

**THURSDAY, JUNE 8, 2023**

**12:57 P.M.**

ACTING SPEAKER AUBRY: The House will come to order.

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

(Whereupon, a moment of silence was observed.)

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

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

A quorum being present, the Clerk will read the Journal of Wednesday, June the 7th.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move to dispense with the further reading of the Journal of Wednesday, June

the 7th and that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir.

Welcome, folks, to our Chambers, members and guests, as we proceed into our fourth day of the last week of our Session. I want to share this quote, I think I may have said this one before, but I think it's really appropriate for today and probably tomorrow, as well. This one is coming again from Edward Everett Hale, an American author and historian, as well as a Unitarian minister. His words for us today, *Coming together is the beginning, keeping together is progress, and working together is success.* Looking forward to a very successful day, Mr. Speaker.

I will say members have on their desks a main Calendar as well as a debate list. After housekeeping and introductions, we're going to be calling for Codes, Ways and Means and Rules. These Committees are going to produce an A-Calendar from which we will take up today on consent, hopefully. We will begin our work with Rules Report No. 629 by Ms. Reyes. We will then work off our debate list, beginning with Rules Report No. 332 by Mr. Epstein; Rules Report No. 228 by Mr. McDonald; and Rules Report No. 205 by Ms. Solages. Members should also note that we will also be taking up our Calendar resolutions at the very end of our work today. I will announce any further activities should that be

necessary, Mr. Speaker.

That's a general outline of where we're going today. If you have introductions and/or housekeeping, now would be a great time, sir. Thank you.

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

For the purposes of a introduction, Mr. Santabarbara.

MR. SANTABARBARA: Thank you, Mr. Speaker. I rise today to introduce Yuliano Camarena, who has been an intern in my office this Session. He's going to be with us through -- he's going to be with us through the summer. He was here visiting the Chamber today with his grandfather, Pastor Anthony Nicholas Solomon of the Duanesburg Florida Baptist Church. Yuliano is an exceptional young individual who has displayed immense dedication and commitment to the pursuit of knowledge and personal growth. As an intern in my office, he brings a wealth of talent, enthusiasm and fresh perspectives. His passion for public service and his eagerness to contribute to the betterness of our community make him a valuable asset to my team. I'm glad to have him here today. As I said, he was joined earlier by his grandfather, Pastor Solomon, who devoted his life to serving his congregation and fostering a sense of unity in my community and my Assembly District back home. He was also a U.S. Navy veteran who served during the Vietnam era. Very pleased to have them -- to have them in the Chamber today, Mr. Speaker. If you would welcome them and extend to them the cordialities of the House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Santabarbara, the Speaker and all the members, welcome, sir, to the New York State Assembly. We extend to you the privileges of the floor. Hope that you've had a good internship, learned a lot and inspired you to come back and join us in some other capacity one day. Hopefully we'll see you then. Thank you so very much for being here.

(Applause)

For the purposes of a introduction, Mr. Alvarez.

MR. ALVAREZ: Thank you, Mr. Speaker. I am honored to welcome the Hispanic media. As you know, the Hispanic community is the fastest growing minority group in the United States. They're also a diverse community. We have great range of experience, cultures and perspectives. The Hispanic media is here to represent our community and to tell our story. We are committed to provide accurate, informative and engaging content that reflect the richness and diversity of our community. We know that the media has a powerful role to play in shaping public opinion, and influence social changes. They are committed to using the platform to promote positive image of Hispanic, and to challenge negative stereotypes. They are also committed to providing a voice for the voiceless, and to give a platform to those who have been marginalized.

It is my honor to introduce Omar Rodriguez from Peru; from Colombia, Clara Webb and Leanna Pedroza; Rafel Rodriguez from Ecuador; Needia Galiana from Paraguay; Rafel Asoria, Ameen Cruz, Andy Salaz, Aricella Espania, Joe Cruz, Rita

Lopez and Jenny Gomez from Dominican Republic. Please, Mr. Speaker, welcome them and offer them the cordiality of the People [sic] House. Thank you.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Alvarez, the Speaker and all the members, we welcome this distinguished group from the media here to the New York State Assembly. We extend to you the privileges of the floor. Thank you for sharing this day with us. Thank you for also covering the exceptional members of the Hispanic community who serve here and the rest of us, also. Thank you so very much. Please know you'll always have friends here in the New York State Assembly. Thank you.

(Applause)

Mr. Beephan.

MR. BEEPHAN: Thank you, Mr. Speaker. Joined with me here today is a good friend and resident of my district, Mr. Karl Vollmer. I met Mr. Vollmer back when we were both volunteer firefighters in the East Fishkill Fire District, but since then his passion for public service led him to put himself through the law enforcement academy. And since then, he's held multiple positions as a part-time police officer, dispatcher, working his way up until just two years ago when he was hired full-time in the Town of East Fishkill. It's a pleasure to have him here. It's a pleasure to call him a friend. I ask you if you would extend the cordialities of the House to Mr. Vollmer. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Beephan, the Speaker and all the members, we welcome you here, Karl, to the New York State Assembly, extend to you the privileges of the floor. Our thanks for the public service work that you have done and are continuing to do. Please know that we appreciate that, and you are always welcome here in the People's House. Thank you, sir.

(Applause)

Mr. Tague.

MR. TAGUE: Thank you, Mr. Speaker. If you would please join me in welcoming Brianne Slater and the future leaders of our State and our nation, the 4th grade students from the Gilboa-Conesville Central School. Mr. Speaker, if you could please welcome them and offer them all the cordialities of the House. Thank you, sir.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Tague, the Speaker and all the members, we welcome this 4th grade class here to the New York State Assembly, extend to you the privileges of the floor. Thank both you, as students, and the supervisors and parents that have joined you today. We appreciate that you've taken the time out of your day to share this with us. Hopefully you will have some pleasant experiences here in Albany and travel safely home. Thank you so very much for being here.

(Applause)

Mr. Brook-Krasny for the purposes of a introduction.

MR. BROOK-KRASNY: Mr. Speaker, I rise to introduce my friend for more than 25 years, Mr. Rodney Knight. We made the history in the year 2000 running together for the political offices. That was 23 years ago. For the first time that Russian-speaking American was running for the State Assembly, and African-American, Mr. Rodney Knight, was running for Democratic District Leadership. It was also a first, I don't know, maybe last time, when a soccer player and football player were running together for political offices. We had some fun. So here today with us is Rodney Knight, a Coney Island native and the co-founder of the Coney Island Sharks Sports and Education Program, which was founded more than 30 years ago. The Coney Island Sharks has been a free community-based sports and mentoring program for more than three decades, allowing disadvantaged children and those affected by gang activity, violence and poverty to play a sport they love free of charge. Children enroll not just to become better football players, but better community members through academic support, community service, and youth council participation. Rodney attended Fordham University where he played football under scholarship and graduated with a degree in Urban Economics. He has been a certified teacher for more than two decades, a community activist, former district leader, candidate for State Assembly, Coney Island liaison to the New York City Council and Community Board 13 member. Rodney's proudest accomplishment is his dedication in mentoring, educating, and passing on the love of the game to the youth of Coney Island.

Mr. Speaker, would you please welcome my longtime friend, coach Rodney Knight to the Chamber?

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Brook-Krasny, Rodney, welcome to the New York State Assembly. We extend to you the privileges of the floor.

Congratulations on such a successful role that you have created for yourself. Welcome also to these marvelous young people who have come with you. We are sure that they will have a great role model to follow in both of you gentlemen, and that your friendship will teach all of them something about recognizing the humanity that exists in all of us. Thank you so much for coming. Thank you gentlemen in the back for being the wonderful children that you are. Thank you.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, will you please call the Codes Committee to the Speaker's Conference Room?

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

Page 19, Rules Report No. 629, the Clerk will read.

THE CLERK: Senate No. S04887, Rules Report No. 629, Senator Gianaris (Reyes, Dinowitz, Colton, Carroll, Cruz, Dickens, Epstein, Durso, Gallagher, Gunther, Burdick, Bronson, McMahon, Lavine, Joyner, Wallace, Seawright, Simon, DeStefano, Otis, L. Rosenthal, Sillitti, Steck, Stern, Brabenec, Jacobson, Jean-Pierre, Thiele, Forrest, Gandolfo, Braunstein, Mamdani,

Magnarelli, Septimo, Jackson, Rivera, Zinerman, Darling, Kelles, Mikulin, Bendett, Slater, González-Rojas, Shimsky, Santabarbara, Conrad, Tapia, Aubry, Solages, Raga -- A05608). An act to amend the Labor Law, in relation to enacting the "Roadway Excavation Quality Assurance Act."

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, Mr. Speaker. This bill requires that any excavation work done by a private contractor under a contract with a private utility company must, nevertheless, pay prevailing wages. In the past, prevailing wages were only required on governmental work. This is a first for one of the largest expansions of prevailing wage where State government is stepping in and dictating what private contractors have to pay their own employees who are doing private work under contract with a private utility.

The problem is that studies have indicated that prevailing wage typically increases the cost anywhere from 28 to 75 percent over non-prevailing wages in some areas. The first issue, in addition to the cost, is we're interfering in private contractual arrangements. We're telling contractors who are doing private work

for private companies what they have to pay their employees. And that is an extraordinary expansion of government interference into the private sector. Second, as I mentioned, this will dramatically increase the cost of this work. Con Edison said this bill will lead to higher utility rates, extra recordkeeping, additional delays. That submit was also reflected by National Fuel, who said utility costs for consumers will go up significantly. The energy group -- who's also opposed by NYCOM saying that this a huge unfunded mandate on them, as well.

We wrestle here with complaints from all of our constituents about the high cost of utilities and, indeed, our utility costs are amongst the highest in the nation. This bill will make those utility costs go up while interfering with the private sector. And every utility company has pointed that out to us. It will result in a significant increase in cost and delay in making these types of repairs. For that reason, I will not be supporting it. Thank you, sir.

ACTING SPEAKER AUBRY: Ms. Reyes to explain her vote.

MS. REYES: Thank you, Mr. Speaker. I just wanted to clarify for the record that this bill will no longer allow private companies to circumvent paying workers who do the exact same job below prevailing wage, below living wage. We have private utility companies that take advantage of this loophole and allow for workers who sometimes are lower skilled than are our union workers who have the experience and the capability to do this work and get away with not paying them benefits and not paying them prevailing wage. This

is about parity. This is about fairness and ensuring that all workers who do this backbreaking work get paid what they deserve. This is a long time coming and I'm happy to see it on the floor and of course, I will be voting in the affirmative. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Ms. Reyes in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 10, Rules Report No. 322, the Clerk will read.

THE CLERK: Assembly No. A01122, Rules Report No. 322, Epstein, Thiele, Kelles, Gibbs, Jacobson, Cunningham, Levenberg, Reyes, Raga, Colton, Dickens, Lucas, Glick, Simone, L. Rosenthal. An act to amend the State Finance Law, in relation to requiring commercial charging stations to ensure public access to such charging stations commercially reasonable rental or fee rates.

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

MR. EPSTEIN: So this bill applies to commercial garages that receive funding or incentives from the State to install charging stations and to simply require these garage owners to follow the guise of PSC and NYSERDA to ensure that those chargers are publically available and ensure that they are at a fair price to the public.

ACTING SPEAKER AUBRY: Mr. Durso.

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

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

MR. EPSTEIN: Happy to yield.

ACTING SPEAKER AUBRY: Mr. Epstein yields.

MR. DURSO: Thank you, Mr. Epstein. So just to get some clarification on a couple of -- some of the language in this bill. So you were saying that it's anybody who's getting assistance from the State that are installing the EV charging stations in their facility, correct? It's only for those that are receiving those funds?

MR. EPSTEIN: Yes.

MR. DURSO: Okay. Now, we're specifically talking about one -- one of the places that could be getting would be parking garages, correct?

MR. EPSTEIN: Yeah, a good example would be parking garages.

MR. DURSO: Okay. So if we took parking garages, for example, in this bill, would there have to be a certain finite number of spots that are specifically set aside for someone to be able to come and charge their car without, let's say, paying for the spot for a certain amount of hours, or the day, or however long they're going to be doing it?

MR. EPSTEIN: No.

MR. DURSO: No. So it just has to be that it's

available for them to come in, but they do not -- there's no mandate essentially for them to have spots available. So if I own a parking garage and all my spots are taken up, right, by anybody that's parking for whether it's two hours or two days, you come in with a electric car, I say there's nothing available for you, where you could park; that is okay by this?

MR. EPSTEIN: So this is for people who have chargers in their garage that were subsidized by the government under a program that requires those chargers to be publically available. And if you have chargers that aren't being used because the chargers are in a spot, then the person can come in and pay a commercially-reasonable rate to charge compared to having to pay the full rate of parking and charging, which -- which they currently are required to do.

MR. DURSO: So you're not saying -- it essentially has to be almost a, for lack of a better term, like a gas station. So it has to -- there has to be a charging area available, not per se a parking spot, but an area where if someone could -- if I had an electric car, could pull into a parking garage or in one of these other facilities to charge my car, that would not be used as a spot that, you know, you could sell, correct?

MR. EPSTEIN: That is right, exactly. It's a charging spot with a plug and a charger where someone can charge into their vehicle that was subsidized by the State of New York.

MR. DURSO: Right. So again, there just needs to be

an area for them to charge, it's not a spot because, again, you have a lot of spots let's say in a parking garage that you'll specify are for EV charging stations, people parking specifically. If you get the money from the State or it's subsidized by the State programs so that we get more charging stations out there, you could put them in a spot. If I'm a garage owner, I say, okay, I'm going to designate these ten spots in my garage with EV charging stations, that's fine you're saying, but do I have to have another available area for someone to come in to be able to charge their car? In other words, if I have all those spots taken up and there's nothing available to you to come in and charge your car, is there a penalty involved for that?

MR. EPSTEIN: No. I mean, this is for, ones, again, who are subsidized by the State and they were putting those chargers in and those should be available to the public because they're publicly available. If they're not available, they're not available. It's like a street charger. If someone's using it, someone's using it and you can't have access to it.

MR. DURSO: Okay.

MR. EPSTEIN: It's trying to treat a charger that we paid for in the lot the same as we pay -- charge for a charger that we put on in the street.

MR. DURSO: Perfect. So that -- that clarifies that point for me. I just wanted to make sure for the record that it wasn't that it had to be a certain amount of designated spots for people to come in off the street and use it, you know, if again, my lot was full,

for lack of a better word.

MR. EPSTEIN: Yeah. We don't want to hold businesses up for filling up their lot, that's their -- that's their business. We want to know if they're taking our dollars under the auspices of publicly available charging that they actually are publicly available at a commercially-reasonable rate.

MR. DURSO: Okay, that's great. That's actually going to cut down a bunch of my questions, but I do have more.

MR. EPSTEIN: I would only expect more.

MR. DURSO: Oh, well thank you. There's a couple of sheets here, if you'd like. I could show it to you first.

So when would this legislation go into effect if this bill is passed today?

MR. EPSTEIN: It's proactive. So once it passes here and the Senate and the Governor signs it, it will be for future contracts in NYSERDA or the PSC enter in with contractors.

MR. DURSO: Okay. So it's only for a future contract. So in other words, if somebody's already gotten monies from the State, or the process is being done now, it wouldn't affect them, it's only for future contracts after this bill goes into law?

MR. EPSTEIN: Exactly.

MR. DURSO: Okay. Just to clarify some of the language on it. So on line 6, right, obviously -- probably line 5 says privately-owned building or facility where motor vehicles, line 6 specifically states parked, stored, serviced, repair. So now would this

not only apply to let's say a parking garage, right, but let's say a private parking facility or a storage unit. So let's just say if I had a storage unit that was big enough to store a classic car that I have, right, but that storage unit then applies for an EV charging station, they get it from the State, right, and sometimes those areas are locked up, they have gates in the front. Would it apply for them, also? Again, where you're storing your vehicle.

MR. EPSTEIN: This is only for things that are publicly available.

MR. DURSO: Right. Well, a -- a -- a -- let's say a storage facility is publically available, right?

MR. EPSTEIN: So people -- other people can drive in and park there?

MR. DURSO: Right. If you -- if you were to rent the space. In other words, if you were to rent the storage unit.

MR. EPSTEIN: A storage unit. Like a --

MR. DURSO: Right. I'm just -- I'm just using it as one example. I could skip to another if you'd like, but again, if you have a storage unit, a large storage unit and I have a classic car - I don't, but if I did and I wanted to be able to store it, but that storage unit or facility decided to take State monies to put in EV charging stations, whether it's for their employees, whether it's for anybody that has these types of vehicles, would they then have to have their gates open essentially and be open to the public 24 hours if they have those EV charging stations in their facility?

MR. EPSTEIN: So we're not making them be open when they're not open.

MR. DURSO: Okay, perfect. My next question is serviced or repaired. So would this apply to service stations or repair shops, let's say some of the bigger ones like a -- for instance like a Pep Boys, something like that?

MR. EPSTEIN: That's not a parking -- that's not where you park your car.

MR. DURSO: No, I agree with you, but in the specific language in it, it says serviced or repaired. So --

MR. EPSTEIN: Right.

MR. DURSO: So, again, that concerns me in the fact that are these facilities, whether it's a large repair shop or automotive store, or anything like that, are they going to have to have them available to people, also?

MR. EPSTEIN: So if you keep reading the sentence, it's available to the public for a parking fee without regard to residence. So these are -- it's for a place where you're parking --

MR. DURSO: Right.

MR. EPSTEIN: -- normally for a fee, regardless of whether you live there or not. So it's a really narrow, like, you know, place whether it's on Long Island or New York City. We're only talking about people where you have to go in, you know, to pay a fee and they have a publicly available charger which we've paid for to have them installed.

MR. DURSO: Right. Again, I -- I would agree with you reading the initial bill language, but just picking out those specific words.

MR. EPSTEIN: Yeah, but within the context of the larger sentence. I don't think in the larger sentence it's contextual, it talks about what that is.

MR. DURSO: I'm agreeing with you, but at the same time I'm confused in the fact that why those words would be in there then if it's service or repair. You're not repairing a car in a parking garage.

MR. EPSTEIN: Some facilities are different. I mean, I think the reality is that all garages operate in different ways, and some people charge for a long-term rental and also have multiple services in their facility and so you might have one side where you're, you know, you're using just for a long-term parking rental or short-term parking rental, and the other side you might have other services that are operating in that same facility.

MR. DURSO: Okay. Let me just see if I have any other questions for you, sir.

(Pause)

I think that will be it, Mr. Epstein. I appreciate your time. Thank you, sir.

MR. EPSTEIN: Thank you.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: A Party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Party is -- or Conference is generally opposed to this. Those who would like to support it can certainly vote yes on the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Ms. Solages.

MS. SOLAGES: Thank you, Mr. Speaker. The Majority Conference will be voting in the affirmative. Those who wish to vote in the negative can come to the Chamber and cast their vote.

ACTING SPEAKER AUBRY: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Epstein to explain his vote.

MR. EPSTEIN: Mr. Speaker, I rise to explain my vote. This is just a simple issue where we set up standards in our -- with government dollars to ensure that we have publicly available chargers. And then I learned in my district that private garages got free chargers -- 20 chargers for free put in into their development and they were charging, you know, \$50 for the first hour just to come in to park and then to charge, and that's, you know, not the intent of NYSERDA's program or the Public Service Commission. It's really to

make chargers available at the cost of the charger. And all this bill is saying, hey, if you want our government dollars, our goal here is to make these chargers available across the State at commercially-reasonable rates, and that's what we're going to ask the owner of these garages to do if they take government dollars, as well as the Public Service Commission and NYSERDA. I encourage all my colleagues to vote in favor.

ACTING SPEAKER AUBRY: Mr. Epstein in the affirmative.

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, sir. This bill has an interesting provision which (inaudible) and states that such a garage, quote, "shall waive any and all parking fees for any vehicle owner or operator utilizing the commercial garage for the sole purpose of charging their vehicle," which means that if you're in New York City where the parking is extraordinarily expensive, you would be able to park for free all day as long as your car is plugged in and you pay the nominal electric charge and walk away with the rest of the money in your pocket. It's fundamentally unfair to let everyone else who wants to use the garage, as well as the garage owner, and for that reason I cannot support it.

ACTING SPEAKER AUBRY: Mr. Goodell in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 9, Rules Report No. 228, the Clerk will read.

THE CLERK: Assembly No. A04720, Rules Report No. 228, McDonald. An act to amend the Infrastructure Investment Act, in relation to public employees' supervision, examination, review, and determination of acceptability of public works projects performed by contractors.

ACTING SPEAKER AUBRY: Mr. McDonald, a explanation is requested, sir.

MR. MCDONALD: Thank you, Mr. Speaker. The intent of this bill is to clarify that contracts ordered pursuant to the Infrastructure Investment Act shall require a public employee or public employees to be on site and approve of the work had done in accordance with the contract. The intent is to make sure that public employees are involved in the process, not only in regards to safety but also just as importantly to make sure it's meeting the cost-effective goals to the State.

MS. WALSH: Mr. Speaker, will the sponsor yield for a few questions, please?

ACTING SPEAKER AUBRY: Mr. McDonald, will you yield? Excuse me.

MR. MCDONALD: For Mrs. Walsh, I'd love to yield.

ACTING SPEAKER AUBRY: Ms. Walsh, proceed.

MS. WALSH: Thank you very much. Yeah, just a

few clarifying questions. So under Design-Build right now, what -- what kind of projects would be encompassed by this (inaudible/cross-talk) --

MR. MCDONALD: You know, the classic one that we would think of is like bridge projects, road projects, those are the classics, um...

MS. WALSH: Okay. And it refers to authorized State entities. So who are -- who would those -- they call them ASEs, of course, because everything's got initials but --

MR. MCDONALD: I have a long laundry list. I'll give you a couple of examples.

MS. WALSH: Okay.

MR. MCDONALD: The New York State Thruway Authority, DOT, Office of Parks and Historic Preservation, EnCon, New York State Bridge Authority, OGS, and the list goes on (inaudible/cross-talk --)

MS. WALSH: Okay. I think we get it. So my question is, under current law, how is the oversight piece of the project handled?

MR. MCDONALD: You know most projects are handled where, you know, we have a Design-Build contract where the contract awardee has designed the build and also the oversight. As you know, in my former life before I arrived here at the Assembly, I was the Mayor of the City of Cohoes for 13 years, and we did a bridge project, the Bridge Avenue Bridge rebuilt replacement with ERA

funds, so 208, 209. And what was always helpful to me was we hired a great firm to design the bridge, to build the bridge, to review everything, but DOT actually had their own State engineer, I think it was a member -- it was -- it was a State engineer who was on site and kind of gave us that extra set of eyes because for a small community and actually for the agency, sometimes you just don't have that expertise there. But to have a State workforce there was very helpful.

MS. WALSH: So -- and I -- I know that as a -- as a former mayor and person that's been involved in government for, you know, a number of years, what -- what is the overall purpose and objective of Design-Build? What -- what does it give you that a regular -- (inaudible/cross-talk) --

MR. MCDONALD: Well, Design-Build, (inaudible) actually, you know, which I'm not opposed to, I think it's -- I think it has its place.

MS. WALSH: Mm-hmm.

MR. MCDONALD: And it's really to help move the project forward in a more timelier manner, but not rushed, and that same token, to really (inaudible) those firms to use different type of methods to - as long as they're legal and appropriate and peer recognized - to help hopefully lower costs, hopefully lower costs, and to also have it built whatever is being constructed in a timely manner.

MS. WALSH: Is there -- is there anything under our current law that would prohibit site visits by the authorized State agencies?

MR. MCDONALD: I don't know if there's anything that prohibits it. I think what we'd like to do is make it a requirement. And, once again, just for everyone's knowledge, I know you know this, but, you know, this isn't a cost at the contractor, whoever is the successful contractor, there's no cost incurred to them. This is, you know, typically, you know, when you look at the public employees that'll be involved, it would either be, you know, a DOT engineer, a land surveyor, geologist, maybe an architect or a landscape architect. So somebody who is on the State workforce.

MS. WALSH: So what the bill requires is it says that for all of these Design-Build contracts it shall "shall" require a public employer or employees to be on the site of the project for the duration of such project to the extent deemed appropriate by such public employer or employees. So I just wanted to clarify that,

MR. MCDONALD: Yeah.

MS. WALSH: That doesn't mean that that public employee needs to be there every single day or anything like that, does it?

MR. MCDONALD: No. What it means is that employee, by a supervisor, is assigned to that site to really play that role of construction inspection. And therefore, they will work with the contractor, not impede the contractor, but basically as you know with these projects they have a schedule and here's what we're going to be doing; we're going to be laying pipe this week, we're going to be digging holes this week, we're going to be filling grade. And the

engineer - once again, it's a professional engineer - will use their expertise to make sure they're there when they're going to be moving forward with we're going to be filling a trench today. I want to see what the materials are; are you really putting in so many cubic yards, the whole nine yards. In that same token, to your point, you know, they may be there seven in the morning until 11, then they're back in the office doing their documentation and follow-up. It's not like they have to stand there eight hours twiddling their thumbs waiting for something to happen.

MS. WALSH: Good. Okay, good. So it's really at the discretion of that public employer, public employee, as far as like how much, in their professional judgment --

MR. MCDONALD: Right.

MS. WALSH: -- how much time they need to be there.

MR. MCDONALD: Right.

MS. WALSH: One last question. So with Design-Build under the current law, under the current set-up, does that ASE have final approval that the project has been completed in the way that it was intended to be completed? There is a final sign-off or something, isn't there?

MR. MCDONALD: Well, the -- the contractor is in total responsible for completing the project and signing off. It's helpful to have the State employee there as an extra set of eyes to raise concerns.

MS. WALSH: Right.

MR. MCDONALD: At the end of the day, they can't stop the project; however, at the same token, you know, it's not as if we award a contract to ABC Contractor to go out and replace, let's say the Glenville Bridge. Maybe some day that'll happen, wouldn't that be nice, right?

MS. WALSH: That's a bridge I'd like to see replaced.

MR. MCDONALD: Well, at the rate it's going --

MS. WALSH: Or raised, anyway.

MR. MCDONALD: -- it might be replaced pretty soon if it keeps getting hit the way it is.

MS. WALSH: Yeah.

MR. MCDONALD: But anyways, say, you know, that's a -- say it's a DOT project for argument sake, DOT at the end of the day accepts that project. They will rely on obviously what the contractor comes back with as finally saying we're ready for sign-off, but they will also, you know, work with their staff and say, okay, were there anything -- any other problems that you saw, how do you feel? It's not like they officially sign off on the contract. The agency who awarded the contract eventually receives that project.

MS. WALSH: Okay.

MR. MCDONALD: Does that -- does that clarify it?

MS. WALSH: Well, yes, because -- so I think what you're saying, if I understand you correctly and if I don't, please let me know, but is that this bill doesn't really change the -- the -- how the

project finishes up and that -- that final approval process or anything like that.

MR. MCDONALD: Correct, correct.

MS. WALSH: It's more during the project --

MR. MCDONALD: Right.

MS. WALSH: -- having that extra set of eyes on the site --

MR. MCDONALD: Right.

MS. WALSH: -- to make sure that things are being done.

MR. MCDONALD: Correct.

MS. WALSH: Okay.

MR. MCDONALD: That being said, certain observations may come up where the engineer says to the supervisor, you may want to check into this and -- and -- and, you know, have a conversation. But it doesn't slow it down, doesn't stop it.

MS. WALSH: Mm-hmm. So the -- the one thing that kind of struck me is that, as you said earlier, with a Design-Build process, the idea is that you're going to have a greater efficiency, not be rushed, but you may complete a project maybe a little bit more quickly, maybe a little bit -- a little bit more, you know, cost-effectively, so might it be an unintended consequence of this legislation that by adding that extra person on the site that it might make these projects go a little bit more slowly?

MR. MCDONALD: I --I -- I don't think so. In -- in

my experience, once again, we're dealing with professional engineers, they all talk the same way, which I've had the luxury, unfortunately, of looking at how these projects are planned and it's impressive when you look at that 12-month, 18-month, 24-month schedule. So it's going to be incumbent upon the public employee to make sure that they -- they pop in and pop out at the right times to not interrupt the process. That is not the intention. As you know with any kind of project, just like getting to work some days there's always going to be unintended interruptions, but that's not the intention.

MS. WALSH: Very good. Thank you so much.

MR. MCDONALD: Thank you.

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

ACTING SPEAKER AUBRY: On the bill, Ms.

Walsh.

MS. WALSH: So I very much appreciate the answers that the sponsor just gave to the really clarifying questions that I wanted to ask. I think based on his answers I think that, although it is adding another individual that is going to be periodically checking, I think that that is probably good stewardship of the funds that are being used, State funds and taxpayer funds that are being used on these projects to make sure that they're being done in the way that they should be done, and it doesn't sound as though having this individual periodically visit during a project and ensure that things are being done as they should be, that it's going to unduly delay a project's completion. So for those reasons, I'll be supporting this bill and I'd

encourage my colleagues to do the same. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, Ms. Walsh.

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, will you please call the Ways and Means Committee to the Speaker's Conference Room?

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

Page 7, Rules Report No. 205, the Clerk will read.

THE CLERK: Assembly No. A00124-A, Rules Report No. 205, Solages, Sillitti, Taylor, Epstein, Dickens, González-Rojas, Kelles, Zinerman, Jackson, Lavine, Lunsford, Buttenschon. An act to amend the General Municipal Law and the Public Buildings Law, in relation to prohibiting municipal officers or employees from displaying political advertisements on or within public buildings and various other locations.

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

An explanation is requested.

MS. SOLAGES: Yes. This bill would prohibit municipal officers and employees from displaying political advertisements on or within any public building occupied in the discharge in the official duties by the municipal officers or employees.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

MS. SOLAGES: I'll yield.

ACTING SPEAKER AUBRY: The sponsor will yield.

MR. GOODELL: Thank you, Ms. Solages. As you mentioned, this bill would prohibit any political advertising in support or against, presumably, an individual who is trying to (inaudible) political office in any municipal property, and I fully support that. I don't think when you go to pay your taxes or conduct business in any municipal building there ought to be legal campaign materials on the walls or -- or elsewhere. I'm with you.

MS. SOLAGES: Mm-hmm.

MR. GOODELL: Now, this bill, though, also applies to municipal officer or employee who is paid or unpaid. So this would apply to volunteers, as well, correct?

MS. SOLAGES: So yes. It would apply to individuals who are volunteering, or, essentially, you know, working within a government space.

MR. GOODELL: And it applies to volunteers if they're within a public building or -- well, even if they're just within the public building, correct?

MS. SOLAGES: The -- so if they're within a public building occupied in a public space, that would constitute.

MR. GOODELL: So you can have a situation of a volunteer, for example --

MS. SOLAGES: Mm-hmm.

MR. GOODELL: -- who has say a political button on their lapel and they would be in violation of this if they walked inside the municipal building even though they're just a volunteer?

MS. SOLAGES: They are volunteers who have to file a conflict of interest documentation. So if they're within that formal confine, then they would have to -- they would be prohibited from putting public -- political advertisements on their persons.

MR. GOODELL: And where in this bill is there a reference to having to file a conflict of interest provision?

MS. SOLAGES: Yeah. It's within -- it's not within the confines of this bill language as you're looking, but it's within the Public Officers Law.

MR. GOODELL: Well, volunteers don't file conflict of interests, right? Not unless you're a policymaking -- a

policymaking volunteer which would be (inaudible/cross-talk) --

MS. SOLAGES: It's the reference to Section 800.

MR. GOODELL: What's that?

MS. SOLAGES: It's the reference to Section 800 in the Public Officers Law.

MR. GOODELL: Right, and that doesn't apply to volunteers, correct?

MS. SOLAGES: So it -- so within this provision right here, we're saying a public officer employee whether paid or unpaid shall be prohibited.

MR. GOODELL: Right.

MS. SOLAGES: So...

MR. GOODELL: And it -- it specifically includes members of a volunteer fire department, right?

MS. SOLAGES: So it -- that's --

MR. GOODELL: I'm looking at --

MS. SOLAGES: -- to me that constitutes as a public building paid by the taxpayers.

MR. GOODELL: Okay. So let me just walk through that.

MS. SOLAGES: And nor would I want, you know, a volunteer firefighter, you know, using or advertising or campaigning within a public building.

MR. GOODELL: Okay. So let's just walk through this a little bit. First of all, page 1, line 8, it expressly includes

members of a volunteer fire department, right?

MS. SOLAGES: Could you just repeat the section?

MR. GOODELL: Sure. Page 1 --

MS. SOLAGES: Mm-hmm.

MR. GOODELL: -- line 8.

MS. SOLAGES: I'm with you.

MR. GOODELL: Expressly includes volunteer firemen within the scope of this bill, correct?

MS. SOLAGES: Yes.

MR. GOODELL: And page 1, line 14, makes it clear that it doesn't matter whether you're paid or unpaid. So you can have an unpaid volunteer fireman clearly within the scope of this, correct?

MS. SOLAGES: Yes, yes.

MR. GOODELL: And this applies to whatever is worn on their clothes, correct?

MS. SOLAGES: Yes.

MR. GOODELL: So if a volunteer fireman is wearing a -- a hat that says, say, "Biden/Harris," volunteer fireman, wearing a baseball hat that says "Biden/Harris" and they walk into the municipality --

MS. SOLAGES: Mm-hmm.

MR. GOODELL: -- they're unpaid, they're not on duty, they're a volunteer fireman but they are certainly wearing a hat that says "Biden/Harris" and --

MS. SOLAGES: So that is within the

(inaudible/crosstalk) --

MR. GOODELL: -- they're certainly within the building. They would be violating this law?

MS. SOLAGES: Would you further describe the hat, because if the hat has maybe --

MR. GOODELL: Sure. Let's say it's a baseball hat that says "Biden/Harris."

MS. SOLAGES: All right. So those individuals -- see, we would have to -- so what would happen is if -- if there is a -- a complaint, then, you know, there would be conversations. It's a gray area in that respect and, you know, I ask that question because Biden/Harris are actually the current administration. So I ask you to describe the hat because it might not fall under a quote of advertisement. So if it said something like "Vote Biden/Harris," or if it said something that, you know, that isn't political and campaign in nature, it would fall under this provision.

MR. GOODELL: Okay. So using another example, they could wear a -- a red hat with white letters that says "Trump," --

MS. SOLAGES: Mm-hmm.

MR. GOODELL: -- and that would be okay as long as Trump was President and illegal the day after he left.

MS. SOLAGES: So there are some of those hats that are done and used in a political sense, and so that would be a gray area.

MR. GOODELL: I see. So let's say you have a

volunteer swinging by, stopping by the municipality, unpaid volunteer, has a "Vote for Biden" hat on --

MS. SOLAGES: Mm-hmm. Mm-hmm.

MR. GOODELL: -- you can't put it on the coat rack, right, because that's clearly prohibited, so he has to take it off before he comes in and, what, stuff it in his pocket or something?

MS. SOLAGES: So, you know, right now we're getting in -- in like, you know, we have to remind that the language of this bill is very similar to the provisions of the Federal Hatch Act, which regulates the political activities of Federal Government officers and employees. And that includes the displaying of political advertisement while on duty or in a public building, or on government uniforms or on government vehicles. And so, you know, we would hope that the individuals would use their discretion and understand that this law is, when it is enacted, would use that discretion and be careful about, you know, getting into those -- those situations and gray areas.

MR. GOODELL: Ms. Solages, thank you very much. I appreciate your comments.

On the bill, sir.

ACTING SPEAKER ZACCARO: On the bill.

MR. GOODELL: Thank you. I think everyone here in this Chamber; Republican, Democrat, Independent, Liberal, Conservative agree that there shouldn't be any political advertising or anything of that nature in a public building, on a public sign, on public

vehicles, on official vehicles or anything like that, because we always want to make sure that all public officials are operating independent, that it doesn't matter what your political persuasion is, when you're dealing with the government, they're going to deal with you in a fair and equitable manner regardless of politics. One hundred percent in agreement with my colleague and the bill sponsor.

The challenge with this bill is it goes beyond that. This bill expressly includes volunteer firemen. And in Upstate, in the rural sections in our State, it is a huge challenge to recruit volunteer firemen. And these are people who, with no compensation at all, will get up in the middle of the night, leave their families, jump on a fire truck or more often an ambulance, rush out, save somebody's life, and they do it day in and day out. It's a selfless commitment to community service and God bless them. The problem with this is if they jump up in the middle of the night and put on a T-shirt that says "Vote for Biden," and they join with a few colleagues or EMTs and they rush to a neighbor's house to save the neighbor, they're violating this law. That's not what we want to happen, is it? And so because it expressly includes volunteer firemen and expressly includes them just wearing clothes within a municipal vehicle or -- or a municipal building, it's just too broad. These people save lives every single day. The last thing we want to do is cite them because of a T-shirt or a baseball hat that they might wear when they woke up at three in the morning and responded to that fire alarm to save their neighbor's life. And for that reason, while I thoroughly and completely and absolutely support the

concept as it applies to paid employees, and any buildings or any vehicles, the specific reference to volunteer fireman goes too far and for that reason, I won't be able to support it. Again, thank you very much to my colleague. Thank you, Mr. Speaker.

ACTING SPEAKER ZACCARO: Mr. Durso.

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

ACTING SPEAKER ZACCARO: Would the sponsor yield?

MS. SOLAGES: Yes.

ACTING SPEAKER ZACCARO: The sponsor yields.

MR. DURSO: Thank you, Ms. Solages. So in reference to what my colleague was saying, when we're talking about specifically volunteer firemen or firewomen or volunteers in general, would it count if there are, as Mr. Goodell said, put on a T-shirt or whatever when they jump up in the middle of the night and then end up in the firehouse to respond to a call. Would that essentially count?

MS. SOLAGES: So, you know, the bill -- the bill would prohibit these individuals from wearing political advertisements. And so we hope that they would have some discretion and be able to not wear political advertisements in a public building. This is also just ensuring that we are just making sure that the workplace is a fair and balanced place and we're not causing any sort of, you know, we're not disturbing workplace harmony.

MR. DURSO: Okay, understood. So in regards to that, also, volunteer fire people go to calls in their own personal vehicle.

MS. SOLAGES: Mm-hmm.

MR. DURSO: They respond to calls in their own personal vehicle, you know, a lot of them put a blue light in to respond to those calls. If they are driving in their personal vehicle on the way to a fire call and acting as a volunteer at that point, but they have a bumper sticker on their car, or they have a magnet on their car, or they themselves are running for office, or -- or there's any type of poli -- politi -- political, excuse me, advertisement on their vehicle, would that fall under this?

MS. SOLAGES: Personal cars do not fall under this provision.

MR. DURSO: So even if they're pulling into the fire department lot, they are --

MS. SOLAGES: If it is a -- a car which was provided by the municipality, then it would fall under the provision.

MR. DURSO: But if it's their personal vehicle that they're responding to a call and acting as a -- as a person --

MS. SOLAGES: I believe in property rights, sir.

MR. DURSO: What's that?

MS. SOLAGES: Yes, sir.

MR. DURSO: Okay. So my last question is, and I believe unless I read it wrong, it says public building, correct?

MS. SOLAGES: Mm-hmm.

MR. DURSO: So in other words, it's -- it's -- it's a building for this purpose that it's owned by a municipality or a government building, or is it any building?

MS. SOLAGES: No, it's a government building.

MR. DURSO: Government building. Okay.

MS. SOLAGES: Occupied by a municipal entity.

MR. DURSO: Any government building occupied by a municipal entity, okay. Thank you, Ms. Solages. I appreciate the clarification.

ACTING SPEAKER ZACCARO: Mr. Novakhov.

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

ACTING SPEAKER ZACCARO: Will the sponsor yield? It will be her honor. Please proceed.

MR. NOVAKHOV: Thank you. So would it count if a government employee being inside a government building speaks out with his or her colleagues about his political preferences?

MS. SOLAGES: I'd just ask the gentleman to speak a little bit louder.

MR. NOVAKHOV: Yeah, sure. I'll just be closer to the microphone. Would it count if any government employee being in a government building speaks out with his or her colleagues about his political preferences and how this will correlate with the freedom of speech?

MS. SOLAGES: This does not cover speech.

MR. NOVAKHOV: So only visuals, right?

MS. SOLAGES: So government employees still have the right to speak as a private citizen on matters of public concern, which includes political, but only to the extent that the employee has speech that doesn't interfere with the interest of the government and the harmony of the workplace.

MR. NOVAKHOV: So again, we're talking about only the visual advertising, right?

MS. SOLAGES: Pardon me? Your question was visual advertisements?

MR. NOVAKHOV: Yeah. Are we talking about only the bill is only relates to visual advertisements?

MS. SOLAGES: The bill speaks to -- so, what I'll read in the -- in the bill for the record; political advertisements shall mean any poster, sign, flag, banner, picture, sticker, patch, bumper sticker, article of clothing, accessory, or any other item meant to advertise or promote a certain individual for public office.

MR. NOVAKHOV: Okay. So in other words --

MS. SOLAGES: Political office.

MR. NOVAKHOV: All right, thank you. So in other words, in a -- in a cafeteria of a government building, if an individual and employee of this government will shout out loud, I'm going to vote for Democratic party, or Republican party --

MS. SOLAGES: I like that, I like you saying that.

MR. NOVAKHOV: All right. Well, I don't know.

(Laughter)

Would that be okay? Will that be any violation of the law?

MS. SOLAGES: Government employees still have the right to speak as private citizens and as long as it doesn't violate any of the governmental interest of efficiency and workplace harmony, it's fine.

MR. NOVAKHOV: Okay. Thank you so much. Thank you.

MS. SOLAGES: Oh, no problem.

ACTING SPEAKER ZACCARO: Ms. Byrnes.

MS. BYRNES: Thank you, Mr. Speaker. Would the sponsor yield?

ACTING SPEAKER ZACCARO: Will the sponsor yield?

MS. SOLAGES: Yes.

ACTING SPEAKER ZACCARO: The sponsor yields. Please proceed.

MS. BYRNES: I guess one thing that hasn't been addressed, and I'm sure every fire department, and every fire district can be different, I mean there are so many variations across our great State, but not all of the fire departments are -- have -- are run or have anything to do with our municipalities. They may have their own building that is -- and they're not -- they don't get any tax money. Like

in my village, we don't pay any money for -- for the fire department and that's why they're out with their buckets collecting on the street corners when cars drive by. They're not municipally-funded, they're not in a building which is owned by the village, it's not a government building, it's one they put up themselves. I mean, I'm trying to figure out how volunteer firemen can be considered basically government employees when they have -- when some of them, at least, have absolutely no affiliation with local government at all.

MS. SOLAGES: So let me clarify, for the purpose of your example. So these -- these volunteer firefighters are a private entity and they do not receive taxpayer dollars which tends to make them not municipal officers or employees, right?

MS. BYRNES: Yes.

MS. SOLAGES: So they don't qualify in this bill.

MS. BYRNES: They can have their own corporations.

MS. SOLAGES: They're corporations? So they don't qualify in this bill. This bill only speaks to prohibiting municipal officers and employees from displaying, you know, political advertisements.

MS. BYRNES: All right. So then any -- a lot of our volunteer firemen may fall outside of this. So you're not talking about volunteer firemen per se, you're talking about volunteer firemen but who are directly affiliated with a municipality by paid or volunteer for the municipality.

MS. SOLAGES: Yeah. So like if the municipality is funding it, then hence it would be under this -- this bill.

MS. BYRNES: All right. So if a village is giving no money to the fire department then --

MS. SOLAGES: Then that's not considered a municipal entity.

MS. BYRNES: All right, thank you. That takes care of a lot of the volunteer fire departments.

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 for the reasons I mentioned. There may be those who wish to support it, and if so they 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 going to be in favor of this piece of legislation; however, there may be some that would desire to be an exception, they should feel free to do so by voting on the floor.

ACTING SPEAKER ZACCARO: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mrs. Peoples-Stokes to explain her vote.

MRS. PEOPLES-STOKES: Thank you, sir. I would like to explain my vote because I realize that all of us in this room already serve under these certain requirements that we're now asking other folks across the State of New York to adhere to, as well. I mean I know our Sergeant-of-Arms doesn't allow anybody here wearing campaign buttons, whether you're coming to work or not. They could be volunteers, but they still can't wear that in here. And I know even in my office we have to be very clear and very distinct and we have to separate not just the politics of me running for office but the politics of anyone that's running for office can't be visible in my office and you can't come wearing that into a government office. And so I kind of respect that. I've learned how to follow it. I've learned how to adhere to it and in all honesty, and I don't live in a district where volunteer firefighters are necessarily represented, but I live very close to them and I actually know some of them. And I also know that they are much like we are. They -- they work hard, they volunteer their time, they do things that most people don't do honestly, but on the other hand, they also always like to follow rules. They're not the people who want to violate the rules. And so I think once it's explained to them, they will understand that yeah, you might have to jump up in the middle of the morning and run to save somebody's life,

and once you do that, you understand that if I do have on a shirt that says "President Biden," that I'm going to need to take that off before I head into a building or somewhere after I've taken care of a job that I went to do. So -- and I don't think that there's any judge, lawyer or anyone who would try to prosecute somebody who is doing their job and inadvertently jumped up and put on a Biden shirt to go do it.

So I -- I actually think that we're assuming that somehow these volunteer firefighters won't have the capacity to make a determination on their ability to follow rules or their inability to follow rules. The ones I know are clearly going to have the ability to follow rules and I don't think it's going to present a problem for them that has been laid out to us here on the floor. So I do want to, you know, commend the sponsor of this legislation and encourage people to understand that this is a place where everybody has to follow rules. This is not a rule that's going to jeopardize anybody's livelihood. This is a rule that's going to protect the interest of the public's interest at all times, which is only fair. So I vote in the affirmative and hope everybody else will as well.

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

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

MRS. PEOPLES-STOKES: Thank you, sir. Could you please invite the members of the Rules Committee to go to the Speaker's Conference Room immediately?

ACTING SPEAKER ZACCARO: Members of the Rules Committee, Speaker's Conference Room, immediately.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill has passed.

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

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. On behalf of our colleague, Mr. Jones, if you would please welcome the 5th graders from the Lake Placid Elementary School and their teachers, Jon Fremante, Alexa Angelopoulos, Tina Stubbs, and Sonja Franklin is the principal. As you know, Mr. Speaker, this is one of the most beautiful areas in the State of New York, we have many, but Lake Placid is one of them. These young people happen to live there, their teachers, educators, and these other folks are with them. They live in a beautiful place, they're beautiful students, and they act as just like they deserve, they're well behaved. Would you please welcome them to our Chambers?

ACTING SPEAKER ZACCARO: Certainly. On behalf of the Majority Leader Peoples-Stokes, on behalf of Member Billy Jones and the Speaker, we welcome you today to this Chamber. We hope that you enjoy the proceedings today. We extend to you the privileges of the floor and hope that you have an amazing day here in Albany. Thank you so much for blessing us with your presence.

(Applause)

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

MRS. PEOPLES-STOKES: Thank you, again, Mr. Speaker. On behalf of our colleague Mr. Santabarbara, I would like to welcome his guests to our Chambers. Jolynn [sic] Lampman is the School of Transgrass [sic] IPM Extension Support Specialist at the New York State IPM Program of Cornell University. Joining Ms. Lampman is Julia Suarez, Associate Dean for Land Grant Affairs, College of Agriculture and Life Sciences at Cornell. Ms. Lampman's dedication and expertise has significantly impacted the lives of countless individuals, particularly our colleague, Angelo Santabarbara and those that live in his district, where she has made several presentations on Lyme Disease prevention. Mr. Speaker, if you would please join me and Mr. Santabarbara and others in welcoming Ms. Lampman and her colleague to our Chambers, it would be much appreciated. Thank you, sir.

ACTING SPEAKER ZACCARO: Certainly. On behalf of Mrs. Peoples-Stokes, Mr. Santabarbara and the Speaker and the members here at the State Assembly, we welcome you to this Chamber. We extend to you the privileges of the floor. We thank you for the work that you do and we ask that you will continue to do that for the people of Mr. Santabarbara's district and all New Yorkers across the State. Thank you so much for joining us today. You're more than welcome in this place.

(Applause)

ACTING SPEAKER: Mr. Goodell for the purposes of an introduction.

MR. GOODELL: Thank you, Madam Speaker. It is my great pleasure to introduce one of our former colleagues who is busy talking with other colleagues of ours, Janet Duprey. Janet Duprey served the North County area -- the North Country area, originally from Plattsburgh, first elected I think in 2006 or 8. Did a great job as a member of the Repub -- well, I meant in the Assembly, right? Previously served I think as a County Clerk, is that correct? County Treasurer. I should know that since the County Treasurer controls all the purse strings. Did a great job here in -- in the Assembly. Took some positions that were courageous at the time, including supporting gay marriage, gay and lesbian rights, even signed an amicus brief on that issue. Brought a wealth of experience, knowledge and, thankfully, humor, so that once she's improperly introduced she smiles and corrects me. Please welcome back to the floor of the Assembly Janet Duprey, our friend and colleague.

(Applause)

ACTING SPEAKER SILLITTI: Welcome back, Ms. Duprey. And on behalf of Mr. Goodell and obviously all the members here, the Speaker, we're so happy to have you back in the Chambers, and I hear once a member, always a member. I'm still new. Obviously, the privileges of the floor are always yours, and enjoy the proceedings. It's going to be very lively today, and thank you so much for joining us.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, members now have on their desks an A-Calendar. If you would -- I -- I would like to move that A-Calendar, please.

ACTING SPEAKER SILLITTI: On a motion by Mrs. Peoples-Stokes, the A-Calendar is advanced.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you very much. We're now going to take up the following bills on that A-Calendar. Madam Speaker, we're going to begin with Rules Report No. 744 by Ms. Solages, and then Rules Report No. 690 by Ms. Paulin, followed by Rules Report No. 743, Mr. Heastie, and Rules Report No. 681 by Ms. Zinerman.

ACTING SPEAKER SILLITTI: Page 19, Rules Report No. 744, the Clerk will read.

THE CLERK: Assembly No. A07691, Rules Report No. 744, Solages, Darling, Peoples-Stokes, Tapia, Jean-Pierre, Fall, Dickens, Taylor, Gibbs, Hunter, Aubry, Cunningham, Zinerman, Anderson, Reyes, Burgos, L. Rosenthal, Bronson, Clark, Epstein. An act to acknowledge the fundamental injustice, cruelty, brutality and inhumanity of slavery in the City of New York and the State of New York; to establish the New York State Community Commission on Reparations Remedies, to examine the institution of slavery, subsequently de jure and de facto racial and economic discrimination

against people of African descent, and the impact of these forces on living people of African descent and to make determinations regarding compensation; and providing for the repeal of such provisions upon expiration thereof.

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

MS. SOLAGES: Thank you. This legislation will establish a New York State commission to study reparations and remedies. The commission will hold various hearings across New York State and will hear from various stakeholders and will take recommendations to the Legislature for any suggestions on remedies it deems proper for New York State to implement to respond to the injustice and wealth transfer caused by child slavery and its legacies.

ACTING SPEAKER SILLITTI: Mr. Goodell.

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

ACTING SPEAKER SILLITTI: Will the sponsor yield?

MS. SOLAGES: Yes.

ACTING SPEAKER SILLITTI: The sponsor yields.

MR. GOODELL: Thank you, Ms. Solages. A couple of questions, if I may, on this bill. The appointments on the bill for this commission to study reparations for minorities don't -- it doesn't appear to have any appointments from the Minority Caucus. Is there a reason for that?

