

**MONDAY, JUNE 3, 2024**

**1:14 P.M.**

ACTING SPEAKER AUBRY: The House will come to order.

Reverend Donna Elia will offer a prayer.

REVEREND ELIA: Let us pray. Holy and loving God, You pour out abundant blessing, and we are grateful. Fill the Body with wisdom and love, and empower all who are gathered to be compassionate, to work for justice, and show loving kindness. Strengthen any who feel weak or faint-hearted, and thank You for the mantle of public service that they are taken on, both elected officials and staff. Abundantly bless the work they do. Give all the wisdom that they need to make sound and just decisions.

On this day, we are filled with gratitude for the work of Speaker Pro Tem, the Honorable Jeff Aubry. Thank You for all the ways that he has walked in integrity and brought love, wisdom, and

equanimity to the long hours of running meetings. We are grateful for his grace under pressure, and his courage to stand for what is just and fair. Thank You for his collegial spirit and his kindness. And when the time comes even though we will miss him, we rejoice that he enters a new season of retirement at the end of the year. May it be a long and joyful, and filled with good health and time for many, many years to come.

Help all of us in our own lives to work to build a world of peace and justice.

In Your Holy Name we pray, Amen.

MEMBERS: Amen.

REVEREND ELIA: I asked, actually, for a moment of personal privilege and the Speaker very kindly granted me that opportunity. So in the district of Assemblywoman Didi Barrett there is a fine porcelain artist and I asked -- commissioned for her to make a plate for him, and what came to my mind was that phrase from the Psalms, "I walk in my integrity." And you certainly --

(Applause)

-- do walk in your integrity.

(Applause)

ACTING SPEAKER AUBRY: Thank you.

REVEREND DONNA ELIA: God bless you.

ACTING SPEAKER AUBRY: Visitors are invited to join the members --

(Laughter)

-- in the Pledge of Allegiance.

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

(Applause)

A quorum being present, the Clerk will read the Journal of Sunday, June the 2nd.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move to dispense with the further reading of the Journal of Sunday, June the 2nd, and that the same should stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir. To our colleagues and guests that are in Chambers today, my quote for today is *True heroism is remarkably sober, very undramatic. It is not to urge to surpass all others at whatever cost, but it's the urge to serve others at whatever cost.* These words, Mr. Speaker, are from Arthur Ashe. He is none other than the legendary American professional tennis player who was the only Black man to ever win men's single titles at both Wimbledon and the U.S. Open. Mr. Speaker, his words for us today.

Colleagues have on their desks a main Calendar and a debate list. We're going to be calling for the following Committees off the floor today: Ways and Means and Rules. These Committees

are going to produce a Calendar, an A-Calendar, which we will take up today. After any housekeeping and/or introductions we are going to take up the following bills on consent: Rules Report No. 92 by Mr. Thiele; Rule Report No. 93 by Mr. Thiele; Rules Report No. 179 by Mr. Bronson; Calendar No. 13 by Ms. Paulin; and Calendar No. 90 by Ms. Paulin; Calendar No. 332 [sic] by Mr. Lavine; Calendar No. 430 by Mr. Bores; and Calendar No. 463 by Mr. Cunningham. We are then going to continue consenting off the main Calendar where we left off last week beginning with Rules Report No. 290, and we're going to go all the way through to Rules Report No. 297. There is quite possibly a need for further floor activity as we proceed. If so I will provide that information when appropriate.

However, Mr. Speaker, that's a general outline of where we are going today. If you have housekeeping, now would be a great time.

ACTING SPEAKER AUBRY: Certainly. We do have housekeeping, Mrs. Peoples-Stokes.

On a motion by Mr. Weprin, page 12, Rules Report No. 166, Bill No. A06489-A, amendments are received and adopted.

On a motion by Mr. Cunningham, page 18, Rules Report No. 250, Bill No. A08016-B, the bill is amended and restored to its original number order -- previous number, A08816-A.

On a motion by Mr. Bronson, page 19, Rules Report No. 260, Bill No. A08939-A, amendments are received and adopted.

Mrs. Peoples-Stokes for the purposes of a

announcement.

MRS. PEOPLES-STOKES: Thank you, Mr.

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

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

For the purposes of a introduction, Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker. It is my great pleasure to introduce three distinguished guests that have driven all the way to Albany from my district, a trip that is significant by any means. With us are Tom Rankin, Elizabeth Rankin and Wallace Rankin. And Tom is a marathon runner and he came up this weekend and ran a half marathon in Vermont which he told me was only half as hard as a regular marathon. I took his word at it. Tom works for our county law department, does a lot of work with our children, and a lot of work with families that are going through some tough times. He also has a distinction of being the attorney that took a case all the way to our Court of Appeals and expanded the rights of same-sex parents to challenge custody and visitation. And it reversed decades of prior precedent and opened the door so that everyone in a same-sex relationship has the same rights toward custody and visitation. It was a mind -- or a large change in New York Law. Elizabeth has been very active as a former county legislator for many years, worked for one of our colleges and does a phenomenal job. Wallace, whose hair color I envy, great young man, now working for one of our finest

hotels in our county.

So if you would welcome these three distinguished guests to our Chambers, I would appreciate it. Thank you very much, Mr. Speaker.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Goodell, the Speaker and all the members, we welcome the Rankin family here to the New York State Assembly, extend to you the privileges of the floor. Congratulations on the great work that you've been doing, sir and for having such a tremendous family and taking the time to come to Albany, for any reason. Thank you so very much. We are so pleased to have you, sir.

(Applause)

ACTING SPEAKER EACHUS: Mr. Epstein for the purposes of an introduction.

MR. EPSTEIN: Thank you, Mr. Speaker. I rise to introduce Dr. Jeremy Boal, who is a constituent of mine who's up here for the day. Dr. Boal is an internist. In his earliest career he founded a program for homebound people in New York City with a serious illness like ALS and late-stage cancer and dementia. Over the nearly three decades of his distinguished career, Dr. Boal has held many leadership positions, served as a special consultant to the task force and the care of end of life, the American Board of Internal Medicine. He's held a seat on the Board of Directors for the American Academy of Home Care Physicians. He served as a Medical Director at the Long Island Jewish Medical Center in New Hyde Park, Senior Vice

President and Chief Medical Officer at North Shore LIJ Hospital System. And it was (inaudible) endowment Associate Professor of Medicine at Hofstra on the North Shore. He's been a published author on -- in the *Journal of American Geriatric Society*, *American Medical Society*, and *Annals of Internal Medicine*. He's received numerous awards in his career, Humanism and Medicine Award, the Richard and Hinda Rosenthal Foundation Award, the Alexander Richman Commemorative Award for Humanitarianism and Ethics in Medicine. And Dr. Boal unfortunately in late 2013 stepped down in his role as the Chief Clinical Officer at Mount Sinai Health Care System when he was diagnosed with ALS himself. He has been really an inspiration to people that he served, and he's up here talking about his issues and his health and the care that he deserves, but also really to kind of be in the People's House and I really wish you to provide the cordialities of the floor to Dr. Boal on our behalf.

ACTING SPEAKER EACHUS: Certainly. On behalf of Mr. Epstein, the Speaker and all the members of the House, we welcome you here to the Assembly. Your bio speaks for itself, I can't do any better than that. Thank you for all the great work you've done and all the awards that you certainly have received, and may I ask that you just keep up that great work because I know you're solving many problems for us here in New York State. Thank you for joining us today.

(Applause)

Page 8, Rules Report No. 92, the Clerk will read.

THE CLERK: Assembly No. A01353-A, Rules Report No. 92, Thiele. An act in relation to the eligibility of enrolled members of Southampton Village Ocean Rescue for a tax exemption on real property.

ACTING SPEAKER EACHUS: Read the last section.

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

ACTING SPEAKER EACHUS: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 8, Rules Report No. 93, the Clerk will read.

THE CLERK: Assembly No. A01640-A, Rules Report No. 93, Thiele. An act in relation to the eligibility of enrolled members of the East Hampton Volunteer Ocean Rescue and Auxiliary Squad for a tax exemption on real property.

ACTING SPEAKER EACHUS: Read the last section.

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

ACTING SPEAKER EACHUS: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.



(The Clerk announced the results.)

The bill is passed.

Page 13, Rules Report No. 179, the Clerk will read.

THE CLERK: Assembly No. A08934-A, Rules Report No. 179, Bronson, Shimsky, Lunsford, Raga, Steck, Santabarbara, Simon, Ardila, Zinerman, Glick, Davila, Pheffer Amato, Reyes, Alvarez, Jensen, L. Rosenthal, Lucas, Jacobson, Taylor. An act to amend the Labor Law, in relation to requiring training to reduce abusive conduct and bullying in the workplace.

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

Read the last section.

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

ACTING SPEAKER EACHUS: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill has passed.

Page 24, Calendar No. 13, the Clerk will read.

THE CLERK: Assembly No. A00175-A, Calendar No. 13, Paulin, Otis, Sayegh. An act to amend Chapter 154 of the Laws of 1921 relating to the Port Authority of New York and New

Jersey, in relation to Port Authority organization, appearance and notice.

ACTING SPEAKER EACHUS: On a motion by Ms. Paulin, 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.

Page 30, Calendar No. 90, the Clerk will read.

THE CLERK: Assembly No. A03241-A, Calendar No. 90, Paulin, Gunther, L. Rosenthal, Woerner, Fahy, Taylor, Carroll, Jacobson, Simon, Seawright, Sayegh, Burdick, Jean-Pierre, González-Rojas, Forrest, Weprin, Levenberg, Bichotte Hermelyn. An act to amend the Public Health Law and the Insurance Law, in relation to premium reduction for obstetric practitioners who complete a risk management strategies course.

ACTING SPEAKER EACHUS: Read the last section.

THE CLERK: This act shall take effect on the 365th day.

ACTING SPEAKER EACHUS: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 40, Calendar No. 322, the Clerk will read.

THE CLERK: Assembly No. A09166-B, Calendar No. 322, Lavine. An act to amend Chapter 455 of the Laws of 1997, amending the New York City Civil Court Act and the Civil Practice Law and Rules relating to authorizing New York City Marshals to exercise the same functions, powers and duties as sheriffs with respect to the execution of money judgments of the Supreme and Family Courts of the City of New York and defining the term "the sheriff" as used therein, in relation to the effectiveness thereof; and to amend the Real Property Actions and Proceedings Law, in relation to notice of eviction by New York City Marshals and electronic filing; and providing for the repeal of certain provisions upon expiration thereof.

ACTING SPEAKER EACHUS: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EACHUS: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 45, Calender No. 430, the Clerk will read.

THE CLERK: Assembly No. A08081-B, Calendar No. 430, Bores, Lee, Burdick, Sillitti, Weprin. An act to amend the Civil Practice Law and Rules, in relation to requiring proof of service to include the server's perception of various characteristics of the recipient in the description of the person to whom personal service of a summons was delivered.

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. Bores to explain your vote.

MR. BORES: Thank you, Mr. Speaker. Over 1 million new civil actions are filed every year in New York trial courts. Unless a defendant waives service, each plaintiff must effectuate service and process for each defendant; in other words, must tell someone they're being sued. Our laws require that the process server write a physical description of the person they serve, approximate height, weight, et cetera. And for decades, that's included the phrase "color of skin"; however, for certain races that means writing a term that many people consider offensive in the year 2024. With this bill,

we prevent official legal documents in New York State being labeled by color of skin for Asian Americans, Native Americans, or any other person that wants to avoid that. I want to thank the New York State Professional Process Servers Association for their support and collaboration on this bill, as well as my colleague from Lower Manhattan that is the Co-Chair of the AAPI Task Force, the first cosponsor of this bill, as well as the AAPI Task Force as a whole. I vote in the affirmative.

ACTING SPEAKER EACHUS: Mr. Bores in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes for an announcement.

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

ACTING SPEAKER EACHUS: Rules Committee to the Speaker's Conference Room immediately.

Page 47, Calendar No. 463, the Clerk will read.

THE CLERK: Assembly No. A07939-B, Calendar No. 463, Cunningham. An act to amend the General Business Law, in relation to requiring telemarketers to provide certain information no later than 30 seconds from the commencement of a call and requiring telemarketers to disclose their address online and in written

communication to customers.

ACTING SPEAKER EACHUS: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EACHUS: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

On consent, page 21, Rules Report No. 290, the Clerk will read.

THE CLERK: Assembly No. A10199, Rules Report No. 290, Committee on Rules (Lupardo). An act to amend the Agriculture and Markets Law, the Alcoholic Beverage Control Law, and the Tax Law, in relation to crop loss determinations for apples used in the production of New York State labeled cider.

ACTING SPEAKER EACHUS: On a motion by Ms. Lupardo, 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.

Ms. Walsh for the purposes of an introduction.

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

So today we're joined by Mia Collins, who's right in the back there.

Mia is a junior at Ballston Spa High School. She's joined today by her family, her father, Todd; her grandpa, Jeff; and her grandma, Barbara.

And this is -- look at the -- look at the size of her, can you believe that she's a fantastic wrestler. She captured the 2024 New York State PS

-- PHSAA Girl's Wrestling Championship Title in the 132-pound

Division, on January 26th, 2024. She possessed an undefeated record of 10-0 this past season. She is the first New York State Girls

Wrestling Champion from Ballston Spa. She has also captured the

Eastern State's Classic Title. She is a scholar athlete. She excels in

both her academics and sports, and with her recent accomplishments,

Mia has garnered a national ranking of 8th in her weight class. She

finished third at the Fargo Nationals in North Dakota. Just a fantastic

scholar athlete, I'm very happy to welcome her and her family to the

New York State Assembly and, Mr. Speaker, I'm hoping that you can

also welcome here and afford her all the cordialities of the House.

ACTING SPEAKER EACHUS: Certainly. On behalf of Ms. Walsh we would like to welcome you here, and the

Speaker and all the members of the Assembly. You are already

amazing in your accomplishments. I do truly know how difficult it is

to have captured a championship, especially at the high school level. I hope you continue with your success and I hope that all the practice and all helps you in your future endeavors. Thank you for joining us here today.

(Applause)

The Clerk will read.

THE CLERK: Assembly No. A10209, Rules Report No. 291, Committee on Rules (McDonald, Burdick, Levenberg, Shimsky, Dickens, Chang, J.A. Giglio, DeStefano, Reyes, Sayegh, O'Donnell, Hyndman, Burgos, Gallahan, Bendett.) An act to amend the Education Law, in relation to the New York State College Choice Tuition Savings Program.

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. McDonald to explain his vote.

MR. MCDONALD: Thank you, Mr. Speaker, and thank you to my colleagues for supporting this legislation. You know, we spend an awful lot of time and appropriately so focusing on providing a path for individuals to access higher education. As you know, for the second year in a row we increased a significant amount of funding for individuals attending our SUNY and CUNY campuses.



And in that same token, a lot of parents, when their child is first born or early on in life, they start to focus on putting money away in a 529 program with the hope that this will help afford higher education for students. Sometimes, this doesn't happen often, but actually you know, sometimes the student gets a scholarship, whatever it may be, and what people earnestly saved for, they end up having a little bit of money left over when the child graduates. And whereas it could be used for master degrees, whatever it may be, it may be that that's not the decision that the family wants to go. This law, and this is something that we worked with the State Comptroller on. I want to thank our Ways and Means Chair, Helene Weinstein on this and our Higher Ed Chair, as well as Pat Fahy. This allows us to adopt what the Federal Government adopted several years ago that they could just as easily open up a Roth IRA to allow that funding to go there and not have a tax consequence.

So I thank my colleagues for the support. This is a good common sense legislation that makes perfect sense. Thank you.

ACTING SPEAKER EACHUS: Mr. McDonald in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10215-A, Rules Report No. 292, Committee on Rules (Bores, Gibbs, Gallagher, Forrest, Lee, Beephan, Rozic, Woerner). An act to amend the General

Business Law, in relation to prohibiting third-party restaurant reservation services from arranging unauthorized restaurant reservations with food service establishments.

ACTING SPEAKER EACHUS: Read the last section.

THE CLERK: This act shall take effect on the 60th day.

ACTING SPEAKER EACHUS: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Bores to explain your vote.

MR. BORES: Thank you, Mr. Speaker. Currently it's nearly impossible to get a reservation in any hip restaurant in New York City, and while that's partially because people are going back to restaurants and we love that, it's also because you have in-State and out-of-State basically ticket scalpers who are starting to make reservations solely for the purpose of reselling them and making an extra buck. And while that market may have already existed, there's now these black market, third-party players that are creating an area where you can sell these reservations and encouraging people to make them. And what that means is that families can't go out to celebrate their graduation or anniversary without paying 500 or \$1,000 just to get the table. It means restaurants have more cancelations, which hurts their business, and it means workers are losing out on tips.

And so this bill simply says that if you're going to sell

a restaurant's reservations you need to have an agreement with that restaurant. You can't come in on top as a middleman and just take money out of our economy and make it harder for everyone.

So I'm really proud to be bringing this bipartisan legislation forward, and I vote in the affirmative.

ACTING SPEAKER EACHUS: Mr. Bores in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10270, Rules Report No. 293, Committee on Rules (Lavine). An act to amend the Real Property Tax Law, in relation to base proportions in assessing units in Nassau and Suffolk Counties.

ACTING SPEAKER EACHUS: On a motion by Mr. Lavine, 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.)

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. 10270, Rules Report --  
oh no, we're on the next one. Okay, I'm sorry.

Assembly No. A10273, Rules Report No. 294,  
Committee on Rules (Burdick). An act to amend Chapter 260 of the  
Laws of 1954 relating to the Volunteer and Exempt Firemen's  
Benevolent Association of Mount Kisco, Westchester County, New  
York, Inc., in relation to the purposes and duties of such corporation  
and the use of foreign fire insurance premium taxes.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record  
the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10282, Rules Report  
No. 295, Committee on Rules (Santabarbara). An act to amend the  
Local Finance Law and Chapter 419 of the Laws of 1991, amending  
the Local Finance Law and other laws relating to providing relief to  
local governments for certain mandated programs and services, in

relation to local government borrowing practices mandate relief.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10334, Rules Report No. 296, Committee on Rules (Pheffer Amato). An act to amend Chapter 756 of the Laws of 2021, relating to creating a temporary "Commission to Prevent Childhood Drowning" to improve water safety in New York State, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Norris to explain his vote.

MR. NORRIS: Thank you, Mr. Speaker. I want to just take this opportunity to again just explain how important it is that

we provide children and people of all age -- ages proper swimming lessons, and particularly from an early age. And this commission continues to do its work. It needs to be extended until December of 2025, and I would like to just thank the sponsor of this resolution -- or this bill, Assemblywoman Stacey Pheffer Amato for her continued bipartisan work on making sure that we bring awareness and attention to the need for swimming lessons for our children and people of all ages throughout the State.

And as I have mentioned before, since 2013 there has been over 1,000 deaths due to drownings in the State of New York, and since COVID, believe it or not, drownings continue to rise at a higher percentage than before. So it's very important that we continue to put an emphasis on this particular awareness campaign, and also I want to take a moment to commend the Governor and the Majorities for their work in the State Budget where we were able to allocate \$150 million for our swimming pools and our infrastructure, and also to promote the retention and recruitment of lifeguards throughout the State. So in collaboration of working with the Majorities and the Governors, this -- and the Governor, this is very important to continue to emphasize a need to bring attention to making sure our children receive proper swim lessons in the long-term and I can guarantee you this will save lives. So thank you very much, Mr. Speaker, for being heard on this bill.

ACTING SPEAKER AUBRY: Thank you, sir. Mr. Norris in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A10341, Rules Report No. 297, Committee on Rules (Slater). An act to amend the Public Officers Law, in relation to waiving the residency requirement for the Commissioner of Health and Public Health Director for Putnam County.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

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

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

We will take up the A-Calendar, page 3, Rules Report No. 298, the Clerk will read.

THE CLERK: Assembly No. A00362-A, Rules

Report No. 298, Bronson. An act to amend the Criminal Procedure Law, in relation to granting peace officer status to certain security officers employed by Rochester Regional Health.

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. A00901-A, Rules Report No. 299, McDonald, Steck, Stirpe, Santabarbara, Thiele, Hevesi, Burdick, Beephan, Norris, K. Brown, Colton, Bendett, Gunther, Paulin, Seawright, Levenberg, Lavine, Lunsford, Ardila, Cook, Reyes, Meeks, Sayegh, Jacobson, Simpson, Davila, Lupardo, Simon, Gallahan, Raga, Weprin. An act to amend the Insurance Law and the Public Health Law, in relation to requiring a utilization review agent to follow certain rules when establishing a step therapy protocol.

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

Read the last section.

THE CLERK: This act shall take effect on the 120th day.



ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Goodell.

MR. GOODELL: Thank you, sir. Please recall the vote and lay this bill aside. Thank you, sir.

ACTING SPEAKER AUBRY: The vote is recalled, the bill is -- we've withdrawn the roll call and the bill is laid aside.

THE CLERK: Assembly No. A01194-A, Rules Report No. 300, Braunstein, Woerner, Steck, Paulin, Brabenec, Stirpe. An act to amend the State Finance Law and the General Municipal Law, in relation to requiring full payment for delivered and accepted materials pertaining to public work projects; and to amend the General Business Law, in relation to prohibiting the retention of any payment due and owing a material supplier for a construction project.

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.)

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, sir, to explain my vote. On its face, this appears to be a reasonable requirement to eliminate retainage on materials that are delivered and accepted. The problem

is that when we by statute eliminate retainage materials, we need to recognize that not all materials are the same. Some materials, like concrete blocks and lumber, can stay out in weather without any problem until they're needed. Other materials are very, very sensitive to weather and it's very, very important that they're delivered only when needed. For example, dry wall or concrete or mortar mix and bags. And so the concern that you have is when you say there is no retainage on any materials as it provides a financial incentive for suppliers to deliver some materials too soon knowing that they get paid right away.

And so in the past when this last came up in 2015, there were 37 no-votes because we wanted to give local municipalities the authority to decide for themselves on what materials to have a retainage and what materials should be paid for immediately. I will be voting no because I think that is still the responsibility and, and appropriately so, for a municipality engaging in the construction project to decide when and where they need retainage, and when and where they can waive it, and we shouldn't, by law, override any local government's decision.

So for that reason, I'll be voting against it. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Brown to explain his vote.

MR. A. BROWN: Thank you, Mr. Speaker. There seems to be some confusion on the board --

ACTING SPEAKER AUBRY: One minute, Mr. Brown. Gentlemen, ladies; thank you.

MR. A. BROWN: There seems to be some confusion on the board and my esteemed colleague's going to research and figure out why it says private, because the whole bill speaks only to public, but either way I've been in the construction business for five decades, seems like every single entity that has anything to do with the construction industry is against this. I think it's what we do every single day, you have to have retainage. Just like Mr. Goodell said, there's an issue where you just can't accept all materials and this would be so detrimental to the entire construction industry that's why everybody's against it.

So for that reason, I'll be voting in the negative -- I vote in the negative. Thank you.

ACTING SPEAKER AUBRY: Mr. Brown in the negative.

Mr. Braunstein to explain his vote.

MR. BRAUNSTEIN: Thank you, Mr. Speaker. This bill is pretty simple. It deals with material suppliers. If a material supplier drops off their goods, which under the bill have to be covered by warranty or graded, they are required to be paid in full. So someone gets to a construction site, they're delivering materials, supplies, they're covered under warranty or graded, the builder has the opportunity to inspect the goods. If they're conforming and they're accepted, they're required to pay in full. Right now, material suppliers

drop off, let's say lumber, and they get paid 90 to 95 percent of the cost of the goods, and then they have to wait sometimes several years before they get paid the other 5 to 10 percent. A lot of times, that's their margin. And all the while they've simply delivered the goods as required, they were conforming, and it's only appropriate that they're paid in full once their part of the bargain is completed. So I urge my colleagues to vote in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Mr. Braunstein in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A01619-A, Rules Report No. 301, L. Rosenthal, Simon, Bronson, Dilan. An act to amend the Insurance Law, in relation to prohibiting insurers from restricting or imposing delays in the distribution of antiretroviral prescription drugs to certain persons.

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

THE CLERK: Assembly No. A01696-C, Rules Report No. 302, Hunter, Raga, Weprin, Cruz, Shimsky. An act to amend the Insurance Law, in relation to requiring certain insurance policies allow patients additional screenings for breast cancer when the provider deems such screening is necessary under nationally

recognized clinical practice guidelines; and to repeal certain provisions of such law relating thereto.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect January 1st, 2026.

