WEDNESDAY, FEBRUARY 25, 2026 3:04 P.M.

ACTING SPEAKER HUNTER: The House will come to order.

Good afternoon, colleagues and guests.

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 Hunter led visitors and members in the Pledge of Allegiance.)

A quorum being present, the Clerk will read the Journal of Tuesday, February 24th.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, I move to dispense with the further reading of the Journals [sic] for Tuesday, February 24th, and that the same stand approved.

ACTING SPEAKER HUNTER: Without objection, so ordered.

MRS. PEOPLES-STOKES: Thank you, ma'am. To guests that are in the Chambers, as well as our colleagues, it's good to see a lot of you back. I know you've been in those hearings doing the good work for us, but we do have a quote that we'd like to share. This one is coming from Nelson Mandela. Most of you have heard that name. He was a South African anti-apartheid activist and a statesman who was the first president of South Africa from 1994 to 1999. His words for us today: "A winner is a dreamer who never gives up." "A winner is a dreamer who never gives up." Again, these words by former president Nelson Mandela.

Madam Speaker, colleagues have on their desk a main Calendar and before any housekeeping or introductions, we're gonna be calling for the following committees to meet off the floor. We're gonna start with Higher Ed, then we're gonna go to Ways and Means, followed by Rules. These committees are going to produce an A-Calendar. It's gonna contain some concurrent resolutions for the purpose of electing two Regents and it will -- we're gonna take up those resolutions today.

We're gonna begin our work on the floor by taking up resolutions on page 3, and then we're going to take up the following

bill on debate: Rules Report No. 72 by Mr. Laster [sic].

There may be a need for additional floor activity, Madam Speaker, during the course of our work today. But if so, we we'll be pleased to let you know at that point. I can assure folks that there will be a need for Majority conference at the end of our work today on the floor. And as we always do, Madam Speaker, we'll confer with our colleagues. That's the general outline of where we're going today. If you could please begin by calling the Higher Ed Committee to the Speaker's Conference Room. Thank you.

ACTING SPEAKER HUNTER: Thank you. Higher Ed Committee meeting in the Speaker's Conference Room. Higher Ed Committee members, please see Chair Hyndman in the Speaker's Conference Room.

(Pause)

We have no housekeeping, but a few introductions. We'll start with Mr. Palmesano for the purpose of an introduction.

MR. PALMESANO: Good afternoon, Madam Speaker. Thank you allowing me to introdu -- interrupt the proceedings for an introduction.

Joining us in the Chamber today are four special guests. First, Dawn Burlew. Dawn is the President of Watkins Glen International Racetrack in Watkins Glen, New York, in my district. Also joining her from WGI is Michelle Benjamin and Fiona Prinzor (phonetic) and also joining them today is Dan Klenetsky with NASCAR.

Watkins Glen is a world-class racetrack that hosts national racing events such as the IMSA WeatherTech SportsCar Championship, NASCAR Infinity, NASCAR Cup Race Series [sic], among other things.

That -- there was an economic study done back in 2014 that had the economic impact of the State of over $204 million including $40 million in tax revenue, and that's back then. This continues to grow each and every year. The annual attendance for this weekend is 100,000 people.

We're also here to promote motorsports in the State of New York. We have more than 20 venues in the State of New York. They're here tonight, also. We're having a motorsport's working group reception where they will be at. We'll have track presidents from around the State who will be here to again to promote motorsports here in New York State. And I'm really proud to represent Watkins Glen International; just a true driver for economic ingenuity, tourism and economic development, as all these other motorsports events and venues are. So we want to get some celebration around this and work through this as a bipartisan fashion to kind of help see what we can do to support motorsports in New York State. And tonight at six o'clock if you're free, in the Albany Room we'll have that gathering and there will be a brief presentation. So we'd love to have you all come out and be a part of this coalition to promote motorsports in New York State.

But, Madam Speaker, if you could just welcome our

guests here on the floor today, we would really appreciate it.

ACTING SPEAKER HUNTER: On behalf of Mr. Palmesano, the Speaker and all members, we welcome our distinguished guests from Watkins Glen International Racetrack and also NASCAR. We extend the privileges of the floor to you and hope you enjoy our proceedings today. Good -- good luck to you on all the events you're hosting and networking that you have today. Thank you so very much for joining us.