MS. SOLAGES: So, in this conversation -- and, you know, I want to preface it because, you know, there are many misnomers about reparations. So there's five various points of reparations, and I'll be quick: Acknowledgement, apologies, restitution, rehabilitation and institutional reforms. The idea of the commission was for it to be a commission in which experts, individuals who are cognizant about the five points of reparations are sitting upon it. So we want to make sure that we are having minimal qualifications we put in the bill, and also ensure that it was a commission that ones -- that experts could sit upon.

MR. GOODELL: No doubt, and I appreciate your descriptions of the qualifications. But is there any reason why the Minority Conference has no appointments?

MS. SOLAGES: This about a hearing for the people, so we need to focus on ensuring that New Yorkers are hearing about this process. I understand and people have talked about the composition of the commission, which is just a small point, but really we need to be focusing on healing and hearing from the people what reparations in New York State will look like.

MR. GOODELL: Most assuredly. And of course, as you know, the Minority Conference represents about a third of the people in the State of New York. Just take it under advisement if we have an opportunity at some point that it would seem appropriate that even the Minority Conference ought to be involved in this analysis.

MS. SOLAGES: And just to add one more point, in

the bill we also included geographical diversity and also required that the hearings be done all across the State. So any New Yorker interested in giving testimony will be able to do so.

MR. GOODELL: I note that this legislation starts out with five pages of a summary of the history of slavery in New York State and the slow, painful process that New York went through to eliminate slavery, although we were well ahead of the nation as a whole, of course. Now, as I understand it from this recitation, slavery was fully eliminated, I mean it started to phase out in 1799 but was almost fully eliminated by July 4, 1827 with some exceptions. Why is it you think we need a commission to look at reparations 193 years after New York basically ended slavery?

MS. SOLAGES: So this legislation is also about not just chattel slavery, which is the type of slavery which individuals bought and sold. Even their children were considered property. But this is about its legacy. It's many other faces and how we can achieve remedies. So whether it's chattel slavery, Black Code, Jim Crow, mass incarceration, housing discrimination, school segregation, infrastructure, there's -- there's a lot that we can speak about, but, you know, we focused on chattel slavery and its legacy. It's many different faces.

MR. GOODELL: Of course, as you know, over the years we've implemented multiple programs in an effort to address some of those issues you mentioned, including fairly aggressive affirmative action programs in certain areas. More recently, very, I

think, robust effort to expand opportunities for MWBE, which would be Minority Business Owned Enterprises. Is it your view that those efforts have been insufficient?

MS. SOLAGES: So, you know, this commission would decide whether the efforts made and also, you know, people are going to provide testimony, made -- if the efforts made were appropriate or if we need to do additional restitutions. But remember, there are some other issues that weren't made amends. You know, I'm from Long Island, and when you think about Long Island you think about Levittown, which is the first suburb, and how there were covenants within those documentations that say that Black individuals could not own those homes. Many people now are struggling on Long Island with housing discrimination as we saw from a *Newsday* report that said that, you know, individuals, Black individuals who were interested in buying homes and properties were not able to do so because they were discriminated against. And so, you know, there are many aspect of reparations that we need to discuss and, you know, this -- you know, this is more of an equity legislation that aligns itself with reparations. And this is about creating a healing process, all of us talking about, you know, the many different facets of chattel slavery and its legacy and its faces and seeing what we can do to provide, you know, what I said, the five points of reparations, the institutional reforms so that we can examine reform of systems. The rehabilitation, the restitution, making sure that people like the individuals in Seneca Village which is now known as Central Park, many of them -- it was a

Black vibrant community of -- of Seneca Village -- were displaced and, you know, we've never made amends for that. And so, you know, we can focus on one spot in the timeline, but we need to really have a conversation about the whole conduit.

MR. GOODELL: Now, of course, as you know, unfortunately - and I mean that in the broadest sense - unfortunately, African-Americans weren't the only ones that were discriminated against in our nation's history. We had thousands of Irish individuals who came over as indentured servants and they used that indentured servitude primarily to pay for their passage to America. In my community we had a very prominent and at one point somewhat contentious relationships between Swedes, Italians, Polish and others, and -- and even, you know, if I go back 150 or 200 years ago there were even, as you mentioned, deed restrictions that would bar a certain race, not African-Americans, but, you know, depending on their nation of origin. Does this legislation address reparations for descendants of people who came over as indentured servants or were they unfortunate victims of deed restrictions that might bar Swedes or Italians or some other nationality from --

MS. SOLAGES: So, there are many --

MR. GOODELL: -- living in a particular neighborhood or is it just restricted to African-Americans?

MS. SOLAGES: So, there are many examples of reparations being implemented over the past century. For instance, the Civil Liberties Act of 1888 gave surviving Japanese-American

reparations, in the end also a formal apology from President Reagan for the injust [sic] and inexcusable mass incarceration during World War II. You know, there -- there are many different types of reparations that happened just for singular groups.

MR. GOODELL: But this only focuses on African-Americans, correct?

MS. SOLAGES: So, we're hearing -- we're going to be hearing from -- many stakeholders want to express their feelings and concerns, we definitely urge them to do so. It would be the job of the commission to determine what reparations look like. So I don't want to sit here and define what the commission is going to ultimately produce, but we want to hear from individuals, you know, what we can do to, you know, tackle chattel slavery and its -- and its legacies.

MR. GOODELL: I'm actually very --

MS. SOLAGES: And I really believe that, you know, when one group of individuals are uplifted, we are all uplifted. When one group of -- if we tackle an injustice we provide justice.

MR. GOODELL: Certainly. I am very, very proud to represent a portion of the Seneca Nation of Indians. And if there's any group of individuals that have been victimized by all New Yorkers, it would most assuredly be the Indians. I mean, the -- the settlers came in --

MS. SOLAGES: Mr. Goodell, I don't think it's proper for us to compare this injustice to that injustice at this time on this debate. If we have something more to the bill I would -- I would

really appreciate that. And, you know, we can have a whole list of conversations about other potential bill ideas in the future.

MR. GOODELL: But this bill, as -- I think what you're saying, and I -- and I would agree, this bill doesn't focus on the injustices that were done to the Native Americans here in New York State, it's just focused really on studying the impact on people of African descent, right? I mean, that's page 6.

MS. SOLAGES: If we look at -- right now there are so many Black New Yorkers who are disenfranchised that the -- the wealth gap, if you see, you know, Black Americans are in the bottom of a trending versus the other groups. And so, you know, when we talk about redlining, for example, another legacy of chattel slavery where we've packing and stacking communities and disenfranchising them. You know, we really have to make sure that we're looking at a granular level how we can reform that and how we can assist people and uplift people. So this is just simply a -- a commission that would have these conversations.

MR. GOODELL: Would you envision that any recommendations for reparation would be limited to African-American descendants of New Yorkers or would it be available to people who perhaps moved into New York well after slavery was abolished?

MS. SOLAGES: You know, the commission is going to determine that. That's why we want to have a commission to have a conversation of what reparations will look like, and I'm confident

they're going to come up with a -- a resolution that would really address, you know, the harms that we still see today.

MR. GOODELL: Now of course America is blessed by having a lot of immigrants that have come to our country over the -- over the years. As I mentioned, in my community we have a lot of former immigrants, if you will, that came from Italy or Sweden or Poland or elsewhere, and they've brought a rich heritage with them. But all of them --

MS. SOLAGES: I just -- I just want to correct you because those who were enslaved did not come here willingly.

MR. GOODELL: No, I understand. But my point is

--

MS. SOLAGES: I just wanted to clarify that.

MR. GOODELL: My point is my county wasn't born until the early 1800s, and so almost everyone that's come to my county arrived after slavery had been abolished. Some of them 50, 100 years later. Would you envision that they would be asked to pay reparations?

MS. SOLAGES: Again, there are five points of reparations that I went over before, and we want to look at the continuum from chattel slavery to its many different faces and -- and legacies. And so it's important to have a holistic conversation and that's what this bill does and that's what New York is doing. We -- we want to make sure that we are defining that reparations is many different points. I know people get stuck on one aspect, chattel

slavery, which is very important because as a society we've never atoned for that. We -- we -- I don't think the US Government has ever said sorry. And so this is an opportunity to now begin the healing process. And there's -- there's other aspects, as I said --

MR. GOODELL: May I interrupt you a minute? I mean, the most American casualties in the history of our country included hundreds of thousands of Union soldiers who were fighting to free the slaves. And it -- is it your expectation that the descendants of those soldiers who gave their life should issue an apology to the slaves that they freed?

MS. SOLAGES: This is not to the bill.

MR. GOODELL: But I mean --

MS. SOLAGES: The bill is a commission --

MR. GOODELL: -- you just said that we haven't had an --

MS. SOLAGES: -- that would look at this.

MR. GOODELL: -- apology. I mean, honest to God

--

MS. SOLAGES: So the opinion that we --

MR. GOODELL: -- the whole freaking country went to the War.

ACTING SPEAKER AUBRY: (Clearing throat.)

MR. GOODELL: I apologize. I apologize.

ACTING SPEAKER AUBRY: You knew right away, right?

MR. GOODELL: Yes.

MS. SOLAGES: This is just --

MR. GOODELL: Yes. I -- I -- for just a moment I -- I channeled my teenaged kids. I apologize to the entire Assembly.

MS. SOLAGES: This is a very emotional conversation.

MR. GOODELL: But I mean, it was a very difficult time in our history for sure. Thank you for --

ACTING SPEAKER AUBRY: Thank you, sir.

Ms. --

MR. GOODELL: And please, Ms. Solages, accept my apologies.

On the bill, sir.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. GOODELL: The bill has a great summary of New York State's efforts to abolish slavery, and -- and there's no doubt based on the summary that there's a lot of financial interests that were involved in the slave trade focused primarily in New York City. And as a result, in the late 1700s and early 1800s a lot of the elected officials in New York City were very reluctant to push that issue forward. The situation was very different Upstate. In Upstate, the abolitionist movement gained national prominence. And, indeed, in my county we had one of the very, very first platform committee meetings of the newly-formed Republican Party focusing on the abolition of slavery. And even though my county was young and we

had relatively few residents, my county sent over 4,000 young men to fight in the Civil War to free slaves. And an estimated 750 to 1,000 of them never came home. And back then there was no Social Security, there was no government pension, there was no assistance. And so in my area of the State we put our blood, we put our young people, we put everything we owned in many cases in an effort to free the slaves. And even before the Civil War, my county was well-known for the Underground Railroad. And at that time it was illegal to assist slaves in their efforts to gain freedom in Canada, and our residents put themselves in harm's way for arrest or incarceration by doing everything they could to help. So I think we need to be sensitive to the fact that there have been a lot of social wrongs that are extraordinarily serious that have occurred in our history and in the history of the world. And in my neck of the woods, it used to be all owned by the Seneca Nation of Indians. All of it. And when the settlers came, they seized it. But we're not talking about that here. We're not talking about the Irish indentured servants. We're not talking about any other group, we're not talking about the Native Americans. And I'm concerned that we're opening a door that was closed in New York State over almost 200 years ago. The open questions of who pays, who receives, how do we calculate it, how do we be fair and equitable to families like mine that weren't even in the country until the 1900s.

And so I appreciate my colleague's compassion and thoughtfulness. I support the efforts that we have ongoing to provide

financial support, assistance, education and everything else we can to help bring equal opportunity to everyone in New York State. And I hope that we can continue on that path rather than focus on reparations for activities that happened a couple of hundred years ago to be paid by people who put everything on the line to end it or weren't in this country at that time.

Thank you, Mr. Speaker. And again, thank you to my colleague, I appreciate your comments.

ACTING SPEAKER AUBRY: Ms. Walsh.

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

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

MS. SOLAGES: Yes.

ACTING SPEAKER AUBRY: The sponsor yields.

MS. WALSH: Thank you very much. So my question is, has this bill -- this bill I believe came to a vote in 2021. Is it the same bill as we took up in 2021 or has the bill changed at all?

MS. SOLAGES: No, the bill has changed since it was first taken up by our former colleague and myself as well.

MS. WALSH: And has it in any other form ever been introduced, you know, like maybe in a prior version or a different -- a different version of the bill, has it ever come before the Assembly for a vote?

MS. SOLAGES: For, like, as a bill for a vote?

MS. WALSH: Yes.

MS. SOLAGES: Well, there -- there's been about -- well, technical changes, two iterations of this bill that was taken up for a vote; the one by a former colleague, myself and then this version which has further technical changes. We -- we removed some of the groups -- removed the groups, we added the language about public hearing, we changed the effective date, such as that.

MS. WALSH: So all those changes that you just listed, just so I'm clear, they -- they were made to this bill that we're taking up today that are different than the bill that -- and I have it -- I -- I don't know if I'm supposed to say his name but --

MS. SOLAGES: This is a work product from --

MS. WALSH: -- a former member.

MS. SOLAGES: Yeah, this is a work product from the members, and I have to thank many of the members who have put input in, and I also thank our great Speaker who, you know, provided us an avenue to have this conversation.

MS. WALSH: So I'm curious, because I -- I don't know much -- that much about this, but I've done a little bit of research and it looks as though there is some precedent around the country for similarly taking a look at the issue of reparations. How many states around the country prior to New York have taken up this -- this issue?

MS. SOLAGES: So if -- well, if you're talking about reparations there have been many, many examples of reparations.

MS. WALSH: Okay.

MS. SOLAGES: And let me just jump back, because there actually was the Homestead Act of 1862 where Union soldiers who fought in the War was able to get 160 free parcels of Federal land. So those who fought in the Civil War received some sort of reparation. In addition, there are currently right now in this modern day and age, you know, California that has a Reparations Task Force and then there's other local municipalities that have -- has presented reparations bills. So we have a municipality in Illinois that provided a reparation bill that talked about housing and provided housing and support for individuals, for -- for Blacks Illinoisans who were looking for support. North Carolina had a housing and community program, Maryland had a proposed bill as well, and New Jersey, our sister state, is also looking at a task force. And in Illinois the model was they gave a 3 -- a 3 percent -- or there was a 3 percent tax on recreational cannabis. There was no cash payouts, but there was a \$10 million distribution and \$25,000 payment, down payments for mortgages, for home repairs, because we know that many Black residents were affected by housing discrimination between 1990 and 1969. And so in Illinois they provided that for residents to make amends for the -- the sins of chattel slavery and its legacies.

MS. WALSH: Thank you so much for -- for your answer. You mentioned the Homestead Act that was just post-Civil War. Did -- did the Homestead Act, though, grant tracts of land to all soldiers who had served or was it specifically for African-American

soldiers?

MS. SOLAGES: It was for every -- every walks of life, every citizen, whether you're -- you're enslaved or not. And remember, not only, you know, Americans fought in the War, there was also -- enslaved people also fought in the Civil War as well.

MS. WALSH: Yes, and many from New York.

MS. SOLAGES: Yes.

MS. WALSH: Many from New York. That's -- that's so interesting. So you mentioned a couple of states; you mentioned California, Illinois, North Carolina, Maryland and New Jersey. So I just want to be clear. I guess the state that I was a little bit familiar about what they were doing was California.

MS. SOLAGES: Correct.

MS. WALSH: Because they -- they actually have an ongoing task force or commission, I don't know what they're calling it. But they -- did -- did the -- the path kind of that California is following, is that envisioned as what we're shaping this legislation around similar?

MS. SOLAGES: And I just wanted to also mention that also on the Federal level, HR 40 is actually being debated, which is a Federal reparation bill as well. But to your point, their commission -- you know, you always look -- and as we do with every piece of legislation, we always look at what other states are doing and take, you know, the best and the worst and, you know, learn from the worst and, you know, make your piece of legislation better and I feel

that within this document that we are producing and voting on today, we are doing that.

MS. WALSH: Now, California started back in I think 2020? Is that when they formed their commission?

MS. SOLAGES: Um, I -- I don't have the exact date, but they have actually produced a report. So they -- they've gone through the public hearings, the comments and all that.

MS. WALSH: And -- and could you just for our knowledge just kind of summarize how that process went, since -- since the process that New York is following might in some ways parallel it.

MS. SOLAGES: You know, this -- I believe, as -- as I said, this process is somewhat different but it's basically a commission was produced, they hear from the community and the public, they come, they -- the commission convenes and then produces a document, a non-binding document which goes to, whether it's a municipality or the state government for them to deliberate.

MS. WALSH: So how long did it take the California task force to produce their report?

MS. SOLAGES: It -- it was probably -- you know, it's -- it's different and so, you know, I -- I can't speak to the timeline. But again, in New York our timeline is going to be our timeline, and so I -- I took that factor in -- into this bill. I also remember, every second that we wait, individuals, Black New Yorkers, are -- are still

being impacted by the injustices of chattel slavery and its legacies. And so we really need to start moving on this so that we can begin the healing process, we can start having and working together and empower all New Yorkers.

MS. WALSH: Is it -- is it -- am I correct that the bill provides for a report to be produced no later than one year after the first meeting of the commission?

MS. SOLAGES: Yes.

MS. WALSH: How long do you think it will take to -- to form the commission and have the commission to begin its work?

MS. SOLAGES: So, the -- once the individuals are appointed they -- they can begin the process of meeting.

MS. WALSH: Okay.

MS. SOLAGES: I mean, they have to wait six months.

MS. WALSH: So about six months to --

MS. SOLAGES: And in the bill language it speaks to that process of convening.

MS. WALSH: I'm sorry, just so I'm clear, so the six months that you referenced is about how long you think it might take to actually form the commission and get the appointments and the -- everybody on board that's going to be --

MS. SOLAGES: So, after the bill is passed and signed into law there is six months for the commission to convene.

MS. WALSH: Okay. And then you mentioned, I

believe, in response to earlier questions that it's envisioned that once the commission is convened that there will be, among other things, other work that the commission will be doing. There will be a series of public hearings held throughout the State?

MS. SOLAGES: And we also have empowered the commission to consult with, you know, institutions and other entities to help them with -- with this work.

MS. WALSH: So, I -- I was interested to see -- I was -- hold on, I've got to open my (inaudible) here, hold on.

(Pause)

I was looking at a very simple search as far as the -- the five -- they've listed five different forms of reparations. So, one was restitution, one was compensation, one was rehabilitation, one was satisfaction and one was guarantees of non-repetition.

MS. SOLAGES: Yup.

MS. WALSH: And that was just one place. But is that -- am I going down the right path in terms of those five general outlines?

MS. SOLAGES: Yes, we're saying the same thing in different words.

MS. WALSH: Okay. All right, very good. And I was looking at what the NAACP had to say about reparations, and what they said in one statement was, I believe it's from their website, that reparations would involve a national apology, so national, obviously, and here we are in New York. But I understand you

mentioned that H -- HR 40, which is being looked at as well, but it would involve apology, rights to the cannabis industry, financial payment, social service benefits and land grants to every descendent of an enslaved African-American and Black person, a descendent of those living in the United States including during American slavery until the Jim Crow era. So it -- do -- do you, as the sponsor of this -- this piece, and understanding that I know the commission needs to meet and do their work, but is something along those lines what you would expect to be recommendations coming from this commission?

MS. SOLAGES: So, you know, again we -- we -- we are not dictating what points that the commission should be analyzing. We are just saying that a commission should be formed. And my opinion at this point is that it's none of a concern, it's really about what the people want to -- to have. And, you know, I really wanted a community commission, but again, we are here at this point and I'm glad that we're going to have this conversation. But it's important that the people of New York, especially Black New Yorkers, have -- have a say of what reparation looks like, and the commission produces a document and they present it to the Legislature, a non-binding document.

MS. WALSH: Thank you very much for saying that. Now, you mentioned that California, which I -- I believe that they started in around 2020-'21 and now they have come out with a report. What -- could you summarize, if you know, the -- the highlight of the report that California put out in their commission with regard to

reparations? What were the recommendations overall?

MS. SOLAGES: So, I just want to clarify. You're asking me to summarize a report from California?

MS. WALSH: Yes, I am. If you know.

MS. SOLAGES: I don't have the report before me, but I just recommend people going on line or to your local library and finding out, you know, what that report has.

MS. WALSH: Well, I -- I thought, just from this quick search that I had, because I -- I didn't know that this bill was coming up until just a short time ago. I did the best research that I could in the time that I had. I know that you're much more of a subject better expert than I am on this.

MS. SOLAGES: But I appreciate your efforts.

MS. WALSH: Yeah, thank you. And I -- so what I saw was that -- that there was to be financial, would that be restitution? Maybe that's -- maybe that's the wrong term, but I think financial restitution and an apology, and that those were maybe the two main aspects of what they were recommending. And maybe there are others, but that's what I saw. So if you're -- I could certainly go to my library and look it up and research it further, and I appreciate your comment.

MS. SOLAGES: (Inaudible)

MS. WALSH: I appreciate your comment. But in terms of the amount of reparations, my-- just from having listened to the news, and goodness knows we've been busy doing other things

here, too, passing other bills, but I seem to remember that the number coming out of California was -- was a number that was very, very high to -- to me. But do you remember how much money that was that they had put out there as the amount to be done as reparations?

MS. SOLAGES: The -- what reparations in California is may -- may look different from what is in New York. And so for us to be representing or thinking or discussing what their exact number is is really just a -- a diff -- is -- is really inappropriate because we have to hear from New Yorkers what they want to discuss. You know, they could be talk -- they could focus on rehabilitation, they could focus on restitution, apologies. They could focus on compensation. But we need to have the conversation, and that's what this commission does right here. And so to -- we can compare and contrast California to New York, and I would say New York is better, and so let us go through the process so we can find out if New York is better.

MS. WALSH: Absolutely. I -- I agree with you that New York is way better than California. That's why I always hesitate when we take any ideas from California, I think we should have our own. But I --

MS. SOLAGES: But this -- this is actually from HR 41.

MS. WALSH: Yeah, so -- oh, HR 41, yeah. And I said HR 40 earlier.

MS. SOLAGES: It's HR 40, excuse me.

MS. WALSH: HR 40.

MS. SOLAGES: HR 40.

MS. WALSH: So -- so that HR 40, then, let's talk about that for a second because I -- I don't know a lot about that. HR 40, then, would that be a -- a national response to the same issues that New York would be focusing on with this bill?

MS. SOLAGES: Yes, correct. So, you know, as with, you know, many things we talk about, HR 40 would be the national conversation of what reparations looks like. And it's great that we're having and beginning this process. If -- if the bill-in-chief goes through, it's -- it's going to put us in a unique position because already as a state we are -- we are going to be able to articulate our needs or what is our expectation of reparation if HR 40 goes through.

MS. WALSH: Very good. Now I wanted to just jump very quickly over to the individuals who are going to be -- there were going to be three appointments -- and I know that this was slightly covered before, but I wanted to specifically ask this, three appointments by the Governor, three appointments by the Speaker of the Assembly, three appointments by the Temporary President of the Senate. And I know that my -- the previous speaker had talked about the absence of Minority leadership appointments and we've covered that. But I wanted to specifically ask, as that -- as this conversation unfolds through the commission and the public hearings that are going to be held, do you -- do you envision or -- or can you comment at all about the services or an appointment of somebody who is some kind

of an economist or somebody who can do -- it seems to me like if you're going to potentially come up with a recommendation of an amount that you would need to maybe engage --

(Buzzer sounded)

MS. SOLAGES: May I answer the gentlewoman's question?

MS. WALSH: It is my last question, Mr. Speaker.

MS. SOLAGES: May I answer her question? I know she's out of time.

ACTING SPEAKER AUBRY: You want --

MS. SOLAGES: We have qualifications within the bill, that's it.

MS. WALSH: Very good. That -- I'm satisfied. Thank you, Mr. Speaker. Thank you to the sponsor.

ACTING SPEAKER AUBRY: Thank you, Ms. Walsh.

Mr. Ra.

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

MS. SOLAGES: Yes.

ACTING SPEAKER AUBRY: Ms. Solages yields.

MR. RA: If you'd like to, if you have a more detailed explanation for Ms. Walsh's question, I'm happy to have you (inaudible).

MS. SOLAGES: Thank you for yielding your time.

So all members appointed to the commission shall have qualifications to serve on the commission, so we are looking for expertise. And we -- we wrote that into the bill because this -- this is a very nuanced conversation that we're talking about. So it's important that we actually have, you know, individual experts who have, you know, lived experience, training, education, expertise in, you know, the field of African -- African and American studies, criminal justice, economics, law, civil rights, and those, you know, who have historically championed the cause of reparations, injustice, clergy and such. So, you know, we are -- we want to ensure that those individuals sitting on the commission are qualified and understand the nuances of reparations.

MR. RA: Okay. So I -- I have some -- some other questions and some -- some of the stuff has come up already, and certainly I thank you for your -- your responses to all of my colleagues. I -- I think regardless of -- of this vote I think we all agree that this is obviously, you know, the largest stain on our country's history that -- that this went on, and certainly we understand the need to, you know, account for that and be serious about racism that still exists in our society and in our -- in our State. But I -- I know Ms. Walsh mentioned the -- mentioned California, and I think when people -- obviously when they see this in the news that's the first thing they're going to think of. And -- and I know as you talked about earlier there's other pieces of this, and if you can elaborate a little bit more about that because everybody's going to think solely about the

financial reparations of it aspect, but I mean, I -- I see from the language of this and in this debate, obviously there's more that you're expecting that is going to come from this than just that, correct?

MS. SOLAGES: Yes. And so, you know, that's why it's important to have individuals on the commission who understand the various forms of reparations, and as we said, you know, the various forms including just, you know, recognizing and acknowledging past justices [sic], issuing a formal apology, providing, you know, or implementing policies and initiatives. Also making sure that there's non-repetition, because, you know, sometimes we may fix a problem and then go back and just change the way it's formed and do it again. So, you know, we want to ensure that we are coming up with a commission that -- or forming a commission that can speak to that.

MR. RA: Okay. And would -- would you envision, then -- well, actually, first let me ask this. So, what -- what the commission comes up with, does the commission have any powers to implement any of these solutions or will they be making a recommendation, say, to us as the Legislature or --

MS. SOLAGES: Yeah, so they're -- the commission will produce a document with their findings and they're going to, you know, deliver it to the Legislature and we would have to act upon their findings. But I would hope that all of my colleagues would read the documentation.

MR. RA: Okay, thank you. And so it will be

provided -- I mean, I assume it will be made public for the public to --

MS. SOLAGES: Yes.

MR. RA: -- look at and, obviously, for us to evaluate and consider.

MS. SOLAGES: And my hopes [sic] is that we -- we maybe, you know, let's see what the commission produces and we take up some of their recommendations. If not, we can always reform the recommendation and implement policies that we see fit. As elected officials we have the option and we have the collaboration to work together to do so.

MR. RA: Absolutely. Now, would you envision something as detailed like -- I'm -- I'm just thinking of other entities we've had in the past that make recommendations that it could be even something as detailed as a piece of legislation or a model bill-type thing that they might recommend to us at that time.

MS. SOLAGES: Yes. You know, the commission has the power to produce a report or documentation, and it may look different from any other state or model. But, you know, they -- they have the power to do so.

MR. RA: Okay. And then with regard to the actual functioning here of this commission, what -- what is the time frame in terms of having hearings -- it doesn't specify a particular number of hearings, correct?

MS. SOLAGES: So, the first meeting, the first meeting of the commission shall take place 180 days after the

effective date. Then we speak to quorum, we speak to electing a Chair and a Vice Chair. We say that they receive no compensation for sitting on the commission. And we also outline the powers of the commission for hearings and session. And the power of subcommittees and members as well, which is stated in the document.

MR. RA: Okay, and I assume -- I mean --

MS. SOLAGES: And they're -- they're able to also obtain official data directly from the head of departments, agencies, to -- to be able to be -- to produce their report, and we also allow them to coordinate with historically Black colleges and universities and research centers to conduct research and acquire additional information so that they can produce a document which will highlight the reparations and remedies, because it's all about remedies at the end of the day.

MR. RA: I -- I wanted to ask you about that piece in terms of data. So, just what are -- what are the, I guess, mechanisms for that when they're dealing with -- how -- how do we make sure there's cooperation from those entities that they want to get data from? You know, we're saying they can access this, but just mechanically, do you know how that would operate?

MS. SOLAGES: I'm sure they could just pick up the phone or send an e-mail or call.

MR. RA: Well, we'd hope there would be cooperation. I'm saying what if there's not?

MS. SOLAGES: What if there's not collaboration?

MR. RA: What if there's not cooperation from, you know, in terms of making sure they have access to all the data they needed?

MS. SOLAGES: Well, I think we in this Body have passed many commissions and many task force, you know, they've been able to acquire information. So if that's a challenge maybe that's another bill idea.

MR. RA: Okay. There you go. We haven't -- well, I think we're -- we're always revisiting things, right, and we do lots of chapter amendments. So --

MS. SOLAGES: (Inaudible)

MR. RA: If it came to it I would think -- and then just in terms of the subcommittees. Any -- any directive in this regarding the makeup of those?

MS. SOLAGES: So, it states that any subcommittee or member of the commission is author -- is authorized by the commission to take any action which the commission has says [sic] they can.

MR. RA: Would -- would the subcommittee solely have to be members of the commission or could there be an opportunity that -- you know, I mean it's been raised earlier about, you know, certain entities not having appointments. Is -- is there a potential that on one of these subcommittees there could be a broader scope coming in of other individuals that aren't, you know, one of these nine members?

MS. SOLAGES: They would have to be members of the commission.

MR. RA: Okay, they would have to be a member of the commission. And -- sorry. Sorry to be skipping around, but so that -- but back to the previous point on -- on the report in the end and actually the recommendations that are going to come out, so we don't -- am I correct, the bill doesn't have a date -- a certain date that it has to be out by?

MS. SOLAGES: The commission shall -- it should be a year within the -- since the first meeting.

MR. RA: Okay. And then it's -- and then it -- the commission terminates after 90 days of -- of the -- that report being given?

MS. SOLAGES: Mm-hmm.

MR. RA: Okay.

MS. SOLAGES: It shall expire and deemed repealed 90 days after.

MR. RA: Yes. Expired and repealed. All right. Hold on one second.

(Pause)

I think that is all I have in terms of questions.

Mr. Speaker, on the bill.

(Pause)

On the bill, Mr. Speaker.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. RA: So, I thank my -- my colleague for -- for answering my questions. Obviously, this is a very serious topic. It's -- it's something that is obviously or was a disgraceful period in -- in our nation's history. I will, you know, be looking forward to seeing this process play out, what recommendations come about, and certainly any recommendations that come back to us as legislators to -- to think about and contemplate and -- and implement. But I -- I -- I do hope that we make sure these conversations are -- are wide-ranging and -- and inclusive and -- and we find ways to not just deal with the past but address real problems that continue to exist in this State.

So again, thank you to my colleague for -- for answering the questions, but I -- I certainly see a lot of concerns with -- with how this ultimately plays out. But like I said, we'll -- we'll monitor it and -- and hopefully have an opportunity a year from now or so to look at what this commission has come up with. Thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Chang.

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

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

MS. SOLAGES: Yes, Mr. Speaker.

ACTING SPEAKER AUBRY: Ms. Solages yields, sir.

MR. CHANG: Well, thank you very much. Thank

you for this bill. I think it's a very important bill itself. It's meaningful and it has impact for the African-American who has been enslaved in this country even before this country was born, so many hundreds of years and many generations of injustice as well. And we need to do it right and we need to go forward for this and make reparation and -- and see how we can solve the current injustice in the African-American [sic]. But looking at -- at the bill itself, on the commission itself, a list of various expertise are there, and you have only nine designated commissions. Are there enough commissions to represent all of those expertise --

MS. SOLAGES: I -- I first --

MR. CHANG: -- to be (inaudible) of that board?

MS. SOLAGES: -- want to thank you for your acknowledgement. And second, you know, people are multi-faceted. And just from the experience of working on this bill I have met in many individuals who have, you know, knowledge of reparations but also has expertise in very different other facenance [sic] of other industries. So, you know, I do believe that we could find individuals that could sit on this commission that can, for, you know, normal terms, walk and chew gum.

MR. CHANG: Because I, you know, I represent a Minority Conference as well as a minority itself. You know, I have a personal vested interest to see this thing through as well, and I hope somehow behind the scene that we can expand that as well to include the Minority Conferences. Because it's too important not to include it

and it's so broad as -- as well. Because even for -- for me as -- as an Asian or as Chinese, you know, we came -- Chinese have migrated to certain Caribbean islands and they were -- maybe a person not be enslaved but they were indentured servants as well. A lot of them were biracially married into that, so there's some interest in there. And in our course of American history and -- and terrible at that, that certain groups like the Italians and the Chinese, we've been unfairly targeted over the course of hundreds of years. And we also have our own prejudice and our own views, but I hope this will give us a moment and the time that we can -- that we can bridge those prejudice itself and -- and level the playing field of opportunities. So I hope, Ms. Solages, you can broaden the commission as well to Minority Conference as well because this is too important not to include that, and I hope the wisdom of this Assembly would think about that, too.

MS. SOLAGES: You know, I don't want to be stuck in the confines of political persuasion because this is not about whether we are, you know, little R or little D or whatever. You know, this is about chattel slavery, and I -- I think for the record we have to put in what does chattel slavery mean. A chattel slave -- chattel slave is a -- an enslaved person who is permanently owned and whose children and children were automatically enslaved. And so when we are talking about chattel slavery, this is very different from indentured servant and whatnot. So I think we need to just be cognizant of what we are speaking about. And no -- no offense to you, but we're speaking about chattel slavery in which people who were enslaved,

their children were also enslaved and their children were also enslaved. And many of the -- the -- the person that you described were -- were not under the constitutes of chattel slavery.

MR. CHANG: Well, that's true, and your -- your definition and -- and, unfortunately, that exists throughout the world. But I just hope that we can expand that and -- and appreciate what this bill that presented to us because it has, you know, future huge financial implications and our responsibility as the Legislature to make sure that -- that we taking care of -- of the African-Americans how we financially prepare for it, how we financially pay for it because that's a huge responsibility in the future. How would this Commission decide that?

MS. SOLAGES: You know, looking just at the -- the systematic inequalities, you know, especially when it comes to Black New Yorkers, whether it's gun violence, you know, climate change, education, housing discrimination, it seems that Black New Yorkers are at a disadvantage and the statistics prove so. So all we're saying is just taking a look, a conversation, a dialogue, a study, a research to see how we can make amends.

MR. CHANG: Well, thank you very much. That's all I have.

And on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. CHANG: This bill is of -- is of great importance for us to -- to meet, especially for the injustice was done

hundreds of years ago and still there is some racial discrimination in all sorts in all fashion and all colors, and I hope this is one way that we can move forward with this. And I just hope that we can expand on the -- the commission. If we can't I hope the -- the commissions that sit on those have wisdom and in-depth experience and fairness to -- to apply.

Thank you very much, Mr. Speaker. Thank you.

ACTING SPEAKER AUBRY: Thank you, sir.

Ms. Lucas.

MS. LUCAS: Thank you, Mr. Speaker. American Freedmen, those persons who have at least one ancestor that was enslaved in the United States of America who was emancipated in 1863 by way of the Emancipation Proclamation or 1865 by the 13th Amendment to the Constitution, and having despoiled their rights as citizens due to the badges, incidents and vestiges of slavery. It is crucial to include the study of lineage-based reparations as the determining factor for eligibility within the community. It is important to note that the current version of the bill does not align with the principles of reparations and raises constitutional concerns under sections of the Civil Rights Act of 1964. Furthermore, the lack of support from prominent grassroots reparations organizations in New York as well as the absence of public support is evident and will further divide the community. Additionally, this bill does not properly address the intended recipients of the bill which is the community of eligibility, specifically the American Freedmen descendants of

persons enslaved in America. The bill fails to recognize the unique history and suffering of this specific group who have endured slavery, racial discrimination and various forms of oppression for over 400 years in the United States. The foundation of the bill, as stated in paragraph 1, is flawed and unconstitutional. It acknowledges the injustice of slavery and discrimination against people of African descent, but does not accurately identify the targeted group. The vague and inaccurate identification of the affected population in the bill leads to the inclusion of individuals who do not share the same historical experience of slavery and its aftermath. The topic of reparations is a complex and sensitive issue aiming to address historical injustices and provide redress for the descendants of those who suffered. However, it is crucial to approach this matter with fairness and a focus on rectifying specific harms endured by the affected communities. As discussions continue, it is essential to advocate for lineage-based reparations to ensure justice and equity for American Freedmen who are direct descendants of enslaved individuals in the United States. Reparations should be targeted towards those who directly experienced harm, and their descendants, due to slavery and its enduring effects. American Freedmen as defined -- descendants of individuals who were enslaved have a unique, a unique historical connection to the institution of slavery. They have inherited the consequences of centuries of oppression, discrimination and economic disadvantage. Lineage-based reparations acknowledge the specific harm and aims to address it in a targeted and just manner.

One of the central tenets of our Constitution is the Equal Protection Clause of the 14th Amendment which ensures equal treatment under the law. By studying lineage-based reparations we align with constitutional principles, offering redress to those who have suffered from the historical injustices without discriminating, without discriminating against or excluding any racial or ethnic group.

Reparations should focus on providing meaningful and impactful measures that address the systemic disadvantages faced by American Freedmen by directing resources towards education, healthcare, economic opportunities and community development. Lineage-based reparations can help break the cycle of intergenerational poverty and provide a foundation for upward mobility. Such targeted assistance acknowledges, such targeted assistance acknowledges the historical and ongoing struggles faced by this community and seeks to rectify them. While it is essential to recognize the shared experiences of diverse communities, while it is essential to recognize the shared experiences of diverse communities, a broad approach could inadvertently divert resources and attention away from those who have borne the direct consequences of slavery and its aftermath. While it is essential to recognize the shared experiences of diverse communities, a broad approach could inadvertently divert resources and attention away from those who have borne the direct consequences of slavery and its aftermath. By focusing on the study of lineage-based reparations for American Freedmen, we ensure that those who have suffered the most receive the necessary support and acknowledgement

that they deserve. Receive the necessary support and acknowledgement, and acknowledgement, and acknowledgement that they deserve. In the pursuit of justice and equity, it is crucial to advocate for the study of lineage-based reparations. Ensuring that the harms endured by American Freedmen are specifically addressed, specifically addressed by upholding constitutional principles, providing effective reparative measures and preserving the integrity of the reparations process, we can lay the foundation for healing, unity and a more equitable society.

Let us work together to rectify historical injustices and forge a future that embraces justice, equality and the dignity of all individuals. A rushed reparations bill for the sake of signing a bill is doing an injustice to everyone who has suffered due to the hundreds of years of slavery. A rushed reparations bill for the sake of signing a bill is doing an injustice to everyone who has suffered due to the hundreds of years of slavery. We must get this right. I am strongly suggesting that we include the study of lineage-based reparations to this bill, we take some time to review and get it right. We do not participate in a process that continues to ignore the history, the pain and the suffrage of enslaved Americans, and ensure its integrity and effectiveness. And until that is done, I cannot in good conscience, I cannot rush a bill, I cannot do an injustice for those and allow others to bear the pain, to bear the conse -- the -- the -- the -- the fruits of those who have suffered. Do I want equity? Absolutely. Do I recognize the persecution of a people within the Americas? Yes, I do.

But that's not what we're talking about here. We're talking about reparations for an enslaved people who were robbed, beaten, raped. They don't have a flag to wave and go back to another country. Their history stops at a certain point where they can't even trace it. At some point they didn't even have records of death. That happened here in America. And we want to deny just a targeted focus on a study that potentially repairs this damage? So if I come to this country and I came here five years ago, you're studying me, too? Elon Musk is of African descent. Are we studying him, too?

I am in the negative. Thank you.

ACTING SPEAKER AUBRY: Mr. Ari Brown.

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

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

MS. SOLAGES: Yes.

ACTING SPEAKER AUBRY: Ms. Solages yields, sir.

MR. A. BROWN: Thank you, Madam sponsor. I'm certainly not going to be as eloquent as my colleague Assemblywoman Lucas, but along the same lines, I just wanted -- as a dad of seven, I always try to get to the heart of the problem or else we're going nowhere. So I want to focus on some of the wording. The slavery and the impact of these forces on living people of African descent, will the study define and analyze who is of African descent?

How will we know who that is?

MS. SOLAGES: So, that's why the duties of the commission are listed here. And, you know, I just want to say it examines the institution as slavery which existed, and the commission's examination shall include and not be limited to the capture and procurement of Africans, the transportation of Africans, the sale and acquisition and then, you know, all of this is listed. So we list them. We're not trying to limit the commission. The commission has the ability to analyze chattel slavery, lineage-based reparations, harm-based reparations. We don't define, and nor should we define, what the commission should be looking at.

MR. A. BROWN: Thank you. I ask that, you know, that question on many different levels. You know, we live an era, unfortunately, of identity politics. When my mom and grandmother came from Italy, everybody just simply wanted to be American. If you were Irish, if you were Black, different generations, we all just wanted to be American and serve. Now everybody has to be pigeon-holed in a certain area. But in truth, at the end of the day, how would anybody be able to define who is of African-American descent? And for a moment, if I may, I don't know if everybody recalls, but last year seven or maybe five or seven of my children were here and my grandchildren as well. My children are of a big percentage of African-American descent through their beautiful and ageless mother, probably more than a lot of people in this room. Would my blonde-haired, blue-eyed son Jake possibly get reparations? He

certainly is of African-American descent. And I don't mean the White African-American descent. How would we define that today?

MS. SOLAGES: So, the commission would be charged with analyzing that, but just for the sake of the argument, you know, with chattel slavery these people were -- it was de -- dehumanizing, so these people were deemed property. So as property they were quantified on sheets and documentation. And so there's actually records. I just met an individual the other day who actually showed me his family slave records. He showed where his family was considered, you know, property and that was quantified; how much his family was, you know, where -- where he come from, almost as if he was some sort of cattle. And so there are possibilities to analyze your lineage and, you know, the commission will further define that. But just for the sake of this argument and for this debate, this -- this bill-in-chief just creates a commission and organizes individuals to talk about that.

MR. A. BROWN: I just -- we don't want this to be an endless cycle - and I thank you for that answer - an endless cycle of something going nowhere, getting people's hopes up and next year we'll be here expanding this thing to something that may go nowhere. And again, I say my children can trace their history exactly as the way you described. My -- two of my blonde-haired, blue-eyed sons can trace it exactly as you. I wonder in your opinion, would they be entitled to reparations? They probably have as much African-American as -- as you do.

MS. SOLAGES: I'll -- I'll repeat it. The commission will be charged, excuse me, the commission will be charged with coming up with the -- the -- the parameters around who may qualify for lineage-based reparations, and that lineage-based means that you can trace your -- your-- your descendants who were enslaved.

MR. A. BROWN: I -- I respect that tremendously. Perhaps we should take some suggestions from my colleagues who had suggested that maybe this shouldn't be limited on who should be on the commission. Maybe it needs -- we talk diversity. Let's see some diversity in this specific bill. Of all the bills, let's try to get some diversity in the bill. Let's get some members of the Majority. I certainly, probably more than most -- heck, my mother was in a barbed-wired internment camp right here in Oswego, New York, from our former Governor Franklin Delano Roosevelt, then President Roosevelt, right here an hour away.

MS. SOLAGES: I'm a student of history and I know -- I know very well during the Nuremberg trials in which they discussed reparations for individuals.

MR. A. BROWN: So I ask, would you be interested, would you even possibly suggest amending the bill to include a wider populace, some people maybe from the majority who may have some input that could help benefit this great cause?

MS. SOLAGES: You know, I -- I believe the -- the bill-in-chief right here that we are debating is a work product of all of us colleagues getting together and having a discussion, prior debates.

And so, you know, I believe and I encourage my colleagues to vote in the affirmative on this piece of legislation and for it to go to the Senate, pass and be signed by the Governor and then we can begin the process of healing and moving forward and talking about how we can uplift New Yorkers, all New Yorkers, especially Black New Yorkers.

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

On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. A. BROWN: It's -- it's just really more -- more my perspective, Mr. Speaker. You know, I am -- we always seem like we're so divided today, and bills like this may help, they may not help. But I'm really proud to say I stand in this Assembly Chamber where one of my favorite colleagues sits as the Majority Leader, where you sit as our Speak -- as our Speaker Pro Tem, we have a Speaker of African-American descent, the Majority Leader on the other side. We really have come a long way and I'm proud of that. And if we could just work together, maybe this bill could be something better.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Ms. Zinerman.

MS. ZINERMAN: Good afternoon, Mr. Speaker. I stand today not only to speak on this -- to speak on this bill in honor of my ancestors and my children and those yet to be -- be born. I stand before you to emphasize the importance of passing the New York State Commission -- Community Commission on Reparations

Remedies bill in our esteemed State Assembly. This legislation holds immense significance and it addresses a crucial aspect of our history that has shaped our great State. I will say to you today that as listening to the previous speakers, it is very important that we look at another bill that I sponsored this year, 1939, the Amistad Act, because apparently we all need to understand our history, and especially Black history. New York's status as an economic and cultural hub has been built upon the contributions, the backs, the blood, sweat and tears of enslaved Africans. Not those who chose to come here, but those who were in on their continent and their country, minding their business when they were enslaved, chained and brought to this country.

Slavery was not confined to the South. New York City once had more enslaved Africans than any other city except for Charleston. We were then and we remain now an integral part of the population, the re -- the settling, the building of everything that you all enjoy today. This bill is a necessary step towards rectifying the injustices suffered by enslaved Africans. It seeks to examine the institution of slavery in New York, its effect on present-day society and the role the Federal, State and local government in supporting or opposing it. The commission established by this bill would conduct a comprehensive inquiry soliciting public input and holding hearings to shed light on our history. The commission -- the commission's findings will guide us in recommending appropriate remedies and reparations.

Compensation be -- may be one such remedy, but the commission will determine the specifics, including eligibility. Education of the public

about the commission's findings is crucial fostering awareness and understanding of our shared past and our ancestors' roles in it. Passing this bill is not just about acknowledging the past, it is about shaping a more equitable future. By addressing the lingering negative effects of slavery and discrimination, we can strive for true justice and equality. We must remember that progress does not come without acknowledging and healing the wounds of the past. I implore each and every one of you as members of the State Assembly to support the passage of this bill. Let us demonstrate our commitment to a more inclusive and just society by establishing the New York State Community Commission on Reparations Remedy [sic]. Together, we can create a legacy of reconciliation and pave a way to a brighter future for all New Yorkers.

I'm serious about the history. Some of the questions that were asked today were so offensive I didn't know if I was going to be able to get up and speak. Understand the history. And maybe I can just give you a little history lesson right now. Or maybe -- no, this might be an analogy. If those of us who are of African descent would stand up today and enslave each and every one of you and take you, let's just pick Ghana right now, just put you on a boat, feed you gruel, chain you to the wall, not allow you to go to the bathroom, and bring you to Ghana and then set you on those shores and tell you that you could no longer speak your language, you could no longer exchange cultural references with one another, that you could no longer be called by your name, that your history is erased, and then put you to

work to build a country that was not your sovereign land. And then look at you generation after generation after generation and say that you were stupid and that you were ignorant and that you were lazy, while they benefitted from the tear from your whole being. We are asking for a commission to study the repair that is necessary. We're not suing you and telling you that you owe us 400 years of wages and calculating that and saying, *Pay up today*. We're saying acknowledge what has happened, and let a group of people who are experts -- and I'm sorry to say, the people in this room aren't experts. We're saying let the experts decide and then we will take under consideration their recommendations. That's all we're saying today. We could take an entirely different path. But we're not doing that because we are humans. And despite the beginnings, those of us who chose to stay here -- Randall Robinson and some other people left because they are sick of America, right? But those of us who chose to stay here and continue to build this country, contribute to this country, are just saying it is time, it is time, it is -- it's time to get this study done so that we can deal with the other -- we call them lingering effects, but let's be clear. Every single day people are breaking the law against African-Americans because of our skin color. Whether it is in education, whether it is if you try to go to a hospital and birth your child, whether it is that you're trying to buy a house, rent a house or as a tenant, rent a place. This is something that we must do. This is the most equitable way to do it. And expanding a commission to have people on it who don't have the basic knowledge of what we've gone

through and what we continue to go through is not what we're here to decide today. Today we're just saying we have nine experts that can come to the table and deliver to this Body, deliver to this Body, recommendations on how we deal with this scourge on American history.

I vote in the affirmative.

ACTING SPEAKER AUBRY: Mr. Gibbs.

MR. GIBBS: Thank you, Mr. Speaker. I rise today in disgust. But first let me say I wholeheartedly support my Chair, the sponsor of this bill and this bill, and I will be voting in the affirmative. I heard a colleague question my Chair and asked simply if my blue-eyed children would be entitled to reparations because we have some sort of similarities. And I sat here and I thought, I wonder if this member's blue-eyed children would get afraid when they're pulled over by the police, if they're ever pulled over by the police. I wonder if the blue-eyed children could get a job because of the color of their skin or could get an apartment or housing or... it's -- it's -- it's a rough conversation to have, but it seems like every time we have a conversation about betterment of African-Americans or advancement of people of color, there's always some side reservations. I even heard some people say, *Oh, some of my best friends are Black.* How convenient. This is a serious topic. I asked a member in the lounge about 30 minutes ago, *How would you feel if the roles were simply reversed?* Yeah, let's think about that for a minute. If African-Americans were the ones enslaving other folks. What would that

conversation be like? We sit up here and we vote on legislation that we not really familiar with. And I can segue into the prison legislation that many of you professional members legislate on. I see the bills that you put out here and I sit here quietly and I say, *Huh, they don't know.* So here we are now on the reparations and we having these conversations and, you know, and people are feeling a little bit uncomfortable. I was in the lounge with another member who we sat out here, we debated two, three hours to save the lives of animals, but yet you can't sit out here five minutes and listen to reparations. You'd rather sit in the lounge and look at the TV and talk about Trump. It's unfair. It's never going to be fair, first of all. It's never going to be fair. But, you know, if you put yourselves in our shoes and ask yourselves, would you maybe do it? Would you all be able to go through it? It's tough times in America, but we all human. We all human. I don't see White over there. I don't see Black over here. In fact, I'm over there more than I'm over here. I see people. I don't see politicians, I don't see color. But I know we have a pocket of folk who suffered, murdered, raped over and over again, castrated, hung, just because of the color of their skin. Emmett Till was killed because of an accusation he said something to a White woman. Can your blue-eyed child come and say something to a Black woman and get hung? No. No. It's time to make common sense common again, guys. Damn color, damn principles and damn this voting back and forth, fighting over who should -- what bill should go what -- listen, the bottom line is we all are human. I treat you all like human, I

smile, I dance and joke with you guys. You know why? Because we all human. If you bleed, I bleed, we all bleed red. Different principles, different ideas, I get it. That's why I'm not a politician, I'm a peopletician. I love people. And if we could just do that, put ten percent in that belief in your, I think we are on our way. But to sit here at a time and say, *Hey, some of my Black friends or neighbors* or this and that and the third, we're not looking for sympathy, we're just looking for simple legislation that says, *Hey, let's build this commission. Let's start a conversation with professionals, not legislators.* I can't tell you what happened in the 1800s, I wasn't there, I didn't study it. So this -- the particular legislation says, *Hey, we want to bring a commission and let's study what slavery has done to us.*

And I'm going to end on a story why it's important to have this commission and other bills related to reparations. I had a Muslim friend in Harlem, and my brother, he had a bad disposition about women. And his Imam came to the apartment one day and he asked my brother, *What happens if you put a Black man -- excuse me -- what happens if you put a Black man in the room with another Black woman? What happens when you do this for 300 years? You produce an irresponsible man who's only thought of a woman as pleasure and when he's done with that pleasure he's done with that woman.* And you walk off the plantation and let master take care of her. We still live in that enslaved mentality today. Black men walking off, leaving the family and letting the State and welfare take care of her. See, this is the part of the Commission that we have to

study. It's slave mentality. There's other things that are going on that affect us directly this day. I don't expect you guys to understand overnight. I don't expect you guys to sympathize with us. But what I am asking is that you guys just put yourselves in our shoes and ask yourselves what would y'all do.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Ms. Darling -- thank you.