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. A02740-B, Rules Report No. 303, Paulin, Wallace, Simone, Simon, Lavine, Raga, Hevesi, Levenberg, Sayegh, Burdick, Shimsky, Otis, Burgos, Gibbs, Taylor, Zaccaro, Davila, McDonald. An act to amend the State Finance Law, in relation to State agency contracts with not-for-profit corporations.

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. A02987, Rules Report No. 304, Zebrowski. An act to amend the Tax Law and the Civil Practice Law and Rules, in relation to permitting consent for service in the form of magnetic tape or through electronic means for certain collection procedures.

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. A03119-A, Rules Report No. 305, Jones. An act to amend the Highway Law, in relation to designating a portion of the State Highway System as the "Samuel Trombley Memorial Bridge."

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, colleagues, if you could turn our attention to our debate Calendar, and we're going to start with Calendar No. 82 by Mr. Dinowitz, followed by Calendar No. 361 by Mr. Epstein.

ACTING SPEAKER AUBRY: Page 29, Calendar No. 82, the Clerk will read.

THE CLERK: Assembly No. A02882, Calendar No. 82, Dinowitz, Tapia, Weprin, Kelles, Forrest, Raga, Epstein. An act to amend the Penal Law, in relation to warnings to be posted and provided by firearms dealers.

ACTING SPEAKER AUBRY: On a motion by Mr. Dinowitz, the Senate bill is before the House. The Senate bill is advanced and an explanation is requested, sir.

MR. DINOWITZ: Okay. The purpose of this bill is to provide individuals seeking a license for or the purchase of a firearm or weapon of the dangers of ownership, including the increased risk of suicide, death during domestic disputes, and the unintentional death to children, household members and others, and of the availability of the 9-8-8 National Suicide Prevention Hotline.

ACTING SPEAKER AUBRY: Mr. Morinello.

MR. MORINELLO: Thank you, Mr. Speaker. Will the sponsor yield for a few questions, please?

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

MR. DINOWITZ: Of course I'll yield, certainly.

ACTING SPEAKER AUBRY: The sponsor yields, sir.

MR. MORINELLO: Thank you. As I read this, this is an amendment to the Penal Law; am I not correct?

MR. DINOWITZ: Yes.

MR. MORINELLO: Okay. Is there a certain category that this will be classified violation, misdemeanor or felony, and what degree?

MR. DINOWITZ: I believe we're talking about a -- that would be a misdemeanor -- oh, it's a violation. It says a violation; yeah, a violation.

MR. MORINELLO: A violation. Now, according to this, a violation would be 15 days of incarceration and \$1,000 fine; am I correct?

MR. DINOWITZ: Yes.

MR. MORINELLO: Now, currently in a violation, isn't that the maximum amount of fine, \$250?

MR. DINOWITZ: Well, on this violation it would be up to \$1,000.

MR. MORINELLO: Okay. So this would -- my understanding then, this would be the only violation that the fine would be \$1,000, more than the --

MR. DINOWITZ: I'm not -- I'm not sure. I don't know about other violations.



MR. MORINELLO: All right. Thank you. Now, this says that a licensing officer has that obligation every time they issue a license or an amendment on a permit; am I correct on that?

MR. DINOWITZ: Mm-hmm.

MR. MORINELLO: I'm sorry?

MR. DINOWITZ: Yes.

MR. MORINELLO: Okay. Now, there's a section in the bill, and I'm going to go to line 17, 18, 19 and 20, but basically, no licensing officer shall be, or an employee thereof shall be liable to any person et cetera, et cetera in connection with the implementation or enforcement of this subdivision. So am I to understand that if a licensing officer adds a pistol to a lawfully-issued pistol permit and they do not, that they're subject to this penalty and they're subject to the criminal charge, also?

(Pause)

MR. DINOWITZ: Yes, yes.

MR. MORINELLO: Oh, okay. Thank you.

MR. MORINELLO: Thank you. Now, there's another part that basically says they have to be placed in two locations in retail stores or those that sell guns; one at the entrance and then one at another conspicuous place; am I correct?

MR. DINOWITZ: Yes.

MR. MORINELLO: Now, when you get stores like Bass Pro, Cabela's and Dick's, which may have multiple entrances, okay, is there a specific entrance that this here is directed to or can

they be at one entrance, somebody enters another entrance, doesn't see it and then they bring a claim of a violation.

MR. DINOWITZ: It says the entrance, so --

MR. MORINELLO: Well, if there's multiple entrances --

MR. DINOWITZ: Well, I understand but it -- it says the entrance, it says two places. So the second place could be the other entrance.

MR. MORINELLO: Okay. Well, this says in another conspicuous place where their transactions are being taking place. So I just want to know, what would they do in -- in a location that has multiple entrances? What's their obligations?

MR. DINOWITZ: According to the bill it says "the entrance", so that would be one entrance.

MR. MORINELLO: One entrance. All right. So if they -- if they have multiple entrances like some of the malls do where you have an outside entrance into a facility and then one from the inside. If they place it on the inside, someone enters from the outside, that is not a violation, then; am I correct?

MR. DINOWITZ: No, but it -- it's gotten me to thinking that maybe I should introduce another bill saying that it should be at every entrance --

MR. MORINELLO: Well, I'm just asking --

MR. DINOWITZ: -- but that will be next time.

MR. MORINELLO: -- on this bill. That's what I'm

-- I've --

MR. DINOWITZ: This bill just says the entrance --

MR. MORINELLO: Okay.

MR. DINOWITZ: -- in the singular.

MR. MORINELLO: Now, is a website posting or a electronic posting sufficient in the premises?

MR. DINOWITZ: It doesn't say that.

MR. MORINELLO: Okay. Well, I'm just asking. So it doesn't say it but it doesn't say it isn't, either, correct?

MR. DINOWITZ: You're not -- you're not prohibited from posting something on the website --

MR. MORINELLO: All right.

MR. DINOWITZ: -- but this specifically says that you have to post at the entrance and at another location that's conspicuous.

MR. MORINELLO: Now, in read -- in reading this warning it talks about suicide. Now, are there other instruments that can be utilized to commit suicide?

MR. DINOWITZ: Yes.

MR. MORINELLO: Okay. So rope is one for hanging, correct?

MR. DINOWITZ: Rope is a -- it could be an instrument of suicide.

MR. MORINELLO: So do home -- home repair, home -- something like Home Depot, do they have to post a warning

near their rope that it could be used and they should call the crisis hotline?

MR. DINOWITZ: There are many things that could be used for suicide. A rope, a pocket knife, a switchblade, a hunting knife, a steak knife, a bottle of pills. A window if you're on a high floor. There are -- there are many different things. What distinguishes firearms from everything else is that a very high percentage of suicides in this country are done through firearms, not through rope.

MR. MORINELLO: Okay. Now, there's another section that says "danger to children", okay, and knives are very dangerous. Is there any requirement that this be posted in a kitchen supply store that has knives that children can access?

MR. DINOWITZ: Not in this bill.

MR. MORINELLO: Okay. And am I to understand in order to purchase a weapon you have to be a licensed permit holder, correct?

MR. DINOWITZ: You have to have a license, that's correct.

MR. MORINELLO: You have to have a license. And under New York State law, don't you have to go through extensive training including shooting training before you're issued that license?

MR. DINOWITZ: Well, shooting training, I don't know that has -- that has a direct connection on whether or not --

MR. MORINELLO: Oh, it doesn't. I'm just talking

--

MR. DINOWITZ: -- somebody -- somebody should be made aware --

MR. MORINELLO: -- about general --

MR. DINOWITZ: -- of the potential for suicide.

MR. MORINELLO: I'm sorry, you were speaking. I apologize.

MR. DINOWITZ: That's quite okay.

MR. MORINELLO: But my question goes to more the training that someone has a pistol permit is so extensive under the rules that our Governor has put in that it seems disingenuous to have to repeat this every single time that person adds another weapon to their permit. But be what it may.

Now, is there any monetary assistance to the local police forces? Because this puts that burden on them, okay, and it would seem that that burden would have to be that they would actually have to maybe go in incognito to see whether they're complying or not. So is there any monetary?

MR. DINOWITZ: The cost of -- of implementing this of course would vary, but we're talking about printing something. You go into a Xerox place and maybe it's a quarter, 25 cents. Some place might even be cheaper. There -- there's really very little expense here in terms of -- in terms of law enforcement. I mean, I would hope law enforcement would pay an occasional visit to stores such as these

that sell weapons which can be used for suicide in so many cases. So -- so this bill, we're not trying to really put a big burden. I mean, so we typed this up. This is an 8.5x11 piece of paper at 26-point type, and the bill says the warning has to be on -- on something at least 8.5x11, so it can be bigger than this but this is the smallest. And it could be a larger font than this. I don't really think that take -- typing this up and pasting it on the entrance to your store is such a big burden, especially when we're talking about the number of suicides from firearms that take place in this country. In 2020, just as one example, the Centers for Disease Control released data showing that 24,292 suicides occurred through the use of guns; 50 -- over 50 percent of all gun-related deaths. So a lot of people die from guns, but most people assume it's from, you know, bad guys murdering people, which is a horrible thing, obviously. But, in fact, the majority comes from suicide. So if we could just do this little teeny thing of pasting this 8.5x11 piece of paper, it will be a good thing.

MR. MORINELLO: Mr. Sponsor, I think you misunderstood my question. The enforcement part, in order for a police department -- they may have to employ or utilize their detectives to maybe do some incognito checking whether the stores are complying. I wasn't talking about the printing of the actual warning. I was more talking about --

MR. DINOWITZ: Well, I figured I'd throw that in.

MR. MORINELLO: -- enforcement, okay? And then would -- would it be -- this being a violation, who would you

anticipate would be the one prosecuting this, the town attorney, district attorney's office?

MR. DINOWITZ: As -- as opposed to who else?

Who else would?

MR. MORINELLO: Well, I don't know. Who would -- who would you anticipate would be prosecuting a violation of this?

MR. DINOWITZ: Well, it could be the district attorney for sure, and in terms of the police, I don't think the police would have to go into a store incognito, they could just walk in. Either the sign is somewhere or it's not somewhere.

MR. MORINELLO: But there also is the obligation at the purchase to hand that again, correct? So...

MR. DINOWITZ: Well, my hope would be that the people who sell these guns would just obey the law. I mean, we have a lot of laws where we don't necessarily have somebody standing there waiting each time to catch somebody not doing it, but rather the mere existence of the law would result in people doing what they're supposed to do. I mean, you know, we have laws that say you can't murder people, we don't have a cop on every -- every corner watching for that. Most people obey these laws, and that -- and if we pass this and make it into a law, I would imagine that most of these firearms dealers, being that they're law-abiding citizens, would just do the right thing and obey the law.

MR. MORINELLO: Thank you. Is there any provisions for illegal gun owners?

MR. DINOWITZ: Illegal -- we already have provisions for illegal guns.

MR. MORINELLO: For the signage to warn them that that could be for suicide.

MR. DINOWITZ: Well, I don't think you're going into a gun store to buy an illegal gun, you do that in other ways, I suppose.

MR. MORINELLO: So those with illegal guns or guns on the Iron Pipeline, they would be -- they would have no knowledge of this, they're not obligated. So this is really directed to licensed, legal gun purchasers, correct?

MR. DINOWITZ: Yes.

MR. MORINELLO: Okay. Thank you. Thank you. On the bill.

MR. DINOWITZ: You're welcome.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. MORINELLO: It just seems that the focus is to be an impediment to lawful gun ownership. Most people know what these -- what the dangers are. Most people who have a gun or a weapon have already gone through the course. They've already taken extensive training and -- before they're allowed their license. So I believe that -- I -- I just want to propose this, this may be just an additional burden or just an additional attempt to implement gun control in the State of New York.

Thank you very much.



ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: A party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed to this legislation. Those who wish to 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 generally gonna 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.)

Mrs. Peoples-Stokes to explain her vote.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker, for the opportunity to explain my vote. I sometimes think that sometimes we over-legalize issues or we oversaturate issues, but in this case I don't think so much so. And I'm saying that from the perspective of a person who actually has a permit to carry a legal

weapon, and many of the issues that are raised in this piece of legislation were not raised to me at that moment. Now, by the way, I and myself and others like me have educated ourselves about proper use, proper storage and where help -- where you can get help at, but it doesn't mean that every one does that. And as long as I think it's okay for us to legally allow someone to carry a weapon, then they should not be -- take exception to being informed. The best consumer we can ever have is one that's educated, and I think this legislation does that and I really do want to honor the sponsor for introducing it.

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

Mrs. Gunther to explain her vote.

MRS. GUNTHER: You know, I -- I was thinking about, you know, you know that where I live and I have -- I own a hunting camp, et cetera, but I really think that there's no reason why we can't do warnings to be posted. I think it's healthy and I think it's good and it reminds people. It's just like when you go to the bathroom it says wash your hands and -- so that you don't get a disease or carry a disease. I -- I think this is really a good thing to do, to post something like this.

So I'll be in the affirmative. I'm a gun owner, I own a hunting camp, but I'm in the affirmative.

ACTING SPEAKER AUBRY: Mrs. Gunther in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 42, Calendar No. 361, the Clerk will read.

THE CLERK: Assembly No. A00494-B, Calendar No. 361, Epstein, Rozic, Davila, Clark, Cruz, Kelles, Reyes, Cunningham, González-Rojas, Ardila. An act to amend the Election Law, in relation to notifying candidates of designation for certain county committees.

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

An explanation is requested, Mr. Epstein. But we're gonna wait a minute because we have lots of action and a lot of conversations in your area. Ladies and gentlemen, we are on debate. Everybody in the area back over there, would you please take your seats or take the conversation out of the room?

(Pause)

Okay, Mr. Epstein. I think we've gotten it as quiet as it's gonna get.

MR. EPSTEIN: Thank you, Mr. Speaker. This bill amends Section 6-134 of the Election Law, adding a new subdivision to require the Board of Elections to notify each candidate running for a county committee in their designated party position, and the notice shall inform people who are running for these positions the opportunity to decline such designation.

ACTING SPEAKER AUBRY: Mr. Norris.

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

ACTING SPEAKER AUBRY: Mr. Epstein?

MR. EPSTEIN: I'm happy to yield.

ACTING SPEAKER AUBRY: Mr. Epstein yields, sir.

MR. NORRIS: Thank you, Mr. Epstein. My first question for you is what is the purpose of this legislation? Why are you bringing it forward?

MR. EPSTEIN: The purpose of the bill is, you know, we've had a history in New York of people running for a county committee that they didn't even know they were on the ballot. This just requires the Board of Elections to notify everyone running for the county committee that they're running, and the opportunity to --to decline such designation if they don't want to continue to run.

MR. NORRIS: Okay. Has the bill been amended since its original form?

MR. EPSTEIN: This bill has been amended numerous times.

MR. NORRIS: Is there a time frame longer than the traditional declination or acceptance period?

MR. EPSTEIN: It is not.

MR. NORRIS: Okay. And when does the Board of Elections have to mail the notice upon the filing of the county

committee petition?

MR. EPSTEIN: They -- they have to mail the notice in the regular course of their business, as they mail other notices out to candidates.

MR. NORRIS: Okay. And do you know what the estimated cost is to do the mailing in New York City?

MR. EPSTEIN: I don't, but, you know, a stamp times how many people on county committee. It's a form that they generate for other positions like if we run for positions and they notify us that we're running, we have the opportunity to designate -- it's hard to know how many people they're gonna be mailing to, but my guess is, you know, a few hundred up to maybe a few thousand. But that's really it, just the mailing cost.

MR. NORRIS: Okay. Because typically there's, like, two to four committee people per election district, depending on where they are.

MR. EPSTEIN: Yeah, you know, in my district there's, you know, about 150 to 200 people who run for county committee. There are periodically a lot of vacancies on a lot of county committees, so there might be -- you know, even though there might be 100 positions available, you might only have 30 people running at the time of election.

MR. NORRIS: Okay. And then in terms of the Board of Elections, have you discussed it with the City Board of Elections, the burden that's being placed on the employees?

MR. EPSTEIN: Yeah, we've had numerous conversations with them, and they -- we've shared language with them and it is my understanding that they are okay with the language that we're moving forward on today.

MR. NORRIS: Okay. Thank you very much, Mr. Epstein. I appreciate you answering my questions.

Mr. Speaker, on the bill.

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

MR. NORRIS: Thank you, Mr. Speaker. I am pleased that the declination period remains the same in the amendment of the bill; however, I still do have concerns, being a former Elections Commissioner, on the burden of the Board of Elections to mail out these notices to each and every person who is nominated for the county committee. There's at least four major parties -- two major parties, two minor parties in the State of New York that have party status right now. When you multiply that out by two or four elections it adds up. And it's just not the stamp, it's the actual processing of that information to get out in that very tight time frame during that declination period so that the person will receive it in time.

So based upon the cost and the burden placed on the Board of Elections for -- for this particular party position, I don't feel it is warranted and, therefore, I will be voting in the negative and I encourage my colleagues to do the same. Thank you very much, Mr.

Chair -- Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Goodell.

(Pause)

Read the last section.

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

ACTING SPEAKER AUBRY: A party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, 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: Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: Thank you both.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Epstein to explain his vote.

MR. EPSTEIN: Thank you, Mr. Speaker. I rise to explain my vote. This is a very simple fix to a problem that we've

seen happen periodically in New York City where people who don't even know that they're running for county committee, and when special elections happen or other opportunities happen, they end up either being on a county committee or, unfortunately, people who are on the county committee who are no longer with us. This just requires the Board of Elections to notify people that they're running and gives them the opportunity to decline. It's really like every other race where you're running for office, it's just a really important transparency piece.

I'll be voting in favor of this bill and I encourage my colleagues to do the same.

ACTING SPEAKER AUBRY: Mr. Epstein 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: Thank you, Mr. Speaker, and thanks colleagues that are in and around the Chambers. Let us complete our work or at least keep going on our work of debates. We're gonna go right to Rules Report No. 87 by Ms. Rosenthal, followed by Rules Report No. 225 by Ms. Walker, then Rules Report No. 229 by Mr. Jacobson, 248 by Ms. Fahy, and 253 by Mr. Burdick. In that order, Mr. Speaker. Thank you.

ACTING SPEAKER AUBRY: Thank you.



Rules Report No. 87, Bill No. 28-C, the Clerk will read.

THE CLERK: Assembly No. A00028-C, Rules Report No. 87, L. Rosenthal. An act to amend the Administrative Code of the City of New York, in relation to requiring internet-based food delivery service providers to post the hyperlink to the City of New York's Health Department food lookup tool to view recent sanitary inspections; and to amend the General Municipal Law, in relation to requiring internet-based food delivery service providers to post the hyperlink to the municipal or State health department food service establishment inspection data to view recent sanitary inspections.

ACTING SPEAKER AUBRY: On a motion by Ms. Rosenthal, the Senate bill is before the House. The Senate bill is advanced and an explanation is requested, Ms. Rosenthal.

MS. ROSENTHAL: This bill would require websites and mobile apps that offer food delivery services to post a link to the online database of sanitary inspection grades.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

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

MS. ROSENTHAL: Yes.

ACTING SPEAKER AUBRY: The sponsor yields.

MR. GOODELL: Thank you, Ms. Rosenthal. Am I

correct that this hyperlink is to the municipality's database?

MS. ROSENTHAL: Yes.

MR. GOODELL: So it doesn't link to a restaurant's web page, for example, where the restaurant is supposed to post it. It links directly to the municipality?

MS. ROSENTHAL: Well, it would -- it would have to -- yes, the -- the restaurant would have to post the hyperlink as well, but it goes to the municipality's health grades.

MR. GOODELL: Well, for a food delivery service they don't post a restaurant's link, they post a hyperlink to the database, correct?

MS. ROSENTHAL: Correct.

MR. GOODELL: And how often is the database maintained by the municipality updated?

MS. ROSENTHAL: I think every time there's an inspection, that restaurant's grade is updated.

MR. GOODELL: Now, this bill doesn't in any way require a municipality to update their inspection reports on any timeframe, correct?

MS. ROSENTHAL: No, no.

MR. GOODELL: That's solely up to the municipality?

MS. ROSENTHAL: Correct.

MR. GOODELL: Do you know how long it takes New York City to update its web page after a subsequent inspection?

MS. ROSENTHAL: I don't know, but I think it's pretty rapidly.

MR. GOODELL: Now, this applies not only to New York City but other municipalities as well, correct?

MS. ROSENTHAL: Other municipalities, yes.

MR. GOODELL: What other municipalities would fall within the scope of this law?

MS. ROSENTHAL: Well, Albany for one, and -- and there might be a handful of others across the State.

MR. GOODELL: But as far as you know --

MS. ROSENTHAL: And -- and others. And also, if they adopt such a -- a law in the future in terms of posting health grades, then they would be subject to this as well.

MR. GOODELL: Now, this may be less of an issue in New York City than it is Upstate, but it's entirely possible that these food delivery service providers may cover multiple counties, right? You might have someone that covers, as an example, Albany, Schenectady. Would they -- would a Uber Eats or a Grubhub or anything like that have to then post multiple links?

MS. ROSENTHAL: Well, in order to abide by the provisions in the bill, if they have to then they would have to.

MR. GOODELL: I see.

MS. ROSENTHAL: So long as the customer can use the hyperlink to get to the municipality's listing of grades.

MR. GOODELL: And then we assume that the

customer knows which county the restaurant is that they're going to, correct?

MS. ROSENTHAL: Well, it's really not on the customer to know. It is on the mobile app to know, the people who run the mobile app.

MR. GOODELL: Now, this hyperlink is not linked to any particular restaurant, correct? So --

MS. ROSENTHAL: No.

MR. GOODELL: Correct?

MS. ROSENTHAL: Correct.

MR. GOODELL: Okay. Thank you very much.

MS. ROSENTHAL: Sure.

MR. GOODELL: There were questions, by the way, raised whether or not this would impose a burden on Uber Eats or Grubhub or any of those others, and one of the concerns they raised is whether or not restaurants would comply in posting. But this doesn't really involve the restaurants, correct?

MS. ROSENTHAL: Yep.

MR. GOODELL: That is to say the hyperlink goes to a municipal web page, not to the restaurant.

MS. ROSENTHAL: Yes. Yes, of course.

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

MS. ROSENTHAL: Thank you.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take -- this act shall take effect on the 120th 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 15, Rules Report No. 225, the Clerk will read.

THE CLERK: Assembly No. A10357, Rules Report No. 225, Committee on Rules (Walker). An act to amend the Election Law, in relation to voting rights; to amend Chapter 226 of the Laws of 2022 amending the Election Law relating to establishing the John R. Lewis Voting Rights Act of New York, establishing rights of action for denying or abridging of the right of any member of a protected class to vote, providing assistance to language-minority groups, requiring certain political subdivisions to receive preclearance for potential violations of the NYVRA, and creating civil liability for voter intimidation, in relation to making technical changes; and to repeal certain provisions of the Election Law relating to voting rights.

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

MS. WALKER: Thank you, Mr. Speaker. This bill is an act to amend the Election Law in relation to voting rights. It amends Chapter 226 of the Laws that we changed in 2022. There

basically -- creates a civil liability for voter intimidation in relation to making technical changes, and to repeal certain provisions of the Election Law related to voting rights.

ACTING SPEAKER AUBRY: Mr. Ra.

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

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

MS. WALKER: Yes, Mr. Speaker.

ACTING SPEAKER AUBRY: The sponsor yields, sir.

MR. RA: Thank you. I think it wouldn't be a June end of Session if we didn't have the opportunity to discuss this bill in some form, three years running now.

MS. WALKER: Well, I'd rather debate this than -- than bail reform.

MR. RA: We could do that, too.

MS. WALKER: We can do that next. You know, I'm -- I'm here, I'm here all week.

(Laughter)

MR. RA: I think -- I think we all will be. So I -- I just want to get into -- I know as you mentioned there are a number of different pieces of this statute which -- which we originally passed two years ago, and we I think last year made a technical change with the effective date. But these changes impact a number of different places,

so I just want to go through them and I have a few questions about that. So let me start with the -- the first part, which is the change in the definition of protected class. This bill, I believe, removes the term "eligible voters" and replaces it with "individuals", and then adds on "including individuals who are members of a minimum reporting category that has ever been officially recognized by the United States Census Bureau." So I assume this expands the group of individuals who would be included in a protected class under this law, correct?

