so many in the 95th Assembly District. She was an entrepreneur who started this incredible company called ECOBAGS and was really at the precipice of the modern recyclable bag movement. She was an incredible leader and she took that leadership much further than so many. She -- she lived, walked and talked what she believed in, and what she believed in was actually saving the planet and doing good by being good. And she spoke about this with so many people, again as a thought leader and cleaning up the planet one bag at a time. She really was just such an incredible person. She was my friend. I met

her many years ago, both of us were PTA moms and I met her as she was, I guess, in the early stages of this company. But she was also doing so much more. She was hosting events at her house. Her wonderful husband who is here with us today joining us, Blake Rowe, plays the piano and he would just play his wonderful music that he composed for the community on a regular basis, and everybody would join at their home, and this was just one example of who this wonderful person, Sharon, was.

Sharon was also an actor. Later in life, she decided to take up art. I recently attended the memorial for her recognizing the celebration of life at Bethany Arts Community in Ossining and I think there were easily 500 people there, 300 of whom stood up to talk about how Sharon was their best friend, and she spoke with them everyday for at length, and that's just the kind of person she was. She -- she couldn't be stopped. She was a swimmer. She was a great advocate of drinking a lot of water, which many, many spoke about. She was an author, a published author, she published the book, *The Magic of Tiny Business*, which was a book that was inspired by her lifestyle. She was a world traveler, as she traveled she always looked to gain ideas and to bring those ideas back to her community and back into her world and to see how we could learn here about being better about what we're doing here in this country and in this State. And she also was a thought leader in social innovation and sustainable and responsible production. Her mission and value was aligned with her business and she believed that business could be a force for good. She

was -- she was many times featured in *Time*, *Glamour*, *The Wall Street Journal*, *Entrepreneur Magazine*, *NPR Air America*, on Oprah's first dedicated Earth Day show featuring her ECOBAGS. And I'm really just -- she's had too many awards at least to mention. She just was one incredible person.

And I'm so pleased again to be able to introduce her family today. We're joined by Blake Rowe, her darling husband who was a music instructor for many, many years in the Bronx, and her daughter Eva and son, Julian Rowe. Eva is an architectural engineer with a focus on sustainability, and Julian is an artist living in Beacon. And they have been just really, just following in Sharon's footsteps. And she couldn't have been a more fantastic person. I could go on for a long, long time but I know that everybody here is waiting to play softball, so I am going to say thank you to Sharon Rowe. May your memory be a sweet blessing and an important blessing to all whose lives you have affected, which have been so many. And thank you so much to the Rowes for coming up here today so that we could recognize this wonderful life here in this esteemed Body. Thank you, and I hope that we'll all join together in recognizing this wonderful life.

ACTING SPEAKER AUBRY: Certainly.

On the legislative resolution celebrating the life of Sharon Julie Rowe -- Feldman Rowe and this family that has joined us today, all those in favor signify by saying aye; opposed, no. The resolution is adopted.

Congratulations, thank you for joining us today.

(Applause)

Mrs. Peoples-Stokes, we do have some other fine resolutions which we'll take 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. 2310-2320 were unanimously approved.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I now move that the Assembly stand adjourned and that we reconvene at 9:30, Thursday, May the 30th, tomorrow being a Session day; 9:30 a.m.

ACTING SPEAKER AUBRY: The Assembly will be adjourned and meet again at 9:30.

(Whereupon, at 3:54 p.m., the Assembly stood adjourned until Thursday, May 30th at 9:30 a.m., Thursday being a Session day.)