Ms. Darling.

MS. DARLING: Thank you, Mr. Speaker. I would like to thank the sponsor and all involved, including myself, for the introduction of this bill. Over 400 years ago Africans were sold and kidnapped from the shores of Africa for the sole purpose of enslavement. Many were brought to the very land we currently stand on, to build a new world. A new world that became a superpower, a superpower that was called America. These beautiful people built much of this country's wealth while they received nothing. Only Black people in America have had to fight to be considered human beings, then Black people had to fight to come free, then Black people had to fight to become citizens, and Black people are still to this day fighting to have some semblance of equal rights. This history, along with Federal, State and local policy decisions helped create present-day economic, education, housing and employment and health inequities in the Black community. This is why we need to pass this bill today to form a Community Commission on Reparations [sic] in

the State of New York. This bill relates to acknowledging the fundamental injustice, cruelty, brutality and inhumanity of slavery in the State of New York. It establishes the New York State Community Commission on Reparation Remedies to examine the institution of slavery, subsequently the racial and economic discrimination against Americans of African descent, the impact of these forces on living Americans of African descent, and to make recommendations on appropriate remedies. This bill is incredibly overdue, and it is my great prayer that it becomes law this year.

As an American descendant of enslaved people, I know we deserve justice and compensation for the crime of slavery. Only when this happens will we be better able to close the incredible wealth gap here in America. The passage of this bill starts the process that will eventually allow us to answer, answer the hard questions and determine solutions in an attempt to remedy the damage and the harm that Black people live with every day in the State of New York. Until we fully acknowledge and pay for the travesty of the enslavement of Black people and its aftermath, then nothing else we do in this country or this State will be effective.

I absolutely and assertively will be voting in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. First of all, I want to honor the sponsor and all of those

members of the Caucus that worked on this legislation to put it together. I want to honor the previous sponsor who's no longer serving us in this Chamber as well. But I want to, you know, just remind people because I know I've said this before that I'm literally, literally four generations away from an enslaved woman who came here under the bottom of a ship. She had no idea where she was coming [sic]. She was raped, abused. If she had children with her at the time, they were taken. If she had a man with her at the time, they were separated. And I know where she came from because I have since -- my family has since done the research. She came from the West Coast of Africa. Nobody asked her to come here, they stoled her, literally stoled her and brought her here. And then once they got her here they continued to abuse her, all of her children and anyone she ever had a relationship with. While we were still enslaved people, they denied them an opportunity to read. You can't read. Don't let them see a book. We wouldn't even let them see a Bible. For God sakes, we wouldn't even let them see a Bible. Clearly, I've read the history, you all have read the history as well, we know that former President Lincoln, he made a valiant effort to try and win the Civil War against slavery. He actually even talked to people who were enslaved, encouraged them to become a part of the Civil War to fight on the side of the Confederates, even though some enslaved people were already fighting on the side of the Confederacy. Unwillingly, but that's what they were doing. And he told them, *If you do this and we win the war, you will get 20 acres and a mule.* That's what he said

to the people who went to war as -- on the north side. That never happened. It never happened, because the land that he intended to use, land that was held by the Confederacy that was taken from them because they were fighting against America, after the war was over they just recouped it. They said the land was no longer available for that 20 acres and a mule. And I want to say that the way history defines it it was mostly in Georgia and in Florida. Well, we're in New York, but the same attitude that we're only here to be enslaved workers has permeated itself through society year after year after year. Even when we get -- get way past slavery, way past civil rights, we come up with a welfare system, people moved from the south where they were farmers and sharecroppers. They moved to the north, maybe the husband finds a job, maybe he doesn't. So maybe they need something to eat. So they go and ask the services that provide services to rural people who live in a rural community with no problem. They said, *Oh, yeah, you can get this but you can't have a man living in your house.* So now you want to wonder why there are so many families, and particularly in the Black community, that they're not two-family households. Because this American society has suggested that there never should be. You separate them from the time they got on the ship to the time they got off, to the time they came for an opportunity to ask for a food stamp, you say you can't live with a man. Now we want to figure out how you put family values back in, and you still keep taking away, needling away, finding ways to arrest people, find ways to incarcerate people. Finding a way to

diminish a young kindergartener, first grader, second grader, to think that, *You are not able to learn at the same level as my children are so I'm not going to teach you at that level.* There's some public schools that don't even offer advanced placement classes where mostly your Black students are. That's not because they not capable, that's because you're determined that they not capable. And you determined that from your history, it's not mine. And I'm not willing to keep tolerating it. And so if we want to put together a commission that simply looks at what happened, not why it happened because you can't -- there's no way you can articulate why something like that would happen. You -- you can't even try to explain that to yourself or your children or my children. I'm not going to try to explain it to mine, either. But you want to know if this happened for economic reasons, economic things have happened as a result of it, where is the benefit for the people who helped do that? Now, my colleague mentioned earlier and I was really happy that he said that. Here we are, some 200 years later when this State's Constitution was written, and I'm sure when it was written the people who wrote it, our Founding Fathers, they never imagined that Speaker Heastie would be the Speaker of this Chamber. They never imagined that I would be the Majority Leader. They never imagined that Jeff would be the Pro Tem. They never imagined that, but it happened. Because in spite of the what -- how we were treated as a people in this country, some of us have learned to get by that. But you know what? Many of us have not. We have not, and they still struggle. So it would behoove all of us to want to help them figure out

how do you get past all this hate, separation and degradation that you have experienced. It weighs on you so heavy that you somehow think you -- you're your own enemy. And so you're shooting your brothers in the street about some turf area that you don't even own. Because you don't understand. You don't understand your history, you don't know -- understand how it's impacted you. Here we want to put together some top of the line professors, expertise, historians who will help articulate, here are the things we can do to shift this narrative, to shift this paradigm to one of a history where Black people who were brought here from Africa have been negatively impacted. Why don't we try these things to see if we can make -- turn that around and make something positive out of it so that the children who are coming behind us won't have to ever think that it was even not possible that there would be a Black Speaker, but to assume that they're always will be? As opposed to, as some people would have said, why would you be doing a Black Majority Leader, you already got a Black Speaker? You got to get us out of that little square box and let us join the rest of the world and show you what we have to offer. But there's so many opportunities that keep being stifled because we don't want to do what it takes to figure out how to make the problem better. I am willing to take the time to figure out how to make the problem better, and I know that most of the members of this House, because I know you, okay, I know you personally, on both sides of the aisle, I know that you would like to see a better world, a better New York for all of us as well. Don't prohibit us with negative conversation. Don't prohibit us

with negative conversation. Negative conversation grows negative conversation. We hear enough at -- at the national level, we don't need that here in New York. Let's move forward, be the great State that we think we are now. But let's show the rest of the world how great we are. Let's do a study and let it benefit the lives of New Yorkers and then have other people duplicate it. Because we've done some stuff in New York before that's been duplicated in other places. Let's do this right. I'm honored to have this opportunity, and I hope you all will join me. And let's -- let's just be mindful. We don't want to take anything away from any immigrant that ever walked in this country on their own free will. You are welcome here, okay? You're welcome. And in fact, if we had not put in as a people what we did, you wouldn't even want to come here. We built a country that other people desire to be in. And it's important that you understand how important you are to us. But we got to be important to you, too. You cannot keep listening to the racial innuendos that you hear on the national news, either in the country where you came from or the country where you're at now and believe this -- that there's something wrong with us. There's not. If there was something wrong with us we wouldn't have been stolen from our country and built the country that you all desire to be in now. But I'm just telling you that you're welcome. I just need to be welcome, too. Not just some of the time, but all of the time.

I look forward to voting for this.

(Applause)

ACTING SPEAKER AUBRY: Ms. Walker.

MS. WALKER: You know -- thank you.

On the bill, Mr. Speaker.

ACTING SPEAKER AUBRY: On the bill.

MS. WALKER: I was -- I happened to run across a scripture, it says, *If thy brother, a Hebrew man or a Hebrew woman, be sold unto thee and serve thee six years, then in the seventh year, thou shall let him let go free from thee. And when thou sendest him free from thee, thou shall not let him go away empty. Thou shall furnish him liberally out of thy flock and out of thy floor and out of thy wine press of that wherewith the Lord, thy God, have blessed thee, thou shall give unto him.* And so it says to me that this idea of reparations isn't a new idea, it isn't one that was created by this Body, it isn't one that was born just recently, but it is something that is indoctrinated within the history of our very existence. It's right, it's righteous. We have labor laws because of this. If I work for you, you pay me. Allow me to invest those resources into the soil. Allow me to invest those resources into businesses. Allow me to dream about generational wealth building for my future, for my legacy. Allow me to create a system that is not barred and marred by institutionalized and legalized discrimination. Allow me to have access to a world that is free from state-sanctioned brutality. Allow me to see a world where murder and dispossession and disfranchisement and gentrification isn't the legacy that I leave my children. Why? Because you owe me, because you owe me.

Germany, for instance, was able to give over \$70 billion to Jewish victims of the Nazi regime. In 1988, here in this country, President Ronald Reagan apologized, go figure, I'm sorry, for Japanese internment, and established a \$1.2 billion trust to pay reparations, and each individual received \$20,000. But he apologized, and he wasn't above that because we recognize that atonement and forgiveness are important steps in righting wrongs that people have carried year, after year, after year. Don't cripple our abilities to gain access to housing, education, public safety and health care. Let's create a system for our families that gives us access to the same capital that each and every American enjoys. But yeah, we're talking about slavery, but on many occasions I've stood behind this desk and I've submitted that slavery is still ripe, it is still alive, it is still in existence because we know that the very founding document indicates that slavery was abolished, except in the case of criminal punishment. And so when someone is subjected to a crime, it gives you the okay to take away their freedoms, it gives you the okay to take away their citizenship, it gives you the okay to take away their right to vote, it gives you the okay to take away their access to Pell and other grants in order to go to college. It gives you the okay in order to take away their ability to apply for housing. It gives you the okay to be discriminatory against them when they do.

And so yes, as a black woman I am standing here today to say you owe me. You don't just owe me, you owe my great-great-great-grandfather Guinea Charles who came here as a

slave. Yes, we have documentation of that, where he was from. And yes, he even fought in the Civil War when the regime of the person and the family who owned him in slavery was in Manassas and he was in their regime was overtaken and (inaudible) Charles was walking goods, such as water and food and clothing and letters from back home to where they were. He approached them and they had him gunned down, and he put them back into good health and he was the person who actually fought off the enemy who was against this particular group. But you know how you pay me back for whatever it is that the vestiges of slavery that existed that I have to walk with and live with for the rest of my life? You gave me a dream that maybe one day I could serve in a body that would never even have expected me to serve in. You gave me an opportunity to see the first Black woman to be appointed Majority Leader in the Assembly when in 1847 we saw the first Black woman to earn a medical degree. It took over 170 years for me to see that. It took over 170 years to see the first Black Speaker, and Senate Majority Leader, and City Council Speaker, and as well as City Council Majority Leader. But here I am with this bold vision that I don't have to worry about that anymore.

So I have this great opportunity where whenever it is that we have an opportunity to protest and stand up for what's right, I go downstairs, I walk to the elevator, I go down to the War Room on the Second Floor and I look up in the sky and what do I see? The Confederate Flag, blaring at me, ridiculing me, watching me. Watching over the legacy that I have to live with each and every day,

the pain that gets endured. And so in addition, so everything it is that we are doing here today, if we can say to South Carolina that you no longer should be flying the Confederate Flag over your State House, I would also submit that the Confederate Flag be removed immediately from the Second Floor War Room of the New York State Capitol.

You don't just owe us in a document, you owe us in your deeds because slavery is cruel, it's unusual. It leads to voter suppression, racist drug laws, mass incarceration. And I believe that its review is warranted, is warranted.

And so now I'm not asking, I'm demanding that you acknowledge the obvious today. I'm demanding that you commit for just asking for a study of the impact of slavery so that the State of New York can consider what the proper reparations for the descendants of enslaved Africans whose contributions have been ignored and certainly undervalued within the State of New York. Just a month ago, in the State of California, of course, became one of the first states, as we've heard, to acknowledge and undergo such an effort; and also, similar legislation has been introduced at the Federal level. We have to continue to be the vanguard in New York State, to set the tone for the rest of the country, because that is what Americans are expecting New Yorkers to do. Reparations are meant to address egregious injustices perpetuated and perpetrated against a group of people generally based on their race and/or religion. Again, not a foreign concept.

And so just like all of the other individuals who

earned their just do, we are saying that our 40 acres and a mule, which some were realized, some were just hopeful about, we know that we're in June, and Juneteenth is among us and when people were denying the opportunity to even know that slavery actually doesn't exist anymore theoretically, were never notified. We're asking for that apology to be that notification today, in this Body and in this room. It is time for accountability. It is time for that accountability not to just rest on the -- on the laurels of success here, but also support President Biden as he supports reparations for descendants of enslaved Africans. And continue to support the work that Congress is doing so that this situation can be acknowledged not just here in the State of New York but across America, because reparations go just that far.

So I will leave you with the words of Reverend Dr. Martin Luther King: "I came to Albany to cash a check. Pay me what you owe me." Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Ms. Bichotte Hermelyn.

MS. BICHOTTE HERMELYN: On the bill.

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

MS. BICHOTTE HERMELYN: Sorry, Mr. Speaker. I lost my -- can you come back to me, Mr. Speaker? Okay, I lost my...

ACTING SPEAKER AUBRY: Ms. Bichotte Hermelyn?

(Pause)

MS. BICHOTTE HERMELYN: I lost my -- sorry,

Mr. Speaker. Hold on.

(Pause)

ACTING SPEAKER AUBRY: Mr. Taylor.

MR. TAYLOR: Thank you, Mr. Speaker.

On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. TAYLOR: Thank you so much. There's been so much spirited debate here, so much has been said, and one of my colleagues the late Senator Bill Perkins was saying, yes, but not by me. So I just want to share just a little bit, the previous member mentioned something that was said I believe in '64 in Washington D.C. Dr. King used this verbiage: *America has given its colored people a bad check, a check that has been marked 'insufficient funds'.*

And when we think about what this conversation is about, do we have the perfect piece of legislation? Probably not. But if we're being honest with ourselves, we will never arrive at that perfect piece of legislation in this place because out of 150 of us, we all each have an idea that was not or will not be on that document; however, it is important to address what is there and the meat and bones of what it's asking us to do in this space. And when we think about the history of this country, outside of Charleston, New York State had over 42 percent of slaves. They were not sugarcane, cotton plantations, they were households in smaller numbers, but over 42 percent of the slaves, the largest population of slaves outside of Charleston, South Carolina existed in the colony of the State of New

York, if that is such a thing. And in doing so, we recognized that people did not and were not and still are not treated adequately. And all we're asking for in this space -- and I just divert just a moment. There was this popular singer, went by the name of James Brown. And he was a major, popular songwriter and dancer and performer. And he says, *I don't want you to give me anything, just open up the door and I'll get it myself.* And they thought that he was so rambunctious to say that because he was at the top of the charts across the board, and never again to reach that level of performance because the people that he said it to were indignant that he would say, I don't want you to give me anything, open the door and I'll get it myself. We're not asking for anything, we're demanding justice in this space today. We fought for so much. You name it, we've done it. The nationality, the issue, the people, we have bleeding hearts in this space collectively as 150 members have fought for the rights of so many people and given billions of dollars. And all we're saying in this space, consider the opportunity to allow us to look at this and then come home and say, what does you all say? I can't believe the nonsense in this space, with all due respect to my colleagues. We didn't say this is a dollar, this is a blank check, give it up. We're saying will you support the idea of consideration, and we got a song and a dance and a shuffle. Ridiculous. I'm gonna keep it a buck, that's 100.

We can do better, and I know we can. Let us not allow our fears to overrule our good sense in conscious. And when

we look about it -- look at this, Dr. King shared this, I don't think it was his originally, it's not what the enemy is saying or doing, it's the silence of our friends that's louder than what is actually taking place. Let us do the right thing and support this legislation. Thank you so much, Mr. Speaker. I'll be voting in the affirmative.

ACTING SPEAKER AUBRY: Ms. Jackson.

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

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

MS. JACKSON: Mr. Speaker, they want our rhythm, but not our blues. Thank you to the sponsor of this bill and the previous sponsor. Thank you to everyone, including our Speaker for being courageous and doing the right thing and bringing this bill to the floor. Every time Black people advocate for equity, we are faced with the what about me-isms. People bringing up indentured servants and their struggles have nothing to do with Africans stolen from their home, stripped of their native tongues, stripped of their native garb, stripped of their children, stripped of their religion and their culture. Slavery was divisive for African families and people. You watched it happen right here on the floor, Mr. Speaker. When one enslaved person wanted to escape, others will tell master because they feared everyone would be lynched for the behavior of one person escaping to freedom.

This bill was not debated with the previous sponsor, and I wonder why. And this sponsor did a way better job at

responding to outright offense to my ancestors. There isn't even a Black person on the other side, but you want a spot on the commission. Offensive. Outright offensive. This bill, like many others have said, is to create a commission to look at the harms done to African enslaved people and their descendants. New York State needs to examine the effects of slavery on Black maternal mortality, redlining, poverty, mass incarceration, Black Codes, Jim Crow, the sys -- the systemic oppression that is in our courthouses and our schoolhouses. Remember, slavery was only abolished in 1827 here in this State. We aren't that far removed from the physical chains of slavery, and now we are living under its effects. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Mr. Novakhov.

(Pause)

Ms. Dickens.

MS. DICKENS: On the bill, Mr. Speaker.

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

MS. DICKENS: Today, I serve in these hallowed halls, the People's House, or so they say, as the granddaughter of a man born into slavery, fathered by a mother's slaveholder, Samuel Dickens. Today, we discuss for hours the value of reparations for Black people who helped build this great country. This country would not be where it is, would not be the giant that it stands in the world

standing if it were not for the Black people who built this country from the fields of cotton to the homes of people.

We vote today for a commission to research the effects and conduct, the outreach that has impacted upon Black people that were brought here not to Ellis Island, but instead brought to the shores in chains and shackles to New York, North and South Carolina, Georgia and placed naked upon wooden stands shown as chattel to be purchased, to be sold, to be bought, not as humans, but as animals with no words of defense, no opportunities, no chance to escape, slavery or death. Other groups have been here and have been enslaved, but mostly in their own surroundings and their own countries, not as horrendously as the Blacks were, kidnapped from Africa and brought to North and South America, and to the Caribbean to build a country for free without any remuneration, without giving us any source of survival. We were brought so far away there was no opportunity, none whatsoever to escape slavery, nor were we able to find our way back to our own countries from which we were born.

Just yesterday, I went to a restaurant. And when I asked to be seated in a room where there were few people seated, I was told no, and instead right here in Albany, I was escorted to a table next to the bathroom, where I could smell the odors. And when I was objecting to being seated there and when I saw White people being seated where I asked to be seated I was told, oh, I'm so sorry. Well, I'm sorry, too, because I'm tired of being tired.

We've had no words of defense, we've had no

opportunities for fairness. In 1959, my father served in this same Assembly and put forth a bill that demanded that on State properties, on any State buildings, no flags of the Confederate Flag could be flown. And you know what? We were sent letters, we got phone calls, people came to our home and threatened our lives. This is what I lived through, not what I read about, not what I heard about, not what I saw on television, but instead what I actually lived through. And unless you've been threatened with being burned at the stake in your own home, you have no idea of the fear you have in your body, in your mind, and in your heart. I refuse today, I refuse to believe that my colleagues today would not support such a bill. I commend my colleague for having the strength to stand up and present it. I commend all that have spoken before me and those who have not but do support this, to say thank you. And my colleagues across the aisle, I know that in your hearts you are fair, I believe in my mind that you will support this. I believe that you will not let us down because you recognize what this country owes Black people for what we have contributed over the years. I believe in you and God knows I hope you don't disappoint me. I vote in the affirmative.

(Applause)

ACTING SPEAKER AUBRY: Mr. Morinello.

MR. MORINELLO: Thank you, Mr. Speaker.

Before I -- on the bill, I'm sorry, sir.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. MORINELLO: I want to remind those that may

have been here last year, I did vote to support this concept with the prior sponsor, and I'm bringing that out so that you know I will support this. But what I find, and I've listened to everyone very intently, and I do not disagree with the comments, it's not for me because I didn't live that life. There's only one thing in the bill that I find a little disingenuous, and if we want to bring people together to understand, as I look at the bill there is no representation or ability for representation from what that side of the aisle refers to as "our side of the aisle." And my feeling is this, if you are sincere and if you're sincere in moving forward and sincere in this study, then I think there should be some members, or we should have some ability to have members on that commission so that we exchange ideas. And if you want us -- and I don't mean "us" as far as this group here, but those that may not agree with you to understand better, then I feel that the total voice should be something that is needed. And I would ask that the possibility that we get some representation from the Minority Conference for the ability to appoint some individuals to that commission, because when you look at the makeup, it's still one-sided so there's going to be always some questions as to what occurred.

So with that being said, I did say I will continue to support, but I wholeheartedly beg that the sponsor consider some representation so that the concept and the discussions could continue and go further. Thank you very much.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Anderson.

MR. ANDERSON: Thank you, Mr. Speaker.

On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. ANDERSON: Mr. Speaker, today is a historic moment for Black New Yorkers and New Yorkers across this great State. We can no longer turn a blind eye to the history of anti-Black racism in our great State. We can no longer say that Black New Yorkers are State property. I'm no longer going to accept the concept that Black New Yorkers are State property. From Seneca Village, modern day Central Park, to the African Burial Ground in Lower Manhattan, to Timbuktu, Mr. Speaker, in the Adirondacks, we must confront our history head on because if we fail to do so we are doomed to repeat it.

Slavery, Mr. Speaker, is no more than just America's original sin. Slavery is the cruel, unusual and foundational system upon which our country was built on. The chairs that we sit in, the desks that we eat on, the file cabinets that we put our files in, even this very space that we stand in here today was built on slave labor. The reparations commission that we are placing together today, while not perfect, while it does not consider many of its aspects, it is our best chance to make sure that we can begin the conversations about repairing the harm. It will look at more than just slavery, it will also examine the lingering effects of institutional slavery and discrimination on living people of African descent. This would include housing discrimination, this would include unequal pay, this

would include discrimination, voter suppression, and police brutality.

It's important to acknowledge, Mr. Speaker, that during the period of chattel slavery here in the State of New York, and a lot of folks don't want to talk about this, but people were beaten and had their names changed, and had to live separate and apart from their families. Mr. Speaker, my last name is not Anderson. For every single lash that my ancestors had to take on their backs and were told to change their names, Anderson is not my last name, Mr. Speaker. All the accounts of pain and suffering for the shoulders of those ancestors who I stand on whose name I now have to carry because it was assigned to me through beatings. Today is the first step in that conversation being mandatory here in the State of New York.

A community of Black landowners whose land and livelihood was stripped away from them for pennies on the dollar, Seneca Village, this commission, Mr. Speaker, would ensure that we study how that happened and how we can make those families whole. One of a few African-American enclaves at the time, which and was including Seneca Village, allowed residents to be able to rebuild their lives in their then chattel slavery, and it was ruthlessly built over and bulldozed for the benefit of a few. In the 1850s, Mr. Speaker, Seneca Village comprised of 50 homes, three churches, as well as burial grounds and schools for African American students. This village meant so much to our people. This village is emblematic of the history of what it is to be a New Yorker, a Black New Yorker, having the little bit of what you have stripped away for the benefit of a few.

Seneca Village also, Mr. Speaker, provided an escape from unhealthy and crowded conditions of the City and access to more space inside and outside the home. This Legislature, Mr. Speaker, in 1853 --1953, excuse me, enacted a law that would set aside 775 acres of land in Manhattan from 59th Street to 106th Street, between 5th and 8th Avenues to create the country's first major landscape public park. The City acquired the land through eminent domain, taking it away, the law that allows government to take private land. There were 1,600 people living there. And although landowners were compensated, as I said, pennies on the dollar. And as although there's much to be done, Mr. Speaker, and I use Seneca Village as an example as to why we need to do this here today, the commission is designed to move the needle forward, as New York seeks to repair the systemic harms that have continued to this day.

In closing, Mr. Speaker, reparations is not a dirty word, and I'm sorry for those who believe that reparations and repairing harm is a dirty word. Reparations, Mr. Speaker, symbolizes atonement, restoration and justice. No more gaslighting, no more what about-isms. When you have faced the lashes, the name change, the tearing up of your village, the destruction of property, the splitting of your family, when you have experienced that, come speak to me about reparations. But this is our time and this is our moment to repair the harm that has been done to our people for generations, Mr. Speaker. And for the ancestors whose shoulders I stand on today, that allowed me to be the youngest, loudest, Black voice in this Chamber,

it is critical and it's important that we do not stand in the way of healing the harm of our people. Mr. Speaker, I proudly, proudly, vote in the affirmative on this bill.

(Applause)

ACTING SPEAKER MITAYNES: Mr. Anderson in the affirmative.

Ms. Bichotte Hermelyn.

MS. BICHOTTE HERMELYN: Thank you, Mr. [sic] Speaker.

On the bill.

ACTING SPEAKER MITAYNES: On the bill.

MS. BICHOTTE HERMELYN: Reparations is not about a paycheck, it's about atonement and acknowledging and correcting the historical disenfranchisement and discrimination that affects African-American who are descendants of slavery to this day. As many as 20 percent of colonial New Yorkers were enslaved Africans. New York abolished chattel slavery, treating people as legal property in 1799, but even as the statute repealed enslavers' property's right, it also called the gradual emancipation of the enslaved, a very long process, that allowed enslavement to continue in New York.

Slavery remained legal in New York until 1827. And even after that, it remained closely tied to the institution when it continued to exist in southern states. Many will say that the door closed hundreds of years ago, but our State's income disparity, which is the largest in the country, is in large part that the legacy of the slave system which built

and shaped the State.

Now, this isn't just about looking in the past. It's about the balancing scales for our future. We can't deny the massive disparities that exists with Black communities to this day. Chattel slavery was eventually abolished in various countries through the efforts of abolitionists and social movements. Significant milestones in the abolition of chattel slavery include in the Haitian Revolution, 1791 to 1804; the British Slavery of Abolition Act in 1883, and the American Emancipation Proclamation in 1863. However, the legacy of slavery continues to impact societies today as they continue to be systematically racist inequities and ongoing social disparities. This commission will study how to uplift and empower Black New Yorkers, whose existing disparities include housing discrimination, unequal pay, voter suppression, police brutality and disproportionate rates of incarceration. Slavery, by the way, still exists and impacts our community.

Now, as we talk about reparations, I often think of what happened to our 40 acres and a mule. And as a daughter of Haitian immigrants, I do think about what happened in Haiti, and to the many Haitians that came here who were enslaved, fought in a pivotal and courageous role in the American Revolution. The Battle of Savannah, Georgia, became one of the bloodiest and significant battles during the American Revolutionary War. American Continentals were outnumbered and supported by French Troops, including 800 from Santa Domingo, later Haiti, and other

French-Caribbean colonies. And when we bring up reparation about well, was there reparations for the Blacks and Africans in Haiti, you think about it. What was it? It was the other way around. After Haiti gained its independence from France in 1804 through a successful slave revolt, France demanded reparations from Haiti, yes. These reparations were intended to compensate the French slaveholders for their loss of property, including land enslaved people; 100 million francs, the debt imposed by France severely hindered Haiti's development and left the country in a state of economic instability. The French got their reparations, but where's our 40 acres and a mule?

There's no money too high to price -- to pay for the price to pay for the millions of Black people, African people who died and were slaves. From 1501 until 1866, an estimated 12.5 million Africans were put on a slave ship -- on slave ships during the Trans-Atlantic Slave Trade. More than one in 12 would die during the Middle Passage. During the reconstruction period, a 12-year period after the end of the Civil War, thousands of Black men, women and children were lynched. Chattel slavery allowed people considered legal property to be bought, sold and owned forever and was lawful and supported by the United States. But the government didn't keep its promise of 40 acres and a mule. Following President Abraham Lincoln's assassination on April 15th in 1865, President Andrew Johnson rescinded Field Order 15 and returned to Confederate owners the 400,000 acres of land. Where is our 40 acres and a mule?

The control and exportation of one human being by

another still remains. Just look at the bills that we're still fighting for, bills that we are fighting to pass today, some of which we have to continue to fight for. We're fighting for bills to rectify housing discrimination, health disparities, again, unequal pay, voter suppression, police brutality, disproportionate rates of incarceration. We are fighting every day. And very often, we have to go to court. We got to go to court just to gain access to basic fundamental human rights. And yet, where are those remedies that comes with these basic fundamental human rights? We're always arguing the 14th Amendment, Equal Protection Clause, over and over again.

One of the biggest battles I've been fighting for some time, since I joined the Assembly, is for Minority- and Women-Owned Businesses to get their fair share of resources. And its resources that has been stripped away from us, and it's been mind-boggling because we're fighting our own resources here in the courts. Property and resources that were owned and stripped from us, we've been raped economically. And we continue to be raped economically. A nation that forgets its past has no future. Where is my 40 acres and a mule?

Mr. Speaker, this commission is much needed, reparations were offered to so many other groups while Black people who were enslaved, people who endured extreme physical and psychological abuse, forced labor and denial of basic human rights, people who are often subjected and continue to be subjected to brutal punishments, restricted from education and live in squalor conditions,

never got those reparations, those rights. Slavery was an oppressive and exploitative system that amend the labor of enslaved people for economic gain. We need restitution, we need reparation. We need compensation. Yes, we need land grant, we need social services, we need our 40 acres and a mule, and we need an apology. In the name of our ancestors, I want to thank the sponsor of this bill, and I support this bill, Mr. Speaker. This bill will acknowledge the fundamental injustice, cruelty, brutality and inhumanity of slavery in the City of New York and the State of New York, and this bill will establish that New York State will have a community commission on reparations to remedy and to examine the institution of slavery as it impacts today on Blacks and to make recommendations on appropriate remedies to finally level the playing field of 400 years later. Those that fail to learn from history, are doomed to repeat it. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Ms. Glick.

MS. GLICK: Thank you, Mr. Speaker.

On the bill.

I know that we've spent a great deal of time on this issue and people might say we're near the end of Session and why, why are we going on about this issue, and I have to say, we've discussed this in the past and we should be beyond this at -- at this point. We should have a truth and reconciliation commission, we should be able to hear the truth and understand our own history and the pain that has been experienced by a significant part of our population. And it -- the Civil War, if you follow history, the Civil

War was just unbelievably brutal, but it was fought because slavery was immoral and evil. And after the war and maybe things might have been different if the losers would have accepted that loss, but they didn't. And so instantly, we wound up with an attempt to rebuild the same system of oppression. And as a feminist, we look back at when women got the vote and we celebrate that, it was in 1919 and it was wonderful. Well, in 1921 the Tulsa Greenwood Massacre occurred. That's not ancient history. That was White people in Oklahoma deciding that Black people had too much and they decided they were going to destroy their community and kill a bunch of Black people. That is not ancient history.

After World War II, people -- veterans, were given an opportunity through the GI Bill and through mortgage, access to mortgage support. That really only went, pretty much, the mortgage support and the housing support pretty much went to White veterans. And I remember listening to Charlie Wrangle say, he went up to the -- after he served in the Korean War, he went up to get some support from the Veterans' Administration and they suggested he could be a taxi driver. And he said I want to go -- I want to go to college and I want to go to law school, and I want to be a lawyer. But they were like, you know what? Being a taxi driver is a good job and a solid middle-class job. And he said, you know, I actually think I'd like to go to college and I'd think I'd like to go to law school, and he persevered and of course he became a member of Congress. But I don't know that someone similarly situated who had said, you know

I'd like to go to college, would have been told, you know, you're better off being a cab driver.

And I think the operative word that I kept hearing through the -- the afternoon was when my people came here, came. They chose. They may have come, they may have felt better, I walk across Russia and walk across Europe and get in a really dirty, crappy boat somehow and come over here and be treated pretty crappily, whether they were Irish or Jewish or whatever. And they have faced discrimination of a sort for awhile. But they weren't, as other colleagues have pointed out, chained in the base of the boat and stripped of their humanity. So -- and, and in fact, you know, in the last century, yes, people were stripped of their humanity in the Holocaust, and Germany has spent a long time trying to make up for that. And, they have sought to provide families with the stolen goods that were taken by the Nazis. And that has been -- that reparation has been ongoing. And I don't think anybody objects to that. And I don't want us to object to a truth and reconciliation conversation so that we can figure out how finally this country can move forward, can move past and can purge itself of the sin of slavery that we see repeated through our not that distant history. And frankly, I'm offended when I see Confederate Flags, I'm outraged. And people who -- you know I said the other day in relation to the LGBTQ community, that we shouldn't be the only ones to stand up and say that attacks on my community is wrong. So I feel that obligation to stand up for other communities that have been wronged, and continue to be wronged.

And I don't understand, you know, I'm a New Yorker, the north fought against slavery, we had stopped slavery, already, sort of, but in every little town Upstate, there's a -- there's a monument to people who fought in the Civil War, sometimes and some of the older, it may be a Revolutionary War, but there is a monument to people who served in the war, the Civil War, the First World War, the Second World War. I don't understand how people who go to the town square aren't offended by their neighbors who fly a Confederate Flag when their antecedents died fighting against slavery. I don't get that.

So I believe in my heart that this is a modest approach, a reasonable and a modest approach for everyone to have their say. I don't need to pick who's on the commission. I believe it's an opportunity for the commission to hear from everybody regardless of whether they're left, right, gay, straight, Black, White, or any other shade. People will be able to have their say, but in the end, we must move past this because we can't leave this for the next generation to continue what has gone before because it is a moral imperative that we change the course of our society once and for all. Other countries have done this, it's not rocket science. It just requires people to understand that it doesn't take anything away from you, doesn't take anything away from you to face truth and to heal from the evil of our history. Thank you, Mr. Speaker.

(Applause)

ACTING SPEAKER AUBRY: Thank you.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: A Party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed, but we do have members that will be supporting it and will be voting here on the floor in favor of this bill. Thank you, sir.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Majority Conference is going to be in favor of this very, very positive piece of legislation; however, there may be some exceptions. If they choose to do so, they should feel free to do so at their seat.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Brook-Krasny to explain his vote.

MR. BROOK-KRASNY: Thank you, Mr. Speaker. I know it's going to be 2 o'clock in the morning --

ACTING SPEAKER AUBRY: One minute. Please, gentlemen.

MR. BROOK-KRASNY: One minute, yes. One minute.

ACTING SPEAKER AUBRY: Gentlemen.

MR. BROOK-KRASNY: I'm going to be very concise. I came here 35 years ago from the other side of the globe. So I cannot be a part of the problem that we're discussing here all day long. But I want to be a part of the solution, but I can't be because I'm a member of the Minority and this is a partisan bill. Mr. Speaker, I strongly believe that partisan bills won't be able to move our State forward. I will vote for this commission but this commission will become a bipartisan commission. Thank you very much.

ACTING SPEAKER AUBRY: Mr. Brook-Krasny in the negative.

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you, Mr. Speaker. First and foremost, I want to thank my colleagues on both sides of the aisle for this debate, which has been respectful, even though we sometimes have very, very strong feelings. And it is a tribute to this Legislature that we can have a thoughtful and respectful discussion and debate on a difficult issue. For that, I am very thankful.

Second, I wanted to focus on where we have, I think, certainly bipartisan and I think unanimous agreement. Everyone in this Chamber on both sides of the aisle, at least I think, are fully committed to ensuring that every New Yorker has a fair and equal opportunity to succeed in life, to maximize their human potential. And I know that all of us are committed to ensuring that as we move forward that we address in a strong and compassionate way any impediments to anyone achieving their maximum potential. The

concern that I and some others have is that this bill focuses in part on what we can do moving forward, for which I have complete support. But in part, in looking backwards. And I support looking backwards to the extent it helps us understand how we need to move forward, but our focus should always be forward. And the call for reparations creates that challenge for several of us.

Thank you, Mr. Speaker, and again, thank you to all my colleagues.

ACTING SPEAKER AUBRY: Mr. Goodell in the negative.

Mr. Steck to explain his vote.

MR. STECK: Thank you very much, Mr. Speaker. As a Civil Rights attorney, I must state that the concept of reparations is well established in International Law. Germany pays reparations to Jewish victims of the Holocaust. In Argentina, reparations are paid to victims of the military dictatorship. Those are just two examples. It is important not to blow this bill out of proportion for political purposes. This should be a study of reparations for victims of New York slavery, not a study of reparations for all victims of slavery everywhere in the United States or the Western Hemisphere. We also have to examine how we are treating Native Americans who are victims of genocide and intense discrimination.

History unfortunately is ugly. We only have to look at Ukraine to know that. Personally, I believe the best way to deal with these issues is New Deal-type Social Democratic programs that

benefit all our citizens now and in the future. I very much look forward to that day because as Martin Luther King said, *equal opportunity is not enough*. International law favors this bill, and I vote in the affirmative.

ACTING SPEAKER AUBRY: Mr. Steck in the affirmative.

Ms. Shimsky to explain her vote.

MS. SHIMSKY: Thank you, Mr. Speaker. As a PhD in history I'd be guilty of professional malpractice if I did not stand up on this one. Cultures and aspects thereof survive through generations. Black chattel slavery created an unparallel level of institutional dehumanization over multi-generational periods of time. But just as monstrous was the metastization of those attitudes into the White supremacy that has survived today. Even if our ancestors were not here for slavery, our ancestors were here for this, and many of our ancestors took part and benefitted from it. And if my colleagues who testified firsthand of the many, many, different ways that racism still effects individuals and the society today, people should go back and look at the Black maternal health resolution discussion from several weeks ago, if they have the stomach to do it. If I'm not competent to talk firsthand about those things, I can refer to today's efforts to create new generations of racists by attempting to conceal the history and the current events we talked about today. And to talk about a recent President of the United States who tried his damndest and succeeded to a large extent to make racism and other forms of bigotry

fashionable. We have a lot to unravel in this country but unravel it we must to make the lives of millions of our neighbors better and to our make our society better. This legislation as it's been said, everybody can nitpick, but this legislation is a good start and I am proud of this State for moving forward with it. I vote in the affirmative.

ACTING SPEAKER AUBRY: Ms. Shimsky in the affirmative.

Mr. Maher.

MR. MAHER: Thank you, Mr. Speaker. I rise to explain my vote. I am not Black, but I have a perspective and I have a story. I am the son of an amazing mother who at the age of five came to the Bronx from Puerto Rico with my grandmother who really could barely speak English and still has a tough time. My mother moved us and my five brothers and sisters up when I was six months old to Baldwin, Town of Montgomery, Upstate New York. She was one of the first Hispanics, people of color to -- to move up there. And as a young person, I remember my mother being treated a certain way for the way that she looked and the way that she talked. And I specifically remember the look on a person's face; it was a smirk, it was a treatment and my mother had such an embarrassed look on her face, and as a young person you don't really get it. When you get older, you start to. But the one thing I never forgot was how angry that made me, and that anger is something that always overcame me and that was my perspective. I believe that this absolutely should have bipartisan representation whether we have a representative on

our side of the aisle that is a person of color or not. I think that perspective is important in terms of the information that we need to collect as part of this commission. My vote today isn't specifically because I believe every single thing here in this bill, but really it's an acknowledgement. The sponsor of the bill used that word, so thank you for your acknowledgement to one of my colleagues. And one thing that I have learned from the Black community that I represent here in the New York State Assembly is that they appreciate that. And I just want to end by saying our Majority Leader said something that really struck me, and I really appreciate it so much on what one of my colleagues had to say, she said our Founding Fathers maybe couldn't have imagined that she'd be here today, but I'd like to believe that some of them very much did and that's how great our country has the potential of being. So my vote today is in the affirmative and I will support this not because it's perfect, but because I believe that we need to confront this problem and not lead with fear --

ACTING SPEAKER AUBRY: Mr. -- Mr. Maher --

MR. MAHER: Thank you, Mr. Speaker.

ACTING SPEAKER: Mr. Maher in the affirmative.

Thank you.

Mr. Angelino to explain his vote.

MR. ANGELINO: Thank you, Mr. Speaker, to explain my vote. And if ever a vote needed an explanation this is the one. The -- the reason that I can't support this is because it doesn't include a Minority appointment from this side of the aisle. The word

community is right in the title of the -- the -- the Act that we're voting on today, and the -- the community as a whole should be included in this. And while we're talking about communities, the community I live in has a particularly nice Black family, a beautiful Black family; it's a mom, it's two daughters and a son. There is no dad because my brother died. And if you don't think being a police officer in a small town with Black relatives didn't cross paths, you got another thing coming, because I know officers were out there and my nieces and nephews would tell me. And I think there was a few shocked faces on a police officer when we looked at somebody's ID and it matched their boss's name. I think it's a mistake to not have somebody from the Minority party represented or an appointment to this commission. You don't know who you're going to get, you might get somebody very open-minded and I would ask that before the commission is appointed to consider this. But for right now, I would like to support this, but I don't think you're getting the whole community's input into this. So I'll be voting no. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Angelino in the negative.

Mr. Lavine.

MR. LAVINE: So let me -- let me correct the record with respect to two important factors. The bill does not preclude the appointment of people to the commission who are not Democrats. It does not. Secondly, several have referenced the Civil War, that the Civil War was fought to end slavery. That's not the way the Civil War

began. The Civil War began because South Carolinians had fired on Fort Sumpter and because southern states decided to secede. When Lincoln was first inaugurated, he spoke of the mystic chords of memory, meaning emotional responses that people have. The war was already raging at that time. I've heard a lot of debates on this floor. I don't think I have ever heard people advocate for a bill. People whose families had suffered. I have never heard people advocate with a greater sense of grace. I'm going to be very honored to vote in favor of this bill, especially at a time when some of our sister states, when it's Texas, when it's Florida, can't even teach reconstruction in those states anymore and there are more and more bills being offered in state legislatures that rob us not simply, not only of what we would consider Black history, this is American history, it is the history of all of us.

(Applause)

And we better stand up and that's why I am happy and honored to vote for this bill. And again, to all the advocates, I have never ever heard more grace exhibited in this room. Thank you.

ACTING SPEAKER AUBRY: Mr. Lavine in the affirmative.

Ms. Chandler-Waterman.

MS. CHANDLER-WATERMAN: Thank you, Mr. Speaker, for allowing me to speak on this bill today. Thank you to the sponsor on this bill. We are our ancestors wildest dreams. Our ancestors are watching down and their blessings guide us as we do the

people's work. I am so honored to stand here with my colleagues that articulated very well the sentiments of our people's struggle and continued struggle. I stand with my fellow colleagues to acknowledge a conversation that's tough to those only that do not want to have the conversation. The fundamental injustice, cruelty, brutality in humanity of slavery in the City of New York and the State of New York has had a generational legacy which have had a devastating impact on our housing, education, food disparities, criminal justice system and our everyday lives. We have a chance to acquire what's rightfully ours. As legislators we have the opportunity to create a discourse of change for the better. This bill is to form a commission of reparation to examine the institution of slavery and the injustice and humanity of our people. This bill I agree is not perfect, but we need to start somewhere. Had it not been for the strength of our ancestors, I would not be sitting here today in the People's House as the first Black woman to represent District 58. I stand in the affirmative not only for the sake of those here, but for my children and my children's children. I end with this, Sankofa: In order to move forward, we have to address the past. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you. Ms. Chandler-Waterman in the affirmative.

Mr. Epstein.

MR. EPSTEIN: Thank you, Mr. Speaker. I rise to explain my vote. You know, I'm proud to cosponsor this bill and to understand our history and the world we have to really review it,

understand it and hold -- hold ourselves accountable, and that's all this bill is doing. Now obviously the history of slavery is something that we all know. The issues of slavery and Jim Crow continue to exist in our society today and it's our obligation as New Yorkers to really delve into this and figure out what our responsibility is going forward. I want to applaud the sponsor for her leadership and excited to vote in favor of this bill and look forward to the report that comes back from the commission to force New York to do what's right to deal with the history and the abomination of slavery in our State and in our country. I vote in the affirmative.

ACTING SPEAKER AUBRY: Mr. Epstein in the affirmative.

Ms. Hyndman.

MS. HYNDMAN: Mr. Speaker, thank you for allowing me to explain my vote. With all the reasons that have been said in this Chamber today, I just want to be mindful that we are dealing with attacks on college admission, banning of books, banning of curricular across this country and so I really hope that my colleagues who are opposed to this are the same ones who will stand up in rooms all over this State and push back against narratives that do not edify this Body as they claim.

So to the sponsor, I thank you for this commission because history will only will repeat itself if we don't understand what real history looks like in this country, in this State. So with that, I withdraw my request and vote in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Ms. Hyndman in the affirmative.

Mr. Novakhov.

MR. NOVAKHOV: Thank you, Mr. Speaker. Today is my 60th day in this Assembly and it has been the most difficult and the most emotional one. First of all, I would like to thank everyone who spoke today on this bill. Again, it was very emotional and, you know once I -- I'm a Jewish and Jewish people was in slavery for 210 years in Egypt, for 210 years. I just would like to ask my colleagues when you will be forming the commission, I think there's some people from this side of the aisle who deserve to be in this commission because slavery and hate and it doesn't have a color, it doesn't have a color, really. Thank you so much. I'm in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Ms. Septimo to explain her vote.

MS. SEPTIMO: Thank you. First, I would like to commend the sponsor and the Speaker for the herculean effort that has gone into bringing this bill to the floor and to a vote and to passing this incredible piece of legislation that is really about the future of New York. We've heard so much about the past and why this bill is important and so many of the wrongs that we are looking to correct by studying the effects of slavery. But we have to recognize that the importance of this legislation is that it is charting the future of New York in that it is saying we will not be a place where we run from responsibility, instead we will run towards it. We will acknowledge

harm caused to the Black community historically and we will seek to rectify it because New York is a State made up of leaders. And the people in this room are committed to leading our communities forward in a way that is genuinely committed to leveling the playing field for all communities. In a way that recognizes that you will never level a playing field if you do not acknowledge the harm that has been inflicted on the Black community and continues to be inflicted through the vestiges of slavery like mass incarceration, like police brutality, like redlining and so many other things that we've heard about today. So I want to thank every single one of my colleagues for participating in this incredibly special moment and I hope that the rest of our colleagues will join us on what will be a long journey in making sure that we ensure that New York is standing for justice and for restoration of dignity and respect to a community that has been denied it for so long. Thank you.

ACTING SPEAKER AUBRY: Ms. Septimo in the affirmative.

Mr. Gallahan.

MR. GALLAHAN: Thank you, Mr. Speaker, for allowing me to explain my vote. I agree with my colleagues behind me about the representation on this commission. And since I've been in this Chamber, every time that something comes up for a vote, a bill and it does not include an appointment from the Minority, I am always in the negative, but I've talked to several of my colleagues on the other side of the aisle about this and a couple times it's been changed and I

voted in the affirmative. And we could stop all this if you would bring my bill to the floor. Bill 3207 requires appointees of the Minority Leader of the Senate and the Minority Leader of the Assembly to be included in all legislatively-enacted workgroups, task forces, commissions and committees. I have to disagree with one of my colleagues. There are no appointments available here from -- from the Minority. There's three appointments by the Governor, there's three appointments by the Speaker of the Assembly and three appointments by the temporary President of the Senate. I'm not saying you have to put a Republican in, but let our side determine who should be there and give us that opportunity, give the Minority that opportunity. Therefore, I will be voting in the negative. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Meeks to explain his vote.

MR. MEEKS: Thank you, Mr. Speaker, for the opportunity to explain my vote. Every so often I find myself reaching back in history and looking for a sense of motivation, sometimes that comes by way of Carter G. Woodson and reading *The Mis-Education of the Negro*. And just here earlier this week I decided to pick up a book, the *Narrative of Frederick Douglass* [sic]. And in this book, it says, families trapped in poverty and systemic injustices. Children denied civil rights because of race. A nation with immense potential for freedom spiraling into prejudice, violence and hate. The country Frederick Douglass knew over one hundred years ago is strikingly similar to the one we live in today. The truth lessons and hope he

offered during his remarkable lifetime not only helped shape Abraham Lincoln's presidency and the American Civil Rights Movement, they can guide and inspire us in our own cultural movement. Born into slavery in 1818, Douglass escaped to New York City at the age of 20 determined to tell his story and fight for the rights of all men and women to be free.

Mr. Speaker, I stand here today as a modern day abolitionist, continue, committed to the fight against slavery. Mr. Speaker, I stand here today as an asylum seeker, similar to my ancestors who fled the South from terrorism, fighting, fleeing for their lives and for the future of future generations. And why I say I stand as an asylum seeker, because I'm still seeking that sense of sanctuary in my community and the State of New York. I feel this legislation is a start for us to take a real look at the challenges that present themselves from the past as well as the future and, Mr. Speaker, I vote in favor of this legislation. Again, thank you to the sponsor.

ACTING SPEAKER AUBRY: Thank you, Mr. Meeks.

Ms. Levenberg.

MS. LEVENBERG: Thank you, Mr. Speaker. I rise to explain my vote. I know I've spoken on this floor before to speak about that I am the child of Holocaust survivors. And in fact, my grandparents were German and they did receive reparations. They received reparations from Germany. And I, actually, now have the benefit of German citizenship because they acknowledged

wrongdoing and they acknowledged that they had stolen the base of life out from under the Jewish people and others during the Holocaust. And as a result, they were willing to make right by what they had done wrong. And just as that was the truth, I believe that we need to do the same for those that we have wronged here in this country and I'm so proud to stand with so many of my colleagues who were either descendants of slaves or have been unfortunately suffered the consequences of slavery, bigotry, racism in this country. And we need to do everything that we can to correct the wrongs, to give back the base that wasn't able to be built on for those who were taken from their homes, ripped from their belongings, brought to this country and forced to work. We have a lot more work to do. This is only the beginning. I'm proud to stand with my colleagues and voting in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Thank you, ma'am.

(Applause)

Ms. González-Rojas to explain her vote.

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

I want to commend the sponsor and the Speaker and all those who support this bill. As a non-Black Latina of this Body, I understand that anti-Black racism harms us all. And it is incumbent upon us, as leaders, to address the scourge of chattel slavery and its impact on our Black New Yorkers. We must acknowledge and address the fundamental injustice, brutality and inequities that the stain of slavery has left on our great State of New York. This bill will simply create a

reparations commission that will provide thoughtful determinations and recommendations as how we can right these wrongs and make our Black New Yorkers whole again. I am proud to stand in solidarity with our Black colleagues and vote in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Thank you, Ms. González-Rojas.

Ms. Simon to explain her vote.

MS. SIMON: Thank you, Mr. Speaker. I want to commend the sponsor and all of my colleagues who have spoken so powerfully. We saw an incredible demonstration of the power of women fighting on this floor today and I want to commend everybody who have spoken in favor of this legislation.

America was founded on chattel slavery. It is the unique thing about involuntary servitude and indentured servitude and various other kinds of servitude that exist around the world and even in this country, but chattel slavery is unique to America. It was very much a part of New York. It is something we must all acknowledge, must all respect and we must all work together to ensure that there is in fact reparations. So I'm very honored to vote in support of this bill. Thank you.