MS. WALKER: That is correct.

MR. RA: Okay. And what is the reason for that proposed change?

MS. WALKER: So, it provides members of a protected class to encompass all individuals, not necessarily just eligible voters which, quite frankly, could be a term of art or may be, you know, a legal determination as to whom -- which voters are eligible or not. It requires that members of a protected class be eligible voters -- requiring that members of a protected class be eligible voters makes the statute more difficult to administer in certain areas. Because D -- DJCS [sic] data, which we are required to use to analyze preclearance coverage, under this section does not distinguish between eligible and noneligible voters; for example, citizens and noncitizens. It also provides that protected class includes members of a minimum reporting category that has ever been officially recognized by the United States Census Bureau, which includes members of any race, color or language minority group.

MR. RA: Okay. Now, one of the kind of pieces of this process when somebody's trying to enforce the provisions of this law is the notification letter. So, there's a change here, there's some additional language I guess I would say, you know, the -- the prior enactment of this statute talked about having to file and send this notification letter to the political subdivision prior to commencing a judicial action. Now this details a little bit more what should be specified in that notification letter, correct?

MS. WALKER: Correct.

MR. RA: And which includes potential violation or violations of alleged and shall contain a statement of facts to support such allegation. So this is to allow the political subdivision to know what violation of the John R. Lewis New York Voting Rights Act they may be violating, that the protected class of people are alleging may be violated, correct?

MS. WALKER: Correct.

MR. RA: But the way the language here is it also says that the failure to specify won't be a basis for dismissal -- dismissal of the judicial action. So can you just, I guess, explain that? Does it mean -- you still have to do the letter, correct?

MS. WALKER: You still have to do the letter.

MR. RA: But if it's not detailed, it is not an impediment to a judicial action going forward.

MS. WALKER: So basically, in the event that one believes that the notice does not have enough specificity, instead of



going back and forth with costly and time-consuming motion practice as to the sufficiency of the notice, it allows for all parties, quite frankly, to be more in compliance. So we're looking to incentivize compliance and to discourage frivolous claims. And as well, of course, we're also concerned about the cost of litigation that might be involved if there are unnecessary motion practices that are going back and forth based on the sufficiency or insufficiency of the notification letter.

MR. RA: So -- so now when that notification letter, though, is received, one of the things -- and we'll go through that in a moment -- there's a number of changes here, some of which I think are good in terms of time frame for the political subdivision to respond. But one of the things, one -- one of the reasons for this notification letter is so that the political subdivision has the opportunity to take action before a judicial, you know, a judicial action is actually commenced against them. So how is the political subdivision to take such action? It -- it contemplates them basically passing a resolution saying they're gonna take such action. If they are not given specificity as to what the alleged violation is, how are they supposed to take that action prior to ending up in a judicial action?

MS. WALKER: Well, I guess -- well, basically, ending up in the judicial -- judicial action would come into play with the fact that the initial complaint may now be, you know, determined to be null and void. And so either way you will wind up with some level of judicial action in the event that the specificity -- specificity is

not sort of adhered to in the onset. So it allows for attorneys to have a free flow of conversation to be able to say if you're a covered jurisdiction, *Look, I'm not sure exactly what it is is being alleged that I've done here. Can you explain to me further what the allegations are? Because I am acting in good faith. I want to ensure that any allegations of voter intimidation, which are serious, serious allegations are adhered to, and so here I am at the table to be able to say let's figure this out and get it addressed.*

MR. RA: So would you -- would you anticipate that under the language of this statute with the changes, that would take place in a somewhat informal nonjudicial setting or -- or would that be perhaps -- you know, if -- if there's no details in that -- in that notification letter, could the political subdivision pass that resolution that is required and say, *Hey, we want to work with the -- the complaining entity, but also not have a level of detail and then go into some dialogue.* Is that (inaudible/crosstalk).

MS. WALKER: Well, that's -- hopefully it will incentivize that, right? And so this is the reason why we believe that this safe harbor period is really the crux of it because at the end of the day, the idea is not to be a gotcha moment. It could be utilized as a learning experience that, you know, we all could, you know, learn to live by in terms of making sure that voting is efficient, it's safe, it's available equally to all individuals.

MR. RA: Okay. So let's -- if I can give you, like, a hypothetical situation, right, and this is something we're familiar with

at the State level. We just went through, over the course of several years, more than I think we expected when we started reapportionment. And I know our local governments just went through that over the last few years as well. So suppose a local township goes through that that has districts for their town board members and there is an allegation of a violation of this statute that is brought to their attention but it says -- basically, the notification letter says, *in your reapportionment*, but doesn't say, *We think, you know, certain voters were put into District 2, it's diluting, you know, the -- the voice of a certain protected class of voters*. If it doesn't rise to that level of specificity, how does the political subdivision respond if it's just general, *Hey, we think your redistricting violates the -- the act?*

MS. WALKER: Well, I will say, you know, one of the things that the bill does specify is that any alleged violation shall contain a statement of facts to support such allegation. And so the requirement is that you put in the information that would lead to the basis of your claim. Now, it can be said that, *Look, I don't have enough information here*. Again, the safe harbor period is the period by which there is a free flow of ideas and exchange and collegiality between attorneys and between parties in order to get to the result which we are looking for. And so I believe, again, that this is not something that would harm the political subdivision; instead, it would take care of unnecessary litigation and extensive costs that we know many of our political subdivisions are always under an extreme pressure with respect to their budgets. And so, you know, it's a -- it's a

huge requirement, it's a huge undertaking, but I believe that it should be handled with a level of care and comradery that it deserves.

MR. RA: Okay. Now, lastly with regard to the notification letter. So, I know one of the pieces of this and -- and there is language in this new -- in this new text that talks about the failure to do so, as we said, doesn't -- isn't a basis for dismissal of the judicial action, but can affect the reimbursement that -- that is provided under -- under the statute. So basically, if -- if there was, you know, that level of specificity here, the entity that is -- is bringing the challenge who is -- who is sending this letter to the political subdivision can be eligible down -- down the line in this proceeding for some reimbursement because presumably some work, research, whatever, went into drafting the letter. So basically what this says if they don't have that -- that level of specificity, they can't seek reimbursement for, well, work product that essentially doesn't exist.

MS. WALKER: Right. So again, it is -- it's encouraging and incentivizes all parties to be able to act in good faith that if there is a -- an alleging party, that that individual or individuals do not, you know, come up with a frivolous claim because if at the end of the day that is the case, if there is any judgment in this regard there would be a downward modification, if you will, of the calculations of attorney fees.

MR. RA: Okay. And now in that circumstance would they be entitled to potentially reimbursement from that point forward as they're beginning those conversations in -- in hashing out

what really the violations are?

MS. WALKER: I believe those should be handled on a case-by-case basis, and it should be at the discretion of the judge or of the governing -- the governing entity.

MR. RA: Okay. Now, I want to get into now what happens next. So there's a change with regard to the action that is taken. I think it -- first it adds within seven days of passing the resolution, the political subdivision shall send by first-class mail or e-mail a copy to the Civil Rights Bureau. I think we didn't have, you know, specificity of what happens prior to any time frame in terms of providing that, so this adds that, correct? That it has to be sent to the Civil Rights Bureau within seven days. And then I believe it also has -- gives a little bit more detail as to the time to submit the actual remedy, correct, on that next -- in Section 6, the Governor and Body may approve a proposed remedy and submit it to the Civil Rights Bureau no later than 120 days after the passage of that resolution. And then I think lastly, in the -- in the next piece it -- it gives a little bit of a longer time frame from 45 to 60 days for the Civil Rights Bureau to grant or deny approval of the proposal that has been provided, correct? I'm looking at the bottom of -- of page 2 in Section 7.

MS. WALKER: I'm following you. You're doing a -- you're doing a great -- you're such a good reader.

MR. RA: Thank you.

(Laughter)

So, now that last piece in terms of the Civil Rights Bureau, this is an extension that they are able to evoke on their side, correct? It's not an extension that is being asked for by -- by a political subdivision, they may just need more time to review the proposed remedy for some reason. So that -- that extension at the bottom of page 2, 54 and 55, is for the Civil Rights Bureau to have additional time to review a proposed remedy.

MS. WALKER: I believe you're correct on that.

MR. RA: Okay.

Now, going on to the next provision in Section 8 here, you know, and I know we spoke earlier and -- and I'm not gonna get into it now, but obviously we had extensive dialogue the last couple years about my concerns with regard to school boards and school districts with regard to this, but that's not really the subject of these amendments so I'm not gonna really get into that right now. But this section does talk about the approval as it is granted by the Civil Rights Bureau. Now as we talked about earlier, my concern with regard to the level of detail and specificity in the letter, this adds language that says amongst the criteria for the Civil Rights Bureau to grant approval it talks about that the proposal would remedy any potential violation of this title cited in the notification letter and would not give rise to any other violation. So again, we're referencing the notification letter but there may not be a violation that is cited in that letter. So how is that criteria to be used by the Civil Rights Bureau in the event that the original letter does not have that, is not citing a

specific violation?

(Pause)

MS. WALKER: Well, I would imagine, I guess, in like any other complaint, if it does not -- if it's not included in the notification then it wouldn't apply. So, I mean, I'm trying to understand what your question is.

MR. RA: Well, my question is the -- I mean, this is in Section 8, it actually says the Civil Rights Bureau -- some of this is in the current law -- the Civil Rights Bureau shall only grant approval to the New York Voting Rights Act proposal if it concludes that, and it goes through the criteria and this -- these amendments add language that says "cited in the New York Voting Rights Act notification letter." But we -- we've, you know, established in that prior section that we're -- we're not really holding the -- the party that is coming forward with having to have a violation cited in their letter.

MS. WALKER: Right.

MR. RA: So how is the Civil Rights Bureau supposed to determine whether to grant approval if that is the case?

MS. WALKER: So I guess we haven't finished -- you haven't really set the stage for "A" yet, right, so you don't get to "B" about until you have qualified under "A", the political subdivision may be in violation of this title.

MR. RA: Yes.

MS. WALKER: And so...

MR. RA: But, well --

MS. WALKER: You know, it's not an "or."

MR. RA: Yes, but if we're -- if we're talking about, say, the situation you --you detailed earlier that some conversation exists. This doesn't say, you know, or in a -- a violation that was uncovered or detailed during, you know, discussions between the parties. It specifically talks about the notification letter, which may or may not have that level of detail in it for the Civil Rights Bureau to evaluate the remedy and whether it's satisfactory to address the violation.

MS. WALKER: I still don't see that "A" is satisfied. And I think maybe perhaps in your reading it's that "A" doesn't have to be -- like, you can jump to "B" and/or "C", but you can't get past "A" to get to "B". So --

MR. RA: Well, I -- I think "A" said -- "A" is just the political -- the political subdivision may be in violation of the title. I think -- I mean, it says may be in a violation of the title. I think it's --

MS. WALKER: Mm-hmm.

MR. RA: -- easy to find under any circumstances that a political subdivision may be in violation of something unless you can completely rule it out. But again, the general question of might they be in violation is different than the specific of what is the violation and does this remedy fix it.

MS. WALKER: I'm having some trouble following.

MR. RA: Well, again, what I'm saying is, so --

MS. WALKER: Start from -- start from the top of



your question, please, sir.

MR. RA: Okay. So, I'm looking at line 4, right, on the top of page 3. *The Civil Rights Bureau shall only grant approval to the New York Voting Right Act proposal*, right, the proposal is something that has been submitted to the Civil Rights Bureau from the political subdivision, correct, with me there?

MS. WALKER: Mm-hmm.

MR. RA: So --

MS. WALKER: If it concludes that --

MR. RA: -- if it concludes that the political subdivision may be in violation of this title, okay. I -- I -- I think that -- I mean, that's language in the statute but I don't think we've gotten to this point if that wasn't the case, and I -- and I don't think if even the municipality perhaps thinks -- thought they might not be in violation, they -- they wouldn't have even gotten to this point, they've submitted this. And in the second part what I'm saying is "B" says it would remedy any potential violations of this title cited in the New York voting rights notification letter.

MS. WALKER: Correct.

MR. RA: And we've already -- but my -- my question or my -- my issue with this language is we've already established that the notification letter under this change might not have cited the violations.

MS. WALKER: I don't agree with you, sir. I believe what we discussed in the past is basically that the failure to specify

shall not be a basis for a dismissal of the action. However, it does not negate the fact that the letter shall specify the potential violation or violations alleged and shall contain a statement of facts to support such allegation. And so if you're saying that the -- the notification letter does not meet the sufficiency requirement, again, we discussed that there is an opportunity for counsel and the parties to be able to deliberate in good faith, and that everyone can come to a conclusion as to what the allegations presented here are concerning. And so again, whenever it is that we get to Section 8 of -- of the bill, the political subdivision will have to have been determined that they may be in violation of this title, and the proposal would remedy any potential violation of this title as cited by the New York Voting Rights Act notification letter. Again, it's about being able to get to a point where we are remedying the wrongs that are being alleged here as opposed to it being a gotcha moment for any particular individual who is involved. And furthermore, it protects both the political subdivision as well as any of the complaining members of -- of the community, if you will, because in the event that it's found that actions may be frivolous, there are sanctions as it relates to the downgrade of attorneys fees.

MR. RA: Okay. So I -- I still do have concerns with that language, but in the interest of time, which I am running low on, I -- I want to ask about one other piece of this and that's the changes in I believe it's Section 12 and the change in language with regard to deceptive -- the person knowingly uses any deceptive or fraudulent

device, contrivance or communication. My understanding of this change is under the current language, one of the pieces that would violate this or one of -- or the type of statement or action that would violate this was required to be false, a false statement. Under this, my understanding is the standard is just deceptive or fraudulent; is that correct?

MS. WALKER: Yes, you're correct.

MR. RA: So would -- would you contemplate that that would include, you know, something that could be true but might, for whatever reason, have a tendency to make somebody -- turn somebody off from -- from voting, you know, in -- in a particular election?

MS. WALKER: I don't think that, you know, it would -- it would get to that point. But what I will say, though, is that we're concerned that it's just about statements and the falsity of the statements as opposed to the communication itself. And with the advent of artificial intelligence, deepfakes, you know, the -- we had to modify the language to broaden it and expand it in order to take into consideration all of these other deceptive and fraudulent practices that are being played out within our electoral process. And so we had to bring the bill sort of up-to-date with the, you know, new levels of complaints that we have seen filed around the country.

MR. RA: Okay. Well, I -- I appreciate that -- that clarification because I -- I -- I agree 100 percent when we look at this type of technology, I think it's something we need to be very

concerned with as it pertains to our elections and I think that's -- that's a helpful explanation as to why the language that is being utilized here is being used. So -- so with regard -- with regard to that, I -- I do agree. We have -- we need to -- I mean, you know, we've -- we've seen any number of thing -- these things out there, how sophisticated they are and how realistic they -- they are made, and -- and it's certainly something I think we should all be concerned with as it relates to our -- our elections. So -- so thank you for that.

Mr. Speaker, on the bill.

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

MR. RA: Thank you. So, I -- I just wanted to go through again. There -- there are a number of changes being made here. We've been through, you know, a few different changes with regard to this statute. I still do have a couple of issues with -- with the language, with the new language and with the existing statute. As I've said the last couple of years, there still is a concern that there are remedies that might be recommended or even necessary to remedy a violation that certain entities may not have the legal authority to do. They may actually have to come to us, the Legislature, to do so, in particular, in a -- in a school board setting, say, if the remedy was switching to an award system, they cannot do that on their own. So I continue to be concerned with that. But I'm also -- I am also concerned with this change. I think it's great that we're specifically saying that the New York Voting Rights Act notification letter should

have -- specify the potential violation or violations and contain a statement of facts to support the allegation. That's important. I think that the purpose of this process is to give the opportunity for this to be rectified before it ends up in court. But then when in the next sentence you're saying, *Hey, if you -- if it -- this doesn't happen this way, that's in no way an impediment to it getting into court*, I think takes away what is otherwise a strong provision to -- to give the opportunity for that dialogue and discussion to happen, to hopefully come to an understanding and remedy a potential violation before we end up in court.

So while I think that those conversations will take place between the parties, I think then you move to the next stage of it and eventually we have, again, the Civil Rights Bureau, as I mentioned, looking at that letter which may or may not have that level of -- of detail. So -- so I do think we need to tighten up this language to make sure that when it gets through each stage of this process it is very clear what the alleged violation is so that the political subdivision in good faith can seek to remedy it. Now, there's gonna be situations where they're gonna disagree that they're violating it, and certainly that is what our courts are for, to have that dispute heard and have it decided on the facts and on the law. But I think making that, you know, notification letter not necessarily have to have that level of detail before going into court I think hurts the ability of these disputes to be taken care of before we end up in a court action.

Thank you, Mr. Speaker.

ACTING SPEAKER ZACCARO: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZACCARO: A party vote has been requested.

Mr. Goodell.

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

ACTING SPEAKER ZACCARO: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Majority Conference is generally in favor of this piece of voting rights-friendly 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 ZACCARO: 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 amend this law yet again, and I think the amendments are heading in the right direction. It's -- unfortunately, we just don't quite get there. And so this amendment says the notification letter shall specify the potential violations and shall

contain a statement of facts to support such allegation. That's a positive move. And then in the same sentence it goes on to say, "provided, however, the failure to so specify shall not be a basis for dismissal of the judicial action." Well, that's a -- that's a strange combination, isn't it? On one hand we say you got to provide specificity, and on the other hand we say but it doesn't matter if you don't. We're starting to head in the right direction. As my colleague pointed out, we need specificity. As a practicing attorney, I will tell you that if you submit a summons and complaint to the court on any civil action and you don't specify enough facts to justify it on any other civil action, the case is dismissed. If you file a Notice of Claim with a municipality under the General Municipal Law where you have to file a Notice of Claim, if you don't specify the facts that justify a relief, the Notice of Claim is invalid in every other situation. Let's just apply the same standard here that we apply in every other situation. The Notice of Claim should provide the facts, and if they don't the Notice of Claim should be deemed invalid.

For that reason I can't support that exception that under -- undermines the entire first half of that sentence and for that reason I will be voting no. Thank you.

ACTING SPEAKER ZACCARO: Mr. Goodell in the negative.

Mrs. Peoples-Stokes to explain her vote.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. I simply want to rise to commend the sponsor of this

legislation and, honestly, the thoughtful manner in which she has delivered this debate on this piece of legislation for the last couple of years, actually. I'm glad that it is now in its final stages. And it's almost disheartening that we would be in 2024, still trying to figure how to protect people's rights to vote when we're all supposed to have that right as citizens. But I do want to commend the sponsor for her efforts on this legislation and I'm very proud to be voting for it.

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

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes for the purpose of an introduction.

MRS. PEOPLES-STOKES: Thank you, sir. It is my pleasure to, on behalf of our colleague Mr. Braunstein, to introduce the fact that we have been joined in our Chambers by the Bishop of the Martamama [sic] -- Malankara Mar Thoma Church Diocese, Dr. Abraham Mar Paulos Episcopa and members of New York's Malayalee community. They are here today to celebrate Malayalee Heritage in the Capitol.

Mr. Speaker, if you could please offer them the cordialities of our floor, welcome them to our Chambers, it would be both my pleasure as well as Mr. Braunstein's.

ACTING SPEAKER ZACCARO: Certainly. On



behalf of Assemblymember Braunstein, the Speaker and all the members, we welcome you today to the New York State Assembly. We extend to you the privileges of the floor. We hope that you will enjoy today's proceedings, and we look forward to welcome you -- welcome you back in the future. Thank you so much for joining us.

(Applause)

Page 16, Rules Report No. 229, the Clerk will read.

THE CLERK: Assembly No. A01244-D, Rules Report No. 229, Jacobson, Eachus, Gunther, McDonald, Gibbs, Ardila, Simon, Davila, Simone. An act to amend the Election Law, in relation to prohibiting conflicts of interest among Board of Elections employees.

ACTING SPEAKER ZACCARO: An explanation has been requested, Mr. Jacobson.

MR. JACOBSON: Yes, thank you, Mr. Speaker. What this bill does, it creates a new section of the Election Law and prohibits conflicts of interest at the Board of Elections. No employee of the Board of Elections would be able to have an interest in or work for a vendor that sells equipment to the Board of Elections. No Board of Elections employee would be able to have an interest in or work for an entity that is supplying services to a candidate whose election is overseen by that Board of Elections. It also prohibits candidates -- excuse me, candidates who are employees of the Board of Elections from staying on the payroll when they are running. So if you're in a primary, you have to get out. If you don't have a primary, you have to

get out within 90 days of the election. They're the main provisions of this, and thank you.

ACTING SPEAKER ZACCARO: Mr. Norris.

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

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

MR. JACOBSON: Yes.

ACTING SPEAKER ZACCARO: The sponsor yields.

MR. NORRIS: My -- my first question is does this apply to all of the Board of Elections across the State?

MR. JACOBSON: Excuse me?

MR. NORRIS: Does this apply to all the Board of Elections across the State?

MR. JACOBSON: Yes.

MR. NORRIS: Does it apply to every employee from Commissioner down to part-time clerk?

MR. JACOBSON: Yes, it does.

MR. NORRIS: Okay. Do these board employees have to file in their jurisdictions conflict of interest forms?

MR. JACOBSON: Usually the counties require it; however, many times the forms are very vague. But in this case what we're doing is we're getting very specific to -- on conflicts at the board.

MR. NORRIS: Do you know of situations where this has been a problem?

MR. JACOBSON: I know of situations where there are conflicts. I don't know about the counties enforcing such prohibitions against conflicts, but I certainly know that there are employees of the board who own, say, a mail house or a printing shop or these things that are used by candidates that are running in that county. Now, if this employee wants to continue and have this business they can go to a neighboring county or any other county, or they can go to another state. The whole idea is to make sure that they are -- they don't have this conflict, because you would have people, particularly as you move up the food chain, making decisions that would impact whether the candidate might even be on the ballot. And so that would -- so there would be a conflict right there because that person would have a financial interest in seeing that that candidate that his -- his or her company is helping is on the ballot.

MR. NORRIS: Do you -- do you know of a specific example where that's caused a problem, where there's actually been a situation where someone acted in self-interest against the democracy?

MR. JACOBSON: Well, I do not know of whether or not, for example, if someone had a mail house, right, and -- and maybe then they -- and they're -- and some candidate in that county's jurisdiction or someone running in that county is a -- is using that mail house, that's an inherent conflict. Now, whether you can point to something that was done that perhaps shouldn't have been done, I

don't know. But you see, the reason that this bill is so important is because our electoral system is being attacked every day. Every day. And a lot of times without -- and most times without little basis and fact, and based on conspiracy theories. So what this will help do is help to restore faith in our electoral system so that people know that when there are elections or when there's purchases by the Board of Elections, there will not be a conflict.

MR. NORRIS: Okay. So, Mr. Jacobson, if there's a part-time employee of the Board of Elections and they work for a printing company on the side, is this truly a problem in our democracy?

MR. JACOBSON: Well, if this person works for a printing company and the printing company is doing work for a candidate, then there's a conflict there. You know, there's other part-time jobs that this person can get. And so I think that's important for the -- for the public, for their faith in our process -- of our electoral process, that we have these curbs.

MR. NORRIS: Don't you think it would be more appropriate based upon their jurisdiction that they review or ensure that there is a disclosure form of any potential conflicts of interest, and then the commissioners weigh that potential conflict and potentially assign the individuals not on that particular race or to another race?

MR. JACOBSON: Well, in theory that would be great. But as was mentioned, when I started law school, in family law they said where there's love there's no need for law. And in this case

where someone is doing their job they would say, *Hey, you should not be here because that's a conflict*. But that isn't always done because as you know, in -- in boards of elections they're run by each party, the two major parties, and you generally have friends of yours or people that are -- that are active in the party with each party. So this way it's very specific what we need to do to ensure that there are not conflicts.

MR. NORRIS: So based upon your legislation, no board employee from commissioner down to clerk, to the deputy commissioner, to a supervisor of the poll books or to the polling places, to the part-time clerk can have any interest whatsoever in any business associated with elections?

MR. JACOBSON: That's true. That's absolutely true. And that person cannot have any interest or work for a vendor that's gonna sell poll books and printers and machines that count ballots. That's very important, I think.