(Applause)

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

MRS. PEOPLES-STOKES: Thank you, Madam Speaker. On behalf of our colleague, Harry Bronson, I'd like to introduce to our floor Empowering People's Independence. It is actually headquartered in Rochester.

This organization is a group of angels who work with some of our most vulnerable population who just need good treatment and great love. Empowering People's Independence provides progressive tailored care solutions to people with epilepsy, developmental disabilities and brain injuries. It's headquartered in Rochester as I mentioned, but it has offices in Syracuse and Binghamton as well.

EPI provides comprehensive services in the Finger Lakes, Southern Tier and Central New York regions of the State. EPI's epilepsy programs includes seizure recognition and first-aid

training and other epilepsy education, individual and family support, advocacy and it's the only summer camp for kids with epilepsy in the entire State of New York.

Madam Speaker, would you please welcome these stellar citizens to our Chambers and offer them the cordialities of our floor?

ACTING SPEAKER HUNTER: Of course. On behalf of Mrs. Peoples-Stokes, Member Bronson, the Speaker and all members, we welcome our special guests from Rochester today from Empowering People's Independence and thank you for all of the wonderful work that you do for folks in our community and several of our communities, giving them ability to have independence. So thank you so very much for that. We extend the privileges of the floor to you. Hope you enjoy our proceedings today. Thank you so very much for joining us.

(Applause)

Resolutions, page 3, the Clerk will read.

THE CLERK: Assembly Resolution No. 961, Mr. Alvarez.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim February 2026, as Dominican Heritage Month in the State of New York.

ACTING SPEAKER HUNTER: Ms. Tapia on the resolution.

MS. TAPIA: Thank you, Madam Speaker. After

years of organizing and surviving in 1991, Dominicans began to acquire a visible political presence in New York City politics with the election of Guillermo Linares to the City Council. During the 1990s and up to 2010, our visibility increased as more Dominican Americans were elected to seats in the New York City Council and New York State Assembly and the New York State Senate. And in 2016, we elected our first represented -- to present the -- to -- to the Congress of the United State [sic], Adriano Espaillat.

The State of Myra -- Mira -- Maryland, Pennsylvania and Massachusetts had also seen Dominicans elected to many political positions. And there have been Dominican city mayors in the State of Rhode Island and New Jersey. In New York City, at every place we live, we Dominicans are widely represented among small businessowners. In Washington Heights, Inwood and the Bronx. Stores owned and operated by Dominicans stand out as one of the most significant economic phenomenet [sic] in the area. They represent an economic engine for the City of New York and the Dominican Republic with thousands of bodegas, supermarkets, beauty salons, barbershops, taxi bases, restaurants, daycares, street vendors, among others contribution contributing billions of dollars annually to the U.S. and Dominican Republic.

We -- (laughing) -- we eat mangú, rice and beans and sancocho. We allow dance Merengue and Bachata. More than 200,000 of our children attend the public schools system and 10% of the involved in Higher Education are Dominicans. We are good,

passionate people with creativity that work hard and like progress. We have planted our feet in this country knowing that we believe in the American Dream and are getting -- getting it through the daily struggles and being an example is a testament of who we are as a community.

Today, we celebrate that 182 years ago our half island was named the Dominican Republic. Free and independent of foreign counties thanks to Founders Juan Pablo Duarte, Francisco Sánchez and Mella. Today, we celebrate with all of our brothers and sisters this great feel of pride. We're more than two million Dominicans in the U.S. and more than one million of those in the State of New York with a major concentration in the Bronx, yes, Boogie Down Bronx. Dominicans have greatly contributed to the fabric of the City of New York and have become a force to be reckoned with.

While many Dominican civic groups began to form in the 1960 [sic], during the 1980s church organizations and social welfare groups sprang up to meet the needs of this growing community. Many Dominican voluntary associations, cultural clubs and community-based organizations emerged during this decades, most notably in the Washington Heights, Inwood neighborhoods of New York City.

Now I want to say something in Spanish.

(Speaking Spanish)

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. De Los Santos on the resolution.

MR. DE LOS SANTOS: Thank you, Madam Speaker, for the opportunity to speak on this important resolution. Today, we gather to celebrate the courage, sacrifice, strength and unwavering spirit of the hero who gave us our freedom. On February 27, 1844, patriots like Juan Pablo Duarte, Francisco del Rosario Sánchez and Ramón Matías Mella stood bravely for freedom and gave birth to our beautiful nation, the Dominican Republic. Their vision was simple but powerful. A free, independent and united country.