ACTING SPEAKER AUBRY: Ms. Simon in the affirmative.

Mr. Mamdani.

MR. MAMDANI: Thank you, Mr. Speaker, for the opportunity to explain my vote. I didn't plan on speaking today, but I

rise to respond to some of the questions that have been brought up by our colleagues on the other side of the aisle. I have heard concerns about the question of whether African descent is too broad and what if someone like Elon Musk could qualify for such reparations. We need not look further than this own House. My grandfather's family came to Lamu in Kenya in 1890. My grandmother's family came to Zanzibar in 1890. I was born a son of the Ugandan soil in Nsambya Hospital in Kampala in 1991. I am of African descent and I am not Black. And that is not a surprise to anyone of us here. And I am not eligible for any kind of reparations tied to the harms of slavery. And I trust that the commission would find that same determination because who is better at determining blackness than the United States Government, because it is that government that determined it from the inception of this country through Jim Crow, up until this point to deny political, social and economic rights to Black Americans at every single juncture. There was no problem with it for many throughout the duration of that time and yet now when it comes to the question of reparations, everyone is concerned. I have also heard the question of why shouldn't the Minority, which has never sounded like any minority I've met in my life, be given the ability to appoint members to this commission? The Republican Party is in full embrace of Donald Trump. A man who referred to many of the places -- a man who referred to many of the places that enslaved New Yorkers came from as shit hole countries. So why should that same party be able to determine --

ACTING SPEAKER AUBRY: Ladies and gentlemen, ladies and gentlemen, ladies and gentlemen.

MR. MAMDANI: I do not understand why that is so objectionable. Do you not support that man who has said these things?

MR. GOODELL: Mr. Speaker?

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

MR. GOODELL: Would you remind the speaker if he would please to focus his discussion on the bill that's in front of us as opposed to unrelated political comments that are inaccurate or derogatory. Thank you.

ACTING SPEAKER AUBRY: Staying on the bill-in-chief, thank you.

MR. MAMDANI: Thank you, Mr. Speaker. All that I have left to say is my sincere expression of gratitude for the sponsor today for fighting to bring this legislation to this point, for the sponsor that preceded her for originating this legislation and for all those of my colleagues who have suffered through the indignities of slavery and its history in this country and who are here today to lead us to a future where we reckon with it, rectify those same injustices and we move forward to a New York for every single person here. Thank you very much.

(Applause)

ACTING SPEAKER AUBRY: Mr. Mamdani in the

affirmative.

Ladies and gentlemen, it's a long day, it's a tough day, let us maintain some dignity.

Mr. Otis to explain his vote.

MR. OTIS: Thank you. You know, we could have done this bill ten years ago, 20 years ago, 50 years ago, 150 years ago. But we're in a special moment in time right now because something that I never would have thought would be imaginable is going on across this country today which is in other states the history of slavery as part of American history, the truth of it, is being stripped from history books, is being stripped from curriculums. Teachers are going to be punished if they teach the true history of this country. And so one of the positives of this commission would be not just to talk about reparations in the general sense, but to educate everybody about the continuing legacy of slavery and what it means today, how it impacts people today. This is a very important lesson, a very important opportunity.

I'd also say that when we here in this House throughout the year, we work on education issues, we work on housing issues, we work on issues related to health care and so many other issues and we do the best we can but we're not doing a good enough job in a lot of areas that affect people's lives. And one of the things that we have to recommit ourselves to do is quality in terms of the policies that come out of here so that we can really make a difference for everybody, but we certainly have to make a difference

for people who have been suffered for the legacy of slavery and bigotry in this country and in this State. So let's get this work done and I proudly vote aye.

ACTING SPEAKER AUBRY: Mr. Otis in the affirmative.

Ms. Lucas to explain her vote.

MS. LUCAS: Thank you, Mr. Speaker. My colleagues throughout this discussion has already started talking about circumventing the system by including themselves in the idea of reparations. For their blue-eyed children, no shade, and their ancestors who were indentured servants. That is the point I was making. We also had someone mention about their African descent who believes that they wouldn't be included in the conversations because we know who's Black. But if it's not reflected in the language, that's when it can become complicated and confusing, but I feel strongly about ensuring that those people who were actually enslaved in America were repaired. That was my point. That the Elon Musks of the world don't circumvent the system as we've seen happen on other instances. But I am happy that the sponsor of this bill has finally recognized, today, on record, and everyone has spoken about chattel slavery, that lineage-based has to be also a focus in this particular study. And because it's on record, because it allows us to see the intention of the sponsor, I am going to change my no vote to a yes. Thank you, sponsor.

ACTING SPEAKER AUBRY: Ms. Lucas in the

affirmative.

Mr. Ari Brown to explain his vote.

MR. A. BROWN: Thank you, Mr. Speaker. I think this is like a watershed moment for all of us. You talked about a lot of things, fairness and looking at our past, confronting our past, but let's look at ourselves for what we are right now, right here. I explained how my kids have Black African-American in them and I heard they're not the same because they have blue eyes. When my daughter used to say, *how come my hair's not like my sister?* And I said, *but you're beautiful just exactly the way you are*, that wasn't good enough. There's going to be degrees of who's Black and who's not Black. My wife's ancestry -- ex-wife's ancestry can look back at the Zulu tribe, that's not good enough. You know, people talk about confronting our past. Let's look at our present. I'm one of the older members here. I've lived a life when my grandmother was in the room with us and I heard about how babies were ripped from her arms and stamped under the foot of a boot, not 200 years ago. How her sister was made into a lampshade. I have no family, zero on my mother's side. I don't have to look back. I literally turn around and the Holocaust was there. I do understand. People said if only you could have lived this. My family, my immediate family lived this. I have nobody on one side, they were all put into ovens. They didn't get reparations. And the only reason the Germans gave reparations is because they were forced to give reparations. Gold ripped out of their teeth, babies stamped under their foot, people made -- my immediate family made into ashes. I do

understand and that's the exact reason why, you know, we're asking just to be part of the conversation because we can contribute to exactly what's happening here because we do understand and maybe something good will come of that. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Alvarez.

MR. ALVAREZ: Thank you, Mr. Speaker. I identify myself as an African Caribbean person and I just want to thank the sponsor for bringing this over to the floor. I'm so, so proud to vote yes on this bill and I couldn't stay quiete because it impact me directly, impact my family and impact my ancestor. Thank you.

ACTING SPEAKER AUBRY: Mr. Alvarez in the affirmative.

Ms. Solages to explain her vote and close.

MS. SOLAGES: Just over a year ago, a monster drove hundreds of miles to kill New Yorkers, Black New Yorkers and on his weapon was a phrase, on his gun was a phrase and it said *this is your reparations*. Some may argue that the past is the past and that we should move on, but how can we move on when the echoes of history still reverberate in the lives of millions, excuse me. How can we build a future on a foundation stained with injustice. I want to take a moment to thank the coalition of all the people who have helped me in the many groups too numerous to - to explain. Our former colleague Barron for speaking always truth to power and advancing the topic of reparations, Program and Counsel, my staff, the caucus

staff who helped pushed this initiative, especially my colleagues, all of you, whether you vote for it or not I thank you for this robust discussion, Speaker Heastie and also our colleague Taylor Darling who really worked with me side-by-side on this initiative. I thank her for always being there and collaborating with me.

Today New York will take a step forward in dismantling the systematic barriers that continue to hold back so many New Yorkers. Together we're one day, one time, closer to healing. I'm voting in the affirmative because together we can make New York better. Thank you.

ACTING SPEAKER AUBRY: Ms. Solages in the affirmative.

Time is not our friend. Mr. Ramos to explain his vote. Quickly, please, thank you.

MR. RAMOS: Mr. Speaker, I proudly support this bill and I want to commend the sponsor. And, you know, it saddened me, something as logical as what we are trying to pass here, something that we could clearly, everyone knows about the atrocities and the -- the need for some kind of study to be able to repair some of the damage done, repair some of the -- the wrongs that we see now. It -- it saddens me when -- when some of my colleagues on the other side, most of which I consider friends, and I hear some of the things that are said here. We see nationwide efforts to erase Black history saying that, you know, it would make White people feel guilty, when White people were abolitionists as well, they were part of

freeing slaves. When I see my colleagues almost as a block vote no, because they don't believe the existence of this bill, they don't believe the existence of this commission, they don't feel there should be a study, they don't feel there should be reparations, but they stand up, they say --

MR. GOODELL: Mr. Speaker, point of order.

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: I'm happy to hear my colleague's comments on this bill. It's inappropriate for him to suggest that he knows what we're thinking and we're doing and why we're doing it. He is welcome to talk about the merits of the bill, but he does not meet our rules of decorum when he attacks other members on this floor with suppositions.

MR. RAMOS: Mr. Speaker --

MR. GOODELL: And my good colleague, the Majority Leader, has made that clear in the past and I would ask that you make that clear today. Thank you, sir.

MR. RAMOS: I think I'm referring to some of the comments made here.

ACTING SPEAKER AUBRY: Let --

MR. RAMOS: And I'm about to finish. So the irony of all this --

ACTING SPEAKER AUBRY: Folks, we need to try and get through this.

MR. RAMOS: Sure.

ACTING SPEAKER AUBRY: Nothing that anyone says now is going to change anybody's vote, so let us proceed. The vote will go, democracy stands with the numbers who win and the numbers who lose. So please, let's proceed. Mr. Ramos, finish up, please.

MR. RAMOS: The last thing I'd like to say. The irony of -- of this is that after not believing this bill and the existence and voting against it, whether you vote against it and you don't feel that this commission should -- should exist, then the reason given is that the no votes are because they're not included. They want to be part of it. So it's very ironic.

Mr. Speaker, as a Hispanic male who has an ancestry, has ancestors who were slaves, I proudly vote in favor of this bill.

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

Ms. Tapia to explain her vote.

MS. TAPIA: Thank you, Mr. Speaker, for giving me the opportunity to explain my vote. I am an immigrant that was born in the Dominican Republic. And the Dominican Republic, my ancestors, are also slavery [sic] that were brought to the Dominican Republic by our colonizers. So I feel today and I commend, commend the sponsors and all my colleagues for putting out all the feelings that had to do with what happened with Black America in all these years of slavery that we continue to have today. I'm so proud to rise today and explain my vote in favor of this bill that is going to start changing

the future of America. Thank you.

ACTING SPEAKER AUBRY: Ms. Tapia --

MS. TAPIA: I vote in the affirmative.

ACTING SPEAKER AUBRY: -- in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

(Applause)

Page 6, Rules Report No -- Page 8, Rules Report No. 690, the Clerk will read.

THE CLERK: Assembly No. 04282-B, Rules Report No. 690, Paulin, Sillitti, Walker, Darling, Dickens, Ramos, Burgos. An act to amend the Town Law, the Village Law, the County Law, and the Municipal Home Rule Law, in relation to moving certain elections to even-numbered years.

ACTING SPEAKER AUBRY: There's an amendment by -- at the desk by Mr. Ra to briefly explain the amendment while the Chair examines it.

MR. RA: Thank you, Mr. Speaker. This amendment would make this law applicable only to counties with a population in excess of three million.

ACTING SPEAKER AUBRY: The Chair has found your amendment, Mr. Ra, and has examined your amendment and found it germane to the bill before the House.

On the amendment, sir.

MR. RA: Thank you, Mr. Speaker. You know, this bill that we're going to be debating in a few minutes is coming about at the end of Session here. It's a bill that first came up last year and there was talk of hearings being held. To my knowledge none of that ever happened. Here we are in the weaning days of Session talking about a bill that mandates - and I want to be clear - on some local governments, not all of them. And one of the things I'm sure we'll talk about is, you know, New York City being excluded. I know there's constitutional provisions and talk about maybe doing that in the future. Well, I don't see any bill moving forward now to do that, to make sure New York City's elections are held in -- in even number of years. And in fact, none of the cities in this State are included in this bill. None of them have to move their elections.

Now outside of that, we're going to I'm sure hear a lot about how this is going to increase turnout because there's more turnout in even numbered years. And look, we've done a lot in this House to increase turnout in elections, no question, but local elections happen on local issues. I've seen things like, you know, in Nassau County, one of the biggest issues in our county, last countywide election was our assessment system. Town elections when you talk about, you know, when there's been corruption issues or there's been issues with a building department. Those issues will get swept away if these -- if these elections are all held on -- on even years so that you're going to basically have what's going on nationally dictating a local election and -- and those local issues are not going to get here.

The other issue is that I don't know what and we -- some of my colleagues raised this in committee earlier, I don't know what the ballot is going to look like to have this many offices on it and whether we have the infrastructure in place to -- to handle that because I don't know, you're either going to have very, very small print or you're going to have to have a larger ballot, are the current machines going to work? There's a lot that goes into this, which is, again, why I think hearings needed to be held and -- and why we need to get to a place where we actually have a discussion as to how this would all work. And we deal with the financial implications of this and there will be financial implications. And it was suggested earlier that the cost would be more than made up by the fact that we wouldn't have to have, you know, other elections, but they're still going to be other offices on the ballots. So they're still going to have to run the elections, they're still going to have to deal with staffing, early voting and Election Day and everything that -- that -- that goes with it. If we need new machines and all kinds of things like that, that's going to cost a lot more than -- than any savings that's going to come from maybe printing a smaller ballot in the -- in the next year.

So, this is a simple amendment that suggests that if we're going to for whatever reason exclude every city in this State from this bill, that -- that we should really only make it applicable to counties with -- with a very, very large population so that they can -- they can deal with all of the costs that are -- that are coming with this bill. So I urge my colleagues to support and -- and adopt this

amendment. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mr. Brown.

MR. A. BROWN: Thank you, Mr. Speaker. Madam sponsor, will you yield?

ACTING SPEAKER AUBRY: No, we're --

MR. A. BROWN: Oh, I'm sorry.

ACTING SPEAKER AUBRY: We're on the amendment at the moment.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. I would just stand to urge my colleagues to reject this opportunity to add an amendment to Ms. Paulin's legislation.

ACTING SPEAKER AUBRY: A Party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is supportive of this amendment. If there's anyone that wishes to vote against it, they can certainly do so here on the floor. Thank you.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. I urge my colleagues to vote no on any amendment that will be added to Ms. Paulin's bill.

ACTING SPEAKER AUBRY: Thank you, both.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Announce the results.

(The Clerk announced the results.)

The amendment is defeated.

We have another amendment. This amendment is at the desk by Mr. Slater. Please, Mr. Slater, briefly explain the amendment while the Chair examines it, sir.

MR. SLATER: Thank you, Mr. Speaker. I've offered an amendment that adds to the bill-in-chief by applying the changes proposed by the bill-in-chief to counties and towns with a population under 5,000.

ACTING SPEAKER AUBRY: The Chair has examined your amendment, Mr. Slater, and found it germane to the bill before the House.

On the amendment, sir.

MR. SLATER: Thank you, Mr. Speaker. On the amendment. It can be argued that the consolidation of county and town elections into even numbered years presents a significant flaw. Namely, the potential dilution of the importance of local issues. Mandating a synchronization of local elections with State or national elections carries an inherit risk, an inherit risk of overshadowing global concerns with larger political campaigns. This would diminish the voices advocating for those local concerns. Local election autonomy is crucial to allow local issues the importance that they

deserve. In addition, the act of merging local elections with high-profile elections may muddy the waters when it comes to making informed decisions. With each election year, responsible voters equip themselves to make the best decision on Election Day, probably our favorite day of the year; however, this requirement placed on localities, placing an unrealistic burden on voters demanding double the research typically required to make a responsible decision on Election Day. The isolation of local elections prioritizes a cultivation of a voter that makes discerning choices based on true understanding of the candidates and the local issues at stake.

This amendment would apply the changes proposed by the bill-in-chief to counties and towns with population of under 5,000. And, Mr. Speaker, I would just add, in addition to that, having run in local elections myself, and many of my colleagues in this Chamber have done the same. We know that there are significant differences in the issues when voters are paying attention to those local matters. In my previous elections on local issues, we focused things on -- we focused on things such as our lakes, such as our individual parks, the operations of our parks and recreation department, specific zoning ideas and zoning upgrades. Those are all important issues to communities individually, and they would all, I feel, would be drowned out if they were merged on a larger scale as the bill-in-chief proposes. And so we propose this amendment, Mr. Speaker, and I appreciate the time.

ACTING SPEAKER AUBRY: Thank you, sir.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. I urge all of my colleagues in the Majority to reject this opportunity to put an amendment to Ms. Paulin's bill.

ACTING SPEAKER AUBRY: Thank you.

A Party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is in favor of this amendment. Those who do not support it can certainly vote against it here on the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Majority Conference will reject this attempt to add an amendment to Ms. Paulin's bill.

ACTING SPEAKER AUBRY: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Announce the results.

(The Clerk announced the results.)

The amendment is defeated.

We have an amendment at the desk from Mr. Jensen. Mr. Jensen to briefly explain the amendment while the Chair examines it.

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

I rise to offer the following amendment, waive its reading and move for its immediate adoption. This amendment adds to the bill-in-chief the empowerment of counties, towns and villages the discretion to determine whether or not to hold their elections in even numbered years or on odd numbered years.

ACTING SPEAKER AUBRY: Mr. Jensen, we have examined your amendment and found it germane to the bill before the House.

On the amendment, sir.

MR. JENSEN: Thank you very much, Mr. Speaker. Similarly to my prior colleagues who spoke on their amendments, moving local elections into even numbered years will dilute the impact and the influence that local elections, local issues have when determining who represents us on the local level. I've had the great honor before being elected to this esteemed Body to be a local elected official. Between that service and my current service, I've walked door to door and talked to voters on elections where there's a President up for vote, a Governor, a County Executive, and the top of the ticket being a Town Supervisor. And I can tell you that the conversation I had with voters changed every one of those elections based on who was on the top of the ticket.

By retaining a local municipality's ability to determine on their own whether or not to move their elections to an even year or keep it on a odd number year, will respect the autonomy of that local municipality, the influence that those elections have on

helping voters determine the issues that are truly important to the voters in that community.

Article IX of the New York State Constitution protects the home rule aspects of local municipalities in deciding on how to oversee their laws and their ability to govern their town and county and village. This amendment would ensure that Article IX of the New York State Constitution is abided by respecting home rule, respecting local autonomy, and ensuring that voters have the information they need when they fulfill the most important aspect of their Democratic rights electing their voice to represent them in government, whether that government representation is at the village, town, county, State or Federal level. This is a commonsense amendment that you have the support of every single member of this Body to respect our communities that we represent, and I appreciate the Speaker allowing me to explain my amendment.

ACTING SPEAKER AUBRY: Thank you, sir.

Ms. Walsh on the amendment.

MS. WALSH: Thank you, Mr. Speaker. So my friends and colleagues, I came up through local government. I started on the Town Board, I am a Republican and as a Republican, I believe very, very, strongly that the best government is the government that is closest to the people and that that's where those decisions need to be made. I believe that at the town level, at the village level and at some extent, at the city and county level, that's where the rubber really hits the road as far as what's good and what's not good for that particular

community. That's why I support this amendment to the bill-in-chief. I think that there are arguments made that the bill-in-chief is going to produce efficiencies. It's going to engage the voters more. That might be true. Let the localities decide if they want to do that or not. Some may decide to do it, great. Some might not decide to do it and that's fine, too. Let them decide. That's the way that this ought to be done, that's why I think that this amendment is not only germane but is wise. And I think that as has been said, I think that when it comes to local issues, those local issues that are closest to the community need to be given the full consideration and engagement of the voters. If you start lumping everybody in together, everybody from President, to Governor, to Congressperson all the way down that long, long line, we know where all the oxygen in the room is going to go, and a lot of those local issues are going to get lost. So, if this bill is going to be advanced, and it appears that it is going to be, please consider this amendment to just give some local decision-making and local control and a local option. I think that that is the right way to go. So, Mr. Speaker, I'm in favor of this amendment. Thank you very much.

ACTING SPEAKER AUBRY: Thank you.

Mr. Goodell on the amendment.

MR. GOODELL: Thank you, sir. The New York State Constitution has an interesting provision in it. It's Article IX, it's called Local Governments, and it starts out with a Bill of Rights for Local Governments. It's in our Constitution. And the first section talks about *how Local Governments shall have the right to decide the*

*method of removing an elected officer during his or her term of office, abolishing or curtailing or transferring power, or changing the composition.* And it also goes on to say that *in addition to the powers granted in statute to the local government, local government shall have the power, duty, qualifications, number, mode of selection, removal, terms of office of its officers and employees.* The bill-in-chief, if enacted, would actually change the term of office for some of our local officials, in my opinion, in violation of the spirit and intent of these constitutional provisions.

How's it do that? Well, if you're elected for a two-year term under this proposed local law at some point, you'll have to run two years in a row. Your term will be artificially reduced to one year. And depending on how you read this proposed statutory change, it's possible that you could be elected for a four-year term and only be allowed to serve three years. My county, like several others across the State, we have a charter. Our charter was approved by the voters in a referendum. Our county charter specifies the term of office for the Legislature. Our charter specifies a number of legislators and when they run. Our charter specifies the term of office for the County Clerk, and the Sheriff, and the District Attorney. This Legislature should not be passing laws that override every single charter granted across the State of New York. That's just inappropriate.

Now, in my county, I have 27 towns, 14 villages, two cities. And this bill says that all of them, with the exception of cities, have to run in the same year. Twenty-seven towns and 14 villages.

Rather than having them thoughtfully spaced out as the current law provides. So we're being asked today to pass a law that overrides the thoughtful decision of thousands of local governments. Shameful. We should not take the arrogance upon ourself to think that we know better than every single local government across the State of New York. That's inappropriate.

So what this amendment does is very simple. It says we respect the fact that you, the village trustees, you, the town board members, you, the duly-elected county representatives operating under the importance for your own charter that's been approved by a county-wide referendum, you know better how to operate your local government than we do. That's this amendment and it should be adopted. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I would urge the Majority Conference to reject this opportunity to make an amendment to the bill-in-chief, 4282.

ACTING SPEAKER AUBRY: Thank you.

A Party vote has been requested.

Mr. Goodell.

(Pause)

A slow roll call has been requested. Members should come to the Chamber to cast their ballot on the amendment.

(Pause)

(The Clerk recorded the vote.)

MRS. PEOPLES-STOKES: Madam Clerk, would you please recognize the members voting virtually on this amendment, on this hostile amendment.

THE CLERK: Mr. Gandolfo, please state your name for the record and how you wish to vote.

MR. GANDOLFO: Jarett Gandolfo, I vote in the affirmative.

THE CLERK: Mr. Gandolfo in the affirmative.

Mr. McDonough, please state your name for the record and how you wish to vote.

Mr. McDonough, can you please turn on your mic?

MR. MCDONOUGH: Dave McDonough and I'm voting in the affirmative. Can you hear me now?

THE CLERK: Mr. McDonough in the affirmative.

MR. MCDONOUGH: Thank you.

ACTING SPEAKER PHEFFER AMATO:  
Announce the results.

(The Clerk announced the results.)

The amendment is defeated.

There is another amendment at the desk. Mr. Durso to briefly explain the amendment while the Chair examines it.

MR. DURSO: Thank you, Madam Speaker. This amendment adds to the bill-in-chief by ensuring additional voter protection measures, namely requiring voters to present a valid proof

of identification when casting a ballot.

ACTING SPEAKER PHEFFER AMATO: The Chair has examined your amendment and has found it not germane to the bill before the House.

Mr. Durso, you may appeal the ruling of the Chair and speak on the issue of germaneness.

MR. DURSO: Thank you, Madam Speaker, to appeal to the ruling of the Chair. The bill-in-chief amends the Town Law, Village Law, County Law, and Municipal Home Rule Law to require certain local elections held outside of New York City to be held on Election Day in November in even numbered years. This amendment directly relates to the bill-in-chief because it adds voter protection measures to ensure that the election changes being proposed by the bill-in-chief are done so with the utmost security and integrity. Furthermore, Madam Speaker, it is essential to protect our election integrity, especially with a new bill as such which will in turn obviously bring out more voter turnout. With more voter turnout brings the possibility of more fraud. It's essential to protect our elections, arm the integrity of the elections and just as important to protect the essential that the voting public believes that government is doing its job in protecting the elections. Madam -- Madam Speaker, I ask everybody to consider this amendment for adoption. Thank you.

ACTING SPEAKER PHEFFER AMATO: Mr. Durso appeals the decision of the Chair. The question before the House is shall the decision of the Chair stand as the judgment of the

House. Those voting yes, vote to sustain the ruling of the Chair.

Those voting no, vote to override the decision of the Chair.

A Party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, Madam Chair. With all due respect, we think you may have been mistaken and for that reason we will be voting to override the decision of the Chair so the Republican Conference will generally be voting no. Those who support the decision of the Chair should vote yes. Thank you, Madam Speaker.

ACTING SPEAKER PHEFFER AMATO: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, the Majority Conference will be honored to take your recommendation and reject this hostile amendment as not being germane, so we will be voting yes.

ACTING SPEAKER PHEFFER AMATO: The Clerk will record the vote.

(The Clerk recorded the vote).

And as the result -- I'm sorry. Withdraw.

Announce the results.

(The Clerk announced the results.)

The ruling of the Chair is sustained.

On the bill.

An explanation has been requested, Ms. Paulin.

MS. PAULIN: Thank you so much. The bill would shift most county and town elections from odd numbered years to even numbered years.

ACTING SPEAKER PHEFFER AMATO: Mr. Norris.

MR. NORRIS: Thank you, Madam Speaker. Would the sponsor yield?

MS. PAULIN: I would be happy to.

MR. NORRIS: Thank you, Ms. Paulin. I have several questions regarding this bill. First, I just want to make sure I'm clear. Does this apply to the City of New York or any other city in the State of New York?

MS. PAULIN: No, it does not.

MR. NORRIS: And why not?

MS. PAULIN: Because there's a Constitutional provision that would preclude that from happening.

MR. NORRIS: And will there be future legislation to contemplate precluding that?

MS. PAULIN: That is the intent.

MR. NORRIS: That is the intent --

MS. PAULIN: That is my intent.

MR. NORRIS: That is your intent, great. Okay. Now, what about the county offices? Are there any exemptions for county offices?

MS. PAULIN: Yes. DA, County Clerk, Sheriff and

not a County Office but Town Justice are also - because of the constitution - precluded from being, or precluded because of the constitution from being included.

MR. NORRIS: Also include judges as well --

MS. PAULIN: Yes.

MR. NORRIS: -- that protect the constitution.

MS. PAULIN: Yes.

MR. NORRIS: Great. Okay. Now I just want to focus in on this because I would imagine there's a lot of people paying attention to this. So, my question for you is, based upon the language particularly in Section 5 of the bill, will any elected official who has been elected to a fixed term already lose a year of their term by the operation of this bill?

MS. PAULIN: So, the way it would work is that anybody running now would finish their term whether it's two years, or four years, because this is an odd year we're in. So they would -- you know, we wouldn't be changing that. The next year those same individuals or the same offices were held for -- they would -- it would be truncated. So for a two-year term, it would be one year and for a four-year term it would be three years taking them to an even year.

MR. NORRIS: All right. I want to really break this down. My job here is going to be more like logical, I'm sure many of my colleagues will have a lot of other statements to make. So, if you're running this year for Town Supervisor and your name is on the ballot --

MS. PAULIN: Right.

MR. NORRIS: -- are you going to run for a one-year term or a two-year term if the office itself was supposed to be two years?

MS. PAULIN: Two years.

MR. NORRIS: Two years, okay. So, what if you were a member of the town board, already serving, you were elected in 2021, you began on January 1st, 2022, when does your term expire?

MS. PAULIN: Wait. Say that one more time.

MR. NORRIS: So, I want to go back, because this is important.

MS. PAULIN: Okay.

MR. NORRIS: When someone was elected in 2021

--

MS. PAULIN: For a four-year term?

MR. NORRIS: -- for a four-year term.

MS. PAULIN: For a four-year term, okay.

MR. NORRIS: They took office January 1st, 2022, does their term expire at the end of December of 2025?

MS. PAULIN: They finish their term.

MR. NORRIS: They finish their term.

MS. PAULIN: Yup.

MR. NORRIS: When does the one year take place then?

MS. PAULIN: So, it would only be one year for

someone who's running for a two-year term. If somebody was running for a four-year term, it would be three years, that's how we're truncating it. And it would be after they -- this -- as you said, it would be after the person who had a four-year term is up at the completion of their term, then it would be a three-year term going forward and the person who is running this year for a two-year term it would be the following time they ran for a one-year term.

MR. NORRIS: Okay. So, if it was they're running for 2025, for a two-year term, is it at that point that they're going to run for the one-year term?

MS. PAULIN: Yes.

MR. NORRIS: Okay. Can you -- so, I want to be crystal clear on this because I think the courts are going to look at this language very carefully and the interpretation of what you say as a sponsor. Does anybody lose any portion of their term that they have been elected to?

MS. PAULIN: No.

MR. NORRIS: Okay. Now when I look at the notwithstanding clause in Section 5, it talks about the law, any law, charter, code, ordinance, resolution, rule or regulation of any local body. Does this legislation trump all of it including county charters and any local rule?

MS. PAULIN: Yes. That's the intent.

MR. NORRIS: Okay. Now, I just want to zone in on one particular date in Section 7. That is when the act shall take effect.

MS. PAULIN: Yes.

MR. NORRIS: Now, it says this act shall take effect immediately, provided however, that Sections 1, 2, 3 and 4 shall take effect on January 1st, 2025. A lot of those will actually change it from odd to even.

MS. PAULIN: Right.

MR. NORRIS: So, I just want to make sure that Section 5 does take effect immediately.

MS. PAULIN: Section 5 -- I mean, I know you're going to make another point so maybe you can make the point and then I'll know where you're going.

MR. NORRIS: Sure. I just want to read the Section.

MS. PAULIN: Okay.

MR. NORRIS: It says, subject to the requirements of Section 1, 2, 3 or 4 of this Act, I'm reading Section 5 now, elected and serving their term as of January 1st, 2025 shall complete their full term as established by law. Now, it also says here, provided however, that if the completion of such term results in the need for an election in an odd numbered year after January 1st, 2025, the county or town official effected at such election shall have their term expired, as if such official were elected at the previous general election held in an even numbered year.

MS. PAULIN: Right.

MR. NORRIS: So, I'm reading that and that's why I asked your previous questions --

MS. PAULIN: Right.

MR. NORRIS: -- because it seemed, based upon the language, that if someone was running this year because of the provided however clause, that actually they'd only be running for one year.

MS. PAULIN: No, because it takes effect in 2025, right? So, because of that, all of that language pertains to elections taking place at that point.

MR. NORRIS: Ms. Paulin, with all due respect, though, that Section, paragraph 5, will take effect immediately. Sections 1, 2, 3, and 4 will take effect on January 1st, 2025.

MS. PAULIN: Right, right. But it's referring to people who are elected post.

MR. NORRIS: Yeah. It says elected in serving their term as of January 1st, 2025. And so, I just want to make sure we're crystal clear because I think a court will look at this, that you're saying that people who are running for a two-year term, this year --

MS. PAULIN: Right.

MR. NORRIS: -- will run for the full two-year term.

MS. PAULIN: Yes.

MR. NORRIS: And then in 2026, they will run for the one-year term and then get back on the cycle.

MS. PAULIN: So, the reason this language is there is because they're going to have to run in another odd year for one year.

MR. NORRIS: In 2025.

MS. PAULIN: Yeah. And then they run again in 2026 for an even year, in the even year for a two-year term.

MR. NORRIS: Okay. I just want to make sure we're clear on that because I think people are going to be looking at that language.

Now, in terms of Board of Elections and administration of the Board of Elections --

MS. PAULIN: Mm-hmm.

MR. NORRIS: Have we gotten any cost estimates for additional polling locations in the even years since we're shifting these town and county elections there?

MS. PAULIN: Well, we don't really know what the turnout -- whether the turnout will be greater than the current even years. What we do know is that the turnout in the even years is greater currently than in the odd years. So, if we think or see that there's going to be an increase in turn out, we would have to adjust, just like we had to for Covid. You know, we didn't anticipate during COVID that we would see so many more people voting, but we did. I don't know that we adjusted well every place but we tried to adjust, and the same would happen here.

MR. NORRIS: Okay. In terms of the ballot itself --

MS. PAULIN: The what? I'm sorry.

MR. NORRIS: The ballot, the actual ballot on an even year. I mean right now we have the President on the ballot, you have the U.S. Senator potentially, it's very long as it already is. We're

on the ballot on an even year and now with (inaudible) local races on them, how will the ballot actually be functional to make sure that there's enough space on there?

MS. PAULIN: So, if you look in Election Law, I can get you the -- Section 7.105, Section 7.106 and 110, it accommodates that by allowing for a perforated ballot or in the other section essentially allowing for a ballot that would be like an A and a B ballot and we've done that before in this State, particularly New York City. So that -- because I know one of the questions, I went to the Codes meeting, is whether or not we have to change the calibrations of the machine. We would not have to because the Election Law does accommodate the ballot to be perforated and/or having two of them.

MR. NORRIS: Okay. Now, I often hear from constituents that the lines are too long, that it takes too much time to already vote on the current ballot, particularly in a presidential year. So, what are we going to do if this passes to accommodate those voters with proper funding to make sure people can actually take the time to fill out the ballot, don't feel rushed, and don't get frustrated to leave the polling site?

MS. PAULIN: I -- I think that we have to, you know, yes, it's true that in states and cities that have gone to an even year there has been an increase in the amount of people that have participated, that's the goal. That's the reason we're doing the bill. So, if we see that is going to be happening in New York, again, we'll have to adjust. The worst case scenario is that we see a lot more people

voting and that we have to adjust therefor.

MR. NORRIS: But you may see the same amount of people in a presidential year as you would in a regular presidential year, correct?

MS. PAULIN: We might.

MR. NORRIS: Okay. Will there still be elections in odd years?

MS. PAULIN: Yes, there would for now, until we do the second round of this to try to clean up the rest of the offices that we can include here because of constitutional problems.

MR. NORRIS: Will there be elections in odd years to fill in expired terms then?

MS. PAULIN: Well, there's a provision as I'm sure you're familiar in the constitution that requires vacancies to be filled in an orderly manner, which has been interpreted by the courts to mean three months. If there's -- you know, if there's no general election within that time frame. So we would -- that's the provision that we would have to change in order to allow vacancies to be longer particularly for judges, and we already have appointments for those positions so the appointments would have to be a little longer to make it possible for them to vote on even years. So, that's some of the provisions that we would need to look at.

MR. NORRIS: I see, okay.

Mr. Speaker, on the bill, please.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. NORRIS: Thank you, Mr. Speaker. Thank you to the sponsor for answering my questions.

This is a dramatic shift in how elections are going to operate in the State of New York. And I have to say that I remember when I was a Commissioner of Elections during a Presidential election year, and it truly is utter chaos to make sure that we accommodate the increase in voters who can actually, you know, go to the sites, fill out their ballot, they ask for that ballot application, the turnout is very dramatic. Now, with that being said, I'm very concerned about the size of the ballot and the confusion amongst voters when they actually go to the polling site and they try to complete a ballot with up to 25, 20 or 25 different offices. Also, when you take a look at constitutional amendments that might be on there as well or a local referendum that might be on there. It may take them 15 minutes or longer to fill out a ballot. And that actually I think is going to have a chilling effect on individuals who want to go out and participate in the process. And I think when you look at our forefathers, mothers, when they looked at designing the Constitution, they said we're going to have the city elections, local elections, in a local year. It's already embodied within the Constitution. I wish they would have said that for the counties and the towns, but that is also an election local year.

I can tell you as a former town attorney, someone who has participated in town elections, they are -- not myself as a candidate but as County Chairman I was -- there was many issues for

local governments that were dealt with. Now, take a look at your mailbox, already in a presidential or gubernatorial year, you get stacks of mail. I can't imagine throwing mail in for the Town Supervisor, the Town Highway Superintendent, the County Legislator, the -- potentially the County Clerk if we make this amendment or maybe they're running on there and the Town Board members and on and on and on. This is going to frustrate the voters. It's going to have a chilling effect on our local communities. I am, you know, very much for local control, local autonomy at the local level. We've had major issues. I can tell you, on zoning, on wind and solar, for example. That's the biggest one in my neck of the woods. And people come out, they can focus on it during the debate of a local election year and not be distracted by the Presidential Election, the Gubernatorial Election, the Congressional Election, the Senate and Assembly Elections, they can focus on their local control. My time is up, but I will tell you I'm opposed to this bill. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Ra.

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

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

MS. PAULIN: Yes.

ACTING SPEAKER AUBRY: Ms. Paulin yields.

MR. RA: Thank you, Ms. Paulin. So, I want to start

with just some general questions about the process that came up about this bill and a couple of them I raised on the amendment earlier. Let me start with one of the things I mentioned. I -- I recall around this time last year when you decided that the bill was not ready to be moved forward and you talking about holding hearings and discussions regarding this bill. Were any hearings held regarding this bill?

MS. PAULIN: No, they were not. I'm -- I'm not on the committee and I'm not the Chair and I had this bill and we actually got it in much better form.

MR. RA: Okay. Did you have conversations with the, you know, with Town Supervisors and County Executives and you know, the Statewide associations that represent them?

MS. PAULIN: I would say that, you know, the bill has been out there. We have memos of opposition and support and, you know, it's been now floating for a whole year past that point so lots of people could have waited if they wanted to just like on all the bills we do.

MR. RA: Okay. And in terms of how were bringing this forward and you mentioned with Mr. Norris that there are things that you'll be looking to clean up later on, but does -- does that include advancing a constitutional amendment -- (inaudible/cross-talk) -- City elections?

MS. PAULIN: I -- I -- I would think in order to really -, I mean there's two goals here, right? So, there's one that

increases voter participation, and then the second goal is to make it less expensive for the taxpayers. We do not accomplish the second goal until we make some of those changes to the constitution. So yes, that would be the intent, my intent.

MR. RA: All right, because I'm sure you can imagine, you know, for many in this Chamber we know that this is - let's be frank - this is no surprise to anybody. This has been a largely New York City dominated Chamber for a very long time and obviously that's the big, you know, population center of our State and that's -- that's where a lot of members come from. And we're looking at this and at least today there's no bill before us to make that change so it's not going to apply there, it's not going to apply to any of the other cities in the State, correct?

MS. PAULIN: That's -- that's correct. But as, you know, you know, the constitutional change needs to be passed in by two different legislatures and so we have one whole more year to -- to get that done.

MR. RA: Okay. So, in terms of the -- the bill language itself.

MS. PAULIN: Mm-hmm.

MR. RA: Can you explain the piece regarding -- it's right on the first page about the --

MS. PAULIN: The coterminous?

MR. RA: Well, the three-year term prior to January 1st, 2025. Can you just explain that in context of -- of the bill?

MS. PAULIN: Oh, let's see. By annual town election -- other than town justice or any town with a three-year term. So, I think we exclude three-year term, right? Yeah. We exclude anybody who currently has a three-year term for now.

MR. RA: So, but if -- if this becomes law, so then any office that has a -- currently has a three-year term is -- it's not, you know, just up to that time and then they get put in later like some of the other ones with the shorter term that those offices are just excluded.

MS. PAULIN: For now. You know, I think that just like villages are excluded, they were very complicated, we had villages in March, in November, in June. You know, we just chose to go -- to go this slow so that we don't mess anything up.

MR. RA: Okay. And then this was asked at the Codes Committee meeting but I think it is important for the record about why there is an amendment to the Village Law, even though this does not apply to villages, correct?

MS. PAULIN: Yes. There are six coterminous town villages. The -- what we tried to do is to make it clear that if you're operating as a village, you're still a village. But if you're operating as a town, you're considered under the -- under the law, under the bill. You also have one unique situation actually near here, where they elect both town and village at the same time. So we exempted them because of their uniqueness. So, so, had to deal with those six coterminous village towns or town villages.

MR. RA: Thank you. And I'll be honest, that was something I -- I learned today. I was not aware of those towns so it's an interesting piece of --

MS. PAULIN: I -- I live in one.

MR. RA: Okay, there you go. In terms of this application to counties, all right, we have certain county officers, I know this was mentioned earlier, but just for clarification. So, that would be what? The District Attorney that would not be applicable --

MS. PAULIN: County Clerk.

Mr. Ra: And the County Clerk?

MS. PAULIN: Yep, and the Sheriff. Those are the three county ones.

MR. RA: Okay.

MS. PAULIN: And the reason is that they have terms outlined in the constitution. So because they have terms outlined you would say to yourself okay, you know, you can still do this, right? And my -- my county -- because the DA was (inaudible) appointed to the Court of Appeals it isn't an even year. So, but because of the other provision that I mentioned earlier in the constitution which says essentially as soon as there's a vacancy you have to fill it in an orderly way, which is again deemed by the courts to mean, you know, if it's -- you know, if you have three months prior, you have to have a special election. Then, because of that provision, it prevents us from -- it got much more complicated to deal with them. We have to deal with the constitutional amendment.

MR. RA: And as you mentioned, I know we have the same thing in Nassau a few -- a few years back when the -- the DA was elected to Congress. Whenever the special elections are -- happens they serve a full term --

MS. PAULIN: Because of the constitutional provision for the terms.

(Inaudible/cross-talk)

MR. RA: And it's the same with County Clerks.

MS. PAULIN: Yep.

MR. RA: Okay. So at the town level, though, this would be -- because I know like on Long Island, we have actually towns that I represent. I represent parts of two of them and -- and one has a four-year term for the Town Clerk and one has a two-year term for the Town Clerk. So, I believe they're actually both up for election this year and one will be elected for a two-year -- no, I'm sorry. One of them is not up for election. It still has two years left on the term. So, let me look at it from that perspective.

So, this is a townwide elected official, a Town Clerk who is up for election this year, they get elected to a two-year term. When do they go before the voters again?

MS. PAULIN: So, then they would go when their term expired, but they would go for a truncated one-year term to bring them to the even year point.

MR. RA: So, in 2025 they would run -- have to run for a one-year term.

MS. PAULIN: Right. That's why there's a complicated provision in the staff -- in the -- in the bill that essentially allows for that odd year, even though we're saying it takes effect in 2025.

MR. RA: And then that Town Clerk say who -- whose term expires in 2025, they would also run for a one-year term at that point?

MS. PAULIN: Three years.

MR. RA: Oh, they would run for three years, okay, to '28.

MS. PAULIN: Because we're only truncating one year.

MR. RA: Okay, interesting. Okay. So, I'm trying to -- I'm trying to wrap my head around this because it's seems a little tricky.

MS. PAULIN: Believe me, it was harder to write.

MR. RA: They'd both be expiring at the same time, but -- so, I -- I guess that -- that leads me to this question since, you know, those are the same offices but different towns, (inaudible) and I know, you know. I believe one of our former colleagues who was the Town Clerk in one of those towns had a two-year term at the time and eventually they made it four. So, how does -- how do we deal with that piece of it, though, that these towns and I believe the State -- I believe the State needed to legislate to allow that change in terms at the time. I don't know, are you familiar with that?

MS. PAULIN: I don't remember.

MR. RA: Okay. And in terms of other town officers, it would be -- it applies the same whether it's a town-wide or somebody in a district, a Councilmember or --

MS. PAULIN: The only thing that it doesn't apply to is town justices because the courts have interpreted the constitution similarly as they -- as they did with the other justices. So, because of the -- because of that, town justices are excluded from this.

MR. RA: Okay. And same on the county level --

MS. PAULIN: All the justices; counties, supreme, (inaudible) is a little different but county, family, what's the other one? But -- surrogate.

MR. RA: And so lastly, with regard to county legislators, which, you know, I know some counties have some, some don't. Those would also be running when? If -- if they're up this year and they have say a two-year term, they're also what? Up for a one-year term in two years?

MS. PAULIN: No. This time they're running, it's -- they -- they do what the petition and the elector believed they were going to be doing, which is two years. Or if it's a County Executive and it's four years, four years. Whatever they're running for in this odd year, they fill their whole term. It's only the next time there's an election that it's truncated to bring it to the even year.

MR. RA: So, they would be a one-year --

MS. PAULIN: A one-year for a two-year term

person.

MR. RA: Okay, thank you.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. RA: So, I -- I just want to, again, point out a couple of things about this bill. You know, I understand the constitutional provisions. I think there's a lot of trust being asked on us to say we're going at some point in the future subject the cities of this State. This can be a place very often that particularly suburban lawmakers can feel like they're being dominated by the cities. And I know people that I've talked to back home feel that way today with this bill before us and I feel that way because we're not moving forward the same type of bill doing first passage of a constitutional amendment, which we could be doing today to show that we're serious about doing this for everybody. So, it's very hard for me to believe that there's not a reason why we're doing one and not the other. And let's be honest, it could be colleagues who represent the cities who vote for this that applies to none of them and applies to all of our towns and counties having the State come in and mandate them to change their elections that have been held at a certain time for, I don't know, a hundred years, hundreds of years, I believe.

Now, I said on the debate earlier, you know, we've done a lot to increase voter turnout in this State, but part of that is engaging the voters. They need to be interested in what's going on. And we're putting our counties and towns in a situation now that those

local issues, the county assessment, the building department in a town, or even those everyday quality of life things like -- like the condition of roads and parks that people care a lot about are going to be playing not second fiddle but third, fourth, fifth fiddle to what's going in a Presidential Election race or what's going on in a Governor's race or what's going on in a Congressional race above them. And those candidates aren't -- aren't even going to really be able to make that case to the voters about a local town being broken that they -- that they are coming in to fix after maybe one party rule for -- for years or -- or something (inaudible). So, they're losing that ability. They're going -- the mailboxes will be full of -- of those congressional flyers and those -- those legislative races above them, the State legislative races. That's going to be what they're going to see on TV and commercials and the voters are going to be in many ways making their decision based on that and not those local issues that need an airing and again, voter turnout, voter engagement. Engaging those folks in their local communities.

Now, the one other thing I do want to mention is the overall length of the ballot. Last year we had a press conference and I said and I mean, I don't know, this is what it seemed like to me, the ballot will look like a CVS receipt, because how do you fit all of the these offices on a single ballot? I know there's opportunities within the law to do things, but it's going to be huge and again, I wonder -- I wonder again how much of an impact that has on that local race if people get tired. We know a lot of people, right, in the Presidential

Election, they may go in and just vote for President and not vote down the ballot. They may never make it to these local -- local races. And then this doesn't have anywhere of the impact that we're looking for.

So, I would urge my colleagues to reject this. This bill is not ready for it to be passed and we need to include everybody (inaudible) in particular.

ACTING SPEAKER AUBRY: Thank you.

Ms. Hyndman.

MS. HYNDMAN: Mr. Speaker, please call Ways and Means to the Speaker's Conference Room.

ACTING SPEAKER AUBRY: Thank you, Ms. Hyndman.

Ways and Means Speaker's Conference Room immediately, please.

And Mr. Curran, you're up.

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

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

MS. PAULIN: Yes.

ACTING SPEAKER AUBRY: Sponsor yields.

MR. CURRAN: Thank you, Ms. Paulin.

So, I know that you were in Codes Committee and you heard a lot of my questions but I'm going to repeat some of them

--

MS. PAULIN: Sure.

MR. CURRAN: -- just to get some answers if you don't mind. So, first off, the following elections aren't included in this bill, right? Village elections, school board elections and fire district elections, right?

MS. PAULIN: True.

MR. CURRAN: All right. In your memo, the justification for this bill is to clean up voter confusion and cost-savings. I guess my first question is, if village elections, which are by far the most fragmented elections throughout the State, some are held in March, some are held in June, why are they not included in this bill?

MS. PAULIN: It was just enormously complicated. You know, we needed to narrow it, you know, get through this and then tackle that. It was just enormously complicated because of all of the reasons that you mentioned.

MR. CURRAN: All right. And --

MS. PAULIN: Some of them are run by villages, some of them are run by the Board of Elections, you know, we needed to grapple with that whole thing.

MR. CURRAN: And is there -- is there a plan or an intention going forward to include village elections into this even year date?

MS. PAULIN: My -- plan is to look at the whole piece, yes.

MR. CURRAN: Okay.

MS. PAULIN: I can only speak for myself.

MR. CURRAN: Sure, I understand. School board elections, school board elections by far are the lowest outside of cities voter participated elections in the State. Why are they not included in this bill?

MS. PAULIN: Well, let me say two things. First, school board elections are run by the school so not by the Board of Elections so it gets complicated in that regard. And also, the vote for the school budget. So, I don't know that we're ready as a State to make that budget vote every two years. That could be -- that's a problem.

MR. CURRAN: Okay. Now, the other justification is cost-savings to our localities.

MS. PAULIN: Mm-hmm.

MR. CURRAN: Do we have a specific number in which localities will save if we move some of these elections from odd to even?

MS. PAULIN: I think that certainly we won't save as much as we will, you know, when we consolidate more into the even years because then perhaps we won't have odd year elections, now we are likely to have some. We may have some areas that won't have, you know, where you have County Clerk every four years maybe in the two-year. If you happen not to have a judge, you know, you wouldn't have an election. So it's very hard to gauge. I will say,

though, because you would have fewer elections of big races during that time period that we probably would save on primaries.

MR. CURRAN: Okay. But let me -- let me just for the record and let me just make sure that everybody understands. So, under this bill, even if it's passed and signed into law they'll still be elections for localities in odd number years for Sheriff, County Clerk, District Attorneys and numerous judges. So until -- and I think you stated your intent to try to consolidate some of those and move them to even years but that's going to be in the future. Would it be fair to say that until that consolidation happens, that localities will see very little savings because they're still holding the very same election with the same inspection sites, with the same inspectors, with the same cost associated with it with ballots, with voting machines? So until that consolidation happens it really isn't going to see any cost-savings other than what you said, maybe possibility of less primaries, but that's kind of out there.

MS. PAULIN: Well, I'll tell you one cost-saving.

MR. CURRAN: Sure.

MS. PAULIN: One of the things that we know that happens during the even years now, when there's more people on the ballot, we see a lot of overtime at the Board of Elections because they're dealing with contested races, they're dealing with quite a lot of stuff.

MR. CURRAN: Sure.

MS. PAULIN: So, I think that on those odd years

when there's very few races we're going to see very little overtime, so that will be a savings that we can anticipate right away.

MR. CURRAN: But clearly, like you just said, if we're going to see the savings in the even years -- well, the odd years because we're moving some of the races to the even years, then obviously we're going to see more overtime in the odd years based upon the more candidates and races that we have; is that fair?

MS. PAULIN: Perhaps. I would -- I would say that -- that could definitely happen but there's statutory requirements to make sure that it's done within a certain time frame. So, you know, people can just work so many hours in the day and, you know, we may see more efficiencies.

MR. CURRAN: Let me ask you. A question that I brought up in the Codes Committee was, if we are going to eliminate the majority, at least half of the elections in odd years, did you anticipate a cut in staff for the Board of Elections because of the reduced workload in those odd years?

MS. PAULIN: Those are county decisions, that's not ours.

MR. CURRAN: But did you take that into consideration?

MS. PAULIN: I -- I did not. I think each county will have to make a determination about what they think is appropriate staff.

MR. CURRAN: Now, just staying on the cost, and I

know that you spoke to Mr. Ra about the ballot and Mr. Norris about the ballots. And I'm still trying to understand this. You talked about under the Election Law all the candidates have to appear on one ballot or at least that's how it's currently written.

MS. PAULIN: Right.

MR. CURRAN: But you had stated that there is a possibility for a perforated ballot and I think the second option, what was that?