MR. NORRIS: I -- I'm not disputing that conflicts of interest shouldn't be given due diligence and weighed, because I -- I think that there are conflicts all over the place and, quite frankly, there should be a mechanism for them to be weighed. And my suggestion to you would be a more appropriate way of doing it instead of a blanket ban across the entire State, is to require every Board of Elections employee in their jurisdiction to file a disclosure form. Just like the New York State Legislature does, and you can see it. And just like I know in my county, you can see it upon request, I believe, in our county. But they -- but they can weigh that if there's any situation. I

think that would be the more appropriate remedy in this situation because then the head of the jurisdiction can determine whether or not there is a true conflict and potentially take steps to remedy it where there is absolutely no conflict. And I will give you an example. If somebody is running in my county, for example, in one particular ward for a ward office or for a town office or may be involved with a particular business with that area, the commissioners simply do not assign them to that area, and they can be -- have other clerks or other individuals do that. If they're running for public office, for example, the same thing. No, you cannot go and count those ballots in that area, you have no jurisdiction over reviewing the petitions in that area. So I think that it's important, obviously, that conflicts are vetted and they're -- and they are disclosed and they're reviewed. But just because there may be a conflict in one particular situation does not mean it extends to the entire State and every employee of the board.

MR. JACOBSON: Well, I'm happy -- I'm happy to hear that you do not have any conflicts in your -- at your Board of Elections, but I don't --

MR. NORRIS: Not that I'm aware of.

MR. JACOBSON: -- have that confidence in a lot of Board of Elections. I don't have that confidence if a -- if a commissioner owns a printing house, you know, and then you have candidates that are using that printing house. I -- I don't have that confidence. So this way, what this bill will do, it will have specific rules so that we know to eliminate conflicts both on a financial basis

both from selling products and for helping candidates who are -- who are under the jurisdiction of that Board of Elections.

MR. NORRIS: Would a poll worker be subject to these rules and regulations, of the statute?

MR. JACOBSON: Yes.

MR. NORRIS: A poll worker.

MR. JACOBSON: Yes.

MR. NORRIS: So they work maybe two, three, four times a year, they -- they cannot volunteer in any jurisdiction where it doesn't impact them?

MR. JACOBSON: Well, if they own -- if they're involved with a business that is helping a candidate, well, let's -- you know, what we're trying to do here is not only prevent conflicts, but prevent the appearance of conflicts. And if someone knows that, hey, this person is -- has -- has a mail house or something such as telephone services for a candidate and all of a sudden the opponent sees this person sitting at the poll site on Election Day or maybe even for the whole time of early voting, that does not really render confidence in the system.

MR. NORRIS: I understand that, Mr. Jacobson. But my point is if that poll worker, for example, is working for a candidate in a particular jurisdiction yet it doesn't take in another part, why can't they go work there? That's why I just think that this legislation is way too broad and that we could examine to make sure that we -- we don't have conflicts. I don't want to have any conflicts, I don't want the

impropriety to have any conflicts. But I want to make sure that we -- that those are also weighed. I mean, when we have a situation here where we have a question, we can reach out to the Legislative Ethics Committee and they can give us an opinion. And I think that the -- this current piece of legislation is just far too broad because it does -- it's a blanket, it's completely blanket throughout the entire State, and it doesn't say, *Well, let's disclose the conflict, let's see what it is. Let's have an independent body or the commissioners review that conflict, then we would determine whether or not there is a true conflict and whether or not we should take remedy to correct it.* That's my point, because --

MR. JACOBSON: I under -- I understand your point. But if the existing framework we have now was so good, then these conflicts would be known already. So this way, I think -- I -- I understand your point, you think it's too broad. I'm trying to restore confidence of the public in our electoral system.

MR. NORRIS: So how do you square up party leadership with board employees, then? Because obviously they're advocates, they're advocating for their candidate. That's how our system is set up. What is the difference?

MR. JACOBSON: Well, I have a provision there where committee people and other -- those that hold party positions may endorse or support a candidate, and it would not having it be considered a conflict.

MR. NORRIS: So let me ask you this question: So if



a town chairman who happens to work for the Board of Elections as a clerk endorses Candidate A, that's okay then?

MR. JACOBSON: Yes. The reason that that was in there is that as you know, most of the workers at the Board of Elections are on committees, on the county committee of the party. And so we -- we didn't want to have it so that the Board of Elections then says, *Well, we can't get any workers*, and I took into consideration of the -- of the needs of the commissioners and I spoke to them before finalizing this bill. So I wanted to have it so that it could be the normal supporting and -- and having people support or endorse.

MR. NORRIS: So they can serve in a party position, they can be potentially of authority, maybe overseeing a particular table where the votes are being cast, maybe ruling on petitions, depending upon their position, that's okay because -- because they're a party leader that's okay, there's no conflict there whatsoever.

MR. JACOBSON: That's -- that's what the -- this bill says. And you have to remember that this is -- this is different because I would assume that everybody that works at the board supports candidates. I assume that, I would hope so. I would hope everybody here supports the candidates. But, I would say but when you have a situation where you have a financial interest, that's different. And we don't want to see people getting undue advantage when we sell equipment to the Board of Elections and we don't want to see people getting an un -- having a conflict financially.

MR. NORRIS: Okay. Does it apply -- apply to spouses?

MR. JACOBSON: What's that?

MR. NORRIS: Does it apply to spouses? If a spouse has a -- has a company, does it go that far?

MR. JACOBSON: No, it would not apply to a spouse.

MR. NORRIS: It doesn't. So they can just set up an LLC through a spouse and do it that way?

MR. JACOBSON: Yeah, but then -- but then, as you said before, you would have a -- you would have the county have their disclosure statement, and I'm sure that your commissioner that -- that's wiping out conflicts would then say no, that's not right.

MR. NORRIS: Okay. So I -- I assume that spouses aren't included. Children aren't included, either, then, of the employee?

MR. JACOBSON: No.

MR. NORRIS: Okay. Thank you very much, Mr. Jacobson, for answering my questions.

MR. JACOBSON: Thank you, sir.

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

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

MR. NORRIS: Thank you, Mr. Jacobson, for answering my questions. I want to make it perfectly clear, I think it's

important that conflicts of interest are disclosed and that they are weighed because it does protect our democracy to ensure that there are no conflicts of interest. But this bill is a blanket bill all the way across the State for every position at the Board of Elections, from commissioner right down to poll worker, we found out today. That is far too broad. And I think it would be a -- a more appropriate remedy to ensure that we have ethics and transparency and openness and accountability is to make sure that the Board of Elections employees complete the required ethics forms for their jurisdiction if it's so required, or examine of maybe doing one as part of the course of action. And then if there was a complaint filed, that could be then reviewed and weighed by the proper jurisdiction, whether it be the commissioners or a board of ethics or whatever the case may be. And I just feel that, again, this is way too broad. It applies to every particular employee of the board when, in fact, we don't know, even from what the sponsor told me, of any specific instances of where a conflict is. So I just think it's in due course and proper remedy to have these conflict forms filled out, reviewed and then proceeded to ensure that there is no conflict or even the appearance of a conflict, and that would be the appropriate remedy compared to this blanket prohibition across the entire State of any Board of Elections employee doing any sense of business in connection with a campaign or in essence maybe a conflict does not even exist. That's why it should be reviewed on a case-by-case basis and done that way.

So again, Mr. Speaker, for those reasons I will be

opposing this bill. I hope that the sponsor takes my comments into consideration in future amendments or when the Governor reviews the bill, and I would ask my colleagues to join with me in opposing this legislation in its -- in its current form. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Before we proceed with Mr. Flood, we're going to amend -- on a motion by Mr. Jacobson, the Senate bill is before the House. The Senate bill is advanced.

Mr. Flood.

MR. FLOOD: Thank you, sponsor [sic]. Would the sponsor yield for just a couple of questions?

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

MR. JACOBSON: Yes.

ACTING SPEAKER AUBRY: The sponsor yields.

MR. FLOOD: Thank you. Just to clarify, inside this bill it says financial interest. Is it defined as either, you know, stock ownership or a partial ownership of a business, or does it extend to just an employee of a business?

MR. JACOBSON: Well, as you know from reading the bill, it says very specifically that if someone either is an employee or has a financial interest in a company that's providing services to candidates or a company that is selling to the Board of Elections, that's a conflict.

MR. FLOOD: Okay. So you said *specifically*, and

you know, I was in law school, too, my definition of specific might be something slightly different to you when you use such words as -- where is it -- "includes but is not limited to", meaning that it's pretty broad. So let me ask you this: If I'm an employee of the board and I work part-time as a bartender on the weekends at a restaurant and now a candidate then contracts to use that bar or restaurant for a fundraiser, is that not a conflict?

MR. JACOBSON: So say -- you're saying an employee that --

MR. FLOOD: So, an employee of the board has a part-time job as a bartender. Now a candidate from a local party rents that bar or restaurant out for the evening for a fundraiser, a political fundraiser, is that now a conflict?

MR. JACOBSON: I don't think that the employee there or the bar is -- is providing services to a candidate, per se, in that there's a conflict there, and I think that that would not be considered a conflict.

MR. FLOOD: Well, but you'd said we -- we were having very specific terms here, and an "I don't think so" is exactly something that should be going when we're doing legislation. Let me -- let me give you a different example. Say an employee of the board maybe works part-time on the weekends at, say, a UPS store or a FedEx store.

MR. JACOBSON: At where?

MR. FLOOD: UPS or FedEx, the FedEx stores. You

know, they commonly ship whatever. Now, as a small portion of those businesses, some of them do have printing jobs. They can never have a political aspect whatsoever and then someone running for office may just say, *Hey, they got a great rate, let me go there*. Is that now a conflict?

MR. JACOBSON: I -- I think that if we start getting into every case-by-case basis we would have to extend our -- the Session for another week. The whole idea is to avoid the appearance of conflicts, and to -- that's why when it's mentioned what the interests are, and I know it says "but not limited to", it gives the type of businesses that would be involved and, therefore, it explains that. But it should -- we have not listed a certain business, then it would be covered.

MR. FLOOD: Okay, but that doesn't actually answer my question. So what happens when someone, you know, works outside and only a small portion of that business is defined under this, because that's -- that's being left open for interpretation and you're saying we're dealing with very specific narrows. So what would happen if, say, someone worked at a UPS store for years, no one ever came in for a printing job for a political candidate, but then someone does now, and under this, as a printing business, that's now a conflict? So does that employee of the board have to quit their part-time job because now there's a candidate that came in and used their services for printing in a very small capacity.

(Pause)

MR. JACOBSON: I think it's simple that if the other job and the -- and what is going on with that other company rises to a -- a conflict, then that that person would have to quit the job or quit the Board of Elections.

MR. FLOOD: Okay. But what -- what's becoming more and more unclear is what exactly is a conflict, because this statute, it seems to be overly broad.

I'm sorry. Speaker, can we go on the bill, please?

ACTING SPEAKER AUBRY: On the bill, sir.

MR. FLOOD: So those are just a couple examples of issues that could come up. Nothing under the statute makes anything about this clear. This is an overly broad statute that's open for interpretation by any set of (inaudible). I know we have a lot of attorneys in this building. I'm sure a lot of us look at this bill and can interpret it different ways. This type of bill is going to open up litigation throughout the State for alleged violations and not. I don't believe this bill does anything to help the, you know, election integrity. I -- I do commend the sponsor in terms of trying to make the public more, you know, more confident in our election system because I believe he is correct that there is, you know, some distrust in the election process going on in the State and the country right now. But just putting out legislation trying to pass it to fix an issue that unfortunately we don't know any specific issues in the State that this has ever happened, I think it's unwise.

So I will be in the negative and I -- I ask my

colleagues to do the same. There's just too much that can go wrong with this type of open-ended legislation. Thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Goodell.

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

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

MR. JACOBSON: Yes.

ACTING SPEAKER AUBRY: Mr. Jacobson yields.

MR. GOODELL: Thank you, Mr. Jacobson. One of the provisions of this bill would require any Board of Elections employee who is in an election that might be supervised by the Board of Elections to take a leave of absence while that election is pending, correct?

MR. JACOBSON: If the person is running for office.

MR. GOODELL: And that would -- they would have to take the leave of absence presumably the day the petitions were filed to put them on the ballot?

MR. JACOBSON: If there is no primary, then the person would have to take a leave of absence 90 days prior to the election.

MR. GOODELL: I see. And that would apply to any election or -- that's supervised by the Board of Elections, correct?

MR. JACOBSON: That's correct.



MR. GOODELL: So that would apply to school board elections?

MR. JACOBSON: Yes, if -- if they are -- most school board elections are not supervised by the Board of Elections, but some places they are.

MR. GOODELL: Likewise, fire district elections?

MR. JACOBSON: What kind?

MR. GOODELL: Fire districts.

MR. JACOBSON: Yes, if -- if they're supervised by the Board of Elections.

MR. GOODELL: Certainly, village trustees, city trustees, a party --

MR. JACOBSON: What's that?

MR. GOODELL: -- party (inaudible). I mean, I've been involved in situations where there were contests between party members for positions in the party. Those are supervised by the Board of Elections as well, right?

MR. JACOBSON: Yes. We -- we made an exception only if the party position is paid for. Only if the party position is paid for. You're talking about a -- a primary for a committee person, you mean?

MR. GOODELL: Yes.

MR. JACOBSON: It would -- it would not be -- we -- we took that out and said only if the position is paid for.

MR. GOODELL: I see. And you mentioned earlier

this bill wouldn't allow for what we in the law field might call a Chinese Wall where you separate a person from anything that might create a conflict, correct? It's an absolute bar, there's no internal mechanisms that could be utilized to keep the person employed, correct?

MR. JACOBSON: Could you state that again? I didn't quite catch that.

MR. GOODELL: In law firms, as you know, sometimes when there's a conflict the law firms have what they call a Chinese Wall and they basically say the person who's conflicted out can't have any contact or be involved in any way in a situation that's a conflict. That concept has no place in this bill.

MR. JACOBSON: You mean if the -- if the lawyer is hired by the board, you mean?

MR. GOODELL: Yes.

MR. JACOBSON: Yeah, that would be a conflict. I think in that situation it would be -- the person's got to decide.

MR. GOODELL: I apologize.

MR. JACOBSON: Okay.

MR. GOODELL: Yeah, I -- I wasn't looking on the financial side, I was looking more on the election side. In other words, if you had a contested race for village trustee, this bill would not allow the Board of Elections to allow the employee to remain employed, but simply not have anything to do with that village election, correct? They would have to step down.

MR. JACOBSON: If the village election is overseen by the board --

MR. GOODELL: Yes.

MR. JACOBSON: -- then the rules would apply. If it's overseen by the village board it wouldn't.

MR. GOODELL: Thank you. And I appreciate your comments which are always direct and helpful. Thank you, sir.

MR. JACOBSON: Thank you, Mr. Goodell.

MR. GOODELL: On the bill.

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

MR. GOODELL: As my colleague mentioned, this would apply to any Board of Elections employees including poll workers. And it would apply to any election involving the Board of Elections, which means that if any of your poll workers were running for a village trustee or city council or town board member, maybe even school board member, you wouldn't be able to hire them as a poll watcher, which is amazing. You wouldn't even be allow -- allow them to work as a poll watcher in a district that had nothing whatsoever to do with their own election. So in my county if you're running to be on the board of trustees for a town in the south end of the county, this bill would say you wouldn't be allowed to be a poll worker, and the other end of my county which is a 45-minute drive which is 30 miles away. It's just too broad. And then we put on there that if you are an employee, including even a part-time employee or a poll worker, you

have to resign and take a leave of absence for 90 days if you have the tenacity to run for a village trustee or a town clerk or a highway superintendent, or God forbid, at a volunteer fire district.

As my colleagues mentioned, we can address conflicts of interest without going overboard. I fully support all the local efforts to avoid conflicts of interest and I think they can do it in a much more effective way without forcing people to resign for 90 days for having the tenacity to serve their community in an election -- elected position. And for that reason I won't be supporting it. Again, thank you to my colleague who always gives us direct, straightforward answers. Thank you, Mr. Speaker.

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. 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 generally in favor of this piece of legislation; however, if someone desires to be an exception they should feel free to vote at their seats.

ACTING SPEAKER AUBRY: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Jacobson to explain his vote.

MR. JACOBSON: Thank you, Mr. Speaker. Our democracy is under attack. The electoral system is questioned on a regular, if not daily, basis. A lot of this questioning is not -- does not have a basis in fact but merely conspiracy theories. And these attacks have undermined the public's confidence in our -- in the system and our boards of elections and the basic work that they do. For a democratic process to work, the public must have faith that the boards of elections are acting in the best interests of the public and not themselves, that they are fairly administering elections. This bill will have specific guidelines and -- and rules, I should say, more than guidelines of the law, what is a conflict and will be Statewide. If there was no (inaudible) of conflicts that exist there would not be a need for this law. And so I think that what's needed is for us to do what we can to set the rules so that there are less conflicts at the Board of Elections and all of government.

So with that, I proudly vote in the affirmative.

ACTING SPEAKER AUBRY: Mr. Jacobson in the affirmative.

Ms. Walsh to explain her vote.

MS. WALSH: Thank you, Mr. Speaker. I'll be brief. I -- of course we want to try to prevent conflicts of interest. It's always

interesting as we do our work when we look and see the titles of things because we think well, that sounds like an excellent idea, and then when you actually read the bill and you actually engage in meaningful debate like we just had, you start to unpack and realize what this bill is really doing. You know, we have a hard enough time getting people to serve at the local level, at the village level, at the town level on so -- in so many of these capacities. You know, to basically tell a Board of Elections employee, a part-time one, *I'm sorry, you're gonna need to take an unpaid leave of absence for three months for the privilege of running for a village seat someplace.* We're never gonna get anybody to run for these offices. I -- I just think that while, as is often the case, there's a grain of goodness in this bill in the idea of limiting conflicts of interest. This bill goes way too far. I can't support it in its present form and I'll be in the negative.

ACTING SPEAKER AUBRY: Ms. Walsh in the negative.

Mr. Lavine to explain his vote.

MR. LAVINE: So, just a quick note. During the debate, a reference was made to a certain type of wall and I think that the language that we should be using instead of that particular phrase should be simply screen, firewall or ethical wall. I will be voting for this bill.

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

(The Clerk announced the results.)

The bill is passed.

Page 18, Rules Report No. 248, the Clerk will read.

THE CLERK: Assembly No. A07555-A, Rules Report No. 248, Fahy. An act to amend the General Business Law, in relation to the danger to safety and health and the creation of a public nuisance caused by the sale, manufacturing, distribution, importing and marketing of firearms.

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

MS. FAHY: Thank you, Mr. Speaker. This bill makes a minor technical change to the Chapter 237 of the Laws of 2021 which recognized that gun violence in New York constitutes a public nuisance, and it requires the firearm industry to implement reasonable controls and procedures in response.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

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

MS. FAHY: Yes, happy to.

ACTING SPEAKER AUBRY: Ms. Fahy will yield, sir.

MR. GOODELL: Thank you, Ms. Fahy. What is that technical amendment?

MS. FAHY: The technical amendment is a clarifying

-- a clarification on the definition of qualified product in Section 898-a of the General Business Law to include firearms and ammunition produced and sold wholly within New York State's borders.

MR. GOODELL: The original bill when it was presented a few years ago, the explanation was that we want to address the Iron Pipeline, which is a reference to the importation of illegal guns into New York State, correct?

MS. FAHY: Yes.

MR. GOODELL: And the original definitions referenced 15 U.S.C. 7903, subparagraph 4, which specifically talked about firearms that are shipped or transported in interstate or foreign commerce, correct?

MS. FAHY: Yes.

MR. GOODELL: And so the original bill was focused on interstate importation of illegal guns. This so-called technical amendment now makes it apply to every gun, correct?

MS. FAHY: It is still -- this doesn't really change the intent of Chapter the -- the Laws of 2021, but this -- it narrows it to New York, the definition.

MR. GOODELL: Well, it expands it to include intrastate, right? It does not exclude interstate, so now it covers both interstate, foreign and intrastate, within New York State, correct? That's what this amendment does.

MS. FAHY: It just removes a reference but it doesn't



add anything in terms of the --

MR. GOODELL: Along those lines, the reference that's being removed is the reference to 15 U.S. Code 7903, subparagraph 4. What does that section say? What does --

(Inaudible/crosstalk)

MS. FAHY: It talked about how -- it talked about the component parts of firearms or ammunition that have been shipped or transported interstate or foreign commerce, and that phrase is now changed.

MR. GOODELL: Right, so --

MS. FAHY: And removed.

MR. GOODELL: -- we're removing any reference to that definition --

MS. FAHY: Yes.

MR. GOODELL: -- which was limited to interstate or foreign commerce, correct?

MS. FAHY: And the reference to transportation is removed.

MR. GOODELL: Now, I see this also references 18 U.S.C. Section 921, subparagraph (a)(3). What does that say?

MS. FAHY: One moment.

(Pause)

It changes -- again, it changes the definition of qualified product, which defines firearms, antique firearms, ammunition and general -- and a general weapon designation by the

Attorney General.

MR. GOODELL: No, I understand that but the legislation we're being asked to vote on today specifically defines qualified product with reference to 18 U.S.C. Section 929(a)(3), and I think it's important that all of us here on the floor know exactly what that Federal statute says. What does that statute say?

(Pause)

MS. FAHY: So, we are changing a reference and adding in or keeping -- expanding on the term "qualified product", which means a firearm as referenced by, as you just mentioned, Section 921(a) of Title 18, 921(a)(3), to include a firearm, antique firearm as defined by such title, ammunition or component part of firearm or ammunition, but deleting the phrase "that has been shipped or transported in interstate or foreign commerce."

MR. GOODELL: I understand. So here's my --

MS. FAHY: So it's changing the reference and deleting a phrase.

MR. GOODELL: Here's my question. The new law purports to define a qualified product by incorporating the language of 18 U.S.C. 921(a)(3). Before we vote on changing the definition to incorporate that Federal language, my question to you is what exactly is that language that we are incorporating by reference?

MS. FAHY: The language is a change in the reference to define --

MR. GOODELL: No, no, I -- I apologize. I

understand the language of your bill. My question is we're incorporating a Federal law. What does the Federal law say? What is the language of the Federal law, not the language of this bill. What's language of the Federal law?

MS. FAHY: The language that we are referencing is the term "firearm", which means, A, any weapon including a starter gun which will or is designed to or may be readily converted to expel a projectile by an action of an explosive; or B, current language, the frame or receiver of any such weapon; C, any firearm muffler or a firearm silencer; or D, any destructive device.

MR. GOODELL: So by this bill we're outlawing -- outlawing, making it illegal, starter guns?

MS. FAHY: No.

MR. GOODELL: But you just told me that the term "firearm" is defined by the Federal statute that's referenced here includes starter guns. Why would we want to make it illegal to have a starter gun in the State of New York?

(Pause)

Or to be more accurate, why do we want to regulate starter guns?

MS. FAHY: Just to be clear, what I just read is the current definition. Our amendment just literally takes out the phrase of -- so it already includes that -- it already includes that language and again, takes out the phrase -- where is that other phrase -- takes out the phrase "that has been shipped or transported in interstate or foreign

commerce." So what I read to you was the reference that you asked for, which already is in the statute.

MR. GOODELL: I see.

MS. FAHY: And clips off -- clips off that last phrase.

MR. GOODELL: Thank you, Ms. Fahy. I appreciate your comments.

MS. FAHY: Thank you.

MR. GOODELL: Sir, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. GOODELL: So other than Ms. Fahy and I, I would be surprised if anyone has actually read 18 U.S.C. Section 91(a)(16) or Federal statute 18 U.S.C. Section 921(a)(3)(a) [sic]. Or even 15 U.S.C. 97903, subparagraph 4. Now the reason I say that is because we're being asked to vote on a bill that defines guns that are being regulated based on a statute that almost no one in this room has read or seen. And, in fact, even though we have a database right in front of us with all of the New York statutes in, it does not include any of the Federal statutes. So we're asked to vote on a bill that no one in this room, without using a computer that's independent of our own, has any idea what it says. So we're being asked to vote on something we don't know about.