Today, we honor their sacrifice by celebrating our rich identity, resilient spirit and deep love for the motherland. May we continue to build a nation that makes them proud, strong in faith, united in purpose and hopeful for the future. As one of the founding father once said, *let us work for and with our homeland. That is work for our children and for ourselves.* (Speaking Spanish)

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

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

THE CLERK: Assembly Resolution No. 979, Ms. Rosenthal.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim February 2026, as Spay/Neuter Awareness Month in the State of New York.

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

Page 4, Rules Report No. 72, the Clerk will read.

THE CLERK: Senate No. S08811, Rules Report No. 72, Comrie. (Lasher, A09444) An act to amend the General Business Law, in relation to the Attorney General's ability to protect New Yorkers from unfair, deceptive and abusive business practices; and to repeal certain provisions of such law relating thereto.

(Pause)

ACTING SPEAKER HUNTER: Ms. Walsh.

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

ACTING SPEAKER HUNTER: Will the sponsor yield? Mr. Lasher, will you yield?

MR. LASHER: Sorry. Yes.

ACTING SPEAKER HUNTER: The sponsor yields.

MS. WALSH: Thank you very much. So this chapter amendment -- we debated the original bill back I think it was the waning hours of Session last --

MR. LASHER: We did.

MS. WALSH: -- June. So now we have a chapter amendment to go through that makes a few changes to the original legislation. Could we please go through them? So the -- the first section I wanted to talk about was the very first part of the -- the

bill-in-chief. Section 348 of the General Business Law is repealed by this chapter amendment; is that correct? That was around 40 lines of bill text --

MR. LASHER: The first --

MS. WALSH: -- at the beginning.

MR. LASHER: Sorry. The first section you said?

MS. WALSH: Yes.

MR. LASHER: Yes.

(Pause)

MS. WALSH: Yes. I'm -- I'm sorry. The -- the first section. Section 1 of the chapter amendment states line 1 through line 5 that Section 348 of the GBL relating --

MR. LASHER: Yes.

MS. WALSH: -- is repealed, correct?

MR. LASHER: Yes.

MS. WALSH: Yes?

MR. LASHER: Yes.

MS. WALSH: Okay. All -- all right. I -- I feel like we're not -- (laughing) -- we're not hearing each other.

Okay. So that was repealed. And what did that section include? What was taken out?

MR. LASHER: That was legislative intent language.

MS. WALSH: Yes. And it's been repealed. And then the second thing that -- do you happen to know why the Governor in her veto message said she wanted that language taken

out?

MR. LASHER: I would -- I'm not going to speak -- I would -- far be it for me to speak for the Governor.

MS. WALSH: Okay. Well, I -- I read the veto message and what she said was that she wanted to ensure that the bill did not quote "override existing caselaw concerning the consumer-oriented standard."

MR. LASHER: Well, I will speak to this legislation, which this legislation should not in any way be construed to be an endorsement of the jurisprudence on the consumer-oriented standard. It's my view, as a member of this Body, that the jurisprudence related to the consumer-oriented standard is not something you can find in the original statute. And, so while the bill-in-chef aimed to make clear that the consumer-oriented standard should not be applied in consumer protection actions going forward, and while this chapter amendment removes that language, in no way should this chapter amendment be construed to be an endorsement of the jurisprudence on that. It merely reverts to the status quo ante.

MS. WALSH: Okay. Well, that -- that just raised more questions for me. So if -- if it's not -- it -- it seemed as though from the approval memorandum from the Governor that she said, "However, changes were necessary to ensure that bill does not override existing case law concerning the consumer-oriented standard." So are you now saying that even though that language talking about the consumer-oriented standard, state is -- is -- isn't it

just saying that we've got five decades of case law that developed the consumer-oriented standard and it's not bring taken out in any way?

MR. LASHER: What -- what we're saying is that the statute is not explicitly overriding or clearing the decks of the jurisprudence.

MS. WALSH: And wasn't that in part, if I'm remembering our debate properly and I might not be, because I think it was really pretty late when we were doing it, but wasn't -- wasn't that sort of one of the purposes of the original legislation was to clear the decks?