MS. PAULIN: So the second option is to have two ballots.

MR. CURRAN: Okay.

MS. PAULIN: You know, two full-faced ballots because that's the requirement, right? So, you can either have it perforated by Section, I don't know, 105, I think and then Section 106 allows for the severing of that. Maybe it's the opposite in the sections.

MR. CURRAN: All right. But they are two different types or newer ballots than what are currently existing, if I understand you correctly?

MS. PAULIN: No, it would be the same ballot.

MR. CURRAN: We currently use --

MS. PAULIN: Yeah --

MR. CURRAN: -- I didn't mean to interrupt you but we currently use perforated ballots?

MS. PAULIN: Yes. We have used both, that's why they're in the law. They've been there because in New York City, for

example, when they have -- think that was brought up at the meeting

--

MR. CURRAN: Right.

MS. PAULIN: -- you know, they've had very long or a lot of candidates running and they've had to use those ballots.

MR. CURRAN: And I know that it was asked before, but I'm just going to ask again just because I want to make sure that I understood it. There would be no need to recalibrate any of the machines based upon the use of these perforated ballots --

MS. PAULIN: That's correct.

MR. CURRAN: -- or use two ballots because I thought my understanding was now the machine would only accept one ballot at a time.

MS. PAULIN: That's -- that's not correct. You know

--

MR. CURRAN: Okay. Thank you.

MS. PAULIN: I mean it's one ballot at a time but you can put two in.

MR. CURRAN: Oh, I didn't know that. I was simply told that it would only accept one per --

MS. PAULIN: Per person --

MR. CURRAN: -- yeah, and that would cause a recalibration if it was through the --

MS. PAULIN: Not according to the State Board of Elections.

MR. CURRAN: Okay, thank you. Also, you indicated, again, as part of the justification that what led to this bill was voter confusion.

MS. PAULIN: And turnout.

MR. CURRAN: And turnout, but also voter confusion. Was there any study or any evidence to demonstrate that there was voter confusion in the odd number of years that you have to support this bill?

MS. PAULIN: I think we just see a very low turnout in the odd years compared to the even years. So, if voters are not realizing that there's, you know, what we mean by confusion is they're not even realizing that there's an election or one that matters to them. You know, we see this as an opportunity to rev up the voters, so the voters will pay more attention, you know, to all of the races.

MR. CURRAN: So, when you say "voter confusion," you're just basing that upon the drop in numbers from the even to the odd years.

MS. PAULIN: Yes.

MR. CURRAN: All right. Also, would it be fair to assume that if we're reducing the number of races in odd years, even though they're going to continue to go forward with less candidates, that's going to actually result in a lower voter turnout in those odd years?

MS. PAULIN: I -- I am concerned about that which is why we intend to have a parallel constitutional amendment to make

that change.

MR. CURRAN: Okay. Also, a lot of the local officials, at least in my area, have voiced their concerns over their fear that local issues and -- and candidates, local candidates, are going to be overshadowed when they're put on the ballot with State and Federal.

MS. PAULIN: Mm-hmm.

MR. CURRAN: And that ranges from money, the amount of money that is dedicated to State and Federal elections compared to local elections, also media and the opportunity to reach other residents within their district. Did that concern ever get factored into your decision for this?

MS. PAULIN: So, I would say that people pay much more attention to their local community. For example, I was on the village board when I was -- prior to running for this. And there was a big, hot issue in my village about whether or not when we included recycling, we were going to do it to be picked up in the back or the front, that was a big issue. The whole village got involved in that issue. Let me tell you. A lot more turnout for that issue than for any State or Presidential that I've ever seen because people really care. So, I think people care about what happens in their own backyard a lot more, you know, than they care about the other stuff. So, I don't think that -- I think the opposite could happen. I think that a local big issue could drive turnout to our races, for example.

MR. CURRAN: Respectfully disagree just based

upon the last two Presidential Elections, but let me just ask you this because you bring up a great point. You've -- you've heard of and I'm sure in talking to election commissioners, a ballot drop-off when it gets to the end of the -- end of the ballot and that there is a certain percentage in every election with regards to ballot drop-offs. And I've been told anywhere from five to ten percent, depending on the year and anything and you've heard the same, correct?

MS. PAULIN: And we all look for it because we're at the end of the ballot.

MR. CURRAN: Yes, yes. So, I guess my question is this. So, if everybody acknowledges that there is a certain percentage of ballot drop-off at the end of the ballot --

MS. PAULIN: Mm-hmm.

MR. CURRAN: -- and at the very races that we're moving from a odd year to an even year, are the very races that are going to be dropped off by voters. Would it be safe to assume that whatever percentage that we pick up in voter turnout, by moving that race to an even numbered year, we're going to lose on ballot drop-off.

MS. PAULIN: So, I would say that, you know, again, in places that have changed this, the turnouts gone up a lot. Additionally, turnout or -- or ballot drop-off is not that severe, it's -- it's minuscule. So yes. We would lose some people with the long ballot potentially, but it would be still so much greater than the way the off-years go that we would still have an increase turnout, not a decrease turnout for those -- for those races.

MR. CURRAN: Let me ask you one last question, and I'm asking this out of pure respect for you and knowing what you've done in this House. The common belief by local officials, particularly people on my side, is that since the City of New -- since all of the cities are not included in this, in this bill and that based upon what you said there's a representation or a hope that later on we will do something about that in the lowest areas where we have voter turnout, we're ignoring that, but we're choosing to actually change the local of elections in areas where the change would benefit with increased turnout, one party over the other. What would you say to that?

MS. PAULIN: I'll say two things.

MR. CURRAN: Sure.

MS. PAULIN: One, I -- I have two cities that I represent, small cities, and I would have loved to be able to include them except for the constitutional change. So, I can assure you that I'm going to be picking up that mantle. Two, I -- I would argue that, you know, all of you on that side of the aisle get elected in an even year. So, you know, the fear of not electing your side of the aisle in an even year is maybe not as significant as other people worry.

MR. CURRAN: Well, as a person that won by a 138 votes, I might tend to disagree with you on voter turnout, but thank you very much for your answers and I appreciate the time. Mr.[sic] Speaker, on the bill.

ACTING SPEAKER CHANDLER-WATERMAN:

Okay, on the bill.

MR. CURRAN: Thank you. Here's -- here's -- in looking at this bill, I have to respectfully disagree with the sponsor in that this bill has anything to do with either increasing voter turn out or saving localities for any money. And I say that for a -- a variety of reasons. One, this bill specifically as it is here tonight with only promises that we're going to do something in the future, excludes every city within the State, which is one-third of the voters every time that they go to the polling. Second, it wouldn't include school district elections and fire districts that have the lower voter turnout of everywhere except for the cities. Then, it will decrease voter turnout in the elections that remain in odd numbered years and there's a percentage, as we spoke about, of ballots drop-off in every election that will offset any voter increase in the local elections that we're actually moving to the even numbered years. It's also not about cost-savings in the money. Board of Elections are willing to incur increased costs for -- I believe for new ballots for the way that they have to actually deal with it. And -- I'm sorry. Is my time up? You know what? Mr. Speaker, based upon this and the skeptic in me says that this bill is purely about politics. It's about reshuffling certain elections to even years so that one party has more of a chance to win those elections. And for that reason, Mr. [sic]Speaker, I'm voting in the negative. Thank you.

ACTING SPEAKER CHANDLER-WATERMAN:

Mr. Ari Brown.

MR. A. BROWN: Thank you, Madam Speaker. Will the sponsor yield?

MS. PAULIN: Yes.

ACTING SPEAKER CHANDLER-WATERMAN:  
Will the sponsor yield?

MR. A. BROWN: Two easy questions, respectfully. We will be carrying more petitions, million of more pieces of mail, we'll have this crazy long ballot, crazy long lines to vote, 24/ media, I mean it's everybody's campaign on there if we can't take it now. Boards of Elections that can't possibly handle double the amount of electorates and I ask, why? I know you've answered that in several different ways. Why, what is the benefit of this in a very simple term?

MS. PAULIN: More people voting is good for democracy.

MR. A. BROWN: Good answer. So then I ask, why not take this great experiment, let's take it on the City first and see how it goes, because if you think about it, you know, this is do as I say, not as I do. Everybody who wants it on the local governments are putting it on the local governments, they live in the City. Let's try it out on the City first.

MS. PAULIN: I agree that we should move the City to the same place.

MR. A. BROWN: Well, let's do it first. Let's see how that goes first, see how it goes and then we'll deal -- deal with the villages. We'll deal with the towns, we'll deal with the counties

because we simply don't want it.

MS. PAULIN: I hear you, but I live in an area that I'm not -- you know, I live in a suburb. I live in an area that has village, towns and counties and so I was looking at that through that -- through -- I was looking at it through that lens.

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

Madam Speaker, on the bill, please.

ACTING SPEAKER CHANLDER-WATERMAN:

On the bill.

MR. A. BROWN: Yes. As I've said many times in this Chamber, there's no better government than local government. Why mess with this? I have deep concerns about the proposal to change the frequency of elections from odd to even years. I firmly believe that it poses significant drawbacks and undermines the principals of Democratic governance that we hold so dear. It certainly was designed to punish Long Island and all suburban neighborhoods. The language clearly says so.

First and foremost, altering the election style from odd to even years would disrupt the ballots and stability of our Democratic system. Regular elections are a crucial component to the healthy democracy as they provide an opportunity for citizens to exercise their right to vote and hold their elected officials accountable. Changing this frequency of elections would introduce unnecessary complexity and confusion among voters making it harder for them to stay informed and engaged in the political process. It would certainly

lead to voter fatigue as individuals would face -- be faced with an overwhelming number of elections to participate in with a short span of time. Fatigue would certainly set in with a new 20 mile long Magilla style voting sheet. Moreover, altering the election style would likely result in lower voter turnout, which is already a significant concern in many democracies around the world, certainly in the United States. The proposed change would dilute the significance of each election as voters will not receive the same level of urgency or importance in changing from odd to even year elections compared to the traditional election style. This will certainly lead to apathy and decrease in civic participation, ultimately weakening the democratic fabric of our society. Additionally, implementing odd to even year elections would place an undue burden on political candidates and parties. Campaigns require substantial resources, time and efforts to mobilize voters, develop platforms and communicate their message effectively. By increasing the frequency of elections, candidates and parties would face heightened financial strain and logistical challenges. Small or lesser-known parties might even struggle to compete in the new election landscape further diminishing political diversity and representation of minority viewpoints.

Furthermore, this change of this election style from odd to even years will lead to an imbalanced distribution of powers simply because it was designed to punish Long Island and suburbia. This bill literally excludes the City. It actually says requires certain local elections held outside of New York City. In fact, it excludes every single city.

These bills -- this bill uses a very subtle -- bills used to use very subtle and nuance terms. This one is just blatant and obvious. Certain groups or regions will find themselves disproportionately advantaged and disadvantaged by this change depending on the composition of the electoral calendar. It will lead to further political polarization and neglect of critical issues during periods without elections as policymakers might be tempted to focus solely on their electoral prospects rather than governing effectively.

Colleagues, when will these taxes on suburbia end? It's one thing after the next. After all, we on Long Island literally keep the State financially afloat. For these reasons, Madam Speaker, I'll be voting in the negative.

ACTING SPEAKER CHANDLER-WATERMAN:

Mr. Durso.

MR. DURSO: Thank you, Madam Speaker. Would the sponsor yield for some questions, please?

MS. PAULIN: Yes.

ACTING SPEAKER CHANDLER-WATERMAN:

Sponsors [sic] yield.

MR. DURSO: Thank you, thank you, Ms. Paulin. So, obviously I'm sure we'll go over a couple of the same questions that has already been asked by my colleagues, but I just wanted to get them on the record and maybe just clarify a couple of things.

So, now how long has this either bill been present, written or been worked on to try and get it across the finish line here?

MS. PAULIN: At least two or three years. I don't remember exactly.

MR. DURSO: So, okay.

MS. PAULIN: Yeah.

MR. DURSO: So, two to three years, okay. So, one of the issues I may have with this is - and my colleague had brought it up - so, over two or three years, there is no cost-analysis done or -- or an idea of savings that we're claiming that this bill is going to do, which is save the taxpayers money, but over a two to three year time period we have no idea or any idea actually, about how much this is going to save the taxpayers.

MS. PAULIN: So, we have to -- part of it is you can't know because, one, we don't know if there's going to be primaries in those odd years. We believe they'll be fewer of them, but we don't know how many fewer. We also know that in order to have real cost-savings that we have to consolidate more of the elections. And so, it -- it was not possible to really do that kind of estimate.

MR. DURSO: Okay. So, with that being said and maybe I missed it and that's certainly possible. Why not consolidate more as in the 534 villages throughout New York State and the 62 cities that, from my understanding, and tell me if I'm wrong, they don't qualify for this, correct?

MS. PAULIN: Right, because the constitution actually says cities are -- I mean I could read you the constitution --

MR. DURSO: It's the New York State Constitution

or is it --

MS. PAULIN: New York State Constitution.

MR. DURSO: New York State Constitution.

MS. PAULIN: So, we have to change that in order to include the cities, all cities, you know, all 62 cities or whatever now.

MR. DURSO: So, why not over the past two or three years change that first so this can all be done at once in a manner that would actually make sense that the Legislature could vote on this one time and have a real cost-savings. Why haven't we done that over the past two to three years instead of rushing to get an incomplete bill done?

MS. PAULIN: So, either way it would be incomplete, right, because either way you need some lead time to get there. So, this is the -- we had this bill. In fact, it included everything when we first started and slowly we realized that we couldn't include cities because of the constitution. And then we didn't include villages, which we're in the original bill because they got so complicated. So, we acknowledged that -- that all of them have to be included in order to have real cost-savings. We're going to have minimal cost-savings at best, but we needed to take a stab at it, one stab at a time and this is the first stab.

MR. DURSO: Okay. So, and I understand that that it's obviously you're trying to begin the process of it, but again, as my colleague had said, you're -- in the sponsor's memo, it specifically states obviously voter confusion, which we'll get to in a second but

cost-savings. I just feel that over a two-year or three-year period we could have either done, you know, a -- a constitutional amendment to actually get this all done at once, or my next question would be, why not instead of doing this year, actually putting it to a voter referendum and letting the voters of New York State decide if they even have an appetite for something like this?

MS. PAULIN: Well, I actually think that by doing this first we will increase that appetite.

MR. DURSO: So, we're going to increase the appetite of the people of New York by --

MS. PAULIN: Yes, because I think the people in New York will be so happy and so excited around the elections now as opposed to the odd years not knowing who's running, what's going on, you know, some people don't even know there's elections in the odd year. So -- so, this will, you know, it's like it's going to encourage the voters to really pay attention.

MR. DURSO: Okay. So, I'm -- I'm going to move on so with some other questions I have for you. So, obviously it's to -- voter turnout, right, is one of the big portions of this, right?

MS. PAULIN: The biggest.

MR. DURSO: Of course. So, is there a plan in place because obviously a lot of our schools are where people are going to vote, right? And now the influx of even more people coming to the schools to vote, which again, we want everybody to vote, I'm not afraid of it. But the fact of the matter is they are a school, they are

vulnerable sites. I know there are bills in place to make schools not polling sites, but do we have any type of moneys, fundings or any type of rules within this legislation to have say more security on school sites? Since their voter turnout is going to be so much larger, is there anything in this bill or has it been discussed at all to protect some of our vulnerable?

MS. PAULIN: So, one, we don't know if it's going to be larger than the Presidential year, it could be the same. All that would mean is that the Presidential year voters would be voting in these other elections so it increases for the other elections. If we actually see that the composite of the election increases it to such a point, then, you know, we can consider additional funding, we can consider closing the school on Election Day, we can consider moving the elections to different facilities, we can consider all those things. But currently the Presidential year there's a lot of turnout. So, we already deal with that and we just don't know if there's going to be any more.

MR. DURSO: Well, again, to your point, I -- I actually believe there might be because not only are there people that don't care about their local elections, which obviously we always tell everybody local elections matter, right? But there's also people that don't think their vote counts when it comes to Presidential election or vice versa. So, you may actually have more people going to the polls because not only is the President or the Governor on the ballot, but it's also your local electives and all of us. (Inaudible/cross-talk)

MS. PAULIN: So, then I would say this is great that we're doing it, therefore. I hope you're right.

Mr. DURSO: Okay. So, in that case, in that vein, there's actually going to be a much larger turnout in those sites and I'm just concerned obviously again -- listen, we understand with social media, with anything like that there are people on both sides that get everybody riled up and crazy. I am concerned specifically about when there's just that many more people, and especially if it's a contentious election, and you have that many more people near a school, there is a -- a concern, can we at least say that? And I'm just hoping that there could be some type of amendment to this bill, funding involved with it to make sure that we do have more security for, again, those schools and the voters that are coming.

MS. PAULIN: So, I think we -- you know, firstly, you know we do budgets year to year, so this doesn't take effect for a while. We certainly can consider that as we go forward to see what kind of turnout maybe in the first even year and see if it -- it warrants additional funding or funding for specific areas or funding for specific schools.

MR. DURSO: Okay. So, again, with that being said, with such a larger turnout possibly, as we said, longer lines, the inevitable, you know, again, poll workers that come in to work the voting sites are usually, not all the time but a lot of times are retirees or some are senior citizens, they really do enjoy it. Prior to being elected I worked in a polling place. Are we paying them more by any

chance or anything of that nature because, again, there's going to be such a higher turnout on those years that again, listen, if you've been in them it gets confusing, it gets hot in there, they don't get enough breaks, they don't eat enough. I mean are we paying them more by any chance? Is there going to be more poll workers? Is there funding for more poll workers in this bill?

MS. PAULIN: So, I would say a lot of times when I've gone to the poll they're sitting around and they're just hoping more people will come, you know, so maybe this will prevent that from happening and they will be more engaged, you know, during the whole day. You know, again, our -- the biggest concern we should have is that we have so many people voting, how wonderful would that be? And that we have to then deal with it. So, I am open to all of the things you're saying in terms of advocating for them to ensure that -- that voters participate in the best way possible, that we have the right amount of workers at the polling places to accommodate them so that there aren't long lines, so that they can use their -- their -- their vote to the maximum possible, so that they have privacy when they're filling out that long ballot, all of those things. But we have to see what happens and hope that you and I are right that one election is going to feed on the other and draw turnout larger.

MR. DURSO: But -- but until that such time, whether it's budget time or we see how this works out, if -- if there's long lines that are wrapped around the building, which disenfranchises voters, let's be honest, because they get there, they go to want to go

vote and they could be sitting there all day. Again, there's going to be broken machines, there's going to be paper jams, especially with the ballot that's as long as these three desks. I mean, it's going to be confusion and possibly an issue and we don't want to disenfranchise voters. I'm just upset that again we don't have these things in place prior to the passage of this bill, which we've been working on for three years but we don't have anything really in place to protect the voters.

MS. PAULIN: So, I'd say that, you know, the first time we're gonna see the even year election is 2026, it happens to be a gubernatorial year, so it's not a Presidential year. So, if we see that it -- it was a much higher turnout than a usual gubernatorial year, then we have time two more years to plan for that Presidential year which then could grow in addition. So, I think that the way we've done this is very smart and, you know, we'll have time to gauge, you know, whether or not we need additional funds or additional ways to deal.

MR. DURSO: Okay. Thank you, Ms. Paulin, for your answers, I appreciate it.

Madam -- Mr. Speaker, excuse me, on the bill, sir.

ACTING SPEAKER AUBRY: On the bill.

MR. DURSO: So, again, I -- I understand the sponsor's intent of this bill, I -- I do. I think it's a shame that this bill has been worked on for the past two to three years that has no cost-analysis when the bill is actually saying it's being put in place to save money. It's a loss of local control for local municipalities and governments. It could disenfranchise voters who are going to have

long lines around the block, we're gonna have ballots that are as long as these three desks, they're going to jam the new machines. We don't have extra money for polling workers. I'm sure that the people that work on the Board of Elections are going to be psyched that everybody here was talking about how their overtime is going to be cut, I can't agree with that.

So, for those reasons this is obviously, listen, as -- as one of my colleagues who was sitting here earlier always says every year, you can't take the politics out of politics, but this is a very political bill. And so for those reasons I'll be voting in the negative. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Flood.

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

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

MS. PAULIN: Yes.

ACTING SPEAKER AUBRY: Ms. Paulin yields.

MR. FLOOD: Ms. Paulin, I know we went over kind of at length this bill for the cities to -- to be on the same schedule would take a constitutional amendment. At this time, has this amendment been drafted at all?

MS. PAULIN: It was hard enough to draft this, so it's the next -- it's the next thing.

MR. FLOOD: The next thing, okay. And so is there

a time frame of one potentially that could happen?

MS. PAULIN: Next Session.

MR. FLOOD: Next Session, okay. So, let's suppose that next Session this doesn't happen, just -- just throwing it out there. If a municipality had decided to try and convert from say a town to a city, would they then fall under the same exemptions?

MS. PAULIN: So, in order to convert from a town to a city they would need to get approval from us.

MR. FLOOD: Oh, I'm very aware because the town I live in, I did substantial research into actually turning to a city a couple years ago at the request of the supervisor because of there's a bunch of actual, you know, benefits to being a city.

MS. PAULIN: Mm-hmm.

MR. FLOOD: So, that's what I was asking. So, you know, I'm assuming this legislation isn't to try and keep the vote --

MS. PAULIN: No, it has nothing to do with incorporated --

MR. FLOOD: I don't think it would have anything to incorporate as a city or not.

MS. PAULIN: No.

MR. FLOOD: So would that -- but say there was, would they fall into that exemption?

MS. PAULIN: Yes.

MR. FLOOD: Okay, all right. So, now I understand -- I get you said this was slow and this is a slow process we want to

get it right. There seems to be a lot that could go wrong with this so why are we pushing so hard to get this amendment done? Again, I know this wasn't asked, but why won't -- why can't we try and do this or why won't we let the cities go first before we hit suburbia?

MS. PAULIN: Somebody had to go first.

MR. FLOOD: Okay. Now, here's is my other question. So, we did a little research and our research team did a phenomenal job. Of the 102 members on the Majority here, 90 of them have some type of -- or either have -- are fully controlled within a city or partially have a city inside of them. So, this bill essentially seems to target majority -- it targets it seems like areas that are represented by the Minority here.

MS. PAULIN: It also is me.

MR. FLOOD: Well, I understand but like I just said, 90 of the 102, which puts you right about 90 percent of your members

--

MS. PAULIN: Well, are you counting the (inaudible) because I do represent two cities.

MR. FLOOD: Well, that's what I said, either fully represent a city or have cities within their districts where I believe that number is substantially lower on our side.

MS. PAULIN: I think it would be fair to see how many members actually have towns and we all have counties. So, any member outside of the City of New York has a county. This is going to have a big impact on the county elections. So, there's many more of

us than just the difference between 102 and 90.

MR. FLOOD: I'm not quite sure I understand. So, what this is saying is that it's about 90 percent of your district remains somewhat unaffected by this.

MS. PAULIN: Not -- not because I'm happy about it.

MR. FLOOD: But that's why I said if it appears and it would be fair to say that this -- would it be fair to say that this legislation will have a greater effect on areas that are represented by the Minority of this Body?

MS. PAULIN: I didn't do a poll, I didn't do a count.

MR. FLOOD: Well, I'm telling you we did do it and it is. You guys have 90 of your members of where it's substantially lower, it's about maybe 15 of our members that have some type of -- I believe it's only 6 that are fully within a city and about 15 more that have some type of city within their district.

MS. PAULIN: How many are you that are in that category?

MR. FLOOD: And we have 48.

MS. PAULIN: What is it?

MR. FLOOD: We have 48 members.

MS. PAULIN: Forty-eight. So, you're saying 15 from 48 is 33, right? And then you said there was some that were completely (inaudible).

MR. FLOOD: Six.

MS. PAULIN: Six. So, that's 20 -- what is it?

MR. FLOOD: Twenty-two, I believe.

MS. PAULIN: Twenty-seven, right?

MR. FLOOD: I believe it's -- I believe the number I was given was 22 so I was never good at math.

MS. PAULIN: All right, 22. So, we're kind of close, you know.

MR. FLOOD: But here's the thing is that 74 of your members are 100 percent within a city so they absolutely don't effect any of them, so that's -- that's, you know, about 75 percent of your district is fully within --

MS. PAULIN: Well, in this House we do a lot of bills that impact one area. We do sometimes bills that impact one area with home rules, so but we all vote on it. So, you know, we all vote, we all say okay, we're going to alienate parkland in this county or that place and, you know, because we know it's for replacement of county land or whatever and we're -- we're relying on those that live there and represent there to make that judgment. And we are all collectively making a judgment that it's okay to do. So, we're doing that here as well.

MR. FLOOD: But that's -- that's what you just said, you're relying on the members to represent the districts that they're in.

MS. PAULIN: (Inaudible)

MR. FLOOD: However, 75 members of this Body are going to be able to vote on that they are 100 percent exempt. Their -- their cities are 100 percent exempt from this and tell our

localities what it is that they need to do.

MS. PAULIN: We've -- we've never severed or we've always allowed everyone to vote on everything. I think that's probably not constitutional. We'd have to make a change there, too.

MR. FLOOD: No, I understand but 74 of the members here who are exempted from this bill are still going to vote on the districts of our members that are, you know --

MS. PAULIN: Yes.

MR. FLOOD: -- that are, you know, that are -- that are effected by this. And then another 16 members are somewhat effected by it slightly or, you know, a majority of them.

MS. PAULIN: I -- I hear you, I'm not going to contest your math.

MR. FLOOD: Well, that's not a good idea because my math is not (inaudible). I'll be the first one to admit that.

MS. PAULIN: Yeah. But yes, that's true. Some members here will not have any impact from this.

MR. FLOOD: Speaker, on the bill, please.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. FLOOD: So, some -- some of my colleagues had some pretty eloquent words to say on this. Mine will not be as -- as eloquent. It appears that the members of this Body want to control most of the districts that are not in their control at this point. And what I mean is if we were to take all the cities from New York State and just kind of get rid of them and we look at the last Governor, the

last Presidential election, without those cities, New York State is a very red State. Right now, the members of this Body are trying to take away the local control of the -- of those red cities now and replace them with the election laws that members of the cities want them to have. This is by all means a power grab of the Majority in this Body trying to tell local Republican-run municipalities how they're going to do their elections. For that matter, I'm going to vote no. I'm sure this is going to be a Party vote, but when we talk about inclusivity and equity and making sure that every person's vote counts, I believe that this Body looks at it as long as it's coming from the Majority. Thank you.

ACTING SPEAKER AUBRY: Mr. Slater.

Mr. Slater.

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

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

MS. PAULIN: Absolutely.

MR. SLATER: Not a question, but just -- you'll be happy to hear the Mets just pulled ahead, so there you go.

(Laughter)

Just a couple of questions for you, and I'm going to do my best not to repeat some that have already been asked. You said that the bill's been around for, you said I believe two years, roughly?

MS. PAULIN: You know, I think longer, I just don't

remember when I filed it.

MR. SLATER: And so that's obviously ample time for people to file memos of opposition or support. I'm just curious if you've received any memos of support from any of the towns, counties or villages at this impasse?

MS. PAULIN: I haven't. I mean, I've done a lot of bills. Most commonly, I don't get any support or opposition memos on most of them, and I didn't get very much of anything on this.

MR. SLATER: Because I know that sometimes or oftentimes, municipalities and counties will pass resolutions in support or opposition to some measures that are being deliberated on here, so I wasn't sure if you received any.

MS. PAULIN: I don't -- I don't have any individual memos from municipalities that I'm aware of.

MR. SLATER: Okay. And one of the other questions that I had kind of goes off the same line of thought because when I reached out to my municipalities during this week about this very issue, they had no idea that it was being discussed. And one of the questions that was asked to me, when it talks to changing the terms to catch everyone up so that they're on even years, and I know we talked about changing some of the terms that people are going to be running on, does that impact their retirement or pension at all?

MS. PAULIN: No.

MR. SLATER: It does not.

MS. PAULIN: No. I mean, because it's -- that's

cumulative, right, so no.

MR. SLATER: Okay, great. I know that we talk a lot about the cost-savings. That is one of the motivating factors from your standpoint on the bill. You've also said that we may have to adjust based on what we see when this gets implemented. Who is going to bear the cost to implement those adjustments?

MS. PAULIN: So, I guess when you're talking about, you know, we were talking about an increased voter turnout, you know, as potentially increasing costs. One other option we would have to decide cumulatively is if we then changed to a no excuse absentee ballot, because then the lines would be reduced, voters would have more time to fill out the ballot and, you know, it would be great to have everyone's support to do that so that we wouldn't have to bear that cost.

MR. SLATER: But that's predicated off of a measure that hasn't been approved, and secondly, that measure, would it not create more work at the Board of Elections if you're increasing the volume of absentees?

MS. PAULIN: It -- it's -- it would -- similar to COVID when we saw that happen, the -- the -- it -- it was a more steady way as opposed to the, you know, until the end, you know, where the, you know, where early voting and then, of course the election was, you know, where we saw the increase to such a degree. But because of the absentee ballot, you know, it spread out the workload, so-to-speak. So I think this would do that, too. You know,

you still have to have the employees there. So instead of them not being busy during a certain point of time and then being very busy at the end, this would spread it out if we had an ability to do more absentees. But it's all subjective because we can't do that, as you point out. We don't really know what the increase is going to be. We know what the Presidential looks like, we'll see what the gubernatorial for the first time whether this will increase it in terms of a turnout in addition to what we're usually seeing. So, you know, that'll be our first time to look at it and say, *Okay, do we have to make an adjustment and what should that look like*, because we want to enfranchise everyone.

MR. SLATER: But going back to the mechanics of an election, if you're gonna increase the number of candidates, the number of races in each year, aren't you going to potentially increase, again, that workload for that specific year, whether it's, again, the absentees, voter registration. Even after the election's over, right, you're counting the absentees, you're doing your audits, possible recounts, legal challenges that we all love and endear here in this Body. So won't that, again, just increase on those even years? So you're -- you're gonna cancel out any type of cost-savings, potentially, from those odd years?

MS. PAULIN: Again, we'll have to see. You know, I don't -- I don't think that we can prejudge what that's going to look like.

MR. SLATER: And again, we still aren't clear if we

are going to have to make adjustments on the fly, whether that cost is going to be funded by the State or that's going to become an unfunded mandate for our counties.

MS. PAULIN: Again, you know, we'll have to see as we go forward.

MR. SLATER: Okay. So we don't know for sure just yet.

MS. PAULIN: We don't.

MR. SLATER: Okay. I want to, if we can, just pivot to the local races. And I know that you held local office in Scarsdale. Do you think that this change will allow voters -- and I know you talked about one specific issue, but do you think it'll change and allow voters to focus on those local issues when you have so much other, frankly, noise on the ballot with them?

MS. PAULIN: I think my village is a bad example because almost every time they run unopposed and it's a nonpartisan system and it's not similar, right? But there's no focus now on those little local elections, so this -- it can't get worse, is my opinion.

MR. SLATER: Well, on a -- on a -- on an election year that you're trying to orchestrate, do you think that those local issues are going to be able to emerge from the surface?

MS. PAULIN: I think local issues emerge from the surface all the time, much greater than other issues. You know, so you know, if someone is worried about, you know, garbage collection or they're worried about police protection or fire protection, those are

basic to people. You know, I have a village now that's worried about EMS and how quick the response time is. You know, that is consuming the town, it's a town issue, very much more so than if there was a county or State or even Presidential year, it's consuming that town. So I do -- I think that the local -- if there's a local issue, that will be what everyone focuses on and if there's none, then it's not gonna be worse than what we're seeing right now.

MR. SLATER: Well, I -- I think I would respectfully disagree, only because while I understand the point you're trying to make, we're all consumed by political ads, either they're on TV, on the radio, digital ads in the mail, right? So it seems like we get consumed by the political rhetoric of these even-year elections. And again, I go back to how does that allow local issues and local candidates with good ideas, both sides of the aisle, how does that allow them to be able to raise their voices and their ideas to the surface above all the noise that we see every even year?

MS. PAULIN: I think it's up to an individual candidate to make the voters excited. You know, if you're willing to go door-to-door you make them a lot more excited than if you're simply gonna send out a mailer.

MR. SLATER: Well, and -- and I appreciate you bringing that up because one of the other issues that I'm concerned about, though, is candidate recruitment, in a sense, because now what we're telling candidates is, *You're going to have to compete with every other campaign that's going on that year. So you're going to be*

*competing against your State legislative races, you're going to be competing against your county legislative races, your county executive races. You're going to be also competing, though, against gubernatorial and potentially Congressional and Presidential, right? So is that going -- that cost to be a candidate. Do you think that's going to make it more or less expensive?*

MS. PAULIN: I -- I think if someone has the fire and ability to run, they're not looking at the other things, they're gonna run. And they're gonna deal with the expense of the campaign and the walking. You know, we've seen elections turn around not because people spent money, in fact, the opposite because they put their heart and soul into the -- into that -- into that election because we've lived -- a lot of us live in small places. So -- so, you know, could it potentially harm someone? I guess. Anything we do, you know, any policy we implement could harm someone. But I do think the greater benefit is increased voter participation and increased -- because it leads to a democracy that we be prouder of, you know, that -- that where more people are participating, where more people are engaged. I think that's a real important benefit, and that's --

MR. SLATER: I'm not disagreeing with you, but I just also worry that we're also going to be dissuading really qualified candidates from participating at the same time. And I just --

MS. PAULIN: I think it's hard now.

MR. SLATER: -- want to make sure I -- I'm correct on this -- I'm sorry?

MS. PAULIN: I think it's hard now to recruit.

MR. SLATER: Oh, there's no doubt, there's no doubt. I -- I just want to make sure I understand also, we're now looking at a new public financing of campaigns. Would the local elections that we're impacting, do they qualify?

MS. PAULIN: I think we'll see that bill tomorrow. I don't -- I don't -- it's not -- I don't think it's anticipated that, you know, that we're going to see these local elections part of it, it's a State bill.

MR. SLATER: Thank you, thank you. I'm just making sure that I was able to get through all of my other questions, and I believe I did, and I -- Assemblywoman, I really appreciate your time and your answers.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill.

MR. SLATER: You know, I attended a press conference last year about this very issue, and I thought it was actually a joke because I just find that we continue to impede on local control, as my colleague, Assemblyman Flood, had previously stated. Whether it's on zoning issues, whether it's on election issues, I just feel like this Body, this legislative Body, continues to overstep its bounds and take away local control. It continues to impede on local officials, on our local elected colleagues. And I'm -- as a previously elected local official, that's where the rubber meets the road. As I said earlier during this Session, during my campaign we focused on zoning, we focused on our playgrounds, we focused on our parks and our lakes.

Those are not things that are really discussed during State races, during gubernatorial races, during Congressional or Presidential races. Those are local issues, because that's what mattered to my community. And I have grave concern that by bringing these elections over into an even year, we're gonna silence that debate, we're gonna silence those ideas. And that's really gonna be to the detriment of every one of our communities.

Local control is crucial. The local issues that we're dealing with back home are crucial. And I just think that we're doing ourselves and we're doing our neighbors and our communities a great disservice by trying to shift these elections the way that's being proposed. For those reasons, Mr. Speaker, I'll be voting against this measure. Thank you very much.

ACTING SPEAKER AUBRY: Thank you.

Mr. Tague.

MR. TAGUE: Thank you, Mr. Speaker. Through you, Mr. Speaker, would the sponsor yield?

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

MS. PAULIN: Yes.

ACTING SPEAKER AUBRY: Ms. Paulin yields.

MR. TAGUE: Ms. Paulin, it's always an honor and a pleasure to have this discussion with you. The good news is is we won't be talking about agriculture tires and we won't be talking about ATVs. Just a couple of quick questions here. Do -- do you have any

idea how many counties or local governments exist in New York State?

MS. PAULIN: I think there's 62 counties, right?  
Sixty-two counties.

MR. TAGUE: Well, there's 62 counties, yes.

MS. PAULIN: And how many -- what was the other question?

MR. TAGUE: Have any -- any of those counties asked for a change or taken a position for or against this law?

MS. PAULIN: No. Not to my knowledge.

MR. TAGUE: Well, I have -- I do have a couple -- couple of counties and organizations that have sent out their displeasure with this law. First of all, the Clerks of the County Legislative Boards Association sent a notice today that they are vehemently against this bill.

MS. PAULIN: So the county clerk (inaudible)?

MR. TAGUE: No. The Clerks of the County Boards of Legislatures. We have -- it's somewhere in Up -- Upstate New York, we have county legislators.

MS. PAULIN: Yeah.

MR. TAGUE: So the clerks of the county legislative boards.

MS. PAULIN: Yeah, I have -- I think I have that memo. Yeah.

MR. TAGUE: And also, both the Republican and

Democratic Commissioners of Elections in Greene County have also came out in opposition to this bill. And one of the reasons, and I think we would have saw many, many, more county organizations and associations come out had they knew about this. Because one of the problems that I have, and I want to ask this question, is why didn't this legislation go through Election Law Committee?

MS. PAULIN: It wasn't ready yet.

MR. TAGUE: Well, then maybe we shouldn't bring it to the floor if it's not ready.

MS. PAULIN: We were still making changes to make the bill better.

MR. TAGUE: But I think that what we did is we disenfranchised the members of the Election Law Committee that are experienced with Election Law issues, didn't have the opportunity to debate or discuss this in Committee and we just rushed it to Codes and now we've got it on the floor without being able to get the information out to the people that this is going to affect.

MS. PAULIN: We -- we were not prepared yet, and we had to make amendments based on input we got from the Board of Elections and so forth. So the bill wasn't -- was just recently amended.

MR. TAGUE: Also, what exactly is the supposed cost-savings to this measure?

MS. PAULIN: As I've stated before, we're -- we have not been -- we are not able to assess cost-savings until this process

begins.

MR. TAGUE: So county BOEs, Board of Elections, must still run special elections and elections to fill vacancies. So those could still -- those could still happen as it appears under this bill, correct?

MS. PAULIN: Yes. We don't change that.

MR. TAGUE: And those could occur on odd years.

MS. PAULIN: Yes.

MR. TAGUE: So how would that be a cost-savings to county BOEs if you still have to run, for instance, elections for county court or Supreme Court judges?

MS. PAULIN: As I said, those are -- those would require a constitutional amendment and the, you know, my plan -- because, you know, I'm very much in favor of the counties being able to save money as a result of consolidating the elections -- would be to put forward additional legislation and resolutions that would allow for that.

MR. TAGUE: And I know this question has been asked in different ways tonight and I'm going to ask it, too, just to be on the record. With every office appearing on the ballot in an even year, how many inches or feet would the average ballot be, and are our machines even capable of handling such long ballots?

MS. PAULIN: So, the answer to that is the Board of Elections tells me that the vast majority are going to be able to fit on one page despite the addition of -- elections -- or the additional races.

Those that do not fit, the precedent has been set in other places, primarily New York City, where you use a perforated ballot and/or Ballot A, Ballot B, so you don't have to change the ability -- you don't change the machine at all and, you know, everyone will have the full face ballot as the law requires.

MR. TAGUE: So in other words, voters may have two or three ballots?

MS. PAULIN: Well, they're never gonna have three, but they could have two.

MR. TAGUE: Well, how do you know? How do you -- how do you know? If you have a full slate of town candidates, county candidates, State, Executive level and Presidential, United States Senate, Congressional candidates, United States -- New York State Supreme Court candidates, how do you know?

MS. PAULIN: So you're making an argument not to include the judges?

MR. TAGUE: No, I'm not making -- I'm making an argument to completely do away with this legislation because I think it's crazy.

MS. PAULIN: Well, again, it's all about voter turnout and this would increase it, and we -- or I believe that that's of value.

MR. TAGUE: And finally, how does this bill not violate Section 8 of the Local Government Article of the State Constitution since that section mandates county offices appear on the

odd-year ballot?

MS. PAULIN: So it requires some, which are the ones that we excluded from this bill.

MR. TAGUE: Okay.

Mr. Speaker, through you, on the bill, sir.

ACTING SPEAKER AUBRY: Thank you, sir.

MR. TAGUE: Listen, this comes down to, very simple, healthy turnout comes from con -- consistency of people voting more regularly, not making it an every-other-year thing. Turnout, especially on the down ballot locals, will actually get negatively affected by longer lines, longer ballots, and most importantly, confused voters. Local campaigns will be made more expensive as advertising rates are higher in even years, mailboxes are fuller, and everything in general is more crowded. This is nothing more than a political power grab by a desperate political party who knows they can't win in Upstate counties because of their extreme out-of-touch positions that are constantly beaten back. The only way they can win is to literally steal the elections by cancelling our local elections.

Lastly, Mr. Speaker, this again is more evidence of a one-party rule that has corrupted New York State government. Just like last year when the Majority went around the will of the people on a unanimous vote and they opposed the will of the people. My friends, the only thing to do in this matter is vote no. If you want to do something, then bring it to the people, let them make the decision

on how they want to vote. It shouldn't be made here. This Body should not be making the decision for every single New Yorker when it comes to their voting right.

Thank you, Mr. Speaker. I vote no.

ACTING SPEAKER AUBRY: Mr. Jensen.

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

Will the sponsor yield --

MS. PAULIN: Yes.

MR. JENSEN: -- for a few questions? Thank you very much --

ACTING SPEAKER AUBRY: Ms. Paulin yields.

MR. JENSEN: -- Ms. Paulin. I want to go back to a story that you told Mr. Curran about three days ago, it feels like, that you were talking about in your community that you live in that there was a waste management issue that local residents got very invested in, were passionate about, it -- it was the main issue for the local election that year. My question is, was that an odd-numbered election year or an even-numbered election?

MS. PAULIN: It was March.

MR. JENSEN: Oh. Well, that doesn't really work for my question, my point that I'm trying to make. But I think your story that you talked about for that, the example you used with Mr. Flood for EMS, that just shows that when there is a compelling reason that voters do care, they do give a damn, they will come out and have their voice heard regardless of when that election is held.

MS. PAULIN: I -- I don't know that it impacted the election. What it does is it brings people's attention to the local government. We'll have to see whether it impacts the town election coming in November.

MR. JENSEN: Okay.

MS. PAULIN: I think they're all running unopposed, though, so I'm not (inaudible).

MR. JENSEN: So if -- would you say that -- I'm not going to go down that -- so last week, the Monroe County Board of Elections hosted a demonstration with -- for one of the proposed new ballot machines that is before the State Board of Elections for approval right now. The rep from that company which was based somewhere in the Midwest, entirely built within the United States, what she said was that this machine had to be precisely designed outside the rest of the other machines they offer, for New York's elections and our State's election laws as they are at this moment, not what they will be after this legislation is passed and signed into law. That machine is up for approval by the Board of Elections right now and complies with State and Federal law. Is there a concern that with the approval of this legislation and the addition of more elected offices onto the ballot that new machines that are being brought to review at the Board of Elections will now be out of compliance with the law and what these machines were designed for?

MS. PAULIN: So I will say we completely engaged the State Board of Elections and so many of the -- in the bill language

to be sure that it was correct. And today after the Codes meeting, I was concerned I didn't have the answer to one of the questions, and not only was the election lawyer at the Board able to answer the question, he was watching the Codes meeting. So I can tell you that they're very engaged, know what's going on, and will make decisions based on what we do here.

MR. JENSEN: Okay. One of the issues that you talked about, and I think one of my other colleagues will talk about this coming up, was that for a term that ends after 2025 they get to finish -- that elected representative gets to finish their term. Their subsequent term is a truncated term that will reset on an even year.

MS. PAULIN: Mm-hmm.

MR. JENSEN: If somebody is completing a term limit that won't affect them, but if they're midterms, which often our local municipalities have term limits based on amount of terms served and/or total consecutive terms served. How will that truncated term, if it's in the middle of their cycle, if you will --

MS. PAULIN: It won't count.

MR. JENSEN: It won't count. So if somebody -- if a municipality has a 10-year term limit, five-term limit for a town council member, they'll essentially get to serve six terms and 11 years due to this piece of legislation.

MS. PAULIN: That's correct.

MR. JENSEN: How is that not in conflict with what the town code says?

MS. PAULIN: We're, you know, we're superseding that with State law.

MR. JENSEN: But how does -- so in the superseding of -- with State law, how does that not raise concerns that I think a few of my colleagues have raised, Mr. Goodell on the amendment debate and Mr. Tague previously, how does that not put this bill in complete conflict with Article IX of the State Constitution?

MS. PAULIN: Do you want to remind me what that is?

MR. JENSEN: My memory's not too good after 19 debates in three days, so I'm gonna take -- home rule, what Mr. Goodell said.

MS. PAULIN: I see.

MR. JENSEN: But I think it is something that we should be concerned about, and I think a way that could be remedied would have been approving an exceptional amendment that was offered a few hours ago. Was there any consideration by you when drafting this bill to make it an opt-in or put it to a referendum at the county level, local level, or as part of the constitutional amendment process for (inaudible)?

MS. PAULIN: I would say the counties now have that ability and they haven't done it, right, they haven't moved to even years. So in -- in desirous of having voter participation increase Statewide, you know, we are the State Legislature and we're making the judgment, you know, that we want to do it Statewide.

MR. JENSEN: So no counties have moved to do this on their own is what you just said?

MS. PAULIN: Most counties have very old charters, they're used to doing it on odd years, they didn't think about changing it. They could have, but they didn't.

MR. JENSEN: But -- so doesn't that show that there's an unwillingness of the counties for this type of change? If they could have -- and there -- we have counties that are Democratically-controlled, Republican-controlled, county executive of one party and county legislature of a separate party, an array of boards of supervisors. So it's not just one party saying, *No, no, no, we don't want to do this*. Every single county in the State has not taken a step to do this. So doesn't this show that there is not a local appetite for this to happen and that we are overstepping our bounds as the State Legislature, forcing this change when the counties have signified no desire to do this?

MS. PAULIN: So, you know, this won't be the first that I've done that, right? So the first time that I learned how to draft a bill to supersede the county charters was with redistricting. And so we did that, we set standards because some counties had standards, some counties didn't. We wanted to make them consistent with the law, consistent with the court standards, you know, and we wanted to make them better for everybody. So we adjusted the Election Law and made it uniform. Now, some counties weren't happy, most counties have adjusted and we have fairer lines therefore. So I would

say the same thing is here. You know, we are now gonna have a Statewide system, a time for everybody to get excited about the elections during an even year, to participate. So if you live in Putnam or you live in Westchester and you're neighbors because you share the same grocery store, everybody's gonna be talking, they are going to vote.

MR. JENSEN: But respectfully, we're not going to have a Statewide system. There are five counties that do not have to abide by the terms of this legislation.

MS. PAULIN: I understand.

MR. JENSEN: So it's -- it is not a Statewide system that we still an in -- inequitable --

MS. PAULIN: Until we even it out.

MR. JENSEN: But -- but if that's the case, why didn't we just wait until --

MS. PAULIN: Then why don't we do them first.

MR. JENSEN: Or why didn't we ensure that we ironed out all of the potential issues with this type of legislation if it has to be done by a constitutional amendment, and allow that to happen? Which would also solve the question about whether or not the people of the State actually truly want it. We've seen constitutional amendments passed by this Legislature fail when they go to the voters, sending a very clear message that our actions did not reflect the will of New Yorkers. Why would we not put the entire package, solving 100 percent of the problem that you -- you're trying

to seek, and actually leave it to the will of the voters by ensuring that 20 million New Yorkers are all operating under the same playbook instead of trying to piecemeal it where you have an inequitable system potentially continuing into the future.

MS. PAULIN: So I would say by putting this legislation forward -- remember, I'm not from the City, either, so if I was from the City maybe I would have done the City first, but I'm not. And just because we put this forward, the City Council, the New York City Council meeting yesterday and their committee actually is recommending that we do that for them. So -- so it's -- this is the first next step in including the City of New York.

MR. JENSEN: But that would -- that would take a constitutional amendment.

MS. PAULIN: Yes.

MR. JENSEN: And so what you're gonna have is you're gonna have the entire State of New York voting on a constitutional amendment that affects the five boroughs of New York City. Wouldn't it have made more sense --

MS. PAULIN: And my cities.

MR. JENSEN: And all cities. Wouldn't it have been more respectful to every single New Yorker in every single part of the State to say, *Listen, we're not just gonna ask you to vote on this thing that affects a fraction of New Yorkers*, but we're going to ensure that there's no constitutional questions, that this is something that our communities want, it's something that the voters want, that all the

things that myself and my colleagues have been standing up here for hours saying that we're hearing from our constituents about why this is not a bill that we should be moving forward with. Putting it to the voters would completely undercut our entire argument. Why wouldn't we go about it that way?

MS. PAULIN: We don't -- we don't -- we don't rule in New York by referendum. You know, we -- we're different than California. This is how we do it, we're a representative government. We have the ability to assess, you know, what our voters care about and don't care about, we all reflect that. So we'll see red and green up there as a result of that. But we are a representative government, so putting it out for referendum is not something that I would support.

MR. JENSEN: Okay. So, I know a couple of my -- other members of my colleagues brought this up, so oftentimes in local elections it is the county executive, it is the town supervisor who is the main driver in odd-year elections and it's what we see with the President and the Governor in even years. If we're taking those elected offices off the odd-numbered elections for the time being, per your comments, and we're making only judgeships potentially on the ballot, is there a concern that if somebody doesn't ever foresee the impact that the Judiciary may have on that? I certainly vote for those seats every time they're up, I don't -- I'm sure you don't either. But isn't there a concern that if we have the Surrogate Court judge in a county being the top of the ticket, that a lot of voters are going to say, *You know what? I really don't care this year*, and not coming out to

vote and further depressing turnout from a 25 or 20 percent level to a 5 percent level?

MS. PAULIN: We'll have to see how that works out. You know, I do think that people are motivated by certain elections. They'll -- some will be motivated, certainly the families of all those judges will be motivated. And -- but I agree that there could be a drop-off because we would have fewer races, I agree, which is why I think we have to make the changes go forward long-term.

MR. JENSEN: So we talk about solving a lower turnout election cycle, why wasn't -- and we're doing this as part of a change to town law, and I understand that, but why -- if we're worried about low turnout elections and the outside's impact that offices have on our constituents, why wouldn't we also try to make a change to fire district elections or school board elections or library trustee elections? Or move village elections from the spring to Election Day. Why wouldn't we address every low turnout election that exists?

MS. PAULIN: Those are harder. I can tell you, because I tried to do a law that would change the fire district in -- in Eastchester, and it passed and it was signed and it's still not implemented because of how hard it is to do that. So I agree, we need to do some of those. You know, certainly fire districts and all, they -- they vote at odd times, you know, there's probably no reason not to fold them in. But that was a much larger project, you know, than -- than this. But I don't disagree that we should be doing some of that.

MR. JENSEN: So -- so changing a fire district

election was a tougher mountain to climb --

MS. PAULIN: Than this.

MR. JENSEN: -- than changing the nature --

MS. PAULIN: Totally.

MR. JENSEN: -- of democracy in New York?

MS. PAULIN: Totally.

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

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. JENSEN: Thank you, Mr. Speaker. I appreciate Ms. Paulin's answers, but I share the concerns that were raised by a number of my colleagues, as well as my local Board of Elections and my constituents in my district that this change will dramatically in -- decrease the importance of local issues and will only further encourage more toxicity in our elections and our democratic process by injecting national politics into elections for local offices. Certainly, if this Chamber would have embraced a very commonsense amendment that was proposed earlier today, it would have put the onus on our constituents to make the decision for themselves. If the sponsor would have sought to ensure that every New Yorker would be playing under the same rules and put this to a constitutional amendment, that would have ensured that the people we represent are having their voice heard and ensure that we're acting responsibly for their interests.