Now, it should be no surprise to any of you when I pick up this yellow binder that there is a constitutional issue. And, indeed, Article 3 of the New York State Constitution, Section 16, which we all upheld our hands and said we solemnly swear we would

uphold, said, *No act shall be passed which shall provide that any existing law or any part thereof shall be made or deemed part of the law which shall enact that any other law shall be applicable unless you include the language of the other law.* And the reason for that is really simple: We ought to know what we're voting on. But there's a second constitutional problem. Article 3, Section 1, the very first section dealing with the Legislature says, *The legislative power of the State of New York shall be vested in the Senate and the Assembly.* So what happens when we reference a Federal law? When we say we are putting in place regulations that relate to some product defined by Federal law, here's what happens: If Congress changes the law, guess what? They just changed the scope of our law without your vote and without the Governor having the opportunity to review it and either sign it or veto it. We cannot constitutionally delegate our legislative power to Congress to decide what we're regulating. Which is why this violates the Constitution in more than one way. On a substantive level, what's the difference? Since I took the effort to have our legal staff find those Federal laws for me, God bless their expertise, the difference is this -- and you would never find it just reading the language -- the difference is this: The original statute regulated firearms that have been shipped or transported in interstate or foreign commerce, and this expands -- this technical amendment expands it to include every firearm even though it was never shipped in interstate commerce and was never involved in foreign commerce. And while the original bill was focused on stopping the Iron Pipeline, this bill

extends it to everything. Now, I would point out that the original bill had 55 no votes and the original bill was narrower than this bill. And so I'd recommend my colleagues, all of them who voted against the original bill as being too broad, recognize that this technical amendment dramatically expands it even further, in a way that violates multiple sections of our State Constitution.

For that reason I would recommend against it. Thank you, sir.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. Will the sponsor yield for a question or two?

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

MS. FAHY: Yes, Mr. Speaker.

ACTING SPEAKER AUBRY: Ms. Fahy yields.

MRS. PEOPLES-STOKES: Thank you. So in your description of what this bill is purposed to do today, did it make any reference to the previous bill that was passed, what, two years ago?

MS. FAHY: Yes, this is a technical change to that previous bill from three years ago.

MRS. PEOPLES-STOKES: And so the previous two years ago in -- in some small measure, maybe even a large measure, was in some response to the fact that people do have access to weapons that they're using to kill a lot of people at the same time, that they actually addressed it themselves; is that correct?

MS. FAHY: Yes.

MRS. PEOPLES-STOKES: And so your technical amendment still has a desire to deal with that position that people should not have access to weapons, particularly in the State of New York, unless they are so permitted to do so, that they can modify and change that will kill a lot of people at the same time. Does this bill still take care of that?

MS. FAHY: Yes.

MRS. PEOPLES-STOKES: Thank you.

On the bill, Mr. Speaker. I always listen intently to most of the debate but, you know, I get a little frustrated sometimes when we're trying to fix things that save people's lives. And then we're called into question on the Constitution. And yet we got, you know, people who are literally running for office in our country that created an insurrection on our government and nobody's questioning that but people on this side of the aisle. So I'm challenged to be questioned about why we want to try to save people's lives like those ten people that were killed in the City of Buffalo a few years ago, while we want to allow other people to break every law that's possible and still be able to run to be President, who actually tell you he can kill as many people as he wanted to on 5th Avenue and nothing happened to him. Well, guess what? Some people have those weapons intend to kill other people who do not look like them or who they hate for whatever reason. Somebody has to be responsible and want to stop that. This is a Body that does that. This is the Body that

does that. And whether the Federal Government wants to do it or not, New Yorkers do.

And so I want to commend the sponsor for this technical amendment, and if we need another technical amendment next year to tell people that you can't do that in New York then let's do it. Thank you, Mr. Speaker, and thank you, sponsor.

ACTING SPEAKER AUBRY: Ms. Fahy on the bill?

MS. FAHY: Yes.

ACTING SPEAKER AUBRY: Ms. Fahy on the bill.

MS. FAHY: Yes, thank you, Mr. Speaker, and thank you to the Majority Leader. And in response to some of the questions that had come up earlier, this bill or these -- these technical amendments on their face do not eliminate applicability to manufacturers outside of New York that -- that harm -- that may harm New Yorkers. This -- there -- there have been arguments of the current definition as was passed a number of -- a few years ago that on its face may be against interstate commerce, but this law only applies to qualified products that have been shipped or transported in interstate and foreign commerce, but not apply to products manufactured solely and wholly in New York itself. So this is changing that to make sure that this also would apply to those that are manufactured here or sold right in New York and not transported across State lines.

And with regard to the reference or the constitutionality of the reference, existing law already references a



Federal definition. And many other existing laws enacted in New York State have also used references or cross -- cross-references to Federal definitions. This is not an uncommon practice, nor is it an unconstitutional practice. So I just wanted to clarify that. Again, these are considered technical changes to recognize or -- or to amend what we did in 2021, and -- and we believe that this will not affect the intent of what we did in 2021, but -- but clarify how we define a qualified product.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Mr. Reilly.

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

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

MS. FAHY: Yes, happy to.

MR. REILLY: Thank you, Ms. Fahy. So reading the -- what it says, it relates to the dangers to safety and health and the creation of public nuisance caused by the sale and manufacture, distribution, importing and marketing of firearms and things that are aligned with firearms. I know that during this debate I kept hearing that they were technical amendments. Are there any -- are there any other technical amendments included in this that may help to fight that public nuisance? Maybe a technical amendment to Raise the Age or technical amendments to bail reform?

MS. FAHY: No, not -- no, not addressing that and not germane to this.

MR. REILLY: Okay.

On the bill, Mr. Speaker.

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

MR. REILLY: So, Mr. Speaker, the reason why I asked those questions is because we're -- we're seeing that there's -- gun violence is considered a public nuisance when we're talking about the sales or the sale or manufacture or distribution and importing or marketing of firearms, but the public nuisance is due to many of the laws that have passed in this Body and next door and signed by the Governor. And part of hearing about that we're making technical changes to a law that was passed in 2021, there were laws that were passed way back in 2013 before I was in this Chamber, and then I was in here in 2019 that need some technical amendments. And some of those technical amendments and the reason why I raised Raise the Age was because we have those who are committing firearm crimes, crimes with firearms, shootings, who are 16 and 17 years old, who are those in possession, I should say, of a firearm, not using it and shooting it, but just in the mere possession and there's a chance that there is a danger, that automatically goes to family court. So that's the type of technical changes that we need to take here, so these are the points that I wanted to raise and how we can do some real technical changes to improve safety in New York State.

Thank you, Mr. Speaker.

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 bill. Those who support it should certainly vote yes on the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Majority 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 seats. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you both.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Lavine to explain his vote.

MR. LAVINE: This bill will help save people's lives. I was a public defender in 1972 in Manhattan. The first case I was assigned to was possession of something that many people don't even know existed. It was called a zip gun. It was a homemade pistol capable of causing death. That was 1972. What a different world it is today. In fact, even by the late 1970s, Saturday night specials were all

over the place. Our culture has become our American culture, the culture of the gun. And unless and until the day comes when we stand strongly for the proposition that it is our solemn obligation as members of Legislatures, not only in New York but throughout the United States and especially in Washington, D.C., our solemn obligation is to take the steps necessary to change that culture.

I'm very pleased to vote in favor of this.

ACTING SPEAKER AUBRY: Mr. Lavine in the affirmative.

Ms. Fahy to explain her vote.

MS. FAHY: Mr. Speaker, three years ago we passed rather momentous legislation, in some ways what was considered some of the first in the nation to address some of the transport of illegal guns in the State and into the State. Today we really clarified that both would be applicable here, and really going after this issue of prohibiting the gun industry from acting in a manner that is considered unlawful or unreasonable, to knowingly or recklessly create, maintain or contribute to the gun violence, the scourge of gun violence that we have seen in this country. Today, while there was some confusion over this technical change, it really is making sure that it's not just addressing the interstate, but also the intrastate movement of guns in a reckless manner or in any form of illegal manner. And I'm hoping today that this will clarify some of what has been argued by some to be tripping up the original legislation in 2021.

Thank you, Mr. Speaker.

ACTING SPEAKER BRAUNSTEIN: Mr. Aubry.

MR. AUBRY: Thank you, Mr. Speaker, to explain my vote. This morning -- on my way to Albany this morning, earlier I got a call from my district. Two officers were shot last night by a young man who had no record, was -- they were pursuing him and he had a 9 millimeter gun on him. No record, no history. The question for us isn't, to me, the issue of the constitutional struggle that we have over the right to bear arms, there are too many guns in communities like mine. And those guns are being used in many different ways. Sometimes it's other citizens, sometimes it's law officers. You can't tell me that our purpose here is to allow this kind of flow of guns in our society so those who are there to protect us are in danger in their life. My children are in danger in the park. We cannot continue on this road to defend this theory, this cowboy theory that everybody gotta have a gun and it's their absolute right to do so. And while I understand what the Constitution says, it was written at a certain time. We've amended the Constitution. We need to go back and think about what we're continuing to say in the face of the use of guns against citizens of all kinds, all walks, all types, whether they're Black, White, green or orange, they're being murdered in our streets, in our schools. And if we don't take the weapons out, I don't think we've done the job that we swore on the Bible to do, which is to protect and serve.

I vote in the affirmative.

ACTING SPEAKER BRAUNSTEIN: Mr. Aubry in the affirmative.

Ms. Walker to explain her vote.

MS. WALKER: Thank you, Mr. Speaker. I, too, received notification yesterday of an incident in my district where a 12-year-old child allegedly shot and killed a 14-year-old child. And someone is to blame here. Someone was very wrong in this scenario. Whether or not the fault should fall on a 12-year-old child is the subject of much debate. But one thing that cannot be debated is the fact that we just lost two amazing lives that have not even begun to experience life itself. Not only is the person who succumbed to his gunshot and life that is lost, but also potentially this other child who, quite frankly, they were sitting around the house and playing. Guns are dangerous, guns kill. And particularly whenever it is that it is in an unregulated scenario. Even within this Body we are designating people as peace officers, giving them the ability to carry guns, putting more guns into our community.

So I want to commend the sponsor because while, you know, depending on, you know, where you're from and what your -- the way you see the -- the world is, you can have a different view on who should carry guns or whether or not guns should be carried. But I know that when they end up in the wrong hands it is devastating to a community, it is devastating to families, it is devastating to life, liberty and the pursuit of happiness in terms of all of the great things that the Constitution provides. So section -- the 2nd Amendment should not be more important than the Bill of Rights.

Thank you, your honor. I -- I mean, thank you, Mr.

Speaker, I vote in the affirmative.

ACTING SPEAKER AUBRY: Ms. Walker in the affirmative.

Ms. Glick to explain her vote.

MS. GLICK: Thank you, Mr. Speaker. I rise to explain my vote and to -- to thank the sponsor for taking this up. I know that it is a very charged conversation whenever we talk about guns and the right to have them, where people have the most guns or where we have the most suicides. So maybe it's not even about crimes against others, but the inability to resist the impulse that one might think better of if given a chance. But I am entertained by the discussions at the Supreme Court about the originalists who are committed to the notion that the Constitution is static and stop when it was written, and that everything thereafter is a problem. So if that's the case, then I think everybody is entitled to a musket and -- and a long gun for hunting. So I think we need to balance. Things are out of balance and we need to balance this so that we don't lose lives. And it's not just me, it's what emergency room doctors say about the current status of weapons and what it does to a human body and the inability to save lives if they get to a hospital. And we really have to think about whose rights are we protecting.

So I withdraw my request, vote in the affirmative and again thank the sponsor.

ACTING SPEAKER AUBRY: Ms. Glick in the affirmative.

Mr. Steck to explain his vote.

MR. STECK: Thank you, Mr. Speaker. I want to quote from Warren Burger, Chief Justice of the Supreme Court of the United States from 1969 to 1986, who was appointed during the Presidency of Richard Nixon. Quote, "The gun lobby's interpretation of the Second Amendment is one of the greatest pieces of fraud, I repeat the word fraud, on the American people by special interest groups that I have seen in my lifetime. The real purpose of the Second Amendment was to ensure that state armies, the militia, would be maintained for the defense of the state. The very language of the Second Amendment refutes any argument that it was intended to guarantee every citizen an unfettered right to any kind of weapon he or she desires."

The Second Amendment says a well-regulated militia. It is our job to regulate weapons in this State, and I will be supporting this legislation and voting in favor it -- of it because it does exactly that. Thank you.

ACTING SPEAKER AUBRY: Mr. Steck in the affirmative.

Mr. Burdick.

MR. BURDICK: Thank you, Mr. Speaker, to explain my vote. The proliferation and access to guns across our State is unfathomable, and it has been resulting in tragic and unnecessary deaths and injuries. This bill is simply commonsense. It's a commonsense measure essential to providing a modicum of safety to



our citizens. The Second Amendment is not unfettered. Reasonable restrictions can and should be imposed. I vote in the affirmative.

Thank you.

ACTING SPEAKER AUBRY: Mr. Burdick in the affirmative.

Mr. Pirozzolo.

MR. PIROZZOLO: Thank you, Mr. Speaker. It was not my intent to speak on this bill today, but after hearing some of the comments from my colleagues I really feel I have to. I certainly agree that the loss of life, whether it be a 12-year-old, a younger person or an older person, is very much tragic. And we talk about having to regulate guns. And I would agree that illegal guns are really what the problem is here. And we seem to be attacking the Second Amendment, in my opinion, about guns but we don't make a specification over what a legal gun is and what an illegal gun is. And I think that that's really where we need to concentrate. It's not attacking the Second Amendment, or we should not be attacking the Second Amendment just because someone has a weapon. They don't hand them out in candy stores, but I would not deny the fact that you probably could buy them in candy stores, and that's the problem. The problem is not necessarily the people who apply for a license, go through background checks, go through training and then are finally given a license by the police department or whatever regulating Body it is. The problem is the proliferation of illegal guns, and when we have people who commit crimes with guns which do not necessarily

lead up to murder, they are released back out on to the streets.

So if you want to fight crime with guns, how about fighting crimes with illegal guns before we start talking about constitutional amendments to the Second -- Second Amendment of the United States Constitution? That's really what we should be working on, is fighting the proliferation of illegal guns and their use. Thank you, sir. I'm voting no.

ACTING SPEAKER AUBRY: Mr. Pirozzolo in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 18, Rules Report No. 253, the Clerk will read.

THE CLERK: Assembly No. A08241-B, Rules Report No. 253, Burdick, Levenberg, Seawright, Epstein, González-Rojas, Glick, L. Rosenthal. An act to amend the Civil Rights Law, in relation to requiring all municipalities to update all applicable forms and data systems to include a gender "x" option.

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

MR. BURDICK: Thank you. The purpose of this bill is simply to require through an expansion of the Civil Rights Gender X provisions to include all municipalities, and to require that all municipalities which require a designation of demographics on gender or sex include within that an option to mark their gender or sex

as X.

ACTING SPEAKER AUBRY: Mr. Durso

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

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

MR. BURDICK: Yes, certainly.

ACTING SPEAKER AUBRY: Mr. Burdick yields.

MR. DURSO: Thank you, Mr. Burdick. So I'm just trying to get some clarity on a couple of questions that we didn't have a chance to go over in Committee, so I just wanted to get your take on it. You're saying it requires all municipalities to update all applicable forms and data systems to include a gender X option, correct?

MR. BURDICK: That's correct.

MR. DURSO: So now if a municipality has already -- has paperwork filed, do they have to go back into their computer systems -- if you have employees, do they then have to be brought up to speed on the option to have an X on their paperwork? So in other words, if you have employees work for that municipality, do they have to then go back and re-file paperwork if they have that option available?

MR. BURDICK: That's not what this bill does. There's no requirement to go back.

MR. DURSO: So it's only going forward, correct?

MR. BURDICK: That is correct.

MR. DURSO: And it's for all municipalities?

MR. BURDICK: That is correct, under the definition of municipalities in the General Construction Law.

MR. DURSO: Okay. And now would that apply to New York State itself?

MR. BURDICK: No.

MR. DURSO: So we want the municipalities to do this, but we don't want New York State to do this; why is that?

MR. BURDICK: New York State already --

MR. DURSO: We already have that in law?

MR. BURDICK: Correct.

MR. DURSO: Okay. Now, a question, so -- and I'm not sure and maybe you can answer it for me, so when it comes to these new municipalities that have to do this, or with New York State, when it comes to applying for an MWBE loan or grant, how does that change the eligibility at all?

MR. BURDICK: I don't see how it has any impact on DMV license applications.

MR. DURSO: Not the DMV, an MWBE.

MR. BURDICK: This would not have an impact on that.

MR. DURSO: It will not. So by checking gender X or just a X option, excuse me, it will not affect that at all. So how -- how are they -- how will the State or the municipality decipher who can get those?

MR. BURDICK: So let's try to get a firmer understanding as to what this bill does --

MR. DURSO: Please.

MR. BURDICK: -- and what it doesn't do.

What it does is simply to provide to an individual who is requested to complete any kind of form, whether it be a printed form or online, that if the municipality is requesting demographic data that includes gender or sex, then that individual is given the option to mark X. How the municipality deals with it, that's at the discretion of the municipality. How others deal with it is at the discretion of the municipality. That is not what the -- what the municipality does with it is not a subject of this bill.

MR. DURSO: So it doesn't matter how they deal with that person that puts the X on the application or anything, it's not telling the municipalities how to do it, it's just saying that it has to have an option on there, correct?

MR. BURDICK: That is correct. And, you know, one would expect that the municipality would follow applicable law in terms of how they handle the completed form itself; however, this bill does not address that.

MR. DURSO: Okay. I'm just wondering when it came to -- and, again, you've answered the question, but if you have a town sports league, a county sports league and they're trying to put people and children and/or adults in the proper league, it's really up to the municipality how they're going to handle if they're filling out

paperwork for this, correct?

MR. BURDICK: That is correct.

MR. DURSO: Okay. What about when it comes to, like, mandatory reporting for extreme risk protection orders?

MR. BURDICK: Again, that's a matter of the municipality carrying out its obligations under law. This only deals with any kind of form or application or -- or online request for information regarding gender or sex.

MR. DURSO: Okay. So it's just -- it's giving the person filling out the application a option.

MR. BURDICK: That is correct.

MR. DURSO: Okay.

MR. BURDICK: That's all it does.

MR. DURSO: So again, in -- in regards to a bill that we voted on earlier today when it came to process servers and we're taking the color of skin off the application, which I agree with. This now -- but now on a process server's paperwork, would it then have the option for X on that paperwork?

MR. BURDICK: Well, you know, I don't know whether that's a form which a municipality would be putting out there.

MR. DURSO: Well, who -- who receives the paperwork from the process server? I don't know, I'm asking.

MR. BURDICK: I think that's -- that's a court document.

MR. DURSO: Okay, so --

MR. BURDICK: We're talking about municipalities

--

MR. DURSO: -- in a county court?

MR. BURDICK: -- counties, villages, towns.

MR. DURSO: So it doesn't affect the county court system at all?

MR. BURDICK: No.

MR. DURSO: Okay. And then my last question for you is if you have a town, or county, or village police department and, again, they're filling out paperwork when it comes to an arrest or any other type of complaints, will the gender X option have to be on that paperwork?

MR. BURDICK: If the form is requesting the gender or sex identification, then the gender -- then the X option should be provided.

MR. DURSO: Okay. And then if a arresting officer, per se, is filling that paperwork out, do they then have to ask the person --

MR. BURDICK: But we're not talking about what it

--

MR. DURSO: That's why I'm just trying to get clarification.

MR. BURDICK: Okay, so we're not talking about what the employee of the municipality does. This is what is presented to a resident or any third-party that is being asked to complete a form

which the municipality presents to them.

MR. DURSO: Thank you.

MR. BURDICK: We're not talking about what the employee is doing.

MR. DURSO: It's for the resident to fill out, correct, just an option for them?

MR. BURDICK: Resident or anybody else, it could be, the application for a building permit, that may not be something that a resident completes, but a contractor that could be out-of-state completes, it doesn't matter. If whatever it is is requesting an identification of gender or sex, the X option must be provided.

MR. DURSO: Great. Thank you, sir; I appreciate it. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Mr. Goodell.

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

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

MR. BURDICK: I'd be delighted.

ACTING SPEAKER AUBRY: Sponsor yields.

MR. GOODELL: My question is, why do we allow municipalities to even ask what your sex is? I mean, what business is it of theirs whether you're a male, female, don't know, don't care, you're one trying to be a different one, why do we even allow them to



ask that question?

MR. BURDICK: It's a great philosophical question, but not germane to this bill.

MR. GOODELL: But it is germane because if you allow anyone who wants to mark X, it's another way of saying none of your business, right?

MR. BURDICK: You know, the -- the X option is something that's being used now by State agencies. It's being used by the County of Westchester, being used by many municipalities across the State. This is to try to provide some uniformity to it, and it seems to be a very widely accepted way of being able to say, in your terms, but you don't necessarily have to view it that way, that it's none of your business.

MR. GOODELL: So then my question is, why is it anyone's business? Are there legitimate reasons to ask what a person's sex is? Are there any legitimate reasons to ask that question at all?

MR. BURDICK: Well, it may or may not be, but the purpose of this bill is simply to provide that if that question is asked --

MR. GOODELL: No, I understand it. So my question is, can you give me examples where that question is relevant, any examples?

MR. BURDICK: I don't -- I actually don't think it's relevant to ask that question because we are -- I don't want to try to get into the perceptions or the desires on the part of a municipality on what they decide to ask that question about. But if they do, it is to

provide, very simply, an X option. That's something that you might, you know, discuss with some of your towns or villages that issue forms, and you may feel maybe it's inappropriate to even ask it, but I'm not asking that question, this bill is not asking that question.

MR. GOODELL: Well, just as an example, we've had legislation here on the floor that would say that you to have gender equality on a local board, right? That passed the demo -- the Majority House. Do you qualify for gender equality if you mark X?

MR. BURDICK: I'm not sure I --

MR. GOODELL: I mean, we passed that bill and we said you have to have gender equality on a IDA board or a sewer treatment plant board. Do you meet that requirement if you mark X, or is that now a third category, male, female, we don't know.

MR. BURDICK: This is creating simply one additional category, which is --

MR. GOODELL: No, I understand.

MR. BURDICK: -- the X option. Now, if you feel, you know -- you're not going to be joining us next year, but if any of your colleagues feel that there should be an additional option, though I don't think it's necessary, that's certainly within your discretion and judgment.

MR. GOODELL: Would this bill apply to our State University system, SUNY?

MR. BURDICK: No.

MR. GOODELL: It would apply, though for all of

our school districts, right?

MR. BURDICK: Correct, but SED has already issued regulations, so they're already in compliance.

MR. GOODELL: And so if a school district gets an application from a child to play on a girls softball team, and the application is marked X, what do they do?

MR. BURDICK: You know, that -- that's really a matter of what the school district wishes to do with it. Again, as I stated earlier, I would certainly hope that the school district does comply with applicable Federal and State law with respect of the treatment of that data.

MR. GOODELL: I see. And if someone applies for the special benefits that we give only to Minority- and Women-owned Businesses, let's say you want to participate in that 30 percent set aside, for example, or you want to be able to submit a bid that's 5 or 10 percent higher than the next responsible bid and still win, are you going to be eligible if you mark X?

MR. BURDICK: You know, again, I -- I think that you're looking at this totally subjectively from the standpoint of the municipality that's requesting the form. Rather what this should be looked at is from the standpoint of the individual that is being asked to complete a form. And so how the municipality handles it is really a matter for the municipality and its counsel and their staff to determine.

MR. GOODELL: Thank you very much, Mr. Burdick; I always appreciate your comments.

On the bill, sir.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. GOODELL: So if we want to treat everyone equally, then why do we ask? I mean, why do we care if you're a man or woman if you can play on any sports team you want, if you're a woman and want to play on a man's team, cool; if you're a man and you want to play on a women's team, that's okay. I mean, for some people it is, right? Not for me, but for some. And the answer is we don't treat the sexes the same, do we? If you happen to be a woman and you own a business, oh great, you can submit a bid that's 5 to 10 percent higher than the lowest responsible bidder and you win just because you're a woman and you own a business. Or maybe you don't want to submit a bid at all. Well, if it's a woman-owned business you can get to bid up to what, 3 million in New York City without any bid at all just because you happen to be a woman. Maybe we shouldn't discriminate, what a novel concept. Maybe we ought to treat everybody the same whether you're a man or a woman, whether you're Black or White. Maybe we shouldn't set up systems that inherently discriminate and favor one group against another group. I don't know.