MR. LASHER: One -- one of -- one of the purposes of the original legislation was indeed to clear the decks. By this chapter amendment, that will have been reversed. But again, it should by no means be construed to be an affirmative endorsement of the jurisprudence, again given that the very idea of the consumer-oriented standard does not appear anywhere in the statute. It was, in my view, created out of whole cloth by the courts.

MS. WALSH: I mean I know you don't like it. I mean I know that this is probably not a chapter that you're super excited about. I mean we started I think last year with an original bill that was like 14 pages long and then you went to an A Print where it got cut down to maybe like four pages and now you got to deal with a chapter amendment that took more stuff out of it. I mean I know you're probably not too happy about it, but I mean we've got 50 years of decisional case law in this issue and I'm not saying it -- that the --

that the legislation endorses or doesn't endorse it. I'm just saying that it -- it -- we have stare decisis based on 50 years of case law and it's still there.

MR. LASHER: I -- I'm -- I'm only speaking to the fact that this legislation is in no way an endorsement of the consumer-oriented standard, which I would humbly submit is nowhere to be found in New York State law.

MS. WALSH: Okay. Well, let's -- why don't we -- why don't we move on then to the -- to -- now the section of the chapter amendment that talks about standing.

So the -- the chapter amendment deletes language that allows the substantial injury, I'm using air quotes, of another to be sufficient harm to confer standing under the law. For example, like a -- a person other than the consumer. So I'll refer you specifically to page 1, lines 17 to 19. What was the reason, if you understand it, or as you understand it, for the Governor insisting upon this change as a condition of her signing the legislation into law?

MR. LASHER: Again, I'm not gonna speak to the Governor's intent. I would only say that in striking that language, it reverts to the status quo ante in that area as well.

MS. WALSH: Okay. Well, I mean, wasn't there a concern that -- raised by stakeholders that the bill as it was originally written would've invited a -- well, one -- one person referred to it as a "free for all" by permitting both private litigation and class actions?

MR. LASHER: They were all manner of

exaggerations and misstatements made in opposition to the bill.

MS. WALSH: Okay. So again, you don't agree with this change, but this is what had to get done in order to get the bill passed.

MR. LASHER: I -- I'm very proud that collectively between the bill-in-chief and the chapter amendment we'll be making the first significant expansion of New York State's Consumer Protection Law in 40 years.

MS. WALSH: Okay. All right. So now, I think what we're left with, as you said, it reverts back to what the original understanding of what standing would be. So more traditional understanding of standing that the substantial injury aggrieved of must be of the -- the consumer, not to another third-party; is that correct?

MR. LASHER: The language that is struck says provided that the substantial injury of a person or persons other than consumers shall also be deemed a "substantial injury" for purposes of this section. That's the language that's been struck.

MS. WALSH: Yes, it is. So by striking that language, does this -- does that eliminate the concern for class action lawsuit for these types of claims?

MR. LASHER: It reverts to the status quo ante

MS. WALSH: Okay. I see also that page 1, line 23, it looks as though there is additional time being given for businesses to respond?

MR. LASHER: Yes. It moves the -- the notice

period from five to ten days.

MS. WALSH: So essentially, how this works then is that the Attorney General will send essentially in a demand letter to a business saying, *here's what we think we can prove that you've done that's unfair, deceptive or abusive. Tell us why we're wrong and why we shouldn't bring an action against you.* And then the business will have ten days to respond to that instead of the original five in the original legislation, correct?

MR. LASHER: It changes -- I -- I -- I'm not -- I'm not going to get into your characterization of the -- the nature of the notice period, but it changes the notice period from five to ten days.

MS. WALSH: Yeah, but it's that the businesses -- and I'm not trying to characterize, I'm just trying to understand how that works. I mean my understanding is that there's going to be some kind of a letter or some communication from the AG's Office to a business that's going to say something and then in response they're going to have twice as much time as they would've originally had to respond. They'll have ten days.

MR. LASHER: That's -- that's correct. Yes.

MS. WALSH: Okay. All right. And the veto message also wanted to clarify that a private right of action could only be brought for deceptive acts rather than the other two kinds. I remember distinctly us going through all three examples of all three different kinds. So there was abusive, unfair or deceptive. So in a private right of action now under this legislation will only be -- it's

clarified that it will only be for deceptive acts or alleged deceptive acts, correct?