With that, I appreciate your time, Mr. Speaker, thank you.

ACTING SPEAKER AUBRY: Thank you, Mr. Jensen.

Ms. Walsh.

MS. WALSH: On the bill.

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

MS. WALSH: I thought I'd give the sponsor a break. She's been answering questions for a long time, and -- and I think that my comments could be made really without the benefit of -- of engaging in question-and-answer with the sponsor.

You know, I've been listening to a lot of this debate. I've also been serving for several years now, and just as I was reflecting upon all the changes that we've seen in the Election Law and in our -- in our Election Law over the last -- just since I've started. You know, we've had -- we changed the Primary from September to June, we've got early voting now, we have expanded access to absentee voting, and during COVID it was essentially no excuse absentee voting. We had that ballot proposition that was voted down, which I think surprised a lot of my colleagues on the other side of the aisle. They didn't like that, but the voters rejected it. We have preregistration of 16 year-olds for -- we're doing a lot of things, and I think -- you know, my dad used to say, *If it ain't broke, don't fix it.* I -- I don't see why we need this piece of legislation.

Let's examine for a moment what the -- what the basically the two reasons are that the sponsor has put out for this legislation. The first one is because we want to increase voter participation. Well, let me tell you something. When I go around, when I'm canvassing, when I'm running for office and I'm knocking on doors, I wish I had a dollar for every person that calls me Congress Member or Senator. People don't know. People are out living their lives, working at their jobs, taking care of their families and, quite honestly, we live in a fishbowl here. We work in a fishbowl where politics and -- and public service in this Chamber is primary for us and literally no one else really cares, right? So I think that when we start monkeying around and changing a bunch of things like the Primary date, boy, that was tough to try to get that across to people. *No, Mr. and Mrs. Jones, you don't go in September, now you go in June. No, I know I usually have somebody present my petition for signature in this month, but now it's a lot earlier. Yes, it is slippery outside.* You know, we're trying to explain all of these changes, and the -- I think, if anything, this law is going to create even more confusion. I've said, every time we've taken up a bill -- a bill that's making a change in the Election Law, I always get up and whether it's -- early voting, for example, I was pretty skeptical about that because I believe that -- and maybe -- maybe I'm very old school, but I believe that people who believe in a civic responsibility and their role in it will show up on Election Day and cast their ballot. And the vast majority of the people that I've talked to are having a very long time of coming around to the

idea of, *Hey, I could go out a little bit earlier*, and I think that they're dipping their toe in that. Maybe that's -- maybe that's been a helpful thing.

Now, we're going to have -- we -- we're still going to have odd -- odd-year elections. That's what really kills me, because the second reason that's been given is that we're gonna save money, it's gonna be easier. We're still gonna have odd-number elections because of all the carve-outs in this bill. So I would say all we're really doing is we're gonna have a big, big, long ballot. If we care so much about encouraging voter particip -- greater participation in these town and county and local races, why are we gonna stick them at the end of a really long ballot where we're probably gonna have a huge under vote. You know, people are gonna vote for the first couple of races, the ones that are swallowing up all the airtime and all the digital ads and all the robo calls, if they're still allowed by then, and all -- you know, all of that and then they're gonna just fall off when they come to those local races. I think it's gonna have the opposite effect of what the sponsor's stated intent is.

So people talk about voter fatigue, right? So, there are people, and it's been discussed here already, there are a lot of people I talk to who say, you know, *God, you know, I -- I just -- I just don't really care about this, that and the other thing*. You know, they'll come out maybe and they'll vote, but it's hard to get them out to the polls. I don't see how making this change gets ambivalent or apathetic voters out any more than they already do. And I'd be very

curious to know -- I know last year we had a pretty decent spike, I think, I think, in voter turnout in the Governor's election year. But with all of these changes that we've made, are we seeing, like, that many more people coming out? Because it seems to me like it's the same -- I'm seeing the same people coming out to the polls that always come out to the polls. I don't think that we're really necessarily engaging that many more people and I don't think that this bill is going to do that, either.

I think that another point I'd like to make is that we already are -- I think we can argue that we're becoming -- political scientists will have fun talking about how polarized we are as a society. But we know, even within this Chamber, that we've had some very, very close elections in recent years. I -- when I ran for town board a million years ago, I won by seven votes, and we have members in this Chamber that won by less than 20 and are here for those reasons. And think about, reflect upon, how long it took to get those voter results in. It took weeks, it took a long time. And I'm all for counting every legitimate vote, we had to do the work to do that, but as we add more and more and more in an election cycle, aren't we just going to be delaying getting our voting results even that much more?

I'd like to make the point about the potential impact on the schools. The sponsor noted earlier that it was a possibility that schools may have to get closed for Election Day or -- or something along those lines. I wasn't actually in the room, I heard about that

after the fact, I was out at the WAM meeting. But we know that there are a couple of bills that were on the Committee calendar today to add additional holidays, State holiday -- I don't know if they're gonna be optional or if they're gonna be mandatory -- and I've gotten a lot of feedback from BOCES school administrators, superintendents, concerned about the 180-day rule for school and how adding these holidays is making it really, really tight for them to be able to hit that 180 days. If we start talking about having this bill create an impact on schools where they could be potentially closing down the school for Election Day or days leading up to Election Day, I don't know what the result would be, aren't we maybe in an un -- an un -- an unintended consequence maybe to have an impact like that on the school and school calendars?

I think that -- we also have ballot propositions on the back of the ballot. So let's not forget that as we're creating a longer ballot, we're also -- this Chamber has voted on putting on a number of ballot propositions in recent years, and -- and coming up, on the back of the ballot. Think about how hard it's been to try to educate our voters to flip that ballot over. So not only are they going to have to go through all of the Federal, State, county and local races -- and I know that there are carve-outs and exceptions -- they're gonna have this big long ballot, but then they're gonna have to flip that ballot over and vote on things like mental health and the other things that we're agreeing to put on the back of the ballot.

I don't think that there's enough good reason for this

bill, and that's why I'm opposing it. I think that the system is fine the way it works. If we want to encourage greater voter participation, great. But monkeying around with this stuff is not the way to go. And I think that it's -- it's really -- the rationale that's being given for the bill is really just -- just false. And I know that one of my colleagues used the exact term, the exact phrase that I was going to use, so I'll say it again: Political power grab; that's what it really is. It really is. I think that, you know, maybe a lesson should have been taken when the -- when the lines were gerrymandered, overriding the will of the localities and the voters. That didn't go so well. That all got turned around and that all created a big mess. Do we really want to do that again?

I think that -- I -- I just -- I just think that there's not a good enough reason for this bill. I think that the bill has got a lot of problems. I think that they've been very well called out. I also feel as though I'm largely debating to an empty side of the room, so I don't know how many -- how much of an impact my comments are going to have on my colleagues. But, you know, I just -- I think it's like -- I think we see what this really is. We can dress it up, we can -- we can say we're out to drive greater voter participation. It's clearly not what the real reason is why this is being offered. It's not gonna save any money, it's going to confuse the voters. And obviously, I'm going to be voting in the negative. I think it's a really, really poor idea and I think we can really see it for what it is. So thank you, Mr. Speaker.

ACTING SPEAKER OTIS: Mr. Mikulin.

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

MS. PAULIN: Yes.

MR. MIKULIN: I just want to go over a few questions. I know we've had a large talk today about the machines and everything else, but I wanted to go over, just, you know, repeat a little bit but ask a few questions. Now, what you said before is that we're going to have -- the paper's going to be perforated if the obviously the candidates --

MS. PAULIN: I'm sorry?

MR. MIKULIN: The ballot will be perforated if the ballot can't fit on one page; would that be correct?

MS. PAULIN: Well, the law allows for a perforated ballot, but the law also allows for two ballots.

MR. MIKULIN: Okay. And those two ballots would go in at the same time, or you put one in --

MS. PAULIN: One at a time.

MR. MIKULIN: One at a time. So they'd be like an -- there would be an A and a B ballot.

MS. PAULIN: Right.

MR. MIKULIN: Okay. So now we have potentially two separate ballots. Now, if the -- let's -- let's say the paper is perforated so that there's a longer sheet going into the ballot. Now, the scanners have the ability to --

MS. PAULIN: It wouldn't be longer. It would be

perforated in the middle, so it would be the same size.

MR. MIKULIN: Okay. So would the -- and the scanner would be able to properly read that?

MS. PAULIN: Yes.

MR. MIKULIN: Now, going back to there being two ballots, will the print be any smaller on the -- the ballot?

MS. PAULIN: Um, I don't think that -- I mean, I guess potentially it could be smaller, but potentially it could be larger.

MR. MIKULIN: Now, we're adding local elections to even years, so where do we believe that would be placed on the ballot?

MS. PAULIN: Where what?

MR. MIKULIN: Will it be placed at the end, will it be placed next to us, will it by the judges? How?

MS. PAULIN: So -- there's a separate bill on that that's not before us yet.

MR. MIKULIN: Okay. So we're gonna be creating a bill to know where the placement will be?

MS. PAULIN: Yes.

MR. MIKULIN: Okay. Because I would think that anybody who's going to be nominated at the end of this really long ballot obviously is going to receive a considerable drop-off, as we do, because we're at the end of the ballot.

MS. PAULIN: So again, the drop-off would be a greater participation than we currently see in those off-year races.

MR. MIKULIN: But we don't actually know the answer to that, of course, because it hasn't happened yet.

MS. PAULIN: Well, we do know from other places that have done this that the participation was greater in the even years than the odd years, even for the candidates that were at the bottom of the ballot.

MR. MIKULIN: And -- and what other places are we referring to?

MS. PAULIN: So there's other states and cities. I can name a couple that I have here in front of me if I can find them. I think it's in here. We have Phoenix, Arizona; Austin, Texas; El Paso; Baltimore and Los Angeles.

MR. MIKULIN: So Phoenix, Arizona; Baltimore and Los Angeles.

MS. PAULIN: These were the cities that did it. You know, in fact --

MR. MIKULIN: Right, and -- and they haven't reported any problems?

MS. PAULIN: No. Because remember, we've had Presidential years that have been like 2020, right? If we are so lucky to have that happen again, we've already been through it, we know what it looks like. What we would have as an advantage is that in that same year where many, many more voters were going to the polls, they'd also be considering the other races. Pack 8.

MR. MIKULIN: Now, let's say, let's go back to this

perforated ballot. So we have -- we can vote early now. So is the printer now different to print out a perforated ballot than --

MS. PAULIN: We use the same machines in early voting so it's the same system.

MR. MIKULIN: Yes, but when I go to the, to early vote, somebody has to print a ballot for me. So could those printers that are in the early voting, could they print out the perforated ballot?

MS. PAULIN: If not, they can use two ballots.

MR. MIKULIN: Okay. So then we would have --

MS. PAULIN: (Inaudible) their vote.

MR. MIKULIN: So then we would have two ballots that go in simultaneously or one after the other?

MS PAULIN: One at a time.

MR. MIKULIN: Okay. Next question, now we speak about these term limits. So now in 2025, if you have a four year term limit it's going to go for three years; is that correct?

MS. PAULIN: Say that one more time.

MR. MIKULIN: So in 2025 --

MS. PAULIN: Right.

MR. MIKULIN: So if somebody is getting -- so somebody was elected in 2021, they are elected to a four-year term, they would run for reelection in 2025.

MS PAULIN: Right.

MR MIKULIN: That would sit back to 2024 to be a four-year term limit; would that be correct?

MS. PAULIN: So it would be three years, right?

MR. MIKULIN: So, it would be three years --

MS. PAULIN: And -- and what we've said here is that three year truncated doesn't count toward term limits.

MR. MIKULIN: Okay. So if --

MS. PAULIN: So they would get 11 years.

MR. MIKULIN: So they -- so they would get 11 years, so it doesn't count. So if there's -- so if there's already a term limit, so let's say if you're allowed to run in a seat for four years, for let's say three consecutive terms, and it comes out to 11 years, that doesn't reset the clock to run for another 12 years?

MS. PAULIN: No.

MR. MIKULIN: No, okay. So basically they would be cut a year short.

MS. PAULIN: I'm sorry?

MR. MIKULIN: So they would be cut a year short if you were term limited out.

MS. PAULIN: No. The truncated year doesn't count.

MR. MIKULIN: So the truncated year --

MS. PAULIN: The truncated term doesn't count.

MR. MIKULIN: The truncated term doesn't count so it would be the terms and not the years associated. So when they used to be three terms or four years, it would be two terms and four years and one three-year term and then they wouldn't be able to run for reelection if they were term limited, if there were term limits.

MS. PAULIN: Right. So if they're already term limited - like this will be in my county - if they're already term limited and their -- their term is over, they can't run for the truncated terms. If the truncated term is included in the term limit, then it doesn't count toward that term limit.

MR. MIKULIN: Okay. So they would be able to run then. So if the truncated term, if that was set to expire, then they can run for one more four-year term.

MS. PAULIN: Yes, because only the non-truncated term would count.

MR. MIKULIN: Okay. So if somebody was elected for a three -- so if 12 years usually and now you go to 11 years but they would be allowed to run for one more year --

MS. PAULIN: Right.

MR. MIKULIN: -- making their term 15 years.

MS. PAULIN: Fifteen, right.

MR. MIKULIN: Okay. So we are extending that. All right. So thank you for that. Another question.

MS. PAULIN: And I was just reminded that nothing prevents localities from amending the term limits. They could change it.

MR. MIKULIN: Okay. Let's go back to -- now you say this is going to end voter confusion. So --

MS. PAULIN: I'm sorry I ever used that word, go ahead.

MR. MIKULIN: Will we now have public financing rules? So all of us in State government, we could potentially be able to receive public funds. Now wouldn't we say, going back to the local issues since we are going to obviously be receiving money from the State, it would be easier for us to raise money then of course our local counterparts. Wouldn't that drown the local issues out, because if let's say a State candidate is mailing all this mail or doing all the commercials, radio shows, wouldn't it be more likely that the local issues that might be important and completely different when they're dealing with a very local issue, whether it's your garbage, your recycling, your roads, couldn't that be just overshadowed by what was going on because of the competition to -- to get the attention?

MS. PAULIN: I -- I think, you know, I think we're probably all unique in this room. When we get mail, election mail, we read it. We like to read it, we keep it, we accumulate it, we save it as examples. Most people don't do that. So I would say that in fact if they got a lot of mail, they're probably going to do this (demonstrating) into recycling. And then those local issues that are in the local papers, that are being talked about by local candidates that where candidates are knocking on their doors, they're going to get a lot more attention because of the overload.

MR. MIKULIN: Well, I would also say though in response to that, wouldn't State candidates being more able to buy ads than in newspapers to also drown up those newspapers whether or not, you know, you have a -- a local issue that's put out by one newspaper

writer.

MS. PAULIN: I think you're suggesting that every single race on the ballot is going to be a contested hot race. We just know from experience that that's not true. Some are going to be hot races, some are going to be uncontested races. So you're going to have a composite different kinds of races that voters are going to be paying attention to. And so if you happen to be in an area where you have a couple of those, I think that's what the voters are going to be paying attention to and it's going to drive them to maybe make decisions in the other races as well. But I don't think we've ever seen an example where all the races on the ballot are hotly contested so that the voter's so mixed up let's say, so I think that, you know, I trust the voters, I believe the voters are all smart, they want to participate. This is going to be -- this is going to enable them to do it more efficiently and they're going to know when the elections are and because I have that faith and confidence in the voters, I think they are well able to differentiate between the races among the candidates and we're going to have a more educated electorate and one that's going to participate to a much greater degree.

MR. MIKULIN: But there are certain offices that are going to be exempted from this. So let's say --

MS. PAULIN: That's right. That's where (inaudible).

MR. MIKULIN: -- we have the County Clerk and the DAs office. So right now as it stands here without passing a constitutional amendment and without that going to the voters that we

don't even know if it will pass, wouldn't the opposite take place for the County Clerk and the District Attorneys that are up in odd years such that their voter turnout and those elections will be driven so low because all of the races will be done on the even year that participation in those odd years now for those races would be extremely low and that wouldn't drive anybody out to vote for them so why are we viewing them then as --

MS. PAULIN: It's a very short time frame between including them. Remember this doesn't start until 2026.

MR. MIKULIN: This -- this doesn't start until 2026 so we have to anticipate now that we passed a constitutional amendment before 2026 and it gets approved by the voters. If that didn't occur, then this would be --

MS. PAULIN: Well, I think if we all collectively, both parties, all the people in this room are advocating for the change, I think that we would have a good shot at it.

MR. MIKULIN: Wouldn't it be more advantageous to have put this up one after the other so all cities and everybody in New York State be equal?

MS. PAULIN: Well, then they will be equal over time.

MR. MIKULIN: Over time, but right now we have everybody in the City and people that are, of course, running for whether it's County Clerk or District Attorney that are not going to be equal. And as we know, voter participation rate in the City, let's say,

is much lower than right now here in my county which is Nassau County. So the voter participation rate will not increase and if this doesn't happen then there is going to be a great inequality in --

MS. PAULIN: So let's figure it out, right. So, it's 2023 now. In 2024 and 2025 we do the -- we pass the amendment. If we want to wait for more voter participation we wait to put it on the ballot until 2026. If we don't, we can do it in the odd years since it's a lot of the odd elections that would be considering it. We can make that decision collectively later. But so, we're talking about making the change around the same time that this would take effect.

MR. MIKULIN: Okay. And going back to the Boards of Elections. Have we done any analysis into the burden to the Boards of Elections to move all the elections into even years except for odd years?

MS. PAULIN: Have we done what?

MR. MIKULIN: Have we done an analysis on this?

MS. PAULIN: An analysis on what?

MR. MIKULIN: An analysis on what the burden's going to be now that the law is going to change --

MS. PAULIN: I can tell you that the State Board of Elections was very cooperative in trying to get us the information and didn't raise any alerts.

MR. MIKULIN: But we have heard that local Boards of Elections and other people have raised alerts to this. So have we taken any --

MS. PAULIN: None of that have communicated to me.

MR. MIKULIN: Well -- and but we haven't had any hearings about this, is that correct?

MS. PAULIN: We don't have hearings on most of the stuff we do.

MR. MIKULIN: Well, I -- I would think, though, that if we were going to put this on out, we should take hearings into consideration --

MS. PAULIN: Why hearings on this and not on my last other 15 bills?

MR. MIKULIN: Well, this obviously has a great effect on the localities and has a great effect on the local terms and the Board of Elections. I highly think that we would have wanted to bring in their input and at least ask them for a consideration on this. I mean we've had -- this has been in the works for three years and you're saying that we're going to fix the cities. Has there been any work on doing that within the same time period?

MS. PAULIN: We've learned so much by doing this bill that doing a resolution for the cities will be very much easier.

MR. MIKULIN: And we anticipate doing that shortly.

MS. PAULIN: Well, I don't represent, you know, I represent two small cities. I don't represent the City, so I don't know if I would be the appropriate sponsor for that bill, but I certainly am

motivated to make sure that all the elections happen in the even years.

MR. MIKULIN: What you're saying is you are not going to be bringing that bill to consideration.

MS. PAULIN: I don't -- I don't know yet. I don't, you know, I -- I don't know, you know, we will figure out that, but I certainly will be helping someone if they're more interested and they're from the City. We see the City of New York interested in doing that. I'm interested in doing that, representing two small cities and, you know, certainly if we're doing one constitutional amendment we would want to include the Clerk, Sheriff, Town Justices and DAs.

MR. MIKULIN: Just one more question. I just want to go back to the -- to the machines for one second now. I mean the bins are going to be changing size, so if we put --

MS. PAULIN: What?

MR. MIKULIN: The bins. So when I put the ballot within the machine and it comes on out in the bin, of course the bins are going to be changing size so we're going to be putting either more paper in that bin or we're going to have a different size ballot. Has there ever been thought process on that? Could that cause more paper jams, creating longer lines at the --

MS. PAULIN: So, hmm. I'm just trying to picture the bin. I think that what likely happens is, you know, when you have a big turnout, right, the bin probably gets full and they take that paper and they put it somewhere. So that would happen here maybe more quickly, but there -- you know, but by again, changing the size of the

ballot, then -- then we would have problems. So I don't think we anticipate doing that because that would be a tremendous expense to the counties and for the taxpayers.

MR. MIKULIN: Okay, thank you.

On the bill, Mr. Speaker.

ACTING SPEAKER OTIS: On the bill.

MR. MIKULIN: I think it's very apparent why we're doing this. This obviously has a very political tone to it. But I'm going to get back to one thing that my colleagues have been saying over and over and over again. Local elections matter, local control matters, local issues matter. And what we do know is that when the race for the President comes up, or the race for the Governor comes up, people are of course attracted to those races. Those races that are on top of the ticket. Those races that they see on the local news. Not necessarily those local races that we see here today. I honestly believe that it is best to keep local races apart from these Federal and State races because of local issues, because of what it is that they're trying to communicate. Also, we haven't had much studies done on this matter. We don't really know the full effect to the machines. They say it's going to be okay, we don't necessarily know if that's true or not. I honestly think that some research should have been done with this before proposing this bill here today. So on that, I'm going to vote in the negative. And I encourage all my colleagues to do the same.

Thank you.

ACTING SPEAKER OTIS: Mr. Pirozzolo.

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

MS. PAULIN: Yes.

ACTING SPEAKER OTIS: Will the sponsor yield?

MR. PIROZZOLO: Good morning, Ms. Paulin.

How are you?

MS. PAULIN: I wish.

MR. PIROZZOLO: Certainly feels like it, right?

MS. PAULIN: Yes.

MR. PIROZZOLO: I know that many of my colleagues have asked many of the questions that I'm going to ask you, but I'm going to re-ask them for some reasons. One, because I just thought some of your answers were platitudes and other times I thought they were sorely insufficient to the importance of this bill. So the question -- and actually I've gotten so many requests from constituents to say that this bill is pretty much about sooner or later making every election happen on an even year, no matter if it's a county, you know, a State election, a city election, a local election. And some of my colleagues have framed it as a power grab and I would probably have to agree. My statement actually would be that gerrymandering didn't work so now we find ourselves here. But I'm going to ask you, why again are we doing this? What are the important reasons to you?

MS. PAULIN: To increase voter participation and ultimately save taxpayer money.

MR. PIROZZOLO: Okay, that's what I have written down in my notes, that's good. You've said you don't know the cost-savings, right?

MS. PAULIN: They're hard to estimate.

MR. PIROZZOLO: No anticipation at all in the cost-savings. Can you tell me how much an election in a Presidential year happens to cost anyway?

MS. PAULIN: I -- I absolutely can't.

MR. PIROZZOLO: Well, if costs are so important why don't we know that?

MS. PAULIN: I -- I don't know that.

MR. PIROZZOLO: Can you tell me how much an election in an offsite year costs?

MS. PAULIN: Do you mean -- do you mean also for the whole State or are you talking about for a specific size county?

MR. PIROZZOLO: Whichever one you have the answer to.

MS. PAULIN: Got it.

MR. PIROZZOLO: Do you have an answer to any of those that you just brought up?

MS. PAULIN: No.

MR. PIROZZOLO: Okay, because you brought it up, I'm sorry.

MS. PAULIN: Yeah (inaudible).

MR. PIROZZOLO: All right. That's okay.

MS. PAULIN: If I can find it I'll get it to you at some point.

MR. PIROZZOLO: No, I don't really need it. I'm just really here to point out the fact that you don't know that, but yet we have this bill as a cost-saving measure and we don't know what we're spending so we really don't know what we're saving and maybe we'll get to that later.

Can you tell me how much an election costs on an odd cycle year?

MS. PAULIN: No.

MR. PIROZZOLO: So you don't know that either?

MS PAULIN: No.

MR. PIROZZOLO: But we're definitely going to be saving money you're sure of that?

MS. PAULIN: Well, I'm only sure that we -- when we eliminate some elections during odd years, ultimately, we won't have a cost.

MR. PIROZZOLO: That's your opinion. It's not a fact, that's your opinion.

MS. PAULIN: Well, I can tell you we won't have to have poll workers, we won't have to print ballots.

MR. PIROZZOLO: Okay. I got it so.

MS. PAULIN: Yeah.

MR. PIROZZOLO: So, the next thing was participation. Before I get there, how important is cost to you like on

a scale of 1 to 10, how important is saving money to you?

MS. PAULIN: I love saving money.

MR. PIROZZOLO: So would you say a ten? I don't want to say it for you, I want you to say it.

MS. PAULIN: I would say saving money is a good thing.

MR. PIROZZOLO: Is it a ten?

MS PAULIN: On a scale of 1 to 10?

MR. PIROZZOLO: Yes.

MS PAULIN: What am I saving money on?

MR. PIROZZOLO: On elections, it's your bill.

MS. PAULIN: I see. So saving money generally I would say is a good thing, which is why I'm putting forward this bill because I believe ultimately it will.

MR. PIROZZOLO: So it's a 10.

MS. PAULIN: It's a 10.

MR. PIROZZOLO: Okay, great. How about participation? You really want to increase participation. How important is increasing participation?

MS. PAULIN: It's a 10+.

MR. PIROZZOLO: Okay. So then why don't we just make Election Day a holiday and let everybody else vote and not have to go through any of this?

MS. PAULIN: Why don't we make Election Day a holiday?

MR. PIROZZOLO: Yes. Why --

MS. PAULIN: (Inaudible) all elections, school, fire district, you know, unless you condense them, you know, you'd have a lot of holidays. Talk about the two holidays that, I don't know if this entire Body is going to represent or vote for because they're worried about the 180 days. So if you had fire district election, town election, village election, school election, county election, State election, Presidential, you'd have a lot of holidays.

MR. PIROZZOLO: So then participation suddenly is not so important.

MS. PAULIN: Well, I don't know that we can get our kids out of school that many times.

MR. PIROZZOLO: Well, we have virtual learning. Of course we can, because we know that we're going to use it for an excuse for something else, right? So don't you think that the participation of the electorate is that important that we can now say we're going to close the schools or give everybody the day off, a holiday so they can fulfill their constitutional obligation to go and vote? Isn't that the purpose of --

MS. PAULIN: Most schools are closed during even years.

MR. PIROZZOLO: I'm sorry?

MS. PAULIN: Most schools are closed on even years. So we are already doing the holiday, but we have to get the elections to when the holiday is.

MR. PIROZZOLO: When you say "most" that means some aren't.

MS. PAULIN: Some aren't.

MR. PIROZZOLO: Why don't we make it all and just let everybody --

MS. PAULIN: I think when all the elections are in one day, yeah, then we can do a holiday. I think that's great.

MR. PIROZZOLO: Okay. So I look forward to seeing that from you. So now, are we purchasing more machines or are we going with what we got?

MS. PAULIN: I don't think we have to. We just went through one of the highest voter turnout that we've ever seen and we had enough. So I don't think that we have to, certainly not for 2026 when it's a gubernatorial year and we know the turnout's going to be less, so we certainly don't need more machines.

MR. PIROZZOLO: So what is the estimated increase in voter participation that you think we're going to have from this?

MS. PAULIN: I can only tell you what's -- what's been different in other places. And we've seen doubling and remember, we're talking about the local elections to -- to including them in an even year, right? So we're doubling that, but not necessarily voting the number -- doubling the amount of voters that are going to the polls in that given year.

MR. PIROZZOLO: Okay. So I'll take that as I'm not really sure, but some places it's double but we don't know what's going

to happen here.

MS. PAULIN: How could we know? We just know? We don't anticipate, you know, that there's going to be more voters in a Presidential year that's been unprecedented.

MR. PIROZZOLO: So you don't really have any idea of the --

MS. PAULIN: No, I just told you. We don't know that -- we don't believe, how could we, that we're going to see a higher number of voters in a Presidential year than we saw in 2020. What we're going to see is more -- more voting for those races that are being included in that year.

MR. PIROZZOLO: Gotcha. Are we hiring more poll workers?

MS. PAULIN: Why would we have to if we're not going to see more voters?

MR. PIROZZOLO: I'm -- I'm getting there, I'm getting there. Are we printing more paper ballots?

MS. PAULIN: Why would we have to if we can put them all on the one ballot?

MR. PIROZZOLO: Well, if the -- no, no. I mean if the anticipation of an increased voter turnout is there, won't we need more ballots to hand out?

MS. PAULIN: No, because they're already voting for President and for Governor in those years. We're putting the local on the same ballot.

MR. PIROZZOLO: That's not what I'm saying, I'll just break down in smaller numbers. If where usually 100 people vote on a given Presidential year, now we're bringing everything together to bring out -- increase the amount of people that come, won't we need 150 ballots?

MS. PAULIN: No, we're -- we're not doing that. What we're saying is that the people who are voting in the Presidential year, that same 100, are now going be voting for local. So that we're not increasing the number of people that go to the polls. We're increasing the number of people that vote for the local elections.

MR. PIROZZOLO: So then we're not increasing the participation.

MS. PAULIN: We are greatly for the local elections when there's 10 people that vote.

MR. PIROZZOLO: Can you define what low turnout is?

MS. PAULIN: I mean I think it's variable in a certain area, right? So, you know, in my area I have a very high turnout, so you know, higher obviously in a Presidential year, a gubernatorial year than in a county year, but a very high turnout. Other districts, not so high. So I think that it's all relative. And if -- so what we're trying to do is get everyone to vote in the highest turnout that you could possibly get in the district relative to what they do now.

MR. PIROZZOLO: Okay. So we don't really know what low turnout is, that just might be the turnout for that election and

again your (inaudible) --

MS. PAULIN: No, I'm not saying that. I'm saying that we see the highest turnout in an area in a Presidential year. That's what we're trying to maximize for the local races.

MR. PIROZZOLO: I heard some comments and I just want clarity on this about absentee ballots. Are there going to be any changes to absentee ballots or absentee ballot laws that come along with this --

MS. PAULIN: No, because unfortunately we defeated that, right? I mean we -- there was -- I mean, I don't know what your position was. I certainly was in favor of, you know, absentee ballots that would go out without an excuse, but that was not the consensus of the -- probably of everyone in this room. Anyone, frankly, who didn't advocate for that is causing a complication for many people. But I would say that hopefully over time that will come back and we will see no excuse absentee ballots and the problems that you're suggesting will all be stopped.

MR. PIROZZOLO: Okay. And we gave cost a 10 in the scale before. So why are we going to cut a year from someone's election cycle instead of just adding a year and eliminating an entire election?

MS. PAULIN: But we wouldn't be. There still would need to be an elected person as County Executive.

MR. PIROZZOLO: Well, you want to go from a two-year cycle to a one-year cycle, right? Why not just give that

person a third year, eliminate that one-year election and then just move on from there?

MS. PAULIN: I think there was a reason we couldn't do that. You know, and then five years you're saying, give them three and five?

MR. PIROZZOLO: No, no, very simple. You're saying to reduce a term by one year.

MS PAULIN: Right.

MR. PIROZZOLO: Then hold an election a year later for that same term.

MS. PAULIN: We would still have an election that year.

MR. PIROZZOLO: But you'd be reducing that one-year cycle, wouldn't you?

MS. PAULIN: I understand but we'd still be having an election that year so there's no savings difference.

MR. PIROZZOLO: So then if we're adding a third year --

MS. PAULIN: Right.

MR PIROZZOLO: -- we're not having a one-year election. That third year, that election would now be going to the next two years --

MS. PAULIN: You change everyone's terms.

MR. PIROZZOLO: You're changing everyone's terms now.

MS. PAULIN: So I mean, it's a thought. You know, I don't know that it changes the cost because you still have to have an election and that's what going to drive, you know, the -- the -- the cost because you're still going to need the poll workers and all that stuff. But, you know, I mean maybe you could tell me why you think it would be cost savings. Do you think it would eliminate some elections?

MR. PIROZZOLO: I -- I think that instead of reducing someone's term and then throwing in an extra election just increasing someone's term and not having that election would save money.

MS. PAULIN: Why? I don't understand why.

MR. PIROZZOLO: Because we're eliminating the entire election year.

MS. PAULIN: But we would still have elections that year.

MR. PIROZZOLO: Okay. I think really what we're doing is really going to piss off a lot of our voters because of just all this increase that we have going on. The increase in the commercials. I was in the Primary one time and someone called, it was Primary Day, Election Day, and I happened to know the person that was screaming on the other end of the phone, it was a personal friend of mine, was giving one of my volunteers hell because this is like the 18th call I've gotten today, not necessarily for you, and if I get another call I'm not voting for anybody. But that brings me into campaign

finance. With so many people running at the same time and so many voters potentially being upset, is that the reason for campaign finance? Because I can't imagine that people's pockets would be so deep that they can start contributing to everybody. So is campaign finance an anticipation of this because it works perfect.

MS. PAULIN: No. I don't think we were thinking of it being related.

MR. PIROZZOLO: All right. Well, I mean maybe it's a good thing that it's there, but basically --

If I may on the bill, please.

ACTING SPEAKER AUBRY: You certainly may.

MR. PIROZZOLO: All right. So, you know, as I said before, I'm going to agree with my colleagues, maybe I'll put it in more simple terms. I think that this bill is to replace the failed gerrymandering that happened. We are going to have some problems and I would really, really like to know that if this bill passes, if the Governor is going to withdraw her lawsuit as far as continuing the case of gerrymandering allowing that to go forward in the future.

I would normally ask my colleagues at this point to please consider not voting for this legislation, at least my colleagues on the other side of the aisle, but as you can see they're not here and if they are here, they're certainly not listening to what I have to say. So I'm not going to ask for that because I think the cake is already baked and we know what's going to happen here. So I will be voting no on this for a lot of very good reasons and I thank my colleagues on my

side of the aisle for their support and for their votes of no, also. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Maher.

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

MS PAULIN: Yes.

MR. MAHER: Thank you. Where to start, okay. The first question that I have for you is all of the exemptions that currently take place for the county offices and some of the other locals, are they all specifically constitutional issues?

MS. PAULIN: Except for Green Island.

MR. MAHER: Except for, I'm sorry?

MS. PAULIN: Green Island. That was the coterminous town village that actually elects town electeds and village electeds to keep it all -- to maintain the same goal that we're doing for even year, to make sure that they vote in the same year.

MR. MAHER: But the reason for all of the exemptions and those that are currently in these years were based on constitutional grounds.

MS. PAULIN: Yes, except for that one.

MR. MAHER: Okay. Question: Why was constitutional grounds put in higher regard than some of the local county charters which established these elections? Why was that valued more in terms of creating this document in this legislation?

MS. PAULIN: I mean --

MR. MAHER: I can read a specific section if that's okay.

MS. PAULIN: Yeah.

MR. MAHER: All right.

MS. PAULIN: Look, I would just say that we can't override the constitution. You know, we can override county charters, we've done it before to make consistency in the State. So, you know, it's not like one we over -- you know, it's not that we chose it. We can't do it, you know.

MR. MAHER: So you don't believe that there's any legal issues with overriding a county charter describing how their election should play out --

MS. PAULIN: Absolutely -- absolutely not.

MR. MAHER: Okay. Thank you for answering my question. Going to the machine sizes and the designs. This is something where I know you spoke quite a little bit about it and I know from your words you said this would be a tremendous expense for counties and taxpayers should those specific machines not be valid. My question is, did you all do a mock ballot in the event that we had contested elections for every single office in the State, Congress, President, locals? Was there a ballot and did you communicate with the Board of Elections, a local County Board of Elections on trying to figure out if that would actually work physically?

MS. PAULIN: I did talk to the State Board of

Elections that clearly has oversight over all the local Board of Elections and certainly is familiar with all of the locals and they believe that there are -- that most, most of the ballots will be on one page similar to what we have now. That there will be some like we have seen in some elections where there might be two, but they believe that -- that would be the maximum.

MR. MAHER: So they did not answer with 100 percent certainty --

MS. PAULIN: No, they answered with 100 percent certainty.

MR. MAHER: I'm sorry. You said believe.

MS. PAULIN: Well, I mean -- I don't want to -- you know, I'm not going to suggest to you that I have it in an affidavit, you know, but I can tell you that that's what they told me.

MR. MAHER: So a Board of Elections attorney spoke with local county --

MS. PAULIN: I don't know who he spoke with, I just know what he told me.

MR. MAHER: Okay. So you --

MS. PAULIN: And I can tell you he's been there a long time.

MR. MAHER: I believe the person you talked to is extremely qualified and knowledgeable. My specific question is, was a Board of Election, a County Board of Election employee of any level whether they were a Commissioner, an employee, that works

with these machines contacted on a potential example of what this would look like to be able to verify what you just said? That's --

MS. PAULIN: I don't -- I don't know what you're saying. I don't know what you're asking me whether or not using two, you know, ballots was, you know, we know that that's been done, right?

MR. MAHER: Well, if you don't mind I'll be plain, very simple.

MS. PAULIN: Yeah, okay.

MR. MAHER: It is my belief --

MS. PAULIN: Right.

MR. MAHER: -- because I can't say with a hundred percent certainty but I'm about 99.9 percent that this will create an issue and the machines we currently have will not be able to handle it and I'm just looking for a hundred percent verification that while we go through this process potentially could be an unfunded mandate that will really cripple our counties with no money attached to this bill. I would love for us to be able to say we have a hundred percent certainty and I'm just not hearing that.

MS. PAULIN: I don't understand why you believe that, you know, the machines won't work since the State Board of Elections seems to believe that they will. I don't know who you've talked to that's telling you they won't work.

MR. MAHER: Every single County Board of Elections employee I've talked to has told me this is going to be a

problem so that's one.

MS. PAULIN: But -- but in what regard?

MR. MAHER: That the machines will not be able to handle a ballot that large and --

MS. PAULIN: But I explained, there's no large ballot. The ballot is the same size.

MR. MAHER: Understood.

MS. PAULIN: They are -- there's just potentially two of them --

MR. MAHER: Okay.

MS. PAULIN: -- which we know they can handle because they've handled them in other races.

MR. MAHER: Okay. Is there a specific regulation on the books anywhere that speaks to a font size on the ballot?

MS. PAULIN: I don't know, I don't know.

MR. MAHER: Okay. So -- so we don't know about the font size, we don't -- in my opinion, we still don't know if this is all going to be able to incoherently fit on the ballot, whether it's one or two pages. Okay. Hold on. I got a couple things here.

MS. PAULIN: Mm-hmm.

MR. MAHER: Okay. The attorney that you spoke to - I wrote this down, Board of Elections attorney - is that just one individual attorney that was in that meeting? Is that a Assembly Majority attorney or was there a bipartisan group of attorneys that had this discussion with you?

MS. PAULIN: It -- it was an attorney at the State Board of Elections, not an Assembly person.

MR. MAHER: So it was not an employee of the -- of the Majority? It was a Board of Elections attorney that was non-partisan?

MS. PAULIN: I don't know that there is such a thing as non-partisan --

MR. MAHER: Okay.

MS. PAULIN: -- at the State Board of Elections. I think you only have partisan one way or the other, right, at all the Board of Elections, that's how we work it, but -- but he was -- he's been there a long time, he's very knowledgeable and he was not an employee of the Legislature.

MR. MAHER: Okay.

MS. PAULIN: And I -- you know, I just want to say that Broome County, I don't know who's in Broome County, wherever you are, already does even year elections and they include all the -- all the races and there's never been a problem.

MR. MAHER: How many races is that?

MS. PAULIN: In Broome?

MR. MAHER: Yes.

MS. PAULIN: I don't have a clue. I don't live there.

MR. MAHER: Okay. I guess my point would be I don't know if that's comparable to what a race would look like if it was in a Presidential cycle with all the town and all the judges as

Assemblymember Tague had mentioned. I am just shocked that that's something that might actually happen. Okay. Going to a specific question I have. The way that I read this and please correct me if I'm wrong, it looked like there was an exemption for any town office that had a odd year, three-year term.

MS. PAULIN: We exempted three year terms. We don't even know how many there are. So once this gets settled, we'll see if there's a way to incorporate them as well. But for now we weren't sure how to do it because, you know, adding a year is -- could be problematic because the voters didn't anticipate or, you know, it's hard for the State to say okay, we're going to add a year.

MR. MAHER: So currently, any town office or county legislative office that has a three-year term in an odd year is exempt from this.

MS. PAULIN: For the -- for the time being.

MR. MAHER: So if a town board this year decided to change their terms to three years in an odd year and it took effect before January 1 of 2025, if that's possible, they would be exempt from this.

MS. PAULIN: I don't -- I don't think the towns, I don't know where's -- where's my staff, but I don't think the towns can just make their own decisions --

MR. MAHER: I'm sorry. What do you mean by that?

MS. PAULIN: Like, in other words, we know

counties can -- you know, counties that have charters especially can -- can decide when their elections are, you know, what their terms are. I don't know --

MR. MAHER: So -- so I was a town supervisor. We absolutely have the authority to set our own guidelines, our terms, term limits, so if I'm on the town board --

MS. PAULIN: So you can change your term from two to three years?

MR. MAHER: Yes. You would have to be on the ballot. So we would basically after this is potentially passed, any town in Upstate New York or wherever this is impacted could simply say hey, we're going to make a motion -- I'm trying to get you to change or edit your law -- but I'm just saying. I'm just trying to verify if this is a path towards a loophole.

MS. PAULIN: It could be.

MR. MAHER: Okay. Thank you for, you know, at least talking me through that one. Okay. So, I do have a question for you on some of your comments about voters. So I think I would never argue with you that this will increase voter turnout in local elections.

MS. PAULIN: Okay.

MR. MAHER: My problem is digging a little bit deeper. You made a comment saying that voters are smart, you have faith and confidence in the voters, I do too, I agree.

MS. PAULIN: Yes.

MR. MAHER: My question to you is, do you believe

that the average voter has enough time in their day to evaluate the elections they currently have to evaluate and then those added on top of that through all that they have going on with their kids and their family and their life. Do you believe they have enough time to truly evaluate their elections?

MS. PAULIN: I -- I think that voters are smart. They participate when they are given information. They get engaged and honestly they're capable of multi-tasking. So yeah, I do think that they could potentially evaluate all those races if they wanted to. And if they didn't want to, they wouldn't. But, they certainly are capable of doing it.

MR. MAHER: So, my question again isn't about smart or capability. My specific question to you is, do you believe the average voter has enough time to responsibly educate themselves on all of these races that are going to be given and putting into one year?

MS. PAULIN: I -- I think again that the number of people that would participate in the even year compared to the number of people in the odd year, that you would have a greater proportion participating knowledgeable because you would just have an increased amount of people.

MR. MAHER: Why do you think they'd be more knowledgeable in that scenario?

MS. PAULIN: I'm just saying that there would be -- so you're suggesting that some people who vote are not going to be knowledgeable because they're not going to have time and others will

be.

MR. MAHER: No. I'm saying the overwhelming majority of people will not have enough time to appropriately educate themselves on very important serious elections at every level.

MS. PAULIN: Just because we're adding people?

MR. MAHER: Just basically on what they have now, I'm saying a majority of people don't have enough time.

MS. PAULIN: So now you think that they're not educated.

MR. MAHER: No. I believe with certainty that there's not enough time in the day for people to properly educate themselves currently. And if we make things worse we're going to put them in an even worse position. And I don't think there's anything wrong with saying it because I believe that's the truth.

MS. PAULIN: I -- I believe that voters are smart --

MR. MAHER: Me too. I do, too.

MS. PAULIN: -- and that they're going to be able to do this.

MR. MAHER: Okay. We're going to respectfully disagree but thank you for answering the question.

On the bill, Mr. Speaker.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. MAHER: Thank you. Okay. So since I have really enjoyed my time working with the sponsor on previous legislation and I was very tough hopefully with the questions,

hopefully she respects my opinions on them, or not. Very, very much enjoyed working with the Veterans of Quality Act with Senator Larkin, with this sponsor. I know her heart's in the right place, but this specific bill will absolutely hurt our ability to have voters that have time to educate themselves. My parents work very hard, voters work very hard, I have knocked on doors on local elections and most of the time I spend knocking on doors is educating voters on things they just don't know about. And it has nothing to do with their will to learn about the election. It has nothing to do with them being smart. They don't have the time. And that's just a fact. And by compounding that fact that currently exists for the majority of voters right now based on me physically meeting them and knocking on their doors and talking to them on the phones and e-mailing them, we're just making it much, much worse. And anyone, in my opinion, if you don't know that for a fact, then you're not interacting with voters enough. And my job right now is just to speak on this specific bill and I think it's really, really dangerous the thought of having voters go to the polls and just not have the ability to have the time in their day to appropriately educate themselves on these issues.

When I knocked on doors for my Town Supervisor race, we had this amazing ability to focus on local issues. As someone who has worked at the Local level, the Federal level, the State level on campaigns, I know that our industry is a billion, multi-billion dollar industry. That's what campaigns is, that's the reality. And in a Presidential cycle and in a Congressional cycle, it is

the job of professionals to create a polarizing environment. Now what we're doing is we're allowing that polarizing billion dollar industry to manipulate local elections and then use local issues, whether they're true or not, to help influence the top of the ticket. It's going to create more disinformation. It's going to create less educated voters no matter how smart they are and that's just something that I strongly believe in. I think at the end of the day local elections are the purist form of government we have left because it's so close to the people. The more the people are involved in their government, especially at the local level, it's special. The more honest the government becomes and we're really taking that away to a large degree by including them in these elections where we will just have way too much information for anyone, ourselves included, to really educate ourselves properly on every single race, especially if there's multiple candidates. And if your comeback to that is, oh, you're saying people aren't smart, that's not what I'm saying. It's not. It's just the matter of fact and it's the truth of our current political process. That is my opinion, those are my comments. Thank you Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Blumencranz.

MR. BLUMENCRANZ: Thank you, Mr. Speaker.

Will the sponsor yield?

MS. PAULIN: Absolutely.

ACTING SPEAKER AUBRY: Ms. Paulin?

Gracious, Ms. Paulin.

MR. BLUMENCRANZ: Thanks, sponsor. Now would you consider our Federal elections relatively noisy right now?

MS. PAULIN: What do you mean? What do you mean?

MR. BLUMENCRANZ: Like our Presidential elections, Congressional.

MS. PAULIN: I don't know what noisy is, but I think people are engaged, yes.

MR. BLUMENCRANZ: Well, I -- I just say that because I live in Nassau County. I represent an area of the Town of Oyster Bay. We have a lot of competitive elections around here as you know this year. We have a lot of money in those elections. My concern is with these candidates for our towns and counties being at the same time as our Federal races if we'll start to see the diminished turnout that many of my colleagues have pointed out. But besides the -- the State constitutional concerns, do you see any concerns with this bill with our Federal Constitution?

MS. PAULIN: No.

MR. BLUMENCRANZ: No? So you don't think that there might be any potential that this bill may create any violations for the 14th Amendment for New Yorkers?

MS. PAULIN: No.

MR. BLUMENCRANZ: All right. So I would say there might also be some issues with regards to the First Amendment with marginalized groups. You're going to increasingly see less of a

voice for people. We're faced with a lot of confusion. Do you find that your constituents are a little confused after the change of maps potentially?

MS. PAULIN: I haven't heard that they're confused, no.

MR. BLUMENCRANZ: Well, I'll say quite a few of the phone calls I get in my office are who are you and what you done with Chuck Lavine? I'm like, don't worry. He's right next door.

(Laughter)

But with regards to the First Amendment, you know, our voters are already confused. They're confused about the change in maps. Now we'll have to explain our new form of campaign finance and now we're also going to move our elections. Now as many of my colleagues have pointed out, not everyone is as engaged as we are. Do you find that this confusion may create a crisis where people feel like their -- their rights are being violated if they're unaware when elections are happening, when to voice their opinions because they don't know when Election Day is anymore?

MS. PAULIN: I think they're just going to get a happy surprise when they go to the polling place on Election Day in an even year and see even more people that they didn't even know existed before because they never participated in the odd year, they will then say oh, my goodness. I get to vote for all of these people and it will be a convenience, you know, for -- I know that, you know, we talked about people being busy. This will be a great convenience for

people.

MR. BLUMENCRANZ: Is there any plan for any sort of public outreach, right? Are we going to start to inform New Yorkers of this pretty silent thing?

MS. PAULIN: I wouldn't worry that candidates who are running are going to keep quiet about it. They are -- they are going to inform the voters that they're running in that year, and they're going to encourage people to come out and vote for them. And I'm not really worried about advertising it separate from that.

MR. BLUMENCRANZ: So you think just grassroots outreach, by the way, an election you voted --

MS. PAULIN: I know I knocked on a lot of doors in my last campaign.

MR. BLUMENCRANZ: I'm sure and I feel like we all might've, but that doesn't necessarily account for reaching all, you know, 130 or so thousand residents in each of our districts. And I think that we may very well see a lot of people extremely confused for many election cycles. Is there going to be a financial cost to this extra election in relation to change in -- in administrations, in counties now? Nassau County is a very large place. The change of administration is an extremely costly endeavor and we're creating --

MS. PAULIN: Do you mean a change in the person who's elected?

MR. BLUMENCRANZ: The person, their administration, all the signage, there's a lot that goes into removing --

MS. PAULIN: I think every election has the potential for changing the administration in a competitive election so that doesn't change.

MR. BLUMENCRANZ: Well, this law will create an election that should never have happened, right, for many --

MS. PAULIN: Well, County Executive runs every four years, right? So one year they'll run for three years, it's just not that different.

MR. BLUMENCRANZ: All right. Thank you.

On the bill.

There are some carve-outs for this piece of legislation in regard to some areas of the State. I think one area that has been left out of those carve-outs is Long Island. I know the County of Nassau is very unique. It's larger than most major US cities. It's County Executive oversees millions of residents. Unlike many towns here in New York or counties, our towns have over a million people in them, the largest in America. Also, in Nassau County many of them. And the government structure doesn't exactly exist in the way it does in many other towns. And with that comes a lot of money in these local elections in order to try and -- and gauge the voter. I know that our County Executive races cost millions of dollars, 2- to 5 million each candidate, throw that on top of our town races which cost millions, as well as our Congressional races that our new Speaker, as well as the new Minority Leader in Congress have committed tens -- \$20 million for each respective race in Nassau County, as well as what would be

taxpayer funds for the Governor or the billions of dollars that will be spent in our Presidential race. It'll be a lot of money, a lot of noise and an awful lot of advertising, attempts for voter engagement. Our voters will be fatigued. Our county issues are large because our populations are large and they will continue to be neglected.

On a town level, very pressing issues in both Nassau and Suffolk towns within those counties are serious, especially with regards to our environment, our water supply. We're still dealing with the legacies of the pollution from post-World War II impacts and that's a serious concern of people, each election cycle and it's something that will not be spoken about when we have our Federal races dictating the conversation. It's really important that we keep these races separate because they fundamentally change the narrative of our races and -- and the candidates we will choose. It will be much easier for our -- our parties to shift the narrative. It will be much easier for candidates down ballot, judges especially in Nassau County to be -- be swooped under the rug when it comes to the political conversation, and it's extremely troubling.

I'm very sad in the last few days of Session to see some of my colleagues introduce a piece of legislation like this that doesn't really answer the needs of what we were sent here to do. It continues to bring party politics to the forefront of our decision-making and neglect to bring what I see as the most important issues surrounding affordability to many of you, issues like housing or -- or making sure that our next generation is educated properly as

what we're dealing with in our final days and I find that very disparaging. So I personally do not support this piece of legislation and I urge all of my colleagues to not support it as well. Thank you.

ACTING SPEAKER AUBRY: Mr. Bendett.