So it comes right down to a basic question, why do we even ask? If it doesn't make any difference, we shouldn't ask, and this bill says it doesn't matter if you ask because the person who's filling it out can mark X and leave it up to your imagination whether they're a man, or a woman, or they're not sure which they are. Maybe we should just simplify life a little bit, remove the question altogether,

treat everybody as children of God and let it go at that. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Manktelow.

MR. MANKTELOW: Thank you, Mr. Speaker. Will the sponsor yield for one question?

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

MR. BURDICK: Certainly.

MR. MANKTELOW: Thank you, Mr. Burdick.

When a citizen of a town or village comes in to get a New York State fishing license, is there a gender X or X on the fishing license?

MR. BURDICK: I don't know. It depends what the -- presumably, whatever is being requested is going to be pursuant to State law on fishing licenses, but that would be a matter for the State itself. And I'll be honest with you, I don't know whether that's provided on the form in which town clerks will routinely collect that information really on behalf of the State, if I'm not mistaken.

MR. MANKTELOW: So in this bill, Mr. Burdick, if a citizen comes into my town and wants a fishing license, this bill is going to require that town to have that X spot on that piece of paper, correct?

MR. BURDICK: If it's a municipal form and if it already requires the collection of demographic data about a person's gender or sex, then the X option is to be made available. But are you speaking about a State form, or are you talking about a municipal

form?

MR. MANKTELOW: I'm talking about a State form that a municipality does back at home, how do they --

MR. BURDICK: In that instance, I would defer to the State because it's a State form rather than a municipal form.

MR. MANKTELOW: So if that State form doesn't have that option in there, it's okay?

MR. BURDICK: That's a matter of whether the State is complying with regulations already in place with respective providing for the gender X, but again, this is not to make any comments about or make any determination as to whether that State form is compliant. This is only dealing with a municipal form.

MR. MANKTELOW: No, I completely understand that and I know what you're doing. I'm just thinking about the town clerks back home, that the village clerks, the ones that are actually going to deal with the public face to face and they find out that this has been passed if it gets signed into law, how do they handle that? Again, big governments telling little government what to do. I think we need to give them an answer.

MR. BURDICK: I think it's a fair question, and I don't think that the town clerk should be expected to modify a State form.

MR. MANKTELOW: Okay. So every other form that the town has, as long as it's not a State form, they don't have to provide this?

MR. BURDICK: If it's a -- if it's a form that's issued by the municipality. If it's not issued by the municipality then you would look to the agency or entity that's issuing it, but the town clerk would not have an obligation to modify it.

MR. MANKTELOW: Okay. Thank you for answering my questions, Mr. Burdick.

MR. BURDICK: You're very welcome.

MR. MANKTELOW: Thank you, Mr. Speaker.

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: Thanks, Mr. Speaker. The Republican Conference is generally opposed, although I suspect I'll have some members who support it in which case they should push the button that's marked X for yes on the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Majority Conference is generally going to be in favor of this piece of legislation. There may be a couple of us that would desire to be an exception, we should feel free to do so at our seats. Thank you, sir.

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

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Burdick to explain his vote.

MR. BURDICK: Thank you, Mr. Speaker. This bill really is about voluntarily -- voluntary self-identifying a gender identity not corresponding with M or F. This does not change or affect the law underlying other matters pertaining to an issuance of a form, and we're simply trying to provide a uniformity and a respecting of the -- of the views and the issues of those who are being asked to complete these forms. Offering X gender markers is important. It lets many New Yorkers know that their government sees them and honors who they are. It streamlines participation in society because identity documents are required, whether to rent an apartment, access public benefits, open a bank account, and so forth. I wish to thank the Speaker for allowing this bill to come to the floor, and I urge my colleagues to vote in the affirmative, and I vote in the affirmative myself. Thank you.

ACTING SPEAKER AUBRY: Mr. Burdick in the affirmative.

Ms. Levenberg to explain her vote.

MS. LEVENBERG: Thank you, Mr. Speaker, I rise to explain my vote. I will be voting in the affirmative because -- and I want to thank the sponsor so much for this bill because I think it is important that we have choices. And while I agree with my colleagues on the other side of the aisle that it shouldn't matter and we



should have maybe no boxes at some point, if we do have boxes and we do have to make a choice between one or the other, we should have one or the other, or the other. So that means three choices and right now, that would account for a lot of people, and it would certainly help people who don't necessarily fit into either box, female or male. And more and more these days, there are certain people who would like to check that gender X and have that as an option, and they should have the ability to do so. So again, thank you so much to the sponsor for this very thoughtful bill, and as a municipal official who knows that many of these -- that these forms are now online, I know that it certainly isn't very difficult to make sort of changes. Thank you.

ACTING SPEAKER AUBRY: Ms. Levenberg 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, if you will please have our House stand at ease and that we will reconvene at 8:30.

ACTING SPEAKER AUBRY: The House will stand at ease and convene again at 8:30.

(Whereupon, at 6:08 p.m., the House stood at ease.)

\* \* \* \* \*

ACTING SPEAKER ZEBROWSKI: The House will come back to order.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir, and welcome back, colleagues. We are going to continue our work with Calendar No. 209 by Ms. Hunter; followed by Calendar No. 468 by Ms. Reyes. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Page 38, Calendar No. 209, the Clerk will read.

THE CLERK: Assembly No. A07428-A, Calendar No. 209, Hunter. An act to amend the Banking Law, in relation to removal and prohibition of directors, trustees, officers, members or partners of certain entities; and to repeal certain provisions of such law related thereto.

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

Ms. Hunter, an explanation has been requested.

MS. HUNTER: Yes, thank you, Mr. Speaker. This bill authorizes the Superintendent of DFS to remove or suspend authority figures at financial institutions or covered individuals if they engage in misconduct or unsafe practices.

ACTING SPEAKER ZEBROWSKI: Ms. Walsh.

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

ACTING SPEAKER ZEBROWSKI: Will the sponsor yield?

MS. HUNTER: Yes.

ACTING SPEAKER ZEBROWSKI: Sponsor yields.

MS. WALSH: Thank you. Ms. Hunter, how does this bill change what has currently been the process for the removal of -- or suspension of officers, directors and trustees of banking organizations?

MS. HUNTER: This bill modernizes the antiquated removal process under existing law, under the existing Section 41, the officer removal process involves a banking board which was dissolved when DFS was created in 2011. This updated language gives jurisdiction to the Superintendent of DFS.

MS. WALSH: So I'm curious, what -- since the banking board hadn't really been active or, I guess, since 2011, what had been the process that was being followed in realtime between 2011 and -- and now?

MS. HUNTER: Well, the superintendent has always had oversight of license and regulated entities in New York. We just want to make sure we are codifying a process for the superintendent in light of recent bank failures, like the Silicone Valley Bank and Signature Bank.

MS. WALSH: I understand. So in what way, if any, does this legislation expand the grounds for removal?

MS. HUNTER: It doesn't necessarily expand it. It

just codifies, as I said, and applies solely to New York State chartered financial institutions and those foreign financial institutions that have licenses in New York by the superintendent.

MS. WALSH: Okay. So it specifically talks about that suspension, could be grounds for an enforcement action if they had been found to have engaged or participated in any unsafe or unsound practice in connection with any covered entity. Could you give any examples of what that might be?

MS. HUNTER: Well, unsafe or unsound practices and willful material acts are well-established concepts in banking regulation and commonly used by the Department of Financial Services. So this bill provides clear criteria for determining when these grounds for removal apply and when -- ensure consistent enforcement. Bad actors, we want to make sure that the people who reside in the State of New York and they bank at State-chartered banks or foreign financial institutions are covered for folks who are bad actors. And it's pretty well set out that there's plenty of due process included in this bill, so if someone feels that they shouldn't be penalized, that they have due process in order to -- to go through.

MS. WALSH: Well, some have said that this legislation represents a substantial change to the process for removing and suspending officers and employees of banking institutions. How would you respond to that?

MS. HUNTER: I would say this is not an overreach, that we're codifying a process, that there was an antiquated process

with this banking board that has not been in existence since 2011, and we want to make sure that New Yorkers are protected. And we put lots of guardrails in place with the hundred and -- 180 days with the suspension that the people could appeal it, you know, that there's also judicial review under CPLR if they want. So this really isn't -- for those who are concerned that this is a -- a broad reach, I would ask who are "they" and what is their concern?

MS. WALSH: Is it true that this legislation more closely aligns Federal laws and regulations to the process that's going to be followed in New York? Is it kind of, like, importing anything from the Federal law or Federal regulation into our process here in the State?

MS. HUNTER: No, not that we're aware of.

MS. WALSH: Okay. All right. Well, thank you very much, Ms. Hunter --

MS. HUNTER: Thank you.

MS. WALSH: -- I appreciate it.

ACTING SPEAKER ZEBROWSKI: Mr. Goodell.

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

ACTING SPEAKER ZEBROWSKI: Does the sponsor yield? The sponsor yields.

MR. GOODELL: Thank you. As you know, of course, the safer the banking practices in terms of loans, the less likely these provisions would be implicated, right?

MS. HUNTER: Um, I guess I'm not understanding your question, the safer the banking practices, presumably yes, but we saw in Silicone Valley Bank where they overextended themselves with crypto currency investments and they weren't able to cover if there was a bank run. And so, we want to make sure, in light of brand-new technology that we have, that consumers are protected.

MR. GOODELL: Now, certainly in that situation in Silicone Valley, the bank failure was a result of imprudent investments by the bank in its capital reserves, and when that crypto currency dropped in value, their reserves dropped. That triggered Federal and State regulations that require a certain percentage to reserve. But a lot of the bank losses occur on the flip side in making improvident loans, right, loans that are not, as you might say, are unsafe or unsound, correct?

MS. HUNTER: Right, but are you willfully participating and making unsafe and unsound practices. I mean, we see with the commercial real estate all the time where many of our State-chartered banks have a hefty investment portfolio in commercial real estate. As we see now, that's what we're tracking right now, we're very concerned because of low occupancy, low tenancy. And so that's something that we're monitoring because back when they gave a loan, it was safe, sound, a good investment; COVID happened, it's not so much a good investment right now. That's not saying that they were bad actors, but we need to just make sure for those who are bad actors that our constituents, the residents in the State of New York are

protected.

MR. GOODELL: So the concern I have, and perhaps you can address it, is that if we make it easier to remove bank officers for what, in retrospect, appears to be unsafe or unsound practices, won't that result in banks making less riskier loans to, for example, individuals with lower credit ratings, or making loans that require a higher debt to equity ratio, or making loans for a much lower percentage of a purchase price of a house?

MS. HUNTER: Well, unfortunately many of those loans aren't being made now, especially in light of everything that happened with COVID, but I would just offer that we have examiners, we have the DFS who oversees and regulates all of these banks. We have to make sure, you know, the Feds increase capital reserves to make sure that New Yorkers are covered more fully. But if you're a bad actor, no, you shouldn't be willfully, you know, participating in unsafe or unsound practices. And, again, that there is lengthy due process that one can go through if they feel like that they are mischaracterized as doing something that they were not supposed to be doing.

MR. GOODELL: Of course as you know, one of the factors that led to the 2008 recession was the housing crisis, right, where banks made loans and then housing values dropped, people defaulted, the banks couldn't recover, and it actually caused a failure of a couple of banks, right? And in New York, we had a bank failure, or near failure, I can't remember, was it --

MS. HUNTER: It was a failure.

MR. GOODELL: -- was it Citizens Bank?

MS. HUNTER: Signature Bank.

MR. GOODELL: Citizens Bank [sic], and the reason it failed was because it had a lot of money invested in mortgage-backed securities, right?

MS. HUNTER: Correct.

MR. GOODELL: Now, would you think that these provisions would be triggered by the potential failure or the failure of Citizens Bank that had mortgage-backed securities?

MS. HUNTER: Signature Bank, and no --

MR. GOODELL: Signature Bank, thank you for correcting that.

MS. HUNTER: -- I mean, if -- if they were willfully participating in these unsafe practices, but again, the superintendent can investigate. There's information that these folks who are board members can put forward showing that they did nothing malicious or nothing criminal, nothing that would warrant them being -- being removed.

MR. GOODELL: Of course, this is not triggered by malicious or willful, it's triggered by, quote, unsafe or unsound, right?

MS. HUNTER: Correct.

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

MS. HUNTER: Thank you.



MR. GOODELL: On the bill, sir.

ACTING SPEAKER ZEBROWSKI: On the bill.

MR. GOODELL: On its face, this sounds like a great bill that enables the State to remove officers of any bank that have engaged or participated in any unsafe or unsound practice. The problem in practice is that typically these banks are examined after the fact. And when we put in statutory provisions that have a very, very broad category, unsafe or unsound, the danger that you have is that the banks will react to minimize the risk that their officers will be removed.

And so what's that mean? We have a housing crisis, people are desperate to build new housing, they're going to banks for mortgages. We tell bank officers if you screw up on the mortgage you might be removed. They increase the debt-to-equity ratio, they increase the credit score, they increase the amount you need for a down payment. All those are well-recognized procedures to protect the bank from loss, to protect the bank from being second-guessed if the housing market goes down. We saw Signature Bank facing fore -- going out of business, they made mortgage-backed securities, that's what they invested in, mortgage-backed securities. What's that mean? They invested in the housing market, and when the housing market prices came down, they saw their investment drop. It threatened the very existence of their bank. So do we as a Legislature in the middle of a housing crisis want to make it more difficult for New York chartered banks to make loans, to make loans backed by mortgages?

Do we as a Legislature want to punish officers of banks who lend to the poor, who lend higher percentages on a home purchase? And that's the danger with this bill. And we see it in reality with Signature Bank. Signature Bank was invested in mortgage-backed securities, that's what we normally want people to do. They were investing in the housing market. And this bill will chill the housing market at the very time we want banks to be our partner in making more housing available at affordable rates for those who struggle to buy a home.

And so while I appreciate the desire of the sponsor, it has serious ramifications to our housing market that we should be aware of before we move forward. Thank you, Mr. Speaker, and thank you to my colleague.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: A party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. For the reasons mentioned, the Republican Conference is generally opposed. Those who support it should certainly vote yes here on the floor. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: 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 will desire to be an exception. They should feel free to do so at their seats. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Hunter to explain her vote.

MS. HUNTER: Yes, thank you, Mr. Speaker, to explain my vote. This is a very simple bill. It authorizes the superintendent of DFS to remove or suspend authority figures at financial institutions or covered individuals if they have engaged in misconduct or unsafe practices. If you're a bad actor, the superintendent is going to be looking for you. The superintendent does not look at individual loans in the portfolio at every single bank, they look at the overall investment. What happened at Silicone Valley Bank was horrible based on the capitalization of the crypto currency, they were overinvested in that market. But because we saw what was happening with Signature Bank, we were able to step in and cover all of the account holders. Well, that wasn't the case in Silicone Valley Bank, that they had to sell it off and the Federal Government had to step in.

So Mr. Speaker, really we're trying to make sure that New York is protected, we don't want bank runs. And if you're a bad actor, you have due process to explain to the superintendent why you

feel that you did what you did, but this is not going to crush the housing market. If anything, if you're a bad actor you should take notice that now you're not going to be able to just keep doing bad things and that there is accountability for what's happening in the banking system and we're codifying that in the State of New York. Thank you, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Ms. Hunter in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 47, Calendar No. 468, the Clerk will read.

THE CLERK: Assembly No. A08947-C, Calendar No. 468, Reyes, Shrestha, Levenberg, Zinerman, Simone, Ardila, Otis, Forrest, Gibbs, Steck, Hevesi, Gallagher, Carroll, González-Rojas, Mamdani, Burdick, Burgos, Bores, Jacobson, Cruz, Taylor, Darling, Clark, Kim, Colton, Cunningham, Simon, Tapia, Pheffer Amato, Epstein, Raga, Lavine, Shimsky, Jean-Pierre, Kelles, L. Rosenthal, Weprin, Solages. An act to amend the Labor Law, in relation to requiring retail worker employers to develop and implement programs to prevent workplace violence.

ACTING SPEAKER ZEBROWSKI: Ms. Reyes, an explanation is requested.

MS. REYES: This bill would require the Department of Labor to produce a model workplace violence prevention training

program and policy to be utilized by employers. Employers would be required to provide training on workplace violence prevention and distribute a prevention policy at the time of employees' hiring and annually.

ACTING SPEAKER ZEBROWSKI: Mr. Goodell.

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

ACTING SPEAKER ZEBROWSKI: Will the sponsor yield?

MS. REYES: Yes.

ACTING SPEAKER ZEBROWSKI: The sponsor yields.

MR. GOODELL: Thank you. Now, this bill would apply to every employer in New York State that has ten or more employees?

MS. REYES: Ten or more employees, correct.

MR. GOODELL: And this falls on the Department of Labor to come up with a standard policy?

MS. REYES: Yes.

MR. GOODELL: Now, we have, what, tens of thousands of small retailers across the State and we envision the Department of Labor will come up with a one-size-fits-all policy?

MS. REYES: Well, I think that the policy is generic in the sense that it would speak to the de-escalation procedures, violence prevention, and a few other things that an employer can tailor

to their individual workplace if they wish, or they can use the pre-dispose -- the pre-created policy by the DOL.

MR. GOODELL: Does this require retailers to install panic buttons?

MS. REYES: If they have 500 employees or more.

MR. GOODELL: Now, have you discussed the concept of panic buttons with any law enforcement?

MS. REYES: No. And we know that they've already offered some insight into panic buttons, and we know that in the memo of opposition they've said that they believe panic buttons aren't as useful as cell phones and they're not as prevalent now as cell phones, but that's in the language of the bill, as well. An employer can choose to use cell phone-based panic buttons or wearable panic buttons depending on the facility.

MR. GOODELL: Now, when I was, believe it or not, when I was in grade school, we used to have fallout nuclear attack drills.

MS. REYES: Yeah.

MR. GOODELL: And we'd have to all crawl underneath our desk and cover our head and hope that the world wasn't ending. I see this requires active shooter drills.

MS. REYES: Yeah.

MR. GOODELL: Is that the same concept?

MS. REYES: Well, active shooter drills and active shooter training is something that's becoming more prevalent given

the current state of affairs. And you just have to look at Buffalo, at the Tops Supermarket mass shooting that happened there, or you can point to many mass shootings that happened across the country. And now not just workplaces and places of retail, but schools are instituting shooter -- active shooter drills.

MR. GOODELL: And how many active shooter drills would you envision that a retailer would need to provide?

MS. REYES: It doesn't delineate, but it says that an employee would need to receive training and notice at time of hire, and annually, so perhaps once a year.

MR. GOODELL: Now, this also requires employers to teach retail employees, de-escalation tactics correct?

MS. REYES: Correct.

MR. GOODELL: And does -- a lot of employers, by the way, tell their employees don't try to de-escalate, just back away. Does this provide any liability protection to employers that teach de-escalation tactics?

MS. REYES: De-escalation tactics is a broad term used in different circumstances. De-escalation is also the types of language you choose to use with a customer that's irate, right? And when you work in retail, or when you work with the public or in customer service, oftentimes your choice of language with a customer can help either escalate or de-escalate a situation. And giving employees those tools I believe, and we believe, is -- is helpful in terms of de-escalating and preventing workplace violence.

MR. GOODELL: Does this bill require a retail outlet under any circumstances to have to hire security guards?

MS. REYES: No. We removed that in the amendments.

MR. GOODELL: I see. That was a good amendment because it caused quite a bit of consternation.

MS. REYES: I'm glad it pleases you.

MR. GOODELL: Does this bill address the issue of retail theft?

MS. REYES: No.

MR. GOODELL: And is it true that much of the retail violence is related to retail theft?

MS. REYES: Not necessarily, no. Actually, we've seen an increase in violence in the retail setting, and a lot of that is -- you can attribute it to some of the measures that employers have put in place to protect the merchandise. That may be putting everything behind lock and key and having customers wait and wait and wait to get deodorant or shampoo, and then they take that out on the employer -- the employees that are there that are just trying to do their job. We've seen violence and -- and aggressive interactions increase with the use of self-checkout and the frustration that happens with folks when there is nobody on staff to attend to customers' needs. They have done -- they have implemented these measures for the sake of profit, and many of them I should say, are rolling some of that back. So we are focused on the safety of the workers in this language. There



have been other bills and other measures in the budget that address retail theft. We are concerned with the safety of workers. And I would also add that violence doesn't just happen with interactions of customers. Oftentimes it happens with interactions with employees, as well, and de-escalation training can be helpful in the interpersonal communication with -- between employees.

MR. GOODELL: Based on the data that you've looked at, what percent of retail violence relates to violence between a retail employee and a customer, and what percent of the violence relates to situations between retail employees?

MS. REYES: Well, interestingly enough, that data isn't necessarily collected and employers are not required to collect that data. We have some anecdotal data from workers, labor unions that represent workers, but under this bill, they would require to report to the DOL something that's not required now. So it's very difficult to implement interventions when you don't have data.

MR. GOODELL: Thank you very much for your comments.

Sir, on the bill.

ACTING SPEAKER ZEBROWSKI: On the bill.

MR. GOODELL: All of us have seen very alarming stories that seem to occur with very, very alarming frequency of store employees who might try to stop somebody from shoplifting who are then attacked by the shoplifter. And we've seen stories over and over coming out of New York City in particular of store owners or store

employees who defend themselves against a robbery, or shoplifting, and instead of arresting the shoplifter, they arrest the store employee or the store owner. We've seen situations where a store owner, for example, defend themselves from a knife attack and the store owner was arrested, not the guy who attacked him.

Now, we've seen a tremendous increase in retail theft. Over the last five years, the data has just been absolutely astounding in terms of the increase in retail theft. And it's predictable. I mean, when you have a District Attorney who on the day he's elected and his first day memo says, *We are not going to prosecute retail theft, we're not going to prosecute shoplifters*, it is open season for shoplifters in Manhattan. I mean, the District Attorney himself said we're not going to prosecute. And so of course the police officers, having been told that the District Attorney won't prosecute, they don't bother to issue the arrest. And that puts stores in a horrific situation where they're losing literally billions of dollars. According to Capital One, retailers in New York lost 4.4 billion in revenue to retail theft. And so how do the stores react? They lock up everything, right? Thank God that hasn't happened in my community, but in some communities, you want to buy toothpaste or anything else? You've got to get a store clerk to unlock the cage. And as my colleague correctly noted, that creates potential for customers who are irate who take that irritation out on the poor store clerk. By the way, retail theft complaints have increased 77 percent over the last five years. So what's the response here? The response is not to say to a District Attorney your job is to

enforce the law, no, we're silent about that. This says to the poor store owners, you have to spend more money on security, you, the poor store owner who is losing \$4.4 billion has to invest hundreds of thousands of dollars in technology that quite frankly is outdated, like panic buttons. The New York City Police Department itself says that when they talk to employers and employees, the employee said don't teach us about de-escalation, we don't want to be confronting these irate customers. And the New York Police Department recently testified at a public hearing that panic buttons of any kind are not the ideal method, it's better to use a cell phone because with a cell phone, you can answer questions from the dispatcher that enables the place to better respond. So rather than focus on increasing the burdens on all small businesses, which is why the National Federation of Independent Businesses opposes this, along with the Business Council and others, maybe we should focus on making retail sales safer by enforcing the law and prosecuting shoplifters and prosecuting those who attack retail employees. Let's put the focus where it belongs on the criminal and not for our poor retailers to spend hundreds of thousands of dollars in additional expense because our prosecutors on day one say they're not going to enforce the laws. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Ms. Walsh.

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

ACTING SPEAKER ZEBROWSKI: Will the sponsor yield?

MS. REYES: Yes.

ACTING SPEAKER ZEBROWSKI: The sponsor yields.

MS. WALSH: Great. You mentioned I think that the bill text talks about any type of retail establishment, but it has to have ten or more employees; is that correct?

MS. REYES: Correct.

MS. WALSH: Does is specifically exempt farm operations, farm stores --

MS. REYES: No.

MS. WALSH: -- farm stands?

MS. REYES: No.

MS. WALSH: Okay. Is there any opt out that's available in the bill for those type of establishments?

MS. REYES: No.

MS. WALSH: Is there any consideration to the fact that farm stands generally do not have the type of retail theft or workplace safety issues that perhaps a bodega in New York City does?