MR. LASHER: The bill as enacted in June was aimed solely at expanding the authority of the Attorney General and not at expanding the private right of action. And that particular -- and I -- I -- and that is -- that remains the intent of the collective of the bill-in-chief and the chapter amendment.

MS. WALSH: Okay. Okay. I think I understand that. All right. Thank you very much, Mr. Lasher.

MR. LASHER: Thank you.

MS. WALSH: Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MS. WALSH: Okay. So for -- for those of you who didn't spend the morning like I did kind of parsing it all out and comparing it with last year versus this chapter amendment, I'll just tell you kind of what I figured out and what I believe the sponsor just confirmed during our time for question and answer.

The -- the original bill was conferring addition -- it -- it was a -- an Attorney General program bill. This is a bill that the Attorney General herself was asking for. And what it did, the original bill, was it -- was conferring additional authority to her and to her office to go after or bring actions against companies and businesses that were utilizing what they believe, which her office believed to be unfair, abusive or deceptive facts. The -- the original legislation also was reversing -- well, yeah. It was getting rid of a -- a long period -- a

long body of -- of cases that had been developed over many decades having to do with the consumer-oriented standard.

And so the chapter amendment, the Governor really, in her message, wanted significant changes to the -- to the legislation that was passed last year in my -- in my view. It significantly rolls back I think what the original legislation was intended to do, and that was in response to a lot of pushback from a lot of different groups, including the Business Council, which from what I understand was involved in trying to make the amendments that we're dealing with today. So as a result of the work that was done on the chapter, there -- there -- the same groups that were upset with the original legislation have removed their objection to it. So the Business Council says they'd -- they'd like this legislation now in its current form to be passed. They think that they've addressed the -- the problems that they saw with the legislation. Other groups like NFIB aren't taking any position. I'll note that the Business Council isn't really taking a position formally, but they're -- but they're saying that they worked on the amendments.

So the chapter amendment was negotiated with the Governor to avoid, you know, the outright veto, rolled backed a number of provisions which were most concerning to the business community and to the 50 Assemblymembers who voted against the legislation last June. It preserves the consumer-oriented standard which has been developed over 50 years of case law. To those of you who are not attorneys, you might say, *who cares,* you know. As an

attorney, I say, *you know, we care. We care.* Our laws come from the Legislature, yes, they do, but they are also interpreted by case law over time. Many, many cases over five decades created the standard that the business community and its counsel could rely upon. By eliminating the standard in the original version of this bill, what you would do is create a lot of uncertainty in the business community, they didn't want that. And a lot of additional leg -- litigation. And I would just say, you know, what do businesses hate? They hate uncertainty. You'd have a lot of settlements to avoid unpredictable results in court, you'd spend a lot more on legal counsel, that gets passed onto consumers. We already have one of the worst, if not the worst, business climate in the nation. I shouldn't smile as I'm saying that, it's just a fact. The original legislation would have made it even worse. So this chapter amendment by preserving the consumer-oriented standard makes it better.

Now, the -- the sponsor said that that doesn't mean that there's any ringing endorsement or shouldn't be read into the idea that there's any ringing endorsement for the standard. Clearly, I think it's clear to me, in my opinion, that the -- the sponsor doesn't care for that standard. But it -- it does remain in -- in here now. There's 50 years of case law, we're not throwing it all out. I think that's a good thing, personally. I think that -- I think that's a good thing.

The second chapter amendment addresses the issue of standing, which means who can bring a lawsuit and for what reason. Under the original legislation, one opponent said, *you'd be inviting a*

free-for-all permitting both private litigation and class actions. A lot of activists, litigation, hungry trial attorneys operating on a contingency fee and possibly in a class action treble damages and awarded attorneys' fees. Great for the trial lawyers maybe, but bad for business.

(Pause)

Okay. I'll continue in a second. I guess you're going to call Ways and Means.

ACTING SPEAKER HUNTER: Thank you, Ms. Walsh.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, would you please call the Ways and Means Committee to the Speaker's Conference Room?

ACTING SPEAKER HUNTER: Yes, thank you. Ways and Means Committee members to the Speaker's Conference Room. Ways and Means, please make your way quietly to the Speaker's Conference Room.

Apologies, Ms. Walsh.

MS. WALSH: That's okay. Luckily I have notes, so I didn't lose my train of thought. So continuing with my second 15 and I'll be very brief. I don't have a lot more to go.