May I remind colleagues that if you ask a colleague to yield that's for questions. Once you end your questions you go on the bill and announce it so we know the difference between the question and the accusation or the acceptance, one or the other.

Mr. Bendett, what would you like to do?

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

MS. PAULIN: Yes.

ACTING SPEAKER AUBRY: There we go. Ms. Paulin yields.

MR. BENDETT: Thank you. We spoke earlier one of my colleagues mentioned Article IX of the New York State Constitution. The New York State Constitution under Article IX grants local governments a Bill of Rights so that it has the authority necessary to carry out the services for the public without interference from the State. Everybody -- most people here come from local governments. Local governments provide all the public services such as water, sewer and meals, meals for seniors. In many peoples' opinions that this bill will erode the local governments' rights and without any State concern justified for the bill this could be considered unconstitutional. Why do you think that it's not?

MS. PAULIN: I think that it doesn't change anything that a local government can do. All we do is increase voter participation. I don't see how increasing peoples' role in government and electing people could ever be deemed unconstitutional.

MR. BENDETT: Okay. But don't you think that they have the right to set their own election schedule?

MS. PAULIN: Well, most of that is already controlled by us in the State. So I don't see, you know, I don't know. I -- I don't think that by taking back some of that to make voters participate more in democracy is unconstitutional.

MR. BENDETT: Okay. You talked earlier about one of my colleagues asked about at the end of the ballot about voter drop-off based on that election and you said it was minuscule, that was the word that you used. There is a study, are you aware of it? It's published in Oxford's *Review of Economic Studies* and it says that choice fatigue significantly increases the likelihood of voter will abstain or take decision shortcuts like blindly picking the first name on the ballot or sticking to the incumbents and they say that that fatigue nears 10 percent.

MS. PAULIN: So I would say that since we're anticipating that voter turnout is going to increase by 50 percent or 100 percent by including them in even years, 10 percent is minuscule compared to the increase that we'll see.

MR. BENDETT: Okay. One of my colleagues just recently talked about the various other races and all the money that

comes in to these races and these billions of dollars in this industry. Do you think that campaign expenditures especially opaque ones will influence these down-ballot elections?

MS. PAULIN: Wait. Say that one more time.

MR. BENDETT: Do you think that these expenditures will influence down-ballot elections? So do you think that if -- as my colleague just said that on Long Island there's going to be millions of dollars spent on Congressional campaigns. Do you think than that money spent on those Congressional campaigns will influence down-ballot elections?

MS. PAULIN: I guess any top ballot could influence, but I can tell you that, you know, we all watch our numbers and one of the things that I think we take pride on, is when we run ahead of the top of the ticket. So I don't know that -- that all of the people running aren't going to be trying to do that. Making their voices heard as candidates and really trying to get people to focus on them. So sure, I think it's possible, but honestly if the candidates aren't working it, then it's more possible.

MR. BENDETT: Okay. And you don't think that this will be an increased burden for election administrators even though many County Board of Elections peoples feel that way?

MS. PAULIN: I -- I think we're seeing Broome County do it successfully. I think if they can do it, we can do it and, you know, and then we'll just increase voter participation. If there's burdens I'm not sure exactly how that would be because we'd have the

same polling places, the same amount of workers, potentially even the same turnout as we saw in 2020 where they were successful. So I don't know what everybody's worried about. Are they worried that somehow we're going to see even a more increased turnout than we did in the most -- most populist turnout that we've ever seen? We should just be so lucky and then have to deal. I do not believe that in the gubernatorial year in 2026 when this first takes effect, that we're going to see that large an increase to the Presidential year that we saw in 2020. But if we do, then we will then have to prepare for two years later, and we'll have two years to do it.

MR. BENDETT: Thank you.

On the bill, Mr. Speaker.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. BENDETT: Thank you. This bill will infringe on the State constitutional rights granted to Local Governments. In New York State Local Governments impact the day-to-day lives of the public more than any other level of government. Without Local Government, public services such as water, sewer, meals for seniors would not be delivered. And it's because of this importance that many believe that Article IX of the New York State Constitution which grants Local Governments a Bill of Rights so that it has the authority necessary to carry out the services for the public without interference from the State. This bill will increase the burden for election administrators. It will increase voter confusion and contrary to the claim in the memorandum in support, this bill will create more

confusion for voters, crowded, long ballots, some voters might not even case a preference for down-ballot races, less care given to anything after the top of the ticket so more ethnic, surname binis -- bias, picking whoever is first and random rank choice voting picks, it will potentially disenfranchise voters due to this confusion. This bill, many believe will also facilitate national partisanship and that will permeate towards local elections. Opaque campaign expenditures will influence down-ballot elections and this would dramatically strengthen the impact of independent expenditure committees and other unrestricted spending sources. This is a rare situation and it is both bad for democracy and the consulting industrial complexes bottom line and that's especially true with campaign financing and all the Congressional money that will be coming in.

In summary, I'll be voting no on this bill. I encourage my colleagues to do the same and this bill, in my opinion, violates the New York State Constitution, rolls back the Local Government Bill of Rights and is bad for democracy.

ACTING SPEAKER AUBRY: Thank you.

Mr. McGowan.

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

ACTING SPEAKER AUBRY: Ms. Paulin?

MS. PAULIN: Yes.

ACTING SPEAKER AUBRY: Ms. Paulin yields.

MR. McGOWAN: Thank you, sir. Thank you, Ms.

Paulin. I know it's been a -- a long night and we're probably coming close to the end here on this bill but I do have a few questions and I thank you for your time.

MS. PAULIN: Sure.

MR. McGOWAN: You've stated multiple times tonight the goal here of this legislation is to increase voter turnout --

MS. PAULIN: Yes.

MR. McGOWAN: -- correct?

MS. PAULIN: Yes.

MR. McGOWAN: And the method to do that, as proposed by this bill, is to basically bring all elections into even years.

MS. PAULIN: Yes.

MR. McGOWAN: And that would include Federal down to town, village, county, State all within potentially the same year, right?

MS. PAULIN: Ultimately, yes.

MR. McGOWAN: I'm sorry?

MS. PAULIN: Yes, yes.

MR. McGOWAN: Okay. You've described this such as a multiphase plan, correct? This one piece of legislation will not accomplish all of that if it's passed into law during this Session, correct?

MS. PAULIN: It would do a lot but not all.

MR. McGOWAN: Okay. And one of the excluded municipalities are cities, correct? They're not effected by this

legislation.

MS. PAULIN: Yes.

MR. McGOWAN: And the reason that cities are excluded is because in order to change the -- I guess the voting time or years for cities, would require a constitutional amendment.

MS. PAULIN: Yes.

MR. McGOWAN: Now to enact a constitutional amendment there has to be legislation that's passed in two consecutive terms.

MS. PAULIN: Yes.

MR. McGOWAN: And then after that, the proposal is on a ballot in either the following -- you know, the next year's November election or the year after that, correct?

MS. PAULIN: Yes.

MR. McGOWAN: So ultimately that decision whether to amend the State Constitution is left to the voters.

MS. PAULIN: Yes.

MR. McGOWAN: But in order to accomplish I guess the overall goal that you're looking to achieve, uniformity across all elections in all municipalities throughout the State, it's going to require the voters participation, at least for the City portion of it, right, to have that amendment passed.

MS. PAULIN: Yes.

MR. McGOWAN: So it's possible that this is passed, passed into law. And the next step is taken to amend the constitution

but ultimately the voters reject that. That's possible, correct?

MS. PAULIN: Yes.

MR. McGOWAN: So we will then have an imbalance, right?

MS. PAULIN: We will still have a better system because these races will still all be on the even years.

MR. McGOWAN: But isn't the whole -- I'm sorry. I didn't mean to cut you off.

MS. PAULIN: No.

MR. McGOWAN: Isn't the whole purpose as you've stated, as we've heard, after, you know, question, after question tonight, the whole purpose is to align all elections in those even years, correct?

MS. PAULIN: As many as we can.

MR. McGOWAN: Okay. But we're not -- we're leaving a part of it that we don't have control. It's ultimately up to the -- the voters for all cities, correct?

MS. PAULIN: Yes.

MR. McGOWAN: Wouldn't it have made, you know, not to be - I don't know what the word would be but considering the bill we passed last night, not to put the cart before the horse, I believe that was used last night as well, not to put the cart before the horse but aren't we kind of doing that here where we're taking, you know, we're talking about every municipality other than cities. Villages, towns, county elections, we're changing when those

elections are held, yet to accomplish the overall goal of uniformity we have to wait for the voters to do that. Wouldn't it make more sense to do that piece first and then if it doesn't pass then you know what, maybe -- maybe the voters reject this and it's not up to us. Wouldn't that make a little more sense if we're trying to bring this uniformity and leave it to the people to decide?

MS. PAULIN: Well, again, we need to start somewhere. This is a big step. It doesn't require two years and then a vote, it requires just a vote once, this House right now. So to me it made more sense to go ahead with something that we could expedite sooner.

MR. McGOWAN: Okay, but you're still leaving open the possibility that we never achieve that uniformity.

MS. PAULIN: I -- I agree. And I would be disappointed if my cities couldn't do that because I have two of the largest cities in the State. But, I know that I would still be accomplishing a great deal with this bill.

MR. McGOWAN: But again, those goals that you stated, uniformity, increasing voter turnout, reducing costs. Those costs are not reduced if there will still be elections in both odd and even years. And that will happen if the voters reject this constitutional amendment that will be required to do that. Would you agree with that?

MS. PAULIN: So there's still going to be some savings. As I pointed out earlier when asked, there will still be all of

the more contentious races, you know, will potentially -- will -- the primaries would all be probably much more so in the even years when you limit the number of races in the -- in the odd years. So, there's likely to be less primaries by doing the bill that we're doing which will save money. And in fact one of my colleagues from Long Island was kind enough to text me. So I think, I'm trying to remember who asked me the cost, I think you did, in Nassau County it's \$2.6 million for a November race. So potentially we could be saving that county 2.6 million if we aligned all of the races in, you know, or we -- frankly we'd be saving 2.6 twice, right, so that's a lot of money.

MR. McGOWAN: So that's a specific example. I'm sorry. Did you say Nassau County?

MS. PAULIN: Nassau, they don't have cities.

MR. McGOWAN: Okay, my county doesn't either. Rockland County has no cities. So, other than Nassau, though, I mean Westchester --

MS. PAULIN: We have cities --

MR. McGOWAN: -- where you represent, right, there's several cities in the -- in the County of Westchester. Has that analysis been done as to know that hey, if this doesn't work out, the overall goal is not achieved and we can't get the voters of the State to pass this constitutional amendment and cities are excluded from this plan, has that analysis been done to know that cost if we have basically every other election on even years, but then the cities can still have elections on odd years. Do we know that cost difference?

MS. PAULIN: So I think that you made a really good point and that is many counties, since the counties pay, right, many counties don't have cities. So for all those counties that don't have cities, we're already going to see a cost-savings. So for those counties that don't -- that have cities like Westchester, you know, it's going to be a little bit of a time, you know, it's going to be more time, right? But there will be areas in Westchester, for example, that don't have cities. So there will be fewer places to perhaps set up and, you know, where there's only villages and towns. So, but in Rockland you probably save money and, you know, in another -- other -- Nassau, Suffolk, where they don't have cities you'd save money.

MR. McGOWAN: Well, doesn't Nassau have two cities?

MS. PAULIN: I don't do -- do they? All right. So they have two cities.

MR. McGOWAN: Okay. So Nassau's not going to be one of those --

MS. PAULIN: Right.

MR. McGOWAN: -- counties that would save money under that scenario, right? And the county that you represent, Westchester, would also not save money under that scenario where it's very possible that the voters reject this because we don't know, correct?

MS. PAULIN: Well, you would have areas where -- you know, in Westchester, remember, you have areas that don't have

cities in them. So, you know, it's by election district. So, if you have -- I mean it's the judges that are going to be the problem, right, because there's always judges.

MR. McGOWAN: I don't mean cut you off but you said the counties are bearing that cost.

MS. PAULIN: Right.

MR. McGOWAN: Right? So the counties are bearing that cost. So if you have one city and the cities don't make this plan because the voters say no to it, right?

MS. PAULIN: Right.

MR. McGOWAN: That county, including the county you represent --

MS. PAULIN: Right.

MR. McGOWAN: -- is going to bear a cost that perhaps my county won't because we don't have cities, right?

MS. PAULIN: Right. So you're very lucky, your taxpayers will save money.

MR. McGOWAN: Well, my question is, though, Ms. Paulin, is have we done this analysis, have we -- have we figured out those numbers, those facts and figures to know in that scenario and frankly I don't know how likely it is but it is a scenario. If that happens and the voters reject this plan, has that analysis been done to determine okay, well, hey. Westchester is going to get hit with X amount more --

MS. PAULIN: Not more -- no, not more.

Remember, if you're saving money, it's not more than you're paying. It's just that you're not achieving a -- a cost-savings.

MR. McGOWAN: But, okay. So Rockland saves, Westchester doesn't.

MS PAULIN: Right.

MR. McGOWAN: Okay. Has that analysis been done as to know what that difference is throughout the State, is ultimately my question.

MS. PAULIN: I would imagine that, you know, if I were from Rockland, I would be saying "yay" to this, right?

MR. McGOWAN: Well, I'm not saying "yay" for other reasons, but this is a -- hey, nice benefits, so but okay. So, so that analysis hasn't been done as to know if that scenario plays out what the cost difference --

MS. PAULIN: No. Which counties are going to save more, which are not, no, no.

MR. McGOWAN: Okay. Is that something that you think maybe we should do? Again, not to use the horse analogy again, but on that idea of putting the cart before the horse, is that something you think maybe should've been done if we're talking about actual, you know, fiscal impact is one of the reasons that you said to justify doing this in the first place was saving money.

MS. PAULIN: I think that saving money is worthwhile even if it's not in my county and it happens to be in yours.

MR. McGOWAN: Okay. Maybe, but again, not to

beat a dead horse but that --

ACTING SPEAKER AUBRY: That was yesterday.

MR. McGOWAN: All right. I'm done. That was the last one, that was the last one I promise. It's getting late so... but again, I guess my only question is, in your opinion, do you think that that would've be a worthwhile endeavor to do that analysis before we got to this point where (inaudible/cross-talk) --

MS. PAULIN: I think if we were talking about increasing cost, maybe you could argue that, but not when you're talking about decreasing. Everybody is just so happy even if it's a little. So I'm not -- no. I don't think if we anticipate -- we know what an election costs and each county knows what an election costs. They know what they're saving if they don't have to do it. And it could be a lot as we just saw with Nassau County. When we bring Nassau County in line they're going to be saving a lot of money.

MR. McGOWAN: Except, Ms. Paulin, respectfully, you talk about \$2.6 million in savings but when you thought that they didn't have cities and it turns out they do. So I just --

MS. PAULIN: But -- but remember. Most of Nassau, Nassau is pretty big, I mean it's -- it's pretty big. So there's going to be a lot of places in Nassau that they don't have a city. So they're not going to have to put polling places in all those other places, just in that area that has a city.

MR. McGOWAN: But it's a county cost.

MS. PAULIN: It is still going to cost them. No, it's

not - they're going -- they're going to save a lot of money.

MR. McGOWAN: But we're -- we're kind of guessing, right?

MS. PAULIN: Well we're not guessing that they're going to save money. We're just guessing as to how much.

MR. McGOWAN: Okay. I, respectfully, I'm not sure I agree with you on that point but I'm moving on. County legislators, right. My county, I was a former county legislator in Rockland. The goal would be to line-up in however it falls, right? But in a given even year, given even year, Presidential or gubernatorial, Congress or Senate and then county office, right, so county legislators --

MS. PAULIN: Right.

MR. McGOWAN: -- will be included, all the way down supervisors, town supervisors, board members, everyone essentially, right --

MS. PAULIN: Right.

MR. McGOWAN: -- clerks, the whole thing, right?

MS. PAULIN: Mm-hmm.

MR. McGOWAN: Okay. You've talked about increased numbers in those even years where we have Presidential elections, right?

MS. PAULIN: Mm-hmm.

MR. McGOWAN: And having less voter turnout in the odd number years when it's just a local issue, right?

MS. PAULIN: Yes. Yes.

MR. McGOWAN: Do we know, though, if it's saying -- just using smaller numbers so it's easy, 25 voters show up in an odd number year and then the even number year maybe 100 show up.

MS. PAULIN: Right.

MR. McGOWAN: Do we know if those 25 are part of that 100 or is it well, if you bunch them all into the same year it's actually going to be 125; do we know that?

MS. PAULIN: Having walked a lot in my 23 years in this job, I can tell you that yes, usually when someone is a voter in the odd year, they're a voter in the even year. It's not the other way around.

MR. McGOWAN: So that 25 is probably within that group that shows up --

MS. PAULIN: So they'll vote and then the other 75 will vote.

MR. McGOWAN: Okay. And would you agree with me that people are probably more, the average person is more knowledgeable or has awareness of Federal issues, Presidential elections, then perhaps local issues and that could be the reason why more people show up on a Presidential year than in a local year only, correct?

MS. PAULIN: It's possible, I don't know. I can't get into their minds because I vote all the time.

MR. McGOWAN: Okay. Well, you said you've been

around -- in 23 years you've knocked on doors, right?

MS. PAULIN: Yes.

MR. McGOWAN: And have you had the occasion to knock on a door and someone wants to talk to you about something that you have no control over like the Federal issue, have you had that experience?

MS. PAULIN: I have had the experience, yes.

MR. McGOWAN: And the same way, you know, rather than the Federal level, perhaps a solely local issue, oh, you're an elected official, you know, people want to talk to you about something that's solely between your town or village that you don't necessarily have control over. You've had that experience as well, correct?

MS. PAULIN: Yes, of course.

MR. McGOWAN: Okay, all right. Thank you, Ms. Paulin. I appreciate your time.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. McGOWAN: So I look at this, I've listened to the debate tonight and I appreciate the Speaker, I'm sorry, I appreciate the Speaker of course. I appreciate the sponsor and her comments and her responses to my colleagues' questions but ultimately I'm left very really kind of unsatisfied with where we are and why we're here at this point with this bill. There's a lot of unknowns. There's a lot left to be decided, there's a lot -- when we're trying to accomplish the goals of saving money or reducing costs, we don't really have a clear answer

on that. When we're talking about uniformity across all elections, well, that's not really up to us because to do that, to bring the cities into this, it's going to require the voters to weigh in. And we don't know how that's going to go. And that's also a few years down the line because of the process required in order to pass a constitutional amendment. So to me there's a lot of unknowns and respectfully I'll be in the negative on this bill. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Goodell.

MR. GOODELL: Thank you, sir.

ACTING SPEAKER AUBRY: I'm reminded that you are the last to speak on this item.

MR. GOODELL: Look at that big grin on Ms. Paulin's face.

On the bill, sir.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. GOODELL: The real issue on this bill, in my opinion, is a total lack of respect for our local officials. This change in the election schedule doesn't affect a single one of us. We're already elected on -- on even years. It doesn't affect us at all, does it? It doesn't affect the Senators. It doesn't affect any Statewide elected official. So this is a bill that only affects Local Government. And every one of us I hope knows that Local Government has the power already to change their schedule and they haven't. We were told tonight that we were not asked by county governments to override

their local control and change their schedule, we were told that. And we were told we were not asked by the town supervisors or their association to override their government and mandate a different schedule. And we weren't told by the Highway Superintendents Association that they wanted to be elected in a different schedule. In fact, we haven't been asked by any local officials, as far as I know, for us to dictate to them when they should run for office. So if no one on the local level, not our county executives, not our county legislators, not our town supervisors, not our town council members, no one on the local level is asking us to change our election schedule, why do we feel compelled to ignore their wishes and impose a schedule on them that they don't want? Why? Now we know it's not going to eliminate the elections in the opposite year because Judges and County Clerks and Sheriffs and DAs are still running and city people are still running so we're not eliminating any election cycle. We know that. We're told that. It's not an issue. So if we don't have a promise that has been brought to our attention by the local officials and the local officials don't need us to act because they already have the authority to do it on their own and we're not eliminating any election cycles, why are we spending four-and-a-half hours on this debate? Why are we doing it? Wouldn't our time be better spent focusing on how we can address problems that are brought to our attention by local officials rather than shoving our will down their throats? I think we need to respect our local officials, I think we need a little bit of humility. I'd hate to go back and actually look at the language of the bill after four hours of

debate. But I will point out, that under this bill, people who run this year, this year, under this bill for a two-year term, those folks will have to run again next year. That's what this bill language says. So when you go home, and I hope all of you regularly meet with your mayors and supervisors and your -- your town boards and your county legislators, let them know that all of them that are running this year for a two-year term are going to be running next year. And let them know that they're going to run back-to-back elections over their objections because we're shoving it down their throat. We don't need to do this, nor should we. And for that reason I won't be supporting it. And I recommend that all of us respect one of the most important things for all of our elected officials which is their own election and their own election schedule, because when they find out that you exercised your authority without their consent and without their request and without their permission they will understandably and correctly be upset. And for that reason I'm voting no and I'd recommend, out of a sense of humility and respect, that we let them decide for themselves their schedule for their election. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk -- a Party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker. The Republican Conference is opposed to this legislation. If there's

someone who wants to vote for it, they can certainly do so here on the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Pirozzolo.

MR. PIROZZOLO: Thank you, Mr. Speaker. I would like an opportunity to explain my vote. So, there's a lot of conflicting information that we heard here, and actually just between the last dialogue between our fellow members. So, we're told that this is to increase participation, yet nothing extra's been purchased, but it's really not to increase participation, it's to increase participation in local votes that will be -- on local elections that will be held on this day. So I think that has kind of gone back and forth. I do take exception to the fact that we keep asking how much, how much, how much, we don't get an answer, we don't get an answer. The debate is pretty much over and I get an answer of \$2.6 million. Well, so many other things are full of holes. I believe this \$2.6 million is probably

full of holes, too, and the usefulness of this \$2.6 million at this point in the game is not very useful to me because I certainly don't have an opportunity to speak about it.

My colleagues are very upset because they feel that their local elections can be skewed, and it's not what they want to do as far as what their villages and their towns are doing, and they feel that we're stepping on them by doing this and that it might greatly affect the amount of representatives that we have here from their villages and towns. I think we need to respect them. The City is not doing this because it's probably too big, so we are exercising our muscle, we're flexing our muscle by putting it on the necks of -- of the Upstate and the Long Island representatives.

So I stand with them if they're unhappy with this, and I think it's a bad idea. And as I said before, I'm not going to ask my colleagues on the other side of the aisle because so few of them are here -- are not here. The ones that are here are probably not listening to what I have to say, and - and I feel that the -- the cake is already baked, we already know what the outcome is --

ACTING SPEAKER AUBRY: So Mr. Pirozzolo, we earlier talked about not characterizing what other people are doing. You're speaking to your position on the bill, right? It was something your side requested and reminded us.

MR. PIROZZOLO: I (inaudible) and I do apologize.

ACTING SPEAKER AUBRY: Thank you very much. Go ahead.

MR. PIROZZOLO: Well anyway, I'm -- I'm voting in the negative and I will try not to let that happen again. I apologize to my colleagues.

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

MR. SLATER: Well, thank you, Mr. Speaker. Now that we're all warmed up, I figured I'd also explain my vote. You know, during the questioning of the debate, the sponsor -- who I truly appreciate taking so much time and respect her for spending so much time on this issue -- said she had not received any memos from local municipalities or counties asking for this to be done. It's ironic, because since sitting here today, I've been sent correspondence from a multitude of towns and municipalities in Westchester County and Putnam County, Republicans and Democrats, who are all opposing this very law. They recognize the tremendous impact it'll have on local issues, and one even says, *One of the best things about -- one of the best things about local politics is that they are not in Presidential election years. This allows the discussion of local issues without dragging into national issues.*

My biggest concern is that this is just another chapter of the continued story of Albany. We're masking political action as poor public policy. If we want to make changes on the local level, then I encourage my colleagues here, then go run for office on the local level. But to sit here and strip local control away without even having a proper discussion in collaboration with our colleagues on the

local level is wrong.

I'll be voting in the negative. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Mr. Maher.

MR. MAHER: Thank you, Mr. Speaker. My colleague, Mr. Goodell, had a great point and that was to ensure and respect the voices of our local officials. So with that said, I got a number, dozens of local officials and Board of Elections employees that reached out to me, so I wanted to speak on a few of their points that they were making and give them this time.

The first is a Board of Elections Commissioner from Orange County, and one thought that -- one specific statement that she had was that this is not practical from an elections standpoint in operations. That's coming from the people that do this every day. And the Ulster County Board of Elections Commissioner says it's going to make it harder, not easier, to get Election Inspectors, and again, some confusion as to how this bill will -- the ballot will even look. One area in Ulster County is a -- is a -- Ulster County Legislative Majority Leader, *Local elections matter. There is not a Republican or Democrat way to pave roads or close -- plow snow. Moving local elections to even-numbered years will increase partisanship of local elections.* And another from a town supervisor, *Our small towns and our local issues are going to be lost in the shuffle if this bill is passed. Think about all the Congressional and State*

*candidates' lawn signs on top of the local candidates' lawn signs and mail and phone calls. Our voices are important, and to try to minimize local government in this way is unconscionable.*

I just want to add that although this is all very pointed, I do want to say thank you and appreciate the sponsor for spending so much time on her feet answering all of our questions.

I will be voting in the negative, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Mr. Beephan.

MR. BEEPHAN: Thank you, Mr. Speaker. I have had the privilege, like many of you here in this room, to serve on a local level of government. That gave me the opportunity during our door-to-door initiatives to talk about key issues that impacted my community, like infrastructure, roadway improvements, economic development, the fact that people want more than just a Chinese restaurant in our town. But these are all things that impact the local towns. And after running for State office last year, the conversations are different being on a midterm year or a Presidential year. People are asking your views on who you're gonna vote for for the President, people are distracted away from the main focus of your local municipalities. I spoke to all nine of my towns today and asked them what they thought about this bill, including my county government, and all of them are opposed. You know, there's no home rule on that board. And like the sponsor mentioned, there was no support letter from any municipalities asking for this.

And with that, I can't support a bill that my own municipalities can't support, either. I ask that New York State leave the local municipalities as it is, it is what's best for our communities. Mr. Speaker, I'll be voting in the negative.

ACTING SPEAKER AUBRY: Thank you, sir.

Ms. Giglio.

MS. GIGLIO: Thank you, Mr. Speaker.

On the bill.

ACTING SPEAKER AUBRY: On the bill.

MS. GIGLIO: So, I'm not sure why this is being rushed through two days before the end of Session. In this Chamber every day, or one day before the end of Session because tomorrow is our last day, so it's -- you know, we study everything, we talk about health emergencies and how we have to be prepared, we have to be ready. We have to make sure our hospitals have the proper PPE, God forbid we have another event like COVID. We have to, you know, be prepared, have vaccine registries. We have to know what's happening out there. But with our elections we're taking a wait and see attitude? The Board of Elections is going to have extra ballots, they're going to need extra booths for voters, they're going to need extra people and they're already having problems as it is, trying to fill the polling places with workers to accommodate the people. The post offices are going to be inundated. I don't know about any of you, but I have a P.O. box, and every single time during election year, you see all the campaign literature in the garbage. But at least now our campaign literature will

say that it must be recycled, so it'll go into the right bin, hopefully.

Homeowners are going to be inundated with committee members asking them to sign pages and pages and pages of petitions with many candidates, and then knocking on doors, many -- and all the candidates knocking on people's doors asking for their attention on the issues that they think are most important to their constituents.

You know, we talk about local control. We -- we adopted a bill two days ago that said that localities should have control as to whether or not pesticides are sprayed in their freshwater wetlands. We constantly shift from the State and give power back to the local governments, and in this case we're taking the power away. We -- we talk about often about the outcomes of elections and how important it is to get people out to vote. If we care about outcomes of elections, we should take time to plan properly and be ready.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Mr. Palmesano.

MR. PALMESANO: Yes, Mr. Speaker, to explain my vote. First, I just want to say thank you to my colleagues on our side of the aisle for the wonderful job you did tonight debating this bill, pointing out the problems in this misguided legislation. I figured I'd also give you guys a break from listening to me for asking a bunch of questions for awhile. Also, I know the -- I have great respect for the sponsor, but vehemently disagree with her on this legislation.

From my perspective, this is purely a political power grab of one-party rule. I believe it's not -- it's not about increasing voter participation, but we all know that. This is a violation of the Constitution, from my perspective, a violation of a home rule authority and the ability for local governments to make decisions on how to handle their local elections. But this is just par for the course where the State says they know best. They did it when they took away local control from local governments dealing with the siting of renewable energy projects, at the same time changing the assessment model that hurt local governments and local taxpayers. You know, there was an effort to do this with housing. Now, here we do it with local control of elections for political purposes, is all. We all know it so don't kid yourself.

You know, during the debate I heard the sponsor say the locals have -- haven't moved on this, so we basically need to move for them. Locals don't want it, that's why they haven't moved on it. I also heard the sponsor say we're a representative form of government; yes, we are. But this is not what representing what locals want, this is dictated to locals what you want and what one-party control in Albany wants. I believe it's an abuse of power and it's wrong.

I also heard the -- the sponsor say they have faith in the voters. But before that during the debate, I heard comments saying voters don't know about their local elections because they don't participate. I just think that's wrong. This is going to lead to voter confusion, it's going to be a stress on our local Boards of Elections. It's not gonna to save costs, it's gonna end up being an unfunded

mandate for local governments. Now local elections are going to get caught up in national issues, which they don't want. That's why they have local elections that separate themselves from the national politics, now they're gonna be caught up with all that. That's not what they want. And it's quite convenient how this bill exempts New York City and other cities. It's wrong and I just think this is a sad day in this Chamber in how we're moving forward on this legislation.

I vote no.

ACTING SPEAKER SHIMSKY: Mr. Lavine.

MR. LAVINE: Thanks. I -- I want to take an opportunity to thank the sponsor for pushing for this bill, fighting for this bill, and handling a lot of questions. And I get to sit behind the sponsor and I was trying to understand some of these questions and some of them were beyond me.

I come out of local government. I was on my city council, I was attorney for the city, attorney for an IDA, a CDA. I trust the voters. What I have heard that troubles me during the course of this discussion is there's a certain contempt for the capacity and the ability of the voters to know what's going on. And I almost sense that there's more compassion for some people about those elected in local government than there is sympathy or concern from the actual citizens. I trust the voters. And I also think that anything we can do to make it easier for our citizens to vote, the better off we will all be. And that's simply what this bill does.

I'm very happy to vote in the affirmative. And also,

just by the way, if my memory serves me correct from when I was Chair of the Elections Law Committee, I think a Statewide election is a whole lot more than \$2.5 million, and you can multiply by that many multipliers. A Statewide election has got to run somewhere today and -- to at least \$40 million, if not more. So in the end we will save money for the taxpayers and we will simply make it easier for the people who count, the voters, to go to the polls and cast their ballots. I'm very happy to vote in the affirmative.

ACTING SPEAKER SHIMSKY: Mr. Ra.

MR. RA: Thank you, Madam Speaker. So, there's been a lot of talk about saving money, and -- and I'm glad the record was corrected earlier, we do have two cities in -- in Nassau County. We have the City of Long Beach and the City of Glen Cove. So those will obviously be elections that will have to be conducted by our Board of Elections. But overall on the concept of saving money, we've already said, right, there's the constitutional officers that will still be up for election. There are judicial candidates that will still be up for election. So all these elections will still need to be run. Are we talking about reducing the need for early voting days in those -- in those off years, or less polling places or anything? No. The cost will be exactly the same. It's not gonna save any money. And we know that if they have to increase their capacity because of the amount of things on the ballot, the potential for new -- new types of ballots, I can't imagine something more confusing than somebody handing them two pages of a ballot? They're going to get confused as all heck.

They're going to say, *Oh, you gave me two*. They're gonna leave -- I mean, it -- it is not gonna be good for -- for voters in terms of their confusion and their understanding of what they're voting for. And like we said earlier, the local issues are going to get swallowed whole.

Lastly, I want to say, and my colleague said it as well, what message does this Chamber continue to send to our counties and local governments? *We want to take away your zoning control. We want to take away Medicaid funds from you. We want to take away your -- your -- your ability to control when your elections are happening.* The message is New York State wants to control everything and tell you what to do. And I'm telling you, I hear from my constituents all the time, they're tired of New York State telling them what to do.

I vote in the negative. Thank you.

ACTING SPEAKER SHIMSKY: Mr. Angelino.

MR. ANGELINO: Madam Speaker, Madam Speaker, I rise to my explain my vote. On behalf of the President of the New York Association of Clerks of County Legislatures, who are not in favor of this bill, they asked that they be included in discussions on how to get better get voter turnout. They do not feel this is the way. And on their behalf, and on my own, I will be voting in the negative.

ACTING SPEAKER SHIMSKY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Madam

Speaker. As a former county legislator, I -- I do understand what it means to serve in local government. And, in fact, when I was serving there were clearly more Democrats elected than there were Republicans. And so I was the Majority Leader. Well, what we didn't have control of was the courts. And our colleagues on the other side of the aisle decided to challenge their opportunity to say that they should have more weighted vote because of geography, not from numbers of people, but the size of land. They won that in court. They became the majority, just like that.

Now, I'm not suggesting that this ever justified to use political maneuvering to put yourselves into a position. I think what has been described here before us today is a fair opportunity to move forward a positive direction towards elections. But I don't want people to assume that some parties have a desire to take some authority that others don't when they think they can. I want to also remind, you know, we talked a lot today about letting people make their own decisions. There's one decision that half of the people will not -- maybe not half, but a few people in this room are consistently design -- denying people the opportunity to have. It's okay to allow everybody else to have the choice they want except women cannot have a choice over their body. And so don't act like it's okay that everybody should have a choice to do what they want to do in their community, to make decisions about their own selves, but when it comes to women making a decision with her and her doctor on the condition of her body, we want to say no to that.

So let's be clear, there are always choices in life. Today, we are making a choice to give all New Yorkers an opportunity to get elections through in a faster, more expedient manner. So I'm looking forward and I'm very happy to be able to vote yes.

ACTING SPEAKER SHIMSKY: Mr. Flood.

MR. FLOOD: Thank you, Madam Speaker. First, I do want to condemn the sponsor -- I'm sorry, it's been a long night. I do compliment the sponsor of this bill. We gave a lot of questions and she was graceful in all her answers, so thank you. One of my colleagues just said we might have an issue with trusting the voters. I don't think that's the position we made. What we were saying is we trust the voters so much to tell us or tell this Body what they want to do. We want to put it out to a referendum to those who don't have the ability to vote on a constitutional amendment. I think that is -- would be absolutely fair.

And then the other part where we said we don't think that -- you know, it's too much on -- on -- you know, the voters are putting -- you know, by me, we're going to have an election -- we're going to have a ballot that probably has 30 names on it. It's the same thing if I was a teacher and I gave my class a book to read during the week. I wouldn't say, *Here, read all 100 pages tonight and then have nothing else to do for the last four days*, because that would be just too much information at once to do. It's just common sense.

So to say that we're not doing too much or that voters

won't conflate the issues, there -- there's a lot going on when you have a Presidential, you have a Congress, you have a -- your State elections. Then you may have a County Clerk's race, then you may have town -- a County Legislature race. Then a DA's race if you're the same -- if it's the odd years already, or even, I apologize. Then you may have Town Board race. Again, you're talking about eight or nine different elections, and if anyone is going to pay attention to what the judges are running on, you're looking at 20 to 25 issues for, you know, like me, I'm a parent of five that gets maybe 15, 20 minutes of free time after you get home from work, get to dinner, get your kids to whatever events they're going to go to, get them to bed, and somewhere in those 15 to 20 minutes a night that you get to, I'm going to study what's going on the elections? It's not reasonable.

For that reason, that's why myself and I -- I don't want to interject onto my colleagues, but I'm pretty sure that's the reason why we're saying we should keep these separate. Thank you.

ACTING SPEAKER SHIMSKY: Mr. McGowan.

MR. MCGOWAN: Thank you, Madam Speaker, to explain my vote. I -- I think the bottom line is that what does is it dilutes local issues. It dilutes the voters' ability to weigh in on local issues by bunching everything together, by putting all -- you know, presumably the goal is to put every election in the same year, from Federal election, State, county and local. And I think that's a problem. People are really passionate about their local issues, understandably, because our local issues probably affect us more so on a day-to-day

basis than perhaps national issues do and perhaps State issues do. But what we're doing is we're putting all these races together, all these issues together, and there's only just so much time and bandwidth that people have. People have to pay attention to campaign ads, mailers, newspaper ads, social media ads. All candidates are competing for the same bandwidth, competing for the same space. And that's just gonna get worse when we have all of our elections in the same year, rather than spreading them out to get the proper attention and care that they should have.

I think this is a really bad piece of legislation. I appreciate the sponsor for answering all of our questions. But unfortunately, and with all due respect, it came up short. I'm not convinced this is better. I don't think this makes New York State better, I don't think this makes the issues clearer or any less confusing; if anything, it's more confusing. And yes, maybe our residents don't have to go to the polls as often, but I think that's a good thing because it gives those local issues time to breathe and to get their due course to be addressed by the voters, to be addressed by the local leaders and elected officials.

So doing this sends the wrong message to our counties, sends the wrong message to our local municipalities and, frankly, sends the wrong message to our voters. This is, once again, overreach by our State government, and I think we're headed in the wrong direction by doing this, and it really is not a good thing moving forward for our State. So Madam Speaker, I'll be in the negative.

Thank you.

ACTING SPEAKER SHIMSKY: Ms. Sillitti.

MS. SILLITTI: Thank you so much, I wanted to explain my vote. So there are some things that I learned tonight that I'm kind of excited about from my colleagues on the other side of the aisle. Everybody's excited about ballot redesign and making the ballot easier and more understandable for our voters, so I'm excited to get to work on that. I also learned that we're all -- want to see more increased voter participation, and we have concerns about voter participation. So things like no excuse absentee voting I'm sure will sail through next go-around.

Also, purity of local elections and purity of local issues. You know, in 2021 it really wasn't about local issues near me. I can give you two words of what it was about. So I am sure that this year it will be all about local issues and what's happening on the local level rather than on State issues because we all -- we care about, again, the purity of local issues.

I will be voting in favor of this, specifically because increased voter participation. I don't know why we're scared of it; I'm certainly not scared of it. It's a good thing when more people get involved, it's a good thing when more people want to vote. It's a good thing when people are interested in their government. These are not dirty words. So I vote in favor of this legislation, and kudos to my colleague for her marathon debate. Job well done. Thank you.

ACTING SPEAKER SHIMSKY: Ms. Walsh.

MS. WALSH: Thank you, Madam Speaker, to explain my vote. So, we've been going at this for so long I started to kind of get a little tired and sleepy, started to kind of fall asleep a little bit, I'll be honest. And then I -- I heard something come from this area over here from one of my Democrat colleagues who said that he trusts the voter, and -- and that woke me up because I'm a -- I'm a big believer in calling irony out when I -- when I hear it. There was no trust of the voter when the voters voted against no excuse absentee voting on the back of the ballot not so very long ago. That was quickly condemned and blamed on big money that was spent to skew that result. That -- that wasn't that the voters didn't really want no excuse absentee voting, it was all because money got involved and that's why the voters got confused and they voted against it and how crazy that was. And then -- then last year when the -- you couldn't trust the voter, but the voters elected so many Republican members of Congress last year that it flipped the House of Representatives. That was just a complete anomaly and that was just because of, I don't know, dirty politics or whatever. So, you know, you trust the voters when the voters come out the way you want them to, but what I'm saying this that bill is absolutely, in my opinion, an example of the Majority wanting to flex its muscle to receive every single advantage it can in the next election and beyond. And it is political maneuvering. I'm calling it, we all called it for what it is. And, again, I'm awake now and I will be voting in the negative. Thank you.

(Applause)

ACTING SPEAKER SHIMSKY: Mr. Jensen.

MR. JENSEN: Thank you very much, Madam Speaker, to explain my vote. I, too, like many of my colleagues, respect and trust the voters. If we did, we wouldn't be doing this by legislative fiat to be decided by 213 members of the Assembly and the Senate and Governor of the State of New York, we'd allow the people, the voters of New York State to make this decision for themselves. We'd allow our local municipalities to opt into this program, something they have not done even though they have the constitutional option to do so today. If we trusted the voters, we would put this up to a referendum via changes to the Constitution. Rather than trust the voters, as so many of us devoutly claim, we would be doing something that respects their will rather than the will of 213 New Yorkers in this legislative House and the Governor on the floor below us. Because we're not doing that, Madam Speaker, I vote nay.

ACTING SPEAKER SHIMSKY: Ms. Lunsford.

MS. LUNSFORD: Thank you very much. I do want to commend the sponsor for her tenacity and her perseverance. I rise because I'm in a somewhat unique position in this State in that I actually run with a village that has a November even-year election. And I get to run my race with the Governor and the AG and the Comptroller and a Congress person and a Senator and myself, and a whole slate of village candidates. And when we knock doors, you know what they talk to me about? The landfill. They talk to me about

local issues because all are politics are local. And when I run with my village candidates, I knock doors with them and we talk about the ways government works with each other. We talk about the layers of government and how we can rely on each other and what good partners make, and it makes people more engaged. And in 2022, I had the ability to run with that village slate, and I had one of the highest turnout races in the entire Assembly. Sixty-five thousand people turned out in the race I ran in. The early voting site closest to that village had by leaps and bounds the highest turnout of any early voting polling site in the county because it turned people out and it made them engaged in issues from top to bottom. So I don't buy this argument that it's going to bury the issues. If anything, I think it's going to enhance it. It's going to bring more people to the polls and they're going talk about the things that matter to them, which by and large are kitchen table issues. And the pressure from the bottom makes us more accountable to the people at the bottom of the ballot. I have great relationships with my village and my towns and my counties. My counties, which I'll mention, some of the nastiest, most toxic races we have are at the county level. So again, this idea that it's going to introduce toxicity I don't think is valid, either.

And I do just want to point out, we've been hearing a lot about the vote on the constitutional referendum for mail-in voting, which was an odd-year vote. And as I recall, that was about a 32 percent turnout, and I think that's a great example of why we need to pass this bill to get more people to the polls. I'll be in the

affirmative. Thank you.

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

(The Clerk announced the results.)

The bill is passed.

Page 19, Rules Report No. 743, the Clerk will read.

THE CLERK: Assembly No. A07690, Rules Report No. 743, Heastie. An act to amend the Election Law, in relation to the conducting of the Presidential primary, to provide for the election of delegates to a national party convention or a national party conference in 2024, and the "Presidential" and "June" primary in such year; to amend the Election Law, in relation to electing delegates to a national party convention; to amend the Election Law, in relation to cure affirmations received by the Board of Elections; to amend the Election law, in relation to write-in votes for candidates; to amend the Election Law, in relation to ballot envelopes without a postmark; to amend the Election Law, in relation to certificates to fill a vacancy in a designation; to amend the Election Law, in relation to canvassing of absentee and affidavit ballots; to amend the Election Law, in relation to conditions for full manual recounts of ballots; to repeal certain provisions of the Election Law relating to write-in votes for candidates; and providing for the repeal of certain provisions upon expiration thereof.

ACTING SPEAKER SHIMSKY: An explanation has been requested, Ms. Walker.

MS. WALKER: Thank you, Madam Speaker. This bill would amend certain provisions of the Election Law to schedule the Presidential primary election for April 2nd, 2024 and update the political calendar accordingly. And it enacts the needed statutory changes and respective plans for the election of delegates and alternate delegates to the national party conventions. It also makes necessary changes to the Election Law to recognize common errors in the absentee ballot process, and provides voters ways to cure these errors, all the while protecting voter and voting rights. The bill also gives candidates the ability to have observers witness the opening of absent -- affidavit ballots and the ability to challenge certificates to fill vacancies in a designation. It also ensures that candidates are able to get initial counts during recounts and are not penalized for being written in by a voter if their name is already on the ballot.

ACTING SPEAKER SHIMSKY: Mr. Norris.

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

ACTING SPEAKER SHIMSKY: Will the sponsor yield?

MS. WALKER: Yes, Madam Speaker, I will.

MR. NORRIS: Thank you, Madam --

ACTING SPEAKER SHIMSKY: The sponsor yields.

MR. NORRIS: Thank you, Madam Speaker, and thank you, Madam Chair. I just have a couple of questions about the

Presidential primary date. I believe that's going to be on April 2nd?

MS. WALKER: That's correct, April 2, 2024.

MR. NORRIS: And that follows Holy Week with Easter be -- fall on March 31st?

MS. WALKER: Yes, it does.

MR. NORRIS: Yes. And when will early voting take place?

MS. WALKER: The voting will -- so early voting will take place during the ten days prior to the Election Day of April 2nd for 2024, and however, the dates are being changed and respect -- the hours are being changed with respect to the hours in our respective Easter holiday. By removing one day of early voting for Easter for -- in observance of one of the holiest days on the calendar for people who are observing, the number of hours per day during early voting will change from eight hours to nine hours per day.

MR. NORRIS: But there will be no voting on Easter Sunday, correct?

MS. WALKER: There will be no voting on Easter Sunday.

MR. NORRIS: What about Good Friday and Holy Thursday?

MS. WALKER: Yes, there will be.

MR. NORRIS: Okay. Also, I have a concern -- I'll get to that on the bill -- I have a concern. I understand there's also a Jewish holiday in here, or at least a designation, on March the 23rd;

would that be correct? Purim?

MS. WALKER: I have to take a look at the calendar again to double check, but assuming that you are correct.

MR. NORRIS: I checked with one of our colleagues and they've explained that to me, so I just wanted to do that for the record. I -- I just want to mention to you, Madam Chair, that I do have concerns that during Holy Week there will be this voting, particularly on Holy Thursday and Good Friday, for many in the Christian faith, as well as those in the Jewish faith, where I mentioned before with Purim. That is a concern that these voting will be taking place during this time, particularly when our staff should be allowed to -- Board of Election staff and the voters have the opportunity to do that. So I just wanted to express that on the record that I have concerns about that and that I hope that could be addressed in a chapter amendment if this bill moves forward.

Now, if I could just turn your attention to some of the other changes that really don't deal specifically with a Presidential primary. And I find it ironic that we're dealing with a bill regarding the Presidential primary and setting the dates and so forth, but we're also making some significant changes to the Election Law. And if I could just point out one of them, would be write-in votes. So any write-in for a candidate, whether or not such candidate's name is on the ballot or for that contest shall be counted for such candidate unless such write-in votes create an invalid over-vote in the contest. So it's my understanding under current law, that if someone who is a

declared candidate on the ballot receives a write-in vote, then the write-in vote is not allowed, not counted. Is that correct under the current law?

MS. WALKER: That is correct.

MR. NORRIS: Why are we making this change?

MS. WALKER: Well, I believe that the will of the voter and the intent of the voter should some -- should be something that is always respected and held in the highest regard. There are many instances where individuals will go into a poll site, perhaps it could be any reason why the name which is printed is overlooked. Maybe they didn't see it, perhaps they didn't have their glasses that day. Perhaps they were reading, you know, so quickly that it was an oversight. And so they will take it upon themselves because they want to see this particular candidate be elected. They will write that person's name in on the ballot. And we believe that the intent of that voter should be counted and we should not be penalizing any candidates simply because of -- of an overzealous voter.

MR. NORRIS: Now, this would apply all elections, just not the Presidential primary. So what if there were two offices, let's say two town board seats that are open, right, so I appear in column A, Michael Norris running for the town board on the Republican line, it would say that, right, but it could be on any line. But then in column 2 and column B there might be other candidates. What if someone writes in Mike Norris or that candidate in column number two. Will the machine catch that?

MS. WALKER: Well, if it's a write-in I believe that notwithstanding whatever the circumstances are, whether the person wrote Mickey Mouse, the machine will still capture the fact that that particular -- on that particular line the person wrote in.

MR. NORRIS: Madam Chair, if I could just point out, I do have a concern that there might be some overlook, particularly where there's more than one office, particular office on the ballot where there may be two seats but the same office and they go in two different columns, that that might get slipped through by having someone -- and I don't encourage people to do this with my name -- but -- but if they had a candidate on A and then a -- then on column B, they write the name in of a candidate in column A. I don't know if that would slip through, but I think it's a possibility and that's one of the reasons why I have concerns about this statutory provision being changed.

MS. WALKER: So I'm just -- I'm a little confused, Mr. Norris.

MR. NORRIS: Yes.

MS. WALKER: So are you saying that the voter for you would over-vote for you?

MR. NORRIS: They could over-vote, but it could appear in a two -- because there would be two columns in that case because there are two offices for the same office, but two spots for the same office open, and I'm concerned that on column A where the name may appear, they fill in the bubble, and then column B, then

they write in that same candidate who appeared in column A and it may get missed. So I just have a concern that there could be a potential issue of fraud in those circumstances, and that's why I'm concerned about how this statutory language is done.

MS. WALKER: Well, if there are any instances of fraud, which we believe should be protected to the utmost, there are a number of places within the Election Law that deals with fraud. And if the intention of the individual would be to commit such fraud while voting, we will, you know, we have opportunities that will handle that person accordingly. But of course, it has to be with the intention of committing a fraud, not simply by making a mistake because they didn't understand.

MR. NORRIS: I understand, madam, your point, but I -- I just do have concerns that there might be unintentional circumstances where double votes are counted, and that's just a concern of mine.

MS. WALKER: Right, but Mr. Norris, if it's unintentional, then can it qualify as fraud?

MR. NORRIS: Well, if -- if they're doing it purposely, let's put it that way. I'll rephrase that, if they do it purposely where they vote in column A and they intentionally write in on column B intentionally, that would be a fraud situation.

MS. WALKER: Point well taken.

MR. NORRIS: Thank you very much.

I wanted to just turn your attention to one more

section, which is a permanent change. We've talked about this many times, and you know my position on this that an absentee ballot should be postmarked the day before Election Day. But this House and the Governor the signed bill, the previous Governor may have, I know it's a law now where if it's on Election Day postmarked or received the day after, it does count. Now it's going even further, under the permanency, where if it's un-postmarked and received between two and seven days after the election, it's un-postmarked and it's received two to seven days after the elections, then someone can actually do an affirmation cure to correct it; is that right?

MS. WALKER: That is correct.

MR. NORRIS: All right. Again, I -- I just have concerns regarding that because the postmark is very important, because it is a timestamp to when the voter actually puts the ballot into the mail. And I've expressed those concerns before. Again, I'm expressing them here that I think this goes too far in having those ballots counted without any postmark and it now being received from the Board of Elections two to seven days afterwards, particularly, some -- I don't know how some of these ballots may appear there, and I think that it's important to have that, despite an affirmation, because I understand now under a different section of the law which is going to be permanent, that they can do an affirmation that is now received by the Board of Elections and not filed; would that be correct?

MS. WALKER: Well, I just want to make a note --

MR. NORRIS: Sure.

MS. WALKER: -- on your last points, Mr. Norris.

MR. NORRIS: Thank you.

MS. WALKER: The bill simply codifies a decision, a recent decision, it's a U.S. District Court case wherein for the August and November 2022 elections, voters were able to cure their ballots if a Board of Elections received a non-postmarked envelope between two and seven days after Election Day. So there is legal precedence in order to back up this particular piece of legislation. And in addition to that, there is an attestation clause that the voter has to sign, and basically that attestation clause must indicate that the voter did, indeed, mail the ballot on or before Election Day. And as we've talked about previously during this debate, if you make a false claim, that is illegal, it is fraud and it is and will be dealt with under Article 17.