MS. REYES: No. But the way the bill is written and how it would be implemented, it -- it shouldn't be any more burdensome because it's not -- the burden isn't placed on them to create this policy. They can -- it will be publicly available through the DOL once it's implemented that they can very well take it and make sure their workers or employees have it.

MS. WALSH: Okay. So there -- so there's the

written component to having the workplace plan in place --

MS. REYES: Correct.

MS. WALSH: -- is there also a training component, and I apologize if you've already been asked that.

MS. REYES: There is, there is.

MS. WALSH: So they have to not only provide an actual plan, which I know that there will be a model plan that they can draw from, but they will also have to train our employees about it, correct?

MS. REYES: Yes. And the training actually would include, and it's in the language, information on the requirements of this bill, examples of measures employees can take to protect themselves, de-escalation tactics, active shooter drills, emergency procedures, and information on how to use panic buttons and alarms if applicable.

MS. WALSH: Okay. Thank you very much, I appreciate it.

Mr. Speaker, on the bill.

ACTING SPEAKER ZEBROWSKI: On the bill.

MS. WALSH: So the reason the Farm Bureau disagrees with this piece of legislation is that it frankly encompasses them and those establishments when it doesn't need to. I think that when we're taking a look at legislation, we need to try to narrowly tailor it to those businesses and those situations that really require it. And the Farm Bureau is saying don't -- don't keep us -- don't keep our

farm stands into this. I can't think of a single example, can you, of a farm stand that has been held up at gunpoint, or where there has been a brawl, or where there has been, just, outright retail theft coming out of a farm stand. Why a farm stand and that farm operation should have to go through the development of a policy and training employees, however well-intentioned it is and how applicable it may be to other types of establishments is beyond me. I would respectfully recommend that there be an amendment. I know that we're in a C-print right now, but I think that the bill could use a little bit further work and take those establishments out, or at least give an opt-out for those -- for those types of operations. They -- they don't require this, and it's just one more, one more regulation, one more burden, as I said, no matter how well-intentioned it is, upon our businesses, in particular our farms. So for that reason, I'll be opposing this legislation. Thank you very much, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Thank you.

Ms. Giglio.

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

ACTING SPEAKER ZEBROWSKI: Will the sponsor yield?

MS. REYES: Yes.

ACTING SPEAKER ZEBROWSKI: The sponsor yields.

MS. GIGLIO: So as far as the 500 employees, is that

for transient workforce, or is that for CVS throughout the whole State of New York where they have more than 500 employees, is it based on zip code where there are more thefts? You know, in my zip code, 11901, you know, our deodorant and shampoo and hygiene product are not locked up.

MS. REYES: So the bill does not speak about the code, it's just 500 employees or more.

MS. GIGLIO: So CVS anywhere throughout New York State --

MS. REYES: And it's not about retail -- and it's not about retail theft, this is about violence prevention. And as I said before, violence can happen between employees and it can happen between --

MS. GIGLIO: I thought it said Retail Worker Safety Act.

MS. REYES: Right, not retail theft; retail worker safety.

MS. GIGLIO: So what do you describe retail safety as? What do they have to be afraid of?

MS. REYES: Irate customers, active shooters.

MS. GIGLIO: Why would -- why would customers be irate?

MS. REYES: For a litany of reasons. Maybe they had a bad day. We just want to make sure that workers have the tools to be able to, in a situation, to be able to de-escalate the situation. I

actually get -- we got de-escalation training as nurses.

MS. GIGLIO: At where?

MS. REYES: As nurses. You learn therapeutic communication, how to speak to people to make sure that you de-escalate certain circumstances.

MS. GIGLIO: And God bless our nurses, and God bless you for being a nurse, and I understand that in the nursing field, but when you're going to work as an 18-year-old kid, or a 16-year-old kid or 14-year-old kid to a store, you're going to say in order to work in this store you have to have this training?

MS. REYES: No, actually. And as a mom of a teenager who works in a retail store, I would ask, and I would expect, the retailer to give him the tools necessary to be able to speak to his customers, know how to respond in a situation, if there is an emergency situation for him to at least know how to get out of the place or what to do in an emergency situation.

MS. GIGLIO: Wow.

MS. REYES: That's the bare minimum of the requirement --

MS. GIGLIO: That's -- that's very --

MS. REYES: -- for the employer to give the employee --

MS. GIGLIO: -- listen, I have a 21-year-old and I have --

MS. REYES: -- the tools to do that.



ACTING SPEAKER ZEBROWSKI: Colleagues.

MS. GIGLIO: Thank you, you answered the question.

MS. REYES: You're welcome.

MS. GIGLIO: So Tanger Outlet Center, or the outlet centers that have 50 different stores in the outlet centers, is each individual store --

MS. REYES: Are you sill asking me to yield?

MS. GIGLIO: I'm asking you --

ACTING SPEAKER ZEBROWSKI: Ms. Reyes, do you continue to yield?

MS. REYES: Sure.

ACTING SPEAKER ZEBROWSKI: The sponsor continues to yield.

MS. GIGLIO: Oh, I'm sorry, I didn't think I stopped. I saw that she sat down, but I didn't think that I continued --

MS. REYES: I thought you said I answered your question.

ACTING SPEAKER ZEBROWSKI: All right, colleagues, there seems to be a misunderstanding. Let's consider -- continue the debate.

MS. REYES: I continue to yield.

MS. GIGLIO: Well, thank you. So Tanger Outlet Centers are outlet centers that have --

MRS. PEOPLES-STOKES: Mr. Speaker, if I could

ask colleagues --

ACTING SPEAKER ZEBROWSKI: Ms. Giglio.

Mrs. Peoples-Stokes, why do you rise?

MRS. PEOPLES-STOKES: Mr. Speaker, ask our colleagues to speak directly to you, through the person that they're asking the question of, and response.

MS. GIGLIO: Wow, that's pretty rare in a debate, isn't it?

ACTING SPEAKER ZEBROWSKI: Thank you, Mrs. Peoples-Stokes. Colleagues, to get through the rest of the debate if you could ask questions through me.

MS. GIGLIO: Okay. Mr. Speaker, can you please ask the sponsor of the bill if you're in an outlet center where you have 100 different companies that are there and they have to monitor how many employees that they have at that outlet center as to whether or not this training would be required --

ACTING SPEAKER ZEBROWSKI: Ms. Reyes?

MS. GIGLIO: -- if -- if they should have to fulfill that requirement? And, if those transient employees, like my kids who are in college and then going to work in the summer, if they're not full-time employees, part-time employees, do they have to complete this training if their part-time employees?

ACTING SPEAKER ZEBROWSKI: Ms. Reyes?

MS. REYES: So Mr. Speaker, to the first part of the question, an outlet mall has international chains that usually are in

these facilities, those are considered entities with 500 or more employees. If you look at the Gap or if look at Old Navy or whatever the case might be, those are multi-million dollar international companies that have more than 500 employees, so they, yes, under the language of this bill, would be required to either use the -- the policy created by the New York State DOL, or they can implement their own. They are required to give it to every employee at time of hire, whether full-time or part-time, and once a year, yes.

ACTING SPEAKER ZEBROWSKI: Ms. Giglio.

MS. GIGLIO: Mr. Speaker, on the bill.

ACTING SPEAKER ZEBROWSKI: On the bill.

MS. GIGLIO: This is really placing an undue burden on kids that are just wanting to be employed. I don't even know if they're getting paid for this training that they have to sit through, even if it's a summer job at minimum wage, are they getting -- I don't know, are they getting paid? Are the employers required to pay them to sit through this training? I'll tell you as a New York State Assemblywoman, I have sat through this training for sexual harassment and other things where I think it's a laudable clause [sic], it is really disappointing at the requirements for training, especially for part-time summer employees for kids that are 14-years-old to teach them about retail violence when you know what? If we were doing our job and not letting people steal up to \$1,000 a day of goods every day, then maybe we could deter retail theft and not have to train people to deal with letting people steal goods from the store that they

are making minimum wage and having to pay their salary to buy these goods while they're watching people walk out with bags of goods from the store. And for that reason, I will be voting no on this bill and I think that if you want to deal with retail theft, you've got to stop the thieves and you have to deter theft, and you have to put people away for continuing to commit the same crimes. Thank you, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Thank you.

Ms. Zinerman.

MS. ZINERMAN: Mr. Speaker, on the bill.

ACTING SPEAKER ZEBROWSKI: On the bill.

MS. ZINERMAN: I want to thank my colleague for this common sense piece of legislation. We always gather after there's been a tragedy and mourn what has happened when we lose a fellow New Yorker. I think this is a wonderful way for us to telegraph to people that we care about their safety and we want to make sure that they are safe at work as they are at home, or when they're walking to and from work, or going about their daily lives. And so again, I want to thank the sponsor for the bill and I really want us to understand that these things happen more often than not. Just recently, I had -- I sat down with some union members who were being bullied in the workplace, and nobody would ever think that adults would be struggling with the same bullying tactics that young people do nowadays. But I think that by passing this legislation, we're letting people know that this Body is very concerned with being collegial but also being safe at our -- in our workplace. And I yield my time and I

thank, again, the sponsor for passing this bill.

ACTING SPEAKER ZEBROWSKI: Ms. Byrnes.

MS. BYRNES: Thank you. I would just like to be heard on the bill.

ACTING SPEAKER ZEBROWSKI: On the bill.

MS. BYRNES: As you read this, what jumps out to me is when you're looking at any type of business which has ten or more people, you know, you could have just one or two people working at any time by the time you have different shifts, during the week, evenings, weekends, so you're putting such an incredible, incredible burden on even the smallest of businesses who have hardly any employees. I was even -- heard from a business improvement district, a BID in New York City telling me how much this was going to hurt New York City businesses. So as we stand here and sit here tonight looking at the details, professing that we want to bring back the business and bring back the economy in this State, we continue to do things that do the exact opposite, that turn around and hurt the economy, hurt our State, hurt our employees, and I totally agree with what had been said. Obviously, if we're concerned about retail worker safety, it's because retail workers, their safety is at risk, and their safety is at risk from all of the incidents that are happening within their stores, many of them because of the retail theft issues that are going on throughout this State. These issues are not separate and apart, they're interrelated. They are interrelated to a point where they cannot be separated from each other.

I'll be voting no because I think we should be supporting businesses of any size and not dissuading, hurting and regulating out of existence, and it's not just the ones in Upstate New York who decide to move to Pennsylvania or Ohio, again, New York City BID is worried about this -- what this will do to their area, and I can't believe that BID is the only one and that many of you, I'm sure, have heard from them and just aren't going to admit it on the floor of this Assembly. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. Will the sponsor yield for a question or two?

ACTING SPEAKER ZEBROWSKI: Will the sponsor yield?

MS. REYES: Yes.

ACTING SPEAKER ZEBROWSKI: The sponsor yields.

MRS. PEOPLES-STOKES: Could you please speak to exactly what in your bill talks to -- or speaks to the employer and/or businessowner in doing training to deal with retail theft?

MS. REYES: The bill does not speak about retail theft at all.

MRS. PEOPLES-STOKES: Thank you. I didn't think I heard that in your original presentation, but it appears our debate is about retail theft. And so -- thank you.

MS. REYES: Thank you.

MRS. PEOPLES-STOKES: I wanted to just bring to our attention that a few months ago in my district we held a disaster preparedness session at a high school. Now, this is a big high school, as a matter of fact, it's the high school where I graduated from, but there was not enough space to deal with all of my constituents who wanted to come to that event; we're going to have to schedule another one. Why is that? Because it's the kind of times that we live in, that people want to be prepared if something happens. Whether or not they send their children to the movies and somebody comes in with a gun, they want to know how to tell their children how to act, how to behave, how to look for the exit, how to protect themselves, how to hide themselves. If there had been this kind of training at -- on the job for someone who would come from another community with a high-powered rifle that they contrived to be able to kill as many people as possible, then perhaps there would have been a few more people who survived that.

Now, I am not satisfied necessarily with the world we have today, but I do have to live in it, and being prepared is an opportunity that every employer should want to have. There are any number of students that happen across this country where people are at work, not just at a retail place, but they're at work, and someone comes in and harms a lot of them. What an opportunity we have to prepare ourselves. Now, I remember as a preschooler and elementary school, we had to learn how to prepare ourselves in case the Russians

bombed America. We had these, what do you call them, special times when we had to figure out how to get under the desk, how to hide in the clothes closet. We don't have to do that anymore about Russians. Now we have to do that about ourselves, as Americans, we got to figure out how to protect ourselves.

Now, since what happened at Tops happened, and all credit to the people who own Tops Supermarket, they are providing this sort of training for their employees because they don't know when it's going to happen again, maybe it won't be in Buffalo, maybe it will be a store in Amherst or Tonawanda, but people should understand that they need to be prepared. And to suggest that this is about protecting somebody who steals something as opposed to being about protecting people that go to work everyday, much like a police officer or anyone else, they want to be able to get off and go home. And if there's a way for them to do that because they're more educated, why wouldn't we want to do that?

And so I want to, you know, commend Ms. Reyes for introducing this legislation and I hope that, you know, the bulk of us we're not trying to think about this as being something wrong, but look at it as being something right. And not just right because -- right because it's the times that we live in. They're not going to reverse back to 1960s or '70s where we didn't have so many people who are hateful and have mental health problems and all sort of things. People need to know how to protect themselves, how to be safe. And so thank you for offering that opportunity to retail workers and, in fact, I



think we should try to figure out how to expand this to all workers. Everybody needs to know how to be safe on their job. We're safe when we come in here - well, sort of, kind of; we've got protection, not all necessarily carrying, but we're safe - and everybody should be safe when they come to their job, Mr. Speaker, no matter whether they work in retail or whether in law enforcement. Thank you.

ACTING SPEAKER ZEBROWSKI: Thank you.

Mr. McGowan.

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

ACTING SPEAKER ZEBROWSKI: Will the sponsor yield?

MS. REYES: Yes.

ACTING SPEAKER ZEBROWSKI: The sponsor yields.

MR. MCGOWAN: Thank you, ma'am. I'm just trying to understand some of the responses that you provided to some of my colleagues, just so I understand, did you state that one of the things, perhaps, that escalates, perhaps confrontations between customers and retail workers are items being locked up, behind lock and key, for customers?

MS. REYES: Yeah.

MR. MCGOWAN: And what is the reason for that, items being locked up?

MS. REYES: Well, retail theft.

MR. MCGOWAN: Okay. Thank you, ma'am.

On the bill, sir.

ACTING SPEAKER ZEBROWSKI: On the bill.

MR. MCGOWAN: I'm all for supporting our retail workers, but here's a great way to do it aside from this bill, we support law enforcement, and we support the prosecution of individuals who steal from stores by enforcing our Penal Law, already existing laws. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: 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 ZEBROWSKI: Thank you.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER ZEBROWSKI: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Steck to explain his vote.

MR. STECK: Thank you, Mr. Speaker. It bears noting that the original study that prompted all this hysteria about retail theft from the National Retail Federation claiming that 50 percent of the disappearance of store merchandise was due to organized retail crime turned out to be fraudulent and had to be withdrawn. One of the things that's going on in large, big-box retail is that they're hiring less and less security guards because they're facing stiff competition from internet sales. When I go into my CVS, there is one employee in the entire store to cover that -- all the merchandise in there. And by the time -- if someone wants to walk out with something, by the time the police are called, that thief is long gone. So these stores are trying to rely on the police to do the impossible, and that's not good law enforcement. I vote in favor of the bill.  
Thank you.

ACTING SPEAKER ZEBROWSKI: Mr. Steck in the affirmative.

Ms. Giglio to explain her vote.

MS. GIGLIO: Thank you, Mr. Speaker. With respect to my colleagues, this bill is not about emergency preparedness. I remember being ten years old in a classroom in California and them saying if there's an earthquake, climb under your

desk. That's a lot different than being in a retail store these days where my kids are part-time, and they're being told if somebody steals from the store, let them go. This is what we're training our kids to think that it's okay to steal, and it's not okay to steal. It's for me, as a parent, to teach my child if you want something, you have to pay for it, you don't steal it. And you know what? The bombing and terrorist attacks, yeah, we should do a better job in our schools in training our kids for that, 100 percent; anti-racism, anti-Semitism, that's what we should be training our kids for in the elementary and high school classes. We shouldn't be forcing our small businessowners who with transient workers to have to train their employees, who may not be there a week later, to learn how to deal with retail theft. And that's what this is about, retail theft. It really is. And you know what? We need to armor up our law enforcement and tell our law enforcement, it's okay. You know what? Our law enforcement has to gather information and video tapes and notes and everything and submit to the local District Attorney's office within 21 days all of their findings, and if they miss a step, that criminal is let back out on the street. And we need to focus more on criminals that are stealing.

I don't remember ever seeing a security guard when I was visiting a CVS. I don't remember ever seeing anything locked up in a Walgreens. I don't remember any store having a security guard unless it was Bergdof Goodman which I just walked in to look at overpriced items that I couldn't afford.

You know, this is just --

ACTING SPEAKER ZEBROWSKI: Ms. Giglio, how do you vote?

MS. GIGLIO: I vote in the negative, thank you.

ACTING SPEAKER ZEBROWSKI: Ms. Giglio in the negative.

Ms. Reyes to explain her vote.

MS. REYES: There's a saying that says an ounce of prevention beats a pound of cure. I think it's very important for us to make sure that we give our workers the tools to stay safe. We train them when we hire them to use equipment, to use a cash register. We train them on how we want them to perform in their job. I think we should also train them in how to stay safe in emergency situations. And there's been a lot of talk about retail theft and, for the record, this bill does not speak about retail theft, this is about worker safety, but if we want to talk about retail theft, that requires a comprehensive approach. And we started doing some of that in our budget. We created a crime around retail theft. We have increased penalties around retail theft. This is about the workers, the people that every day show up to go to work, they were our essential workers during the pandemic, they are our essential workers now, and we want to make sure that we protect them, and we send them the message that they matter as well. This is about a worker that shows up everyday to make sure that we can go to the grocery and there's somebody there. Oftentimes, and what we've seen lately is that retailers, especially big-box retailers, have put profits over people, and they put profits

over their customers as well. You go in there now, it's like you're the employee, you have to ring yourself, check yourself out, wait for somebody to open up a case. The reality is that everybody has to have some responsibility and some skin in the game, and this is what this is about. Thank you, Mr. Speaker, I'll be voting in the affirmative.

ACTING SPEAKER ZEBROWSKI: Ms. Reyes in the affirmative.

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, sir. Everyone in this room wants to do a -- wants to ensure that our retail employees are safe. We all share that objective. The only difference is how we want to accomplish that. For many of us in this room, we think our retailer -- retail workers should be a lot safer if we actually talked about retail theft, if we actually talked about supporting law enforcement, if we actually talked about imposing bail on many of these charges, if we actually talked about eliminating the largest sources of danger to our retail employees.

So what does this bill not talk about? It doesn't talk about any of those subjects, doesn't talk about safety for customers, doesn't talk about safety in our schools. All it does is impose more burdens on all of our retailers as though they don't care about their own employees. I find that offensive. In my community, my retailers care a great deal about their employees and they are extraordinarily frustrated that they have to lock so many items behind the counter or behind Plexiglass plates because they are unable to stop the retail theft

because we in this Chamber have pulled the rug out from underneath them. Let's solve the problem and stop blaming our innocent, hard-working, conscientious, compassionate retailers who are already doing everything they can to protect their employees and need our help to reduce the violence in the first place. I vote no.

ACTING SPEAKER ZEBROWSKI: Mr. Goodell in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if we can now go back to the A-Calendar to continue our work on consenting. We are going to start on page 4 right where we finished at. We're going to begin with Rules Report No. 306 by Ms. Kelles.

ACTING SPEAKER ZEBROWSKI: Page 4, Rules Report No. 306, the Clerk will read.

THE CLERK: Assembly No. A03299-E, Rules Report No. 306, Kelles, L. Rosenthal, Thiele, Simone, Colton, Otis, Sillitti, Slater. An act in relation to enacting the "New York Open Water Data Act."

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

THE CLERK: Assembly No. A03686, Rules Report

No. 307, Zebrowski. An act to amend the Not-for-Profit Corporation Law, in relation to cemetery trust funds and the maintenance and preservation of cemetery grounds.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: 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. A03780-E, Rules Report No. 308, Fahy, Jackson, Dickens, Thiele, Seawright, Burdick, Simon, Steck, Woerner, K. Brown, Clark, L. Rosenthal, Otis, Epstein, Dinowitz, McDonald, Simone, Raga, Paulin, Colton. An act to amend the Executive Law, in relation to requiring new construction that includes dedicated off-street parking to provide electric vehicle charging stations and electric vehicle ready parking spaces.

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

THE CLERK: Assembly No. A04219, Rules Report



No. 309, Rivera, Sayegh. An act to direct the New York State Department of Health to conduct a study on the incidences of cancer clusters in cities and towns having a population of more than 90,000.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Jensen to explain his vote.

MR. JENSEN: Thank you very kindly, Mr. Speaker, to explain my vote. I believe this is an important piece of legislation, although I do have concerns with the limit of 90,000 people as what triggers the Department of Health to conduct a cancer cluster study. Certainly, we have a lot of small communities across the State where manufacturing was the primary driver of that small community's economy, and their population may be below 90,000, but may still exhibit many of the characteristics that would trigger the study in a larger community. At the same time, I also have concerns that we could look at our communities on Long Island and -- where we may have large towns of hundreds of thousands of people where there may be small villages where it is statistically significant for research, but because you're looking at it in the context of the larger municipality, it may not rise to the level where DOH would come in and conduct that study. So certainly while I am supportive of the legislation and voting

for it, I think it's worth looking at future amendments, either a chapter amendment or additional chapter to maybe look at the population threshold that's contained in the bill. Thank you, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Mr. Jensen in the affirmative.

Mrs. Peoples-Stokes to explain her vote.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker, for the opportunity to explain my vote. I think this is a, a perhaps, very critical bill that's been introduced and supported here. I can only recall a few years ago when the health department did do a -- did do a cancer cluster study and, in fact, in that study it was determined that at least two zip codes in my district, as well as one in an adjoining district, Cheektowaga, was in a cancer area where there was a lot of cancer and they spent a lot of time talking to our community about wellness issues and how to correct some of these things. And so if there's a community of this size that's been recommended here that was not included in that study, it should be. And so I want to commend the sponsor for this legislation, and am certainly pleased to vote in favor of it.

ACTING SPEAKER ZEBROWSKI: Mrs. People-Stokes in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04983-D, Rules

Report No. 310, L. Rosenthal, Cunningham, Reyes, Dinowitz, Simon, Tapia, Shimsky, Fahy, Bichotte Hermelyn, Epstein, Burdick, McDonald, Braunstein, Seawright, Lucas, Stirpe, Aubry, Glick, Kim, Dilan, Taylor, Septimo, González-Rojas, Levenberg, Mitaynes, Ardila, Thiele, Ramos, Otis. An act to amend the General Business Law, in relation to providing for the protection of health information.

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

THE CLERK: Assembly No. A05794-C, Rules Report No. 311, McDonough. An act authorizing the Seaford Fire District to receive retroactive real property tax exempt status.

ACTING SPEAKER ZEBROWSKI: On a motion by Mr. McDonough, 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 ZEBROWSKI: 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. A06219-B, Rules Report No. 312, González-Rojas, Mamdani, Raga, Gallagher, Glick,

Sillitti, Simon, Burdick, Forrest, Seawright, Fall, Shimsky, Levenberg, Sayegh, Bichotte Hermelyn, Clark, Simone, Shrestha, Kelles, Carroll, Lee. L. Rosenthal, Hevesi, Cruz. An act to amend the Executive Law, in relation to the collection of certain demographic information by certain state agencies, boards, departments and commissions.

ACTING SPEAKER ZEBROWSKI: On a motion by Ms. González-Rojas, the Senate bill is before the House. The Senate bill is advanced. The bill is laid aside.

THE CLERK: Assembly No. A06244-C, Rules Report No. 313, Stern, Lavine. An act to amend the Parks, Recreation and Historic Preservation Law, in relation to allowing the presence of dogs in State Parks.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect on the 120th day.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Glick to explain her vote.