MR. NORRIS: Okay. Can I just ask one question, too, regarding Article 16? I see that there is additional language being added for a certificate to fill a vacancy. Is there a reason why this is being added to the Election Laws? Did I miss a court case or there's something why this is now being added in?

MS. WALKER: Well, presently there is no mechanism to challenge the -- the validity in this particular situation. Current law allows for the objection to, and subsequent Supreme Court proceedings involving certain petitions within certain time frames. The certificate to fill a vacancy in a designation is not included, however. This oversight means that the candidate names on

that certificate is guaranteed a place on the ballot even if the petitions are invalid or otherwise faulty. So this bill closes a very important loophole to ensure that only qualified candidates are placed on the ballot, and we are ensuring that people are not taking advantage of the fact that this loophole existed.

MR. NORRIS: Okay. If I could just bounce back to the Presidential primary, because I forgot a point. Was there any consideration given in your discussions on this bill with the burdens on the Board of Elections? Because we're gonna (inaudible) have -- we're gonna have Holy Week during the middle of August [sic], including Easter. We're gonna have the election occurring, and the political calendar would seem to indicate that there will be filing of designating petitions around the first week of April. Was there any consideration to all this activity taking place at the Board of Elections and how they're gonna handle all this?

MS. WALKER: Well, I am sure that there is consideration of the Board of Elections whenever it is that we act as a Body, Mr. Norris; however, I can state that I have not been approached with any of the concerns that you just mentioned.

MR. NORRIS: Great. Thank you, Madam Chair, I appreciate you answering my questions.

Madam Speaker, on the bill.

ACTING SPEAKER SHIMSKY: On the bill.

MR. NORRIS: Regarding the Presidential primary, my real concern lies with the early voting that's going to occur during

Holy Week. I'm grateful that Easter Sunday, there will be no voting on Easter Sunday, but I'm also concerned that Holy Thursday and Good Friday there will be voting taking place when many of our election inspectors, many of our voters, many of the people at the Board of Elections will want to observe those days, being the holiest week in the Christian calendar. I also want to just point out that I do believe that having the primary during this period of time in conjunction with the designating petition filing period will cause a burden on our Board of Elections and we should make sure they have the adequate staffing and resources available to handle all these items. And just the permanent changes to the Election Law, which I'm just baffled would be in with the Presidential primary bill setting the rules and regulations for delegates, how they're nominated and so on and so forth. These are, again, permanent changes to the Election Law that I, quite frankly, believe is a slippery slope which leads itself to potential fraud. We've raised some of those concerns here on the record, and I just believe strongly that we need to make sure elections are done in the most fair and transparent way. And these items, particularly these permanent changes, particularly with the postmark, is very concerning to me and, therefore, I will be opposing the bill for those reasons. I encourage my colleagues to do the same. And again, thank you, Madam Speaker, for having to be heard on this bill.

ACTING SPEAKER SHIMSKY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER SHIMSKY: A Party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, Speaker. The Republican Conference is generally opposed to these proposed amendments; however, those who support them are certainly encouraged to vote yes here on the floor. Thank you, Madam Speaker.

ACTING SPEAKER SHIMSKY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, the Majority Conference is going to be in favor of this piece of legislation. There may be a few who would like to be an exception. They should feel free to do so at their desk. Thank you.

ACTING SPEAKER SHIMSKY: 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.

Page 6, Rules Report No. 681, the Clerk will read.

THE CLERK: Assembly No. A01722-B, Rules Report No. 681, Zinerman, Dinowitz, Walker, Sillitti, Taylor, Burgos, Fall, Levenberg, Simon, Aubry, Jean-Pierre, De Los Santos, Tapia,

Novakhov, Solages, Jackson, González-Rojas, Forrest, Shrestha, Zaccaro. An act to amend the Election Law, in relation to the form in which a proposed amendment to the Constitution or other question provided by law to be submitted to a Statewide vote shall be submitted to the people for their approval.

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

An explanation is requested.

MS. ZINERMAN: Can you all hear me? Oh, great. Good evening. I am happy to stand here and provide an explanation and continue this wonderful conversation about expanding our democracy. This bill requires that the proposed constitutional amendments and other questions be submitted to a Statewide vote, will be set forth on a ballot in plain and easily-understood language that identifies practical impacts of adopting or rejecting the amendment or other measure, and requires no more than an eighth-grade reading level. Academic research shows that plain language helps voters. Research establishes that voters recognize the difference between plain language and traditional language ballots and prefer those written in plain language. Voters vote more accurately and quickly on plain language ballots and are more likely to complete the entire ballot.

ACTING SPEAKER AUBRY: Mr. Goodell.

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

the sponsor yield?

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

MS. ZINERMAN: Yes, I will yield.

ACTING SPEAKER AUBRY: The sponsor yields.

MR. GOODELL: Thank you very much. Now, this requires that a constitutional amendment be described in eighth-grade English or simpler, correct?

MS. ZINERMAN: Mm-hmm, what we love.

MR. GOODELL: And also with a descriptive title that doesn't exceed 15 words, correct?

MS. ZINERMAN: In -- in -- per sentence, or are you saying in total, in totality?

MR. GOODELL: Well, I should say a descriptive title of up to 15 words.

MS. ZINERMAN: Oh, the title itself.

MR. GOODELL: Yes.

MS. ZINERMAN: Less than, yes.

MR. GOODELL: And a total description not to exceed 30 words; is that correct?

MS. ZINERMAN: That's correct.

MR. GOODELL: So I applaud the objective of having constitutional amendments written in short, simple language.

MS. ZINERMAN: Right.

MR. GOODELL: Who decides whether this meets

an eighth-grade reading level? Do we have a panel from State Ed, for example, and --

MS. ZINERMAN: In -- in addition, there about 80 organizations who have signed on to this particular piece of legislation, and we consulted all of the New York State and New York City literacy experts to weigh in on this legislation and they've all provided memos of support, and of course ongoing support in helping the Department of Elections, the Board of Elections, to work on the language for any ballot measure.

MR. GOODELL: Now, I must tell you that I enjoyed the description of how an eighth-grade reading level would be calculated, and it says the State Board of Election is required to calculate an automated readability index score. Hardly eighth-grade language, since most of us probably don't know what an automated readability index score is.

MS. ZINERMAN: It's less than 15 words.

MR. GOODELL: It's less than 15 words, and it's calculated by dividing the number of characters, excluding spaces, by the number of words and multiplying that number by 4.71, and then we divide that number by the number of words and the number of sentences and multiply that number by 0.5, add the results of paragraph A and B and subtract 21.43 from the results of that and round to the nearest whole number.

MS. ZINERMAN: Yes.

MR. GOODELL: Could you explain that formula

more to me and --

MS. ZINERMAN: That's why the literacy -- so that's why we the literacy experts will be working on that so that it would not appear on the ballot so that the voters would have to read and comprehend what you just read.

MR. GOODELL: Thank God.

MS. ZINERMAN: Thank God. That's why we consulted with them.

MR. GOODELL: Well, sometimes --

MS. ZINERMAN: Yes.

MR. GOODELL: -- we have complex constitutional amendments. In fact, just this last election cycle, right, we had a constitutional amendment that dealt with how we were going to redistrict the State of New York.

MS. ZINERMAN: Yes.

MR. GOODELL: What was the automated readability index score of that ballot proposition; do you know?

MS. ZINERMAN: I myself did not calculate that, but I could read one recent one and -- and really illustrate for people the difference of the language. Would you like to have that illustration provided to you?

MR. GOODELL: Probably not tonight, but perhaps in the morning.

MS. ZINERMAN: Okay. Well, we only have a little while longer for -- for morning. We could probably do it in the next

couple of minutes.

MR. GOODELL: We could, but I haven't lined up any other debaters. So unlike Ms. Paulin, this is just a short -- short debate.

MS. ZINERMAN: Okay, very good. Lucky me.

MR. GOODELL: Now, if -- if, for example, the ballot proposition is more complex and cannot be described at an eighth-grade reading level with 30 words or less, is there a mechanism for an exception?

MS. ZINERMAN: So, I would probably push back on the idea that we could not break down a very complex amendment or proposal into eighth-grade level and I'll -- and I'll tell you why. It really starts out by asking a very simple question, so you would ask a simple question. So you all remember when we had no excuse absentee ballots, it came up this -- this evening. So the question would be, should New York State allow no excuse absentee ballot, right? The -- what appeared on the ballot was actually an entire paragraph of words that exceeded 15 words. And then at the end we simply asked people a yes vote would allow any voter to use an absentee ballot, a no vote would keep absentee ballots in place. So very simple language getting to the essence of what the measure was attempting to explain, but people of all levels under eighth grade, I mean, eighth grade and under would be able to understand, or eighth grade and above, I'm sorry, would be able to understand.

MR. GOODELL: Now this bill would apply to the

New York State Attorney General who is given the responsibility of drafting that language, correct?

MS. ZINERMAN: Mm-hmm.

MR. GOODELL: And I suppose if the Attorney General finds that the constitutional amendment is too complex and cannot be drafted in simple language with 30 words or less she would have to come back to us?

MS. ZINERMAN: She would have to come back to us. She'd consult with the literacy experts and then they would provide pro -- proposed language for her for which at that point she could adopt.

MR. GOODELL: Thank you very much for helping me.

MS. ZINERMAN: You're so welcome.

MR. GOODELL: On the bill, sir.

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

MR. GOODELL: I absolutely agree with the objective of my colleague to have constitutional amendments described in simple language with the text not exceeding 30 words, meaning the meeting the automated readability index score which involves a complex multi-variable formula which might even be challenging for eighth-graders to even understand, much less those of us who have never really dealt with an automated readability index score. I'm -- I -- I will support the -- the bill because I -- like the -- the

purpose. But I have to caution my colleagues that sometimes we have constitutional amendments that are complex. It's just the nature of having a constitution. And when you want to write in a lower level of English, those of my colleagues who know English and write for a living know that it sometimes requires more words. Because rather than using a simple phrase like automated readability index score, you have to actually write out in simple language what that means. So I support the objective, I -- I appreciate your intent. I'm not sure it can be done, but if it can't I'm sure the Attorney General and any particular amendment will come back to us and ask us for special dispensation.

Thank you, Mr. Speaker, and again, thank you to my colleague.

ACTING SPEAKER AUBRY: Thank you.

Mr. Pirozzolo.

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

MS. ZINERMAN: I'll yield.

ACTING SPEAKER AUBRY: The sponsor yields.

MR. PIROZZOLO: So (inaudible) before I said good morning and I'll say good morning to you, too. It's almost --

MS. ZINERMAN: Good morning.

MR. PIROZZOLO: -- it's almost there. I like your legislation. I want to tell you a little bit of a story to get to my question.

MS. ZINERMAN: Okay.

MR. PIROZZOLO: Right now, I and my children happened to be involved in a lawsuit because we felt that the New York State Department of Education, the New York State Board of Regents and the New York City Department of Education failed to provide an adequate education to students. And part of the Constitution is that when we give students an education, that part of that education is so that they can be civic-minded.

MS. ZINERMAN: Absolutely.

MR. PIROZZOLO: Okay. So, I'm gonna ask, and I don't mean anything negative by it --

MS. ZINERMAN: Okay.

MR. PIROZZOLO: How did we choose eighth grade for the simple fact that there are so many schools within our districts where our children can -- 90 to 95 percent of the children in that school cannot read, write or do mathematics at grade level. This was before COVID, and we know that the things dropped -- have dropped precipitously. So, it's not that I -- I really want the answer to that particular question, but what I would like to say is that there's so much improvement that we really need to do, that we shouldn't necessarily be dropping the literacy so people can understand it. We should be increasing the education of people to understand something a little bit more complex. And if there was ever a way that I could work with you to do that, I want you to count me as an ally.

MS. ZINERMAN: Well, I will count you as an ally because I actually agree with your -- your assessment that we should

be working to increase the literacy level in our State. But I'll tell you a little story of my own.

MR. PIROZZOLO: Please.

MS. ZINERMAN: Before coming to the Assembly I worked for an adult literacy program for 14 years. And in that time the literacy level of New Yorkers has actually gotten worse, so we are now at 25 percent of our population who are considered low literacy learners. 1.8 million people in our State don't speak English or are considered non-proficient English. But they live here now and they have the right to understand the decisions that we are proposing to them to change our Constitution or to have proposed amendments or questions with regard to how we either spend our money or how we conduct the business of the State. And so we think that this is a fair and inclusive measure to have ballot measures be in the simplest language possible so that those 16-year-olds who we're inviting to vote and those who are considered low literacy can participate fully in our democracy.

MR. PIROZZOLO: I agree. It stuns me every year that we continue to fund the education system that we have --

MS. ZINERMAN: I agree.

MR. PIROZZOLO: -- with the results that we get. And sometimes people mistake my comments for thinking that I'm not happy with teachers. It has nothing to do with teachers.

MS. ZINERMAN: It does not.

MR. PIROZZOLO: We have some of the best, most

caring teachers that we have --

MS. ZINERMAN: I agree.

MR. PIROZZOLO: -- and we're fortunate for that.

But we do, in my opinion, have a system that does not work, that fails our students. And I think we really have to stop funding something that we know is bad. The definition of insanity is doing the same thing over and over again, expecting different results, and we keep doing it. So again, I'd be more than happy to help.

MS. ZINERMAN: I look forward to the -- to the partnership and ensuring that our educational system is improved, because right now I am not happy with the fact that we are at -- where are we in terms of states? I can't remember, I think we're like 44th out of (inaudible) --

MR. PIROZZOLO: We're at the bottom.

MS. ZINERMAN: We're at the bottom, exactly. So I welcome your partnership. Thank you so much.

MR. PIROZZOLO: Thank you for the legislation.

MS. ZINERMAN: You're welcome.

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.)

MS. ZINERMAN: On the bill.

ACTING SPEAKER AUBRY: Ms. Zinerman to

explain her vote. On the bill or you're explaining your vote? Well, now you're explaining your vote.

MS. ZINERMAN: I'm explaining my vote. As New Yorkers we vote on critical changes to our State Constitution and weigh in on important fiscal decisions that will impact the entire State in the form of Statewide ballot proposals. Unfortunately, too often these questions are convoluted and overly complex language and are impenetrable [sic] to the average voter. This is due to the alarming reality in our State, again, I state that nearly 25 percent of all New Yorkers are low literacy or non-English proficient. By simplifying the language and eliminating confusion jargon, we empower voters with the knowledge and confidence to make informed decisions. When voters feel heard and are understood they are more likely to actively participate in the electoral process, knowing that their voices truly matter.

So I ask all of my colleagues - and it looks like you have - to join me unanimously in supporting this great piece of legislation. Thank you all.

ACTING SPEAKER AUBRY: Ms. Zinerman in the affirmative.

Mr. Novakhov to explain his vote.

MR. NOVAKHOV: I know everybody hates me because I want to explain my vote at 11:45 p.m., but I'll be very short. Yeah, I co -- cosponsored this bill. I want to thank the sponsor for bringing this bill. In my district in particular, people were stopping by

at -- at the Election Day, and that's gonna be my goal; *Would you explain to us what is written here?* And sometimes I, you know, myself I -- I didn't understand what I was reading there. So thank you so much, it's a great bill. Thank you.

ACTING SPEAKER AUBRY: Mr. Novakhov 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, sir. Well, it's been a great day so far, now we're well into the evening. But we are going to move forward and ask you to please consent our A-Ca -- to move our A-Calendar so we can go right into consent.

ACTING SPEAKER AUBRY: On Mrs. Peoples-Stokes' motion -- we advanced it already.

Page 3, Rules Report No. 666, the Clerk will read.

THE CLERK: Assembly No. A00075-B, Rules Report No. 666, Sayegh, Gibbs, Aubry, Santabarbara, Gunther, Cruz, McDonough, Brabenec, Beephant, DeStefano, Slater, Flood, Simone, Buttenschon. An act to amend the General Business Law, in relation to notification of past and present businesses and their employees of potential eligibility for the September 11th Victim Compensation Fund and the World Trade Center Health Program.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act --

ACTING SPEAKER AUBRY: Oh, on a motion by Mr. Sayegh, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

THE CLERK: This act shall take effect on 270th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Sayegh to explain his vote.

MR. SAYEGH: Thank you, Mr. Speaker. I know it's been a long day, but this piece of legislation is really crucial for all New Yorkers and even throughout the nation, possibly in the world. After the attacks on the World Trade Center, September 11, 2001, we realized that at the time the messaging with regards to who was eligible for compensation and healthcare because of many respiratory and cancer-related illnesses, realized that the people that were responding were first responders. And when we looked at the data over the last 20-plus years, over 80 percent of first responders responded to the information available and applied for the benefits available. The sad part about is it is we realized that the messaging was so geared to first responders that everyone else that was encouraged to go back to the site of the attacks back then was -- was really misinformed because the air quality was not safe. And there's many individuals in the retail industry, people that were involved with

religious institutions, financial, healthcare, people that were sick and many that have died and never knew that they were eligible for these benefits. So this legislation requires the Economic Development Department and the Department of Labor to give notice to businesses past and present, to employees past and present, to just make them aware and give them notice of the services that are available. So this is really crucial, it's the right thing to do, and 20-plus years later so many people are still suffering and this provides them the proper notice to get the care they need.

Thank you very much.

ACTING SPEAKER AUBRY: Mr. Sayegh on -- in the affirmative, excuse me.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00113-A, Rules Report No. 667, L. Rosenthal, Bichotte Hermelyn, Raga. An act to amend the Public Health Law, in relation to providing menstrual products in non-public schools.

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

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

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. A00154-A, Rules

Report No. 668, Cruz, Aubry, DeStefano, Dickens, Cook, Fall, Epstein, Williams, McMahon, Weprin, Vanel, McDonough, Ramos, Jacobson, Steck, Lupardo, Brabenec, Burgos, Dinowitz, Colton, Rozic, Reyes, Lucas, Carroll, Thiele, Buttenschon, Benedetto, Santabarbara, Tapia, Anderson, Simone, Zaccaro, De Los Santos, Cunningham, Pheffer Amato, Raga, Gibbs, Chandler-Waterman, Durso, Sillitti, Alvarez, Ardila, Lee, Davila, L. Rosenthal. An act to amend the Penal Law, in relation to wage theft.

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

THE CLERK: Assembly No. A00295-B, Rules

Report No. 669, Carroll, Shrestha, Dickens, Lupardo, Reyes, Rivera, Anderson, Jackson, L. Rosenthal, Thiele, Ardila, Seawright, Gunther, Santabarbara, Kelles. An act to amend the Public Off -- Public Service Law, in relation to adjustment of electric residential fixed charges.

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

THE CLERK: Assembly No. A00372-A, Rules Report No. 670, Bronson, Seawright, Dinowitz, Glick, Simone, Septimo, Kim, Epstein, Burdick, Simon, Sillitti, Clark, Forrest. An act to amend the Public Health Law, in relation to establishing the Lesbian, Gay, Bisexual and Transgender and People Living with HIV Long-Term Care Facility Residents' Bill of Rights.

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

THE CLERK: Assembly No. A00530-A, Rules Report No. 671, Weprin, Otis, Paulin. An act to amend the Election Law, in relation to watchers.

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

THE CLERK: Assembly No. A00928, Rules Report No. 672, Jacobson, Paulin, Eachus, McDonald, Gibbs, Kim, Reyes. An act to amend the Election Law, in relation to requiring electors to vote for the Presidential and Vice Presidential candidate who were nominated by the political party that nominated the Presidential elector.

ACTING SPEAKER AUBRY: On a motion by Mr. Jacobson, 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.)

Mr. Jacobson to explain his vote.

MR. JACOBSON: Thank you, Mr. Speaker, to explain my vote. As everyone in this Chamber is aware, when we vote for President we're not voting directly for the candidate for President and Vice President, we're voting for electors. Thus, we have the electoral college. What this bill will do when signed into law, it will prohibit faithless or rogue electors so that whoever wins the Presidential vote, the electors which -- who represent that party must vote for the nominee of that party. And should the elector refuse or fail to do that or try to vote for someone else, it will be deemed a resignation and there will be a substitution. So this is just another way of making sure that the elections are run fairly and to avoid fraud. Because I believe that if -- people would want to know that if they're voting for a candidate for President that the electors will vote for their wishes.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Jacobson in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A01029-C, Rules

Report No. 673 is high.

Assembly No. A01202-B, Rules Report No. 674, Joyner, Ardila, Reyes, Simon, Taylor, Gibbs, Walker, Zaccaro, Lucas, Lunsford. An act to amend the Labor Law, in relation to requiring training to reduce abusive conduct and bullying, and cyberbullying in the workplace.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A01246, Rules Report No. 675, Peoples-Stokes. An act to amend the Local Finance Law, in relation to facilitating the marketing of any issue of serial bonds or notes of the City of Buffalo issued on or before a certain date.

ACTING SPEAKER AUBRY: On a motion by Mrs. Peoples-Stokes, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Goodell.

MR. GOODELL: Thank you, sir. This -- this bill extends for one more year the authority to the City of Buffalo to arrange for the private sale of its -- of its bonds, its debt, rather than following a competitive bid procedure that applies to virtually every other municipality across the State, and I think the experience has generally shown that a competitive bid sale gives us the best price, avoids questions of collusion or favoritism and -- and is in the best interest of the public. This was originally authorized when the City of Buffalo was facing a serious financial situation; I think they actually had a control board. Thankfully, the City of Buffalo is doing much better now and I'm not sure that they need that same level of -- of authority.

For that reason I will not be supporting it. I did ask that this be a fast vote, recognizing, however, that it is a local bill. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Goodell in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A01256-A, Rules Report No. 676, Zebrowski, Simon, Williams, Burgos, Paulin, Wallace, K. Brown, Simone. An act to amend the Public Health Law,

in relation to children's non-regulated camps.

ACTING SPEAKER AUBRY: 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 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. A01297-B, Rules Report No. 677, Bichotte Hermelyn, Simon, González-Rojas, Reyes, Colton, Walker, Gibbs, Kelles, Forrest. An act to amend the Public Health Law, in relation to requiring hospitals to adopt, implement and periodically update standard protocols for the management of fetal demise.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A01514, Rules Report No. 678, J.M. Giglio. An act to amend the Town Law and the Public Officers Law, in relation to authorizing the town justice of the Town of Rushford, County of Allegany, to be a nonresident of such town.

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. A01673-A, Rules Report No. 679, Hunter, Dinowitz, Bronson, Raga, Lavine, Alvarez, McDonald, Paulin, Gunther, Seawright, Septimo, Thiele, Shimsky, De Los Santos, Steck, Davila, L. Rosenthal, Santabarbara, Williams, Bichotte Hermelyn, Fahy, Buttenschon, Burdick, Simone, Jacobson, Benedetto, Aubry, Cruz, Clark, Simon, Ardila, Zebrowski, Dickens, Cunningham, Burgos, Durso, Maher, Brabenec, Slater, Manktelow, DeStefano, Barclay, Eachus, Magnarelli, Novakhov, Levenberg, Weprin, Meeks, Rozic, Pretlow, Reyes, Pheffer Amato, Walker, Kim, Taylor, Burke, Hyndman, Ramos, Wallace, Solages. An act to amend the Insurance Law and the Social Services Law, in relation to requiring health insurance policies and Medicaid to cover biomarker

testing for certain purposes.

ACTING SPEAKER AUBRY: 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 April 1, 2024.

ACTING SPEAKER AUBRY: 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. It has been a -- a privilege and honor to be able to carry this bill in the State of New York, working with the -- the folks, many different wonderful organizations like the American Cancer Society. This is for my mom who died of cancer, and my husband who's had cancer, and both my sisters that will definitely allow folks who have been diagnosed with cancer to be able to get biomarker testing to really hone in and provide healthcare providers to give them the -- the necessary treatment really targeted for their illness. This is expansion, of course, that they have been allowing biomarker testing for several years, but this really is state-of-the-art, we're -- we're joining ten other states who are already doing this, including our -- our friends in Texas who passed this bill before we did.

So I appreciate all of my colleagues who have been cosponsors and who have been listening to the stories of those folks

affected by cancer and many other illnesses who will now be able to have this wonderful diagnostic testing. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Ms. Hunter in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A01721-B, Rules Report No. 680, Cunningham, Rivera, L. Rosenthal. An act to amend the Public Service Law, in relation to establishing electric vehicle charging station reliability reporting and standards.

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. Palmesano to explain his vote.

MR. PALMESANO: Yes. Thank you, Mr. Speaker and my colleagues, to explain my vote. I know this is going to come as a big shock to everyone in this Chamber, but I'm not a big proponent and advocate of electric vehicles.

(Jeers)

No, no, I know it's true, really. Just it's true, so I don't want to shock you this late. But the fact of the matter is I understand this is the pathway we're heading down as a state, and I've been

opposed to these for a number of reasons, but reliability and range issues are a big proponent -- big issue with electric vehicles, and I think this legislation is a good thing. I'm going to be supporting it because we need to address the reliability of our electric vehicles. But I also just would urge my colleagues to take into consideration with this along -- there are safety issues with this. We know there are very dangers and real dangers of EV fires we see happening over and over again, so it's my hope when we are looking at these E -- EV charging stations, whether they're in garages or along the road, wherever it may be, that we look at, you know, safety for emergency shutoffs and fire suppression systems to -- water suppression systems to stop fires from happening because that's a real safety issue. Also, I'm very concerned, depending on where these are, you know, sometimes when you go to these charging stations it takes a long time to charge and I just worry about families and maybe if it's a mother and her children alone in a -- in a rural area, wherever they may be, I want to make sure there's lighting and security and cameras and make sure -- because we don't want crime to happen in these areas, which it could, especially if you're there for a prolonged period of time that can leave that open.

And finally, I'd be remiss if I didn't mention as we make this push for EVs, let us please not forget, there are children in the Congo right now that are -- are hand mining and extracting cobalt to produce the -- the cobalt to produce lithium ion batteries that are used to power these electric vehicles. So it's my hope as we continue to move forward and this passed, this Chamber will keep that

in consideration and maybe take some action to address that issue as well.

So but I will be supporting this legislation, I think it's a good bill so I vote yes.

**ACTING SPEAKER AUBRY:** Mr. Palmesano in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

**THE CLERK:** Assembly No. A02452, Rules Report No. 682, Jones. Concurrent Resolution of the Senate and Assembly proposing an amendment to Section 1 of Article XIV of the Constitution, in relation to the Mount Van Hoevenberg Olympic Sports Complex in Essex County.

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

**THE CLERK:** This act shall take effect immediately.

**ACTING SPEAKER AUBRY:** The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: Rules Committee, Speaker's Conference Room immediately, please.

The Clerk will read.

THE CLERK: Assembly No. A02816, Rules Report No. 683, Jones, Simpson. Concurrent Resolution of the Senate and the Assembly proposing an amendment to Section 1 of Article XIV of the Constitution, in relation to conveying land to Debar Pond Institute, Inc., in order to facilitate the preservation of historic buildings.

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.)

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

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A02818, Rules Report No. 684, Fitzpatrick. An act to amend Chapter 397 of the Laws of 1996, relating to authorizing the Town of Islip to lease certain lands to a business corporation, in relation to the lease term.

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

advanced. Home Rule messaging [sic] is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EACHUS: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill has passed.

THE CLERK: Assembly No. A03116-A, Rules Report No. 685, Hunter, Jean-Pierre. An act to amend the General Municipal Law and the Veteran's Service Law, in relation to directing counties and the City of New York to request a congressionally chartered veterans' organization to arrange for the funeral and burial of deceased veteran who has no next of kin or other person to make such arrangements.

ACTING SPEAKER EACHUS: 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 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.

THE CLERK: Assembly No. A03412-B, Rules

Report No. 686, Epstein, Simon, Burdick, Seawright, Kelles, González-Rojas, Meeks, Forrest, Mamdani, Cruz, Taylor, Carroll, Shrestha, Rivera, Raga, Gibbs, Darling, Aubry, Pretlow, Gallagher, Ardila, Cunningham, Anderson, Burgos, Bores, Walker, Levenberg, Novakhov, Reyes, Septimo, De Los Santos, Solages, Jackson, Glick, Simone, Chandler-Waterman, Alvarez, Bronson, Clark, L. Rosenthal, Hevesi, Tapia, Mitaynes, Dickens, Zaccaro, Bichotte Hermelyn, Lee, Lucas, Otis. Concurrent Resolution of the Senate and Assembly proposing an amendment to Article 1 of the Constitution, in relation to the abolition of slavery for persons convicted of crimes.

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

THE CLERK: Assembly No. A04018, Rules Report No. 687, Pheffer Amato, Woerner, Jones, Wallace, Burdick, Rozic, Tapia, Lavine, Zebrowski, Sillitti, Gunther, Stern, Thiele, Fahy, Lupardo, Clark, Conrad, Aubry, Ramos, Fall, Colton, Barrett, DeStefano, Durso, Darling, Jean-Pierre, J.A. Giglio, Buttenschon, Sayegh, Walsh, Angelino, Santabarbara. An act to amend the Retirement and Social Security Law, in relation to establishing a twenty year retirement plan for members or officers of law enforcement.

ACTING SPEAKER EACHUS: Read the last

section.

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

ACTING SPEAKER EACHUS: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04048-B, Rules Report No. 688, Gandolfo. An act authorizing the Grace Gospel Church of Suffolk to file an application for retroactive real property tax exemption.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EACHUS: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04055-A, Rules Report No. 689, Jacobson, Eachus, Gunther, Shrestha, Gallagher, Ardila, Buttenschon, Colton, Shimsky, Thiele, Seawright, Clark,

Dickens, Miller, Brabenec, K. Brown, Simon, Raga, Santabarbara.

An act to amend the Public Service Law, in relation to the finality of certain utility charges and the contents of utility bills.

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

THE CLERK: Assembly No. A04529, Rules Report No. 691, Stirpe, Dickens, Lupardo, Reyes, Hevesi, Burgos, Glick, Simon, Jean-Pierre, Fahy, Magnarelli, McMahon, Colton. An act to amend the General Business Law, in relation to the secure choice savings program and participating individuals.

ACTING SPEAKER EACHUS: On a motion by Mr. Stirpe, the Senate bill is before the House. The Senate bill is advanced. The Clerk will read -- I'm sorry, read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EACHUS: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04599-A, Rules Report No. 692, Weprin. An act to amend the Insurance Law, in relation to certain charitable annuities.

ACTING SPEAKER EACHUS: On a motion by Mr.

Weprin, the Senate bill is before the House. The Senate bill is advanced. Read the last section.

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

ACTING SPEAKER EACHUS: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04611-B, Rules Report No. 693, Jean-Pierre. An act to amend the Veterans' Services Law, the Social Services Law and the Vehicle and Traffic Law, in relation to removing the requirement that a veteran served during wartime to be granted certain benefits.

ACTING SPEAKER EACHUS: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EACHUS: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04618-B, Rules Report No. 694, Peoples-Stokes, Lupardo. An act to amend the

Criminal Procedure Law, in relation to making technical corrections regarding the unlawful possession and sale of cannabis.

ACTING SPEAKER EACHUS: On a motion by Mrs. Peoples-Stokes, the Senate bill is before the House. The Senate bill is advanced. The bill is laid aside.

THE CLERK: Assembly No. A04876, Rules Report No. 695, Solages, Simon, Pheffer Amato, Thiele, Hevesi, Darling, Stern, Anderson, Shimsky, Mamdani, Reyes, Stirpe, Kelles, Lunsford, Wallace, Shrestha. An act to amend the Social Services Law, in relation to providing for the automated identification of affordability program participants.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EACHUS: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A04942-B, Rules Report No. 696, Forrest, Taylor, Darling, Hyndman, Levenberg, Sillitti, Maher, Simon, Raga, Otis, McDonald, Chandler-Waterman, Clark, Pretlow, De Los Santos, Tapia, Alvarez, Gibbs, Reyes,

Septimo, Epstein, Weprin, Zaccaro, Stirpe, Mamdani, Shrestha, Gallagher, Cunningham, Mitaynes. An act to amend the Education Law, in relation to establishing policies for the awarding of posthumous degrees.

ACTING SPEAKER EACHUS: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER EACHUS: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05092, Rules Report No. 697, Otis, Sayegh, Levenberg. An act to amend the Penal Law, in relation to fees charged for a license to carry or possess a pistol or revolver in the County of Westchester.

ACTING SPEAKER EACHUS: On a motion by Mr. Otis, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER 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. A05324, Rules Report No. 698, Norris, Pirozzolo. An act to amend the Not-for-Profit Corporation Law, in relation to exempting the Crittenden Volunteer Fire Department, Inc. from the forty-five percent limit on non-resident members.

ACTING SPEAKER AUBRY: On a motion by Mr. Norris, 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. A05381, Rules Report No. 699, Paulin, Sayegh, Ardila, De Los Santos. An act to amend the Social Services Law, in relation to determination and approval of reimbursement rates for managed care providers under medicaid.

ACTING SPEAKER AUBRY: 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 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. A05394, Rules Report No. 700, Joyner, Alvarez, Hevesi, Hyndman, Reyes, Jackson, Walker, Raga, Tapia, Kelles, Clark. An act to amend the Family Court Act and the Social Services Law, in relation to establishing procedures regarding orders of post-termination visitation and/or contact between a child and such child's parent.

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

THE CLERK: Assembly No. A05468-A, Rules Report No. 701, Gunther, Zebrowski, Wallace, Glick, Santabarbara, Buttenschon, Otis, Sayegh. An act to amend the General Business Law, in relation to the use of voice recognition features.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect in 120 days.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05630, Rules Report No. 702, Jones, Pheffer Amato, Buttenschon, Sillitti, Aubry, Santabarbara. 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 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. A05710, Rules Report No. 703, Pheffer Amato, Fall, Santabarbara, Colton, Buttenschon. An act to amend the Retirement and Social Security Law, in relation to certain disabilities of University Police Officers appointed by the State University of New York.

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. A05718-B, Rules

Report No. 704, Kelles, Fahy, Levenberg, González-Rojas, Ardila, McMahon, Otis, Bronson, Lunsford, Epstein, Clark, Shrestha, Burdick, Reyes, Conrad, Shimsky, Stirpe, Jacobson, Simone, Steck, Burgos, Bores, McDonald, L. Rosenthal, Raga. An act to amend the Insurance Law and the Vehicle and Traffic Law, in relation to owner's policies of liability insurance issued by a risk retention group no chartered within this state.

ACTING SPEAKER AUBRY: 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 on the 180th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05734-A, Rules  
Report No. 705, Pretlow, Dinowitz, Reyes, Burgos, Sayegh,

McMahon, Colton, Hyndman, Aubry, Taylor, Williams, Solages, Rozic, Kelles, Cunningham, Cruz, Chandler-Waterman, Gunther, Benedetto, Lunsford, Levenberg, Santabarbara, Stern, Gibbs, Wallace, Davila, Cook, Anderson, Alvarez, Zinerman, Joyner, Septimo, Bendett, K. Brown, Morinello, Pirozzolo, DeStefano, Flood, Hevesi, Meeks, González-Rojas, Simone, Lucas, Peoples-Stokes, L. Rosenthal. An act to amend the Public Health Law, in relation to conducting education and outreach programs for individuals who have suffered a pregnancy loss or infant loss.

**ACTING SPEAKER AUBRY:** On a motion by Mr. Pretlow, 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 AUBRY:** The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Pretlow to explain his vote.

**MR. PRETLOW:** Thank you, Mr. Speaker, I'd like to explain my vote and I would ask you for a little indulgence on my time. Last year, Kai (phonetic), formerly of my office, and her partner, Chris, were pregnant with their baby girl, Ava. Just before Kai's third trimester, the couple received the news that Ava wasn't going to survive. And this earth-shattering painful experience for them. So many New Yorkers get this same information. After losing

Ava, the couple was given a stamp of Ava's tiny footprints, information to call when they're ready to search for a funeral home, and an emergency medical number. Nothing else, that was it.

But her body didn't fully realize what just happened. Here's what I mean. The body starts to prepare for what it does after a baby is born. So Kai then began to experience post-partum symptoms, a drop in hormones, breast engorgement, milk production, terrible post-partum stress and depression. But as awful as this was, Kai had resources. Thankfully, she and Chris had a doula, named Michelle who was able to help them navigate these challenges and provide them with the resources and information they needed. They could also afford to seek out therapists and medical and emotional services.

Unfortunately in New York, this level of support is not a -- is a privilege and many don't have access to it. Then Kai realized that no matter how good New York is on women's health, there was a major gap because there's no mandate in New York's health system to provide those experiencing such loss with information and resources for what happens next and who to reach out to. So that's when Kai came to me so we could find a solution in the Legislature to give those experiencing pregnancy loss the support and resources they need, and to create a system where those experiencing pregnancy loss won't feel alone.

Under Ava's Law, hospitals and birthing centers must provide information when the unthinkable happens. They will let

those experiencing pregnancy loss know the physical and mental symptoms to expect, where to turn, what to ask and what resources are available. Under Ava's Law, those who do not have the resources or work of support can get answers and not be left alone. I'm proud to be here today to see Ava's Law passed in the Assembly and formally passed in the Senate, and I'm grateful and proud to know that Kai is an awesome young woman who fought for this, and we look forward to -- yeah, I get emotional now. I'm sorry. Looking forward to the passage of this and I'm just thankful that she had the foresight to do this and make this a law in the State of New York. So I proudly vote yes, thank you.

(Applause)

ACTING SPEAKER AUBRY: Mr. Pretlow --

(Applause)

Mr. Pretlow in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05774-A Rules Report No. 706, Friend, Palmesano. An act to amend the Tax Law, in relation to extending the authorization of the County of Chemung to impose an additional one percent of sale and compensating use taxes.

ACTING SPEAKER AUBRY: On a motion by Mr. Friend, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER 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. A05844-B, Rules Report No. 707, DeStefano. An act in relation to authorizing the assessor of the Town of Brookhaven, County of Suffolk to accept an application for a real property tax exemption from De Bathesda Eglise.

ACTING SPEAKER AUBRY: On a motion by Mr. DeStefano, 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. A05879-A, Rules Report No. 708, Seawright, McDonald, Gunther, Alvarez, McMahon, Lunsford, Santabarbara. An act to amend the Private Housing Finance

Law, the Public Authorities Law and the New York State Medical Care Facilities Finance Agency Act, in relation to replacing the terms "mentally retarded" and "mental retardation" and variants thereof with "developmentally disabled" and "developmental disability".

ACTING SPEAKER AUBRY: On a motion by Ms. Seawright, 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. A05927, Rules Report No. 709, Thiele. An act permitting the Village Board of the Village of Southampton to provide health insurance coverage for enrolled members of the Southampton Village Ocean Rescue.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A05931, Rules Report No. 710, Thiele. An act permitting the Town Board of the Town of East Hampton to provide health insurance coverage for enrolled members of the East Hampton Volunteer Ocean Rescue and Auxiliary Squad.

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

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06040, Rules Report No. 711, Bronson, Cruz, Rozic, Simon, Reyes, Bichotte Hermerlyn, Seawright, Dickens, Hevesi, Gallagher, Dinowitz, Burgos, Kelles, Mitaynes, Burdick, González-Rojas, Epstein, Glick, L. Rosenthal, Bores. An act to amend the Labor Law, in relation to enacting the "freelance isn't free act".

ACTING SPEAKER AUBRY: 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 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. A06049, Rules Report No. 712, McMahon. An act to amend the Social Services Law, in relation to medical assistance to certain disabled individuals.

**ACTING SPEAKER AUBRY:** On a motion by Ms. McMahon, 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. A06100, Rules Report No. 713, Weprin. An act to amend the Administrative Code of the City of New York, in relation to repair or replacements of damaged residential lateral sewer and water pipes.

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

THE CLERK: Assembly No. A06132-A, Rules Report No. 714, Carroll, Thiele, Burgos. An act to amend the Election Law, in relation to registration of voters during early voting.

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

THE CLERK: Assembly No. A06167, Rules Report No. 715, DiPietro. An act to amend the Parks, Recreation and Historic Preservation Law, in relation to the use of snowmobiles in the Town of Concord, County of Erie.

ACTING SPEAKER AUBRY: On a motion by Mr. DiPietro, 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. A06171, Rules Report No. 716, Morinello. An act to amend the Tax Law, in relation to

authorizing the County of Niagara to continue to impose an additional rate of sales and compensating use taxes.

ACTING SPEAKER AUBRY: On a motion by Mr. Morinello, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER 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. A06289-B, Rules Report No. 717, Hevesi, González-Rojas. An act to amend the Family Court Act, in relation to the confidentiality and expungement of records in juvenile delinquency cases in the family court.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A06310-A, Rules Report No. 718, K. Brown. An act relating to establishing the power plant tax assessment challenge reserve fund.

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. A06567, Rules Report No. 719, DiPietro. An act to amend the Highway Law, in relation to designating a portion of the State Highway System as the "Specialist Peter J. Loretto, Jr. Memorial Bridge".

ACTING SPEAKER AUBRY: On a motion by Mr. DiPietro, 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. A06624-A, Rules Report No. 720, DiPietro. An act to amend the Highway Law, in relation to designating a portion of the State Highway System as "Specialist Gerald B. Penn Memorial Bridge".

ACTING SPEAKER AUBRY: On a motion by Mr. DiPietro, 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. A06689-A, Rules Report No. 721, Gandolfo. An act in relation to authorizing the Chabad of Islip Township, Inc. to receive retroactive real property tax exempt status.

ACTING SPEAKER AUBRY: On a motion by Mr. Gandolfo, 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. A06701-A, Rules Report No. 722, Slater. An act to authorize the town of Yorktown, County of Westchester, to discontinue as parklands and lease certain lands.

ACTING SPEAKER AUBRY: On a motion by Mr.

Slater, the Senate bill is before the House. The Senate bill is advanced. Home Rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER 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. A06738, Rules Report No. 723, Tague. An act to amend the Criminal Procedure Law, in relation to permitting certain defendants in a criminal action in Delaware, Otsego or Schoharie County to appear electronically, with the approval of the court.

ACTING SPEAKER AUBRY: On a motion by Mr. Tague -- 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. A06812-B, Rules Report No. 724, Simpson. An act to amend the Public Officers Law,

in relation to waiving the residency requirement for certain county attorney positions within Essex 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.

THE CLERK: Assembly No. A06834-A, Rules Report No. 725, Jean-Pierre. 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 military leave for all represented and non-represented persons employed by the port authority of New York and New Jersey.

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. A06916-A, Rules

Report No. 726, Curran. An act authorizing United Church of God  
Seventh Day to receive retroactive real property tax exempt status.

ACTING SPEAKER AUBRY: On a motion by Mr. Curran, 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. A06924, Rules Report No. 727, Hunter. An act in relation to the study of the utilization of state government payments as an opportunity to transition unbanked and underbanked state residents into the banking system.

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. Goodell to explain his vote.

MR. GOODELL: Thank you, Mr. Speaker. This bill calls for the study of the utilization of State government payments as an opportunity to improve banking opportunities. I think that's a great

idea. It would be even better if the report that is produced was provided to the Minority, as well as the Majority since we tend to represent about one-third of the State. And more importantly, for the purpose of this bill represent many areas that could use some improvement in banking opportunities. So I would implore the Majority to include these reports and have them sent to the Minority as well. Thank you, sir.

ACTING SPEAKER AUBRY: Mr. Goodell in the affirmative.

Are there any other votes? Announce the results.  
(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A06972, Rules Report No. 728, Otis. An act to amend the State Technology Law, in relation to state agency websites.

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

THE CLERK: This act shall take effect immediately.  
ACTING SPEAKER AUBRY: 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. A07098, Rules Report No. 729, Bendett. An act to amend the Tax Law, in relation to extending the authority of the County of Columbia to impose an additional rate of sales and compensating use tax.

ACTING SPEAKER AUBRY: On a motion by Mr. Bendett, the Senate bill is before the House. The Senate bill is advanced. Home rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER 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. A07129-A, Rules Report No. 730, Slater. An act to amend the Tax Law, in relation to authorizing an occupancy tax in the Town of Putnam Valley, in Putnam County; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER AUBRY: On a motion by Mr. Slater, the Senate bill is before the House. The Senate bill is advanced. Home rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER 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. A07164, Rules Report No. 731, Septimo, Epstein, Stirpe, Reyes, Colton, Alvarez, González-Rojas, Seawright, Cunningham. An act to amend the Real Property Tax Law, in relation to tax exemptions for persons with disabilities.

ACTING SPEAKER AUBRY: On a motion by Ms. Septimo, 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 90th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07173, Rules Report No. 732, Jean-Pierre, Raga, Eachus, Santabarbara, Buttenschon. An act to amend the Veterans' Services Law, in relation to requiring all state agencies to appoint veterans' liaisons.

ACTING SPEAKER AUBRY: Read the last section.

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

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07287-A, Rules Report No. 733, Lemondes. An act to amend the Tax Law, in relation to authorizing an occupancy tax in the Village of Skaneateles; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER AUBRY: On a motion by Mr. Lemondes, the Senate bill is before the House. The Senate bill is advanced. Home rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER 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. A07333, Rules Report No. 734, Bronson. An act to amend the Economic Development Law, and the New York State Urban Development Corporation Act, in

relation to certain economic development programs.

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

THE CLERK: Assembly No. A07334, Rules Report No. 735, Bichotte Hermelyn. An act to amend the New York City Charter, in relation to the procurement limit for businesses owned by women and minorities.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A07391-A, Rules Report No. 736, Lemondes. An act to amend the Tax Law, in relation to authorizing an occupancy tax in the village of Weedsport; and providing for the repeal of such provisions upon expiration thereof.

ACTING SPEAKER AUBRY: On a motion by Mr. Lemondes -- oh, I'm sorry. Home rule message at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07404, Rules Report No. 737, Solages, McDonald, Zebrowski. An act to amend the State

Finance Law, in relation to requiring the public posting of certain contracts otherwise subject to prior approval of comptroller.

ACTING SPEAKER AUBRY: On a motion by Ms. Solages, 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 30th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A07415, Rules Report No. 738, Hawley. An act to amend the Highway Law, in relation to designating a portion of the State Highway System as the "SP4 George Harold Fry Memorial Highway".

ACTING SPEAKER AUBRY: On a motion by Mr. Hawley, 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. A07615, Rules Report No. 739, Smullen. An act to amend Chapter 326 of the Laws of 2006 amending the Tax Law relating to authorizing the County of Hamilton to impose a county recording tax on obligations secured by mortgages on real property, in relation to extending the expiration thereof.

ACTING SPEAKER AUBRY: On a motion by Mr. Smullen, the Senate bill is before the House. The Senate bill is advanced. Home rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER 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. A07645, Rules Report No. 740, Thiele. An act to amend Chapter 438 of the Laws of 2022 relating to the adoption and submission of an annual budget by the Trustee of the Freeholders and Commonalty of the Town of Southampton, in relation to the effectiveness thereof.

ACTING SPEAKER AUBRY: On a motion by Mr. Thiele, the Senate bill is before the House. The Senate bill is advanced. Home rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER 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. A07647, Rules Report No. 741, Thiele. An act authorizing the town of Southampton, County of Suffolk, to alienate certain parklands for the purpose of installing an algae skimmer in Lake Agawam, and to replace such alienated parkland with a new, dedicated parkland.

ACTING SPEAKER AUBRY: On a motion by Ms Paulin [sic], the Senate bill is before the House -- oh, I'm sorry. We're on Mr. Thiele. On a motion by Mr. Thiele, the Senate bill is before the house. The Senate bill is advanced. Home rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER 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. A07674, Rules Report

No. 742, Paulin, Burdick. An act in relation to authorizing the City of White Plains to alienate property owned by the City of White Plains and operated as the former Galleria of White Plains public parking garage.

ACTING SPEAKER AUBRY: On a motion by Ms. Paulin, the Senate bill is before the House. The Senate bill is advanced. Home rule message is at the desk. Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER 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. A07692, Rules Report No. 745, Zaccaro, Peoples-Stokes. An act to amend the Administrative Code of the City of New York, in relation to permitting certain tax deductions related to the sale, production, or distribution of cannabis products.

ACTING SPEAKER AUBRY: On a motion by Mr. Zaccaro, 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. A07755, Rules Report No. 746 is high.

Assembly No. A07757, Rules Report No. 747 is high.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, members have on their desk a B-Calendar. I would like to move to advance that Calendar.

ACTING SPEAKER AUBRY: On a motion by Mrs. Peoples-Stokes the B-Calender is advanced.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir. Now if we could call our attention to the main Calendar and go to our resolutions on page 3.

ACTING SPEAKER AUBRY: On the main Calender, page 3, Resolutions, Assembly No. 687. Clerk will read.

THE CLERK: Assembly No. 687, Mr. Thiele.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim June 10, 2023, as Dragonfly Day in the State of New York.

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

adopted.

THE CLERK: Assembly No. 688, Mrs. Gunther.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim June 2023, as Post-Traumatic Stress Injury Awareness Month, and June 27, 2023, as Post Traumatic Stress Injury Awareness Day in the State of New York.

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

THE CLERK: Assembly No. 689, Ms. Reyes.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim July 25, 2023, as Afro-Latina, Afro-Caribbean, and African Diaspora Women's Day in the State of New York.

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

THE CLERK: Assembly No. 690, Ms. Solages.

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

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

THE CLERK: Assembly No. 691, Mr. Jones.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim August 1-7, 2023, as Adirondack Water Week in the State of New York.

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

**THE CLERK:** Assembly No. 692, Mr. Alvarez.  
Legislative Resolution memorializing Governor Kathy Hochul to proclaim August 16, 2023, as Hispanic Media Day in the State of New York.

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

**THE CLERK:** Assembly No. 693, Mr. Bronson.  
Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 11, 2023, as Coming Out Day in the State of New York, in conjunction with the observance of National Coming Out Day.

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

**THE CLERK:** Assembly No. 694, Mr. Smith.  
Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 24-28, 2023, as Stranger Safety and Education Awareness Week in the State of New York.

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

**THE CLERK:** Assembly No. 695, Ms. Jean-Pierre.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 29-November 4, 2023, as Veterans Awareness Week in the State of New York.

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

**THE CLERK:** Assembly No. 696, Ms. Hunter.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 2023, as Careers and Construction Month in the State of New York in conjunction with the observance of National Careers and Construction Month.

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

**THE CLERK:** Assembly No. 697, Mr. Brabenec.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim October 2023, as German-American Heritage Month in the State of New York.

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

THE CLERK: Assembly No. 698, Mr. McDonald.  
Legislative Resolution memorializing Governor  
Kathy Hochul to proclaim November 2023, as Epilepsy Awareness  
Month in the State of New York.

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

THE CLERK: Assembly No. 699, Mr. Santabarbara.  
Legislative Resolution memorializing Governor  
Kathy Hochul to proclaim November 2023, as Alpha-1 Awareness  
Month in the State of New York.

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

Mr. Norris.

MR. NORRIS: Thank you, Mr. Speaker. There will  
be a Republican Conference in the morning at 9:00 a.m. in the Parlor.

ACTING SPEAKER AUBRY: Republican  
Conference 9:00 a.m. in the Parlor.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER AUBRY: We certainly have a  
few resolutions, all fine I'm sure.

On the resolutions, we will take them up with one

vote.

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

(Whereupon, Assembly Resolution Nos. 700-713 were unanimously approved.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: I now move that the Assembly stand adjourned until 9:30 a.m., Friday, June the 9th, tomorrow being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 1:38 a.m., the Assembly stood adjourned until Friday, June 9th at 9:30 a.m., Friday being a Session day.)