MS. GLICK: Thank you, Mr. Speaker, to explain my vote briefly. I believe the sponsor is trying to create a circumstance where there would be more regularity throughout the park system in regard to whether or not dogs could be present or not. And it does have some guardrails that allow the Commissioner to do that, but also

it seems to start off by saying dogs will be allowed in all State Parks with these provisions, and it is concerning to some of us who are concerned about the safety of the environment, the underbrush and the like, where you're just not going to have a park personnel available at all times. So while I appreciate the effort, perhaps on a county effort -- on a county basis it works well. I'm concerned about the vastness of the State Parks and will be withdrawing my request and voting in the negative.

ACTING SPEAKER ZEBROWSKI: Ms. Glick in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06310-A, Rules Report No. 314, K. Brown, Taylor. An act relating to establishing the power plant tax assessment challenge reserve fund.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: 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. A06342-A, Rules Report No. 315, Pheffer Amato, Zebrowski, Aubry, Jones, Burke, Colton. An act to amend the Retirement and Social Security Law, in relation to the disability retirement for safety and security officers.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: 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. A06494-A, Rules Report No. 316, Fahy. An act to amend the State Finance Law, in relation to allowing for the donation of personal property of the state to certain not-for-profit organizations.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, sir. As is often the case late at night we have a great title allowing the State to donate personal property that the State no longer wants to not-for-profit organizations. There's a couple of nagging issues about this bill. First, which not-for-profit gets it? Does it go out randomly or the favors of the head of the agency? I mean what is the process for giving away State property? On a legal issue, Article VIII, Section 1 of the New York State Constitution prohibits the State from making a gift of public property. It may not be worth anything to us, but that doesn't mean we can give it away when it still has a market value. So while I along with everybody else wants to do what we can to support our not-for-profits, simply saying the State can give away State property that some bureaucrat in the State no longer wants to some unidentified not-for-profit that that bureaucrat or division had or somebody else wants to give away, it really needs to be tightened up. And so, you know, the Federal Government, they have a surplus property list for military equipment, people apply, their applications are evaluated. The most responsible applicant can buy the property for the fair market value, that's the process we should apply and not simply give it away randomly. For that reason I can't support it. Although out of my own pocket I support a lot of not-for-profits and I'm sure if properly structured this could be very beneficial. Thank you, sir.

ACTING SPEAKER ZEBROWSKI: Mr. Goodell in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06821, Rules Report No. 317, Lupardo, Otis. An act to amend the Environmental Conservation Law, in relation to authorizing the Commissioner of Environmental Conservation to enter into contracts for maple tree tapping and sap production on state lands for a duration of up to ten years.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: 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. A07081-B, Rules Report No. 318, Magnarelli. An act to amend the Public Authorities Law, in relation to the Board of Directors of the Central New York Regional Market Authority.

ACTING SPEAKER ZEBROWSKI: On a motion by Mr. Magnarelli, 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 ZEBROWSKI: 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. A07369, Rules Report No. 319, McDonald, Colton, Sayegh. An act to amend the Social Services Law, in relation to the provision of services to certain persons suffering from traumatic brain injuries or qualifying for nursing home diversion and transition services.

ACTING SPEAKER ZEBROWSKI: On a motion by Mr. McDonald, 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 ZEBROWSKI: 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. A07547-B, Rules

Report No. 320, Sillitti, Santabarbara, Colton. An act to amend the Retirement and Social Security Law, in relation to authorizing certain persons in an option twenty year retirement plan to receive credit for previous service as a state university police officer, a regional state park police officer or a detective investigator for the Office of the Attorney General.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Sillitti to explain her vote.

MS. STILLITTI: Thank you, Mr. Speaker, for allowing me to explain my vote. State University Police Officers, State Park Police Officers and Special Investigators of the Attorney General's Office go through the same amount of law enforcement training and perform many of the same police tasks as their counterpart officers in city, county, town and village police officers. Oftentimes they're responding to the same calls. The time they earned in the retirement system should be recognized as credible service in their new police pension plans if they transfer to one of those police forces. They perform a dangerous job and their pension credits are well-earned and should be credited. I believe this bill will also benefit police departments such as my home county in Nassau for them to

recruit and retain members from State agencies and help to continue to grow our local police forces. I vote in the affirmative and I encourage my colleagues to do the same.

ACTING SPEAKER ZEBROWSKI: Ms. Sillitti in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07563-B, Rules Report No. 321, Pheffer Amato, Shimsky, Sillitti, Durso, Jones, Ardila, Weprin, Hevesi, Colton, Aubry, Reilly, DeStefano, Simon, Bichotte Hermelyn, Kim, Berger, Simone, Davila, Septimo, Taylor. An act to amend the Retirement and Social Security Law, in relation to death benefits for active New York City transit authority members.

ACTING SPEAKER ZEBROWSKI: Home rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: 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. A07686-A, Rules Report No. 322, Bores, Seawright, Simon, Gibbs, Dilan, McDonald,

Tapia, Epstein, De Los Santos, Lee, Otis, Berger, Meeks, Levenberg, Cunningham, Simone, Burgos. An act to amend the Military Law and the New York State Urban Development Corporation Act, in relation to authorizing the use of armories by legacy cadet corps programs.

ACTING SPEAKER ZEBROWSKI: On a motion by Mr. Bores, 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 ZEBROWSKI: 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. A07717-B, Rules Report No. 323, Wallace. An act to amend the Civil Practice Law and Rules, in relation to extreme risk protection orders.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Giglio to explain her vote.

MS. GIGLIO: Thank you, Mr. Speaker. And I really want to thank the sponsor for this bill. Because you know what? Emergency risk protection officers are what they are, and you know what? State Police and police officers that are -- have to sign as the petitioners, are faced with civil action suits, liens against mortgages that they're trying to apply for and credit bills, everything. It's a lien against them as petitioner in this civil action. So I really want to thank the petitioner because you know what? Just because law enforcement is forced to enforce these ERPA laws, they shouldn't be subject to scrutiny in their credit ratings and everything else. So thank you to the sponsor. Thank you, Mr. Speaker. I'll be voting in the affirmative.

ACTING SPEAKER ZEBROWSKI: Miss Giglio in the affirmative.

Ms. Wallace to explain her vote.

MS. WALLACE: Thank you, Mr. Speaker, for giving me the opportunity to explain my vote. This legislation provides a technical amendment to the Extreme Risk Protection Order Law also known as the ERPA Law or the Red Flag Law, to allow a petition to be brought not only in the name of the police officer which is the case now, but allowed to be brought in the name of the police agency. It doesn't change any of the technical requirements under the ERPA Law. Instead, it was introduced at the request of the police officers because in filing these petitions they're finding that many of them have their names then mentioned in civil actions which has at times adversely impacted their credit rating. So again, this is a minor

amendment that allows the police agency to be named as the petitioner in lieu of the police officer. This bill is good for police officers because it helps protect their credit ratings. And since we know that Extreme Risk Protection Orders or Red Flag Laws save lives, this bill is also -- protects the public.

So thank you very much, Mr. Speaker, and I will be voting in the affirmative.

ACTING SPEAKER ZEBROWSKI: Ms. Wallace in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07725, Rules Report No. 324, Paulin, Sayegh. An act to amend the Social Services Law, in relation to allowing physician assistants to serve as primary care practitioners for purposes of Medicaid managed care plans.

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

THE CLERK: Assembly No. A08190-A, Rules Report No. 325, Magnarelli. An act directing the Commissioner of Motor Vehicles to conduct a study of official inspection stations, safety inspections and fees.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: 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. A08333-A, Rules Report No. 326, Bores, Glick, Epstein, Shimsky, Levenberg, Paulin, Simon, González-Rojas. An act to amend the Executive Law, in relation to defining personalized handguns and requiring the division of criminal justice services to certify the technological viability of personalized handguns and to establish requirements related to the sale of personalized handguns.

ACTING SPEAKER ZEBROWSKI: The bill is laid aside.

THE CLERK: Assembly No. A08346-A, Rules Report No. 327, Fahy, Taylor, Dickens, González-Rojas, Levenberg, Simon, Sayegh, Clark, Buttenschon, Bichotte, Hermelyn, Wallace. An act to amend the Education Law, in relation to establishing experiential learning opportunities in the State University of New York and the City University of New York.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Fahy to explain her vote.

MS. FAHY: Thank you, Mr. Speaker. This is a bill I've actually talked about for a number of years, and while it is a bill to require a plan from SUNY and CUNY on how to implement experiential learning internships and other types of opportunities for students before they graduate, in many ways this bill is intended as a stay-in-New York bill because we know that 72, roughly 72 percent of students who have an internship are offered a job at that company or a related company. So internships truly matter. It's one of the strongest correlations for students receiving jobs upon graduation and usually those jobs are right in a similar locality to where their college is here in New York. So it's one of the most effective jobs to making sure that we educate our students in our Higher Education institutions and hang on to them. So while this bill is a planning document that has to be in place a year from now in the next academic year, it I hope will lead to more success with jobs for our college students, as well as more retention of those college students here in New York and with that I vote in the affirmative. Thank you, Mr. Speaker.

ACTING SPEAKER ZEBROWSKI: Ms. Fahy in the affirmative.

Are there any other votes? Announce the results.



(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08391-A, Rules Report No. 328, Zebrowski. An act to amend the Tax Law, in relation to authorizing the Town of Clarkstown to impose a hotel and motel tax; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER ZEBROWSKI: Home rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: 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. A08582-A, Rules Report No. 329 is on by error.

THE CLERK: Assembly No. A08842-A, Rules Report No. 330, Shimsky. An act to amend 624 [sic] of the Laws of 1940 incorporating the volunteer and exempt firemen's benevolent association of Valhalla, New York, and providing for its powers and duties, in relation to the name and purpose of such association and the use of foreign fire insurance premium taxes.

ACTING SPEAKER ZEBROWSKI: Read the last

section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: 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. A08846-A, Rules Report No. 331, Hevesi, Cruz, Simon, Gunther, Otis, Darling, Maher, Lunsford. An act to amend the Social Services Law, in relation to requiring maintained records for certain children to include whether they have a developmental disability; and conducting a study on the number of children in foster care who have a developmental disability.

ACTING SPEAKER ZEBROWSKI: On a motion by Mr. Hevesi, 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 ZEBROWSKI: 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. A08872-A, Rules Report No. 332, Sayegh. An act to amend the General Business Law, in relation to notification of a data breach.

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

THE CLERK: Assembly No. A08878-A, Rules Report No. 333, Hevesi, Lunsford, Zinerman, Bronson, Rozic, González-Rojas, Curran, Simon, Levenberg, Davila, Clark, Colton. An act to amend the Social Services Law, in relation to child care assistance under the child care block grant.

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

THE CLERK: Assembly No. A08913, Rules Report No. 334, Epstein, Burdick, Woerner, De Los Santos, Reyes. An act to amend the Financial Services Law, in relation to creating a private education debt registry.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Epstein to explain his vote.

MR. EPSTEIN: Thank you, Mr. Speaker. I rise to explain my vote. Right now private education debt between institutions in students is not regulated, so there's a lack of oversight to make sure that the students' rights are protected. We see this private debt happening in a lot of situations where people are in the most needed situation. It's really important that government oversight to these students to make sure that they're protected. I'll be voting in favor of this bill and I encourage my colleagues to do the same.

ACTING SPEAKER ZEBROWSKI: Mr. Epstein in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A08919-A, Rules Report No. 335, Solages. An act to amend the Real Property Tax Law, in relation to requiring certain disclosures and charges by attorneys performing services in connection with a real property tax grievance procedure.

ACTING SPEAKER ZEBROWSKI: The bill is laid aside.

THE CLERK: Assembly No. A08946, Rules Report No. 336, J.M. Giglio. An act in relation to authorizing the City of Olean assessor to accept an application for a real property tax exemption from Olean Community Theatre, Inc.

ACTING SPEAKER ZEBROWSKI: Read the last

section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: 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. A08960-B, Rules Report No. 337, Shimsky. An act to amend the Vehicle and Traffic Law, in relation to adjudications and owner liability for a violation of traffic-control signal indications in the Town of Greenburgh; to amend the Public Officers Law, in relation to accessing records; and providing for the repeal of certain provisions upon expiration thereof.

ACTING SPEAKER ZEBROWSKI: On a motion by Ms. Shimsky, the Senate bill is before the House. The Senate bill is advanced and the Home Rule Message is at the desk.

Read the last section.

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

ACTING SPEAKER ZEBROWSKI: 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. A08998-B, Rules Report No. 338, Tapia, Stirpe, Hevesi, Epstein, Raga, Maher, Burgos, Septimo, Shrestha. An act to amend the Education Law, in relation to enacting the "Schools Impacted by Gross Highways (SIGH) Act"

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

THE CLERK: Assembly No. A09062-B, Rules Report No. 339, Magnarelli, Glick, Gunther, Lavine, Thiele, Burdick, Weprin, Epstein, Santabarbara, Davila, Levenberg, Steck, Burgos, Ardila. An act to amend the General Business Law, in relation to prohibiting motor vehicle manufacturers and dealers from charging a subscription fee for certain functions of a motor vehicle after the vehicle is sold.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: 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. A09084, Rules Report No. 340, Jones. An act to amend the Retirement and Social Security Law, in relation to allowing beneficiaries of certain deceased members to elect to receive death benefits in a lump sum.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: 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. A09099, Rules Report No. 341, Anderson, Davila, Ardila, Weprin, Bichotte Hermelyn, Chandler-Waterman, Steck, Otis, Burdick, Shrestha, Hyndman, Fitzpatrick, Colton, Seawright, Zinerman, Dais, Taylor. An act to amend the Insurance Law, in relation to establishing a captive insurance program for commuter vans, black cars, ambulettes and paratransit vehicles, and small school buses.

ACTING SPEAKER ZEBROWSKI: The bill is laid aside.

THE CLERK: Assembly No. A09102-C, Rules Report No. 342, Kelles, McDonald, Lucas, Gunther, Hevesi, Thiele, Buttenschon, Lavine, Clark, Dickens, Burdick, Meeks, Fahy, Epstein,

Stirpe, Barrett, Levenberg, Woerner, Burke, Jones, Manktelow, Lunsford, Ra, Sillitti, J.M. Giglio, Otis, Lupardo, Shimsky, Bendett, Davila, Sayegh, Gray, Seawright, Palmesano. An act to amend the Social Services Law, in relation to Medicaid reimbursement for treatment in place and transportation to alternative health care settings by ambulance services.

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

Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Kelles to explain her vote.

MS. KELLES: I just wanted to thank everyone for supporting this bill, it's an incredibly important bill. It's one of the most important bills that we have done I think in many, many years to support our EMS providers. I wanted to point out a little bit about what this does, but one of the most important pieces is that right now EMS service providers, about 40 percent of their service is treatment in place, but currently they do not get reimbursed for any of those visits. So 40 percent of the actions that they take they do not get reimbursed for as one. There's another situation where they can bring the person to a hospital but if the ER is full, they will literally be stuck



outside that hospital with that person inside -- that patient inside, not able to get service for sometimes up to hours and this bill will allow them to bring an individual, a patient to an alternate destination if that is appropriate or deemed appropriate. So an extremely important bill both for, you know, helping create an EMS service that is fully funded. And secondly, that people get treated in a timely manner. So again, I want to thank everybody for supporting this, an exceptionally important bill that all EMS service providers across the entire State have supported and done outreach for this bill and championed. And again, I support this bill and thank you everyone.

ACTING SPEAKER ZEBROWSKI: Ms. Kelles in the affirmative.

Ms. Walsh to explain her vote.

MS. WALSH: Thank you, Mr. Speaker. Just very briefly, I do want to thank the sponsor for this piece of legislation, it is very important and it's something that I know that many of us have been hearing about this for several years from our emergency services professionals and it's great to see that this is getting fixed. I know that they're going to be some very happy people in my district because of it so I just wanted to thank the sponsor. I vote in the affirmative.

ACTING SPEAKER ZEBROWSKI: Ms. Walsh in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09277-A, Rules Report No. 343, Simpson. An act to amend the Tax Law, in relation to expenditures for Essex County correctional and public safety facilities projects; and to amend Chapter 327 of the Laws of 2006 amending the Tax Law relating to authorizing the County of Essex to impose an additional mortgage recording tax, in relation to extending the effectiveness thereof.

ACTING SPEAKER ZEBROWSKI: On a motion by Mr. Simpson, the Senate bill is before the House. The Senate bill is advanced and the Home Rule Message is at the desk.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: 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. A09330-A, Rules Report No. 344, Burdick, Woerner. An act to amend the General Business Law, in relation to individual sewage disposal system disclosures; and to amend the Real Property law, in relation to providing information on septic system operation and maintenance on the property condition disclosure statement

ACTING SPEAKER ZEBROWSKI: The bill is laid

aside.

THE CLERK: Assembly No. A09354-B, Rules Report No. 345, Simone, L. Rosenthal, González-Rojas, Shimsky, Ardila, Seawright, Hevesi, Cunningham, De Los Santos, Gallagher, Glick, Zaccaro, Taylor, O'Donnell, Lucas, K. Brown, Levenberg, Kelles, Burdick, Jackson, Epstein, Lee. An act to amend the Public Housing Law, in relation to requiring the Commissioner of Housing and Community Renewal to develop a common application and web portal for certain funding, tax credit loans, and grants for housing development.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Simone to explain his vote.

MR. SIMONE: To get approved to build affordable housing in New York can get extremely complicated. There's no shortage of forms, applications, rules and bureaucratic hurdles. In order for developers to be approved to build resulting in prolonged waits for tenants before they can move in and for our communities who desperately need new affordable housing. The red tape is a contributing factor to the current vacancy rate of 1.4 percent in New

York City, and it is our duty to do all we can to responsibly promote the construction of new housing and making it easier for folks to apply to create affordable housing. Creating a common web portal and common app for developers to apply for all funding, tax credits, grants and loans they need to build housing in New York by passing this bill will help us meet that duty. Not only will the portal cut down on the time developers spend filling out applications, sometimes 19 forms of the same questions, it will decrease the cost of construction as it reduced the staff time and resources needed to complete these applications and review them. I'm a proud -- I'm proud to sponsor this bill which has received bipartisan support to bring commonsense solutions to combat our housing crisis. I vote in the affirmative.

ACTING SPEAKER ZEBROWSKI: Mr. Simone in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09395, Rules Report No. 346, Pheffer Amato, Colton, Santabarabara, Sillitti. An act to amend the Retirement and Social Security Law, in relation to establishing a twenty-five year retirement plan for firefighters employed by the Division of Military and Naval Affairs.

ACTING SPEAKER ZEBROWSKI: Read the last section.

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

2025.

ACTING SPEAKER ZEBROWSKI: 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. A09441-A, Rules Report No. 347, Hunter, Buttenschon, Miller. An act to amend the Correction Law, in relation to the use of certain county jails; to amend the county law, in relation to the legislature's approval, ratification, validation and confirmation of county-tribal detention agreements between the Oneida Indian Nation and Madison County and Oneida County; and providing for the repeal of certain provisions upon expiration thereof.

ACTING SPEAKER ZEBROWSKI: On a motion by Ms. Hunter, 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 ZEBROWSKI: 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. A09458-B, Rules Report No. 348, Pretlow, Stern, Woerner, Sayegh. An act to amend the Racing, Pari-Mutuel Wagering and Breeding Law, in relation to the discretionary spending threshold for regional off-track betting corporations.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Fitzpatrick to explain his vote.

MR. FITZPATRICK: Yeah, thank you, Mr. Speaker. The -- I oppose this because I'm frankly not a fan of Off-Track Betting especially in Suffolk County. Off-Track Betting was established as a public benefit corporation but the public seems to derive no benefit from this public benefit corporation. They tell us they raise millions for education and millions for local governments; yet, my school taxes haven't gone down and my property taxes haven't gone down. So where is this money going? So the more they raise, the more they make. In fact, Suffolk is going to double the size of the casino, it's in my district, Jake's 58 where there was just recently a shooting in the parking lot at the casino. So Off-Track Betting is -- they don't need more money to spend. That discretionary money, maybe they want to

think about and maybe we need a bill quite frankly to make sure the public sees a benefit from these public benefit corporations.

So for that reason I'm voting in the negative.

ACTING SPEAKER ZEBROWSKI: Mr. Fitzpatrick in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A09508, Rules Report No. 349, Steck. An act to amend the Public Health Law, in relation to decreasing the electronic death registration system fee for funeral directors and undertakers.

ACTING SPEAKER ZEBROWSKI: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER ZEBROWSKI: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if we could now go to back to our main Calendar and take up resolutions on page 3.

ACTING SPEAKER ZEBROWSKI: Resolutions on page 3, the Clerk will read.

THE CLERK: Assembly No. 2344, Rules at the request of Ms. Rajkumar.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2024, as Malayalee Heritage Month in the State of New York.

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

THE CLERK: Assembly No. 2345, Rules at the request of Ms. Solages.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim June 10-16, 2024, as Infant Mental Health Awareness Week in the State of New York.

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

THE CLERK: Assembly No. 2346, Rules at the request of Mrs. Gunther.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim June 2024, as Post-Traumatic Stress Injury Awareness Month, and June 27th, 2024, as Post-Traumatic Stress Injury Awareness Day in the State of New York.

ACTING SPEAKER ZEBROWSKI: On the



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

THE CLERK: Assembly No. 2347, Rules at the request of Ms. Rosenthal.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim June 2024, as Cytomegalovirus Awareness Month in the State of New York.

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

THE CLERK: Assembly No. 2348, Rules at the request of Ms. Williams.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim June 2024, as Caribbean Heritage Month in the State of New York.

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

THE CLERK: Assembly No. 2349, Rules at the request of Mr. Jensen.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim June 2024, as Scleroderma Awareness Month in the State of New York.

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

resolution is adopted.

THE CLERK: Assembly No. 2350, Rules at the request of Ms. Reyes.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim June 2024, as Immigrant Heritage Month in the State of New York.

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

THE CLERK: Assembly No. 2351, Rules at the request of Ms. Chandler-Waterman.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim June 2024, as Gun Violence Awareness Month in the State of New York.

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

THE CLERK: Assembly No. 2352, Rules at the request of Mr. DeStefano.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim July 2024, as Culinary Arts Month in the State of New York.

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

THE CLERK: Assembly No. 2353, Rules at the request of Mr. Eachus.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim September 8, 2024, as Grandparents Day in the State of New York.

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

THE CLERK: Assembly No. 2354, Rules at the request of Mr. Sayegh.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim September 16, 2024, as Teaching Assistant's Day in the State of New York.

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

THE CLERK: Assembly No. 2355, Rules at the request of Ms. Jean-Pierre.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim September 20, 2024, as POW/MIA Day in the State of New York.

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

THE CLERK: Assembly No. 2356, Rules at the

request of Ms. Jean-Pierre.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 28, 2024, as Chucks-N-Pearls Day in the State of New York.

ACTING SPEAKER ZEBROWSKI: On the resolution, 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 any further housekeeping or resolutions?

ACTING SPEAKER ZEBROWSKI: We have both.

On a motion by Ms. Wallace, page 20, Rules Report No. 265, Bill No. A9230-A, the amendments are received and adopted.

On a motion by Ms. Rosenthal, page 20, Rules Report No. 272, Bill No. A9616-B, the amendments are received and adopted.

On a motion by Ms. Solages, page No. 24, Calendar No. 11, Bill No. A128, the amendments are received and adopted.

On a motion by Mr. Lavine, page No. 27, Calendar No. 53, Bill No. A1777, the amendments are received and adopted.

On a motion by Ms. Rosenthal, page 39, Calendar No. 228, Bill No. A5990-B, the amendments are received and adopted.

On a motion by Mr. Cunningham, page 46, Calendar

No. 445, Bill No. A4098-A, the amendments are received and adopted.

On behalf of Ms. Paulin, Bill No. A325, the 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 ZEBROWSKI: A 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 also have a number of fine resolutions which we will take up with one vote.

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

(Whereupon, Assembly Resolution Nos. 2357-2369 were unanimously approved.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: (Mic cut out) left in the Chambers today, thank you very much for your patience. We got through a lot today, but I assure you there's a lot more to get through

on tomorrow. So I now move that the Assembly stands adjourned and that we reconvene at 9:30 a.m., Tuesday, June the 4th, tomorrow being a Session day.

ACTING SPEAKER ZEBROWSKI: On a motion of Mrs. Peoples-Stokes the House stands adjourned.

(Whereupon, at 11:30 p.m., the Assembly stood adjourned until Tuesday, June 4th, at 9:30 a.m., Tuesday being a Session day.)