But in addressing the issue of standing, the chapter amendment basically keeps the standing as it was before the original legislation. So I think the chapter amendment improves on the

original legislation by reigning and standing. I think that's a good thing. There might be some of us who think that the bill still confers on the Attorney General too much additional power and so may continue to not support it. That's a decision that many of us who voted no on the original bill will have to make on this chapter amendment. But considering our lengthy debate last year which raised concerns on all of these issues, I do believe that the veto message and the chapter amendment do improve the bill. The Business account -- Council agrees, but if you do not want the Attorney General to have any more power to go after business than she already does, then you'll probably not support this chapter amendment. However, if you believe that the significant rollback of the original legislation tempers the Attorney General's power sufficiently, you may support it. And I think, just in closing and I -- I always struggle with this, especially on my side of the aisle, I think to myself, *you know, is this a power I would want to confer to the Attorney General?* And I guess, as an elected position, the Attorney General I think, well it depends on what I think of how the Attorney General is doing and, you know, it's -- it's kind of like a lot of things where, you know, do we want to, you know, ban the filibuster at the federal level? You know, it that -- well, that could cut both ways depending upon who's in office. Do we want to pack the Supreme Court? Well, that could cut both ways depending upon who's on the court. Same thing here, you know, do we want to confer more power to the Attorney General? I mean, maybe if you like what the Attorney

General is doing. I, for one have been concerned about the level to which this particular Attorney General has shown a willingness to I think very aggressively pursue all kinds of different classes of business.

So I, you know, I -- I offer that to my colleagues as a way to weigh it, as far as the original legislation versus the chapter. I'll -- I'll end by just saying that the chapter amendment does make significant changes and severely curtails what was intended in the original legislation. And so I do think it does make legislation that I had a big problem with last June a little bit more palatable.

So thank you very much, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Molitor.

MR. MOLITOR: Thank you, Madam Speaker. Will the sponsor yield?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. LASHER: Yes.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. MOLITOR: Thank you, Mr. Sponsor. This amendment modifies the definition of substantial injury, correct?

MR. LASHER: It aligns it with the FTC definition.

MR. MOLITOR: Okay. And the definition of substantial injury relies on a federal statute and evolving federal case law; is that correct?

MR. LASHER: Yes.

MR. MOLITOR: Hasn't the Federal Trade Commission's unfairness doctrine impacted the definition of substantial injury over time?

MR. LASHER: Sorry, I could -- I -- could you say that again?

MR. MOLITOR: Hasn't the Federal Trade Commission's unfairness doctrine impacted the definition of substantial injury over time?

MR. LASHER: I would imagine so.

MR. MOLITOR: So how will New York courts determine which federal court decision or interpretation to follow once this chapter amendment becomes law?

MR. LASHER: I think it would make it clear that the statute follows the FTC substantial injury definition, including the FTC's longstanding position that small businesses can be consumers.

MR. MOLITOR: No, I -- I understand that, but really what I'm getting at is how is the State court gonna to in -- interpret federal law? So once a State court rules on a, you know, whichever federal interpretation it believes is correct in that particular case, must other State courts follow that State court's decision or will they also be interpreting federal law de novo?

MR. LASHER: The courts will be making decisions about the applicability of this statute as they do in every other action taken by the Attorney General.

MR. MOLITOR: Right. But they'll be relying on a federal statute and federal -- evolving federal case law, right?

MR. LASHER: I'm not going to step into the shoes of a judge that may have a case before them. As I said, virtually every action that the Attorney General brings is subject to this kind of review.

MR. MOLITOR: Must New York courts follow FTC policy statements and interpret it in each individual case?

MR. LASHER: Again, I am -- I am not going to step into the shoes of a judge that's going to be making decision about the viability of an action taken by the Attorney General.

MR. MOLITOR: Okay. All right. Thank you, Mr. Sponsor.

MR. LASHER: Thank you.

MR. MOLITOR: On the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. MOLITOR: The -- the problem I have with this bill and its chapter amendment, I continue to have a problem with this bill is that we're delegating legislative authority to the -- a federal statute and evolving federal case law. Once this chapter amendment becomes law, New York law now rises and falls with federal administrative interpretation. So I will be -- continue to be in the negative and encourage all of my colleagues to do so as well.

Thank you.

ACTING SPEAKER HUNTER: Read the last

section.

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

ACTING SPEAKER HUNTER: A Party vote has been requested.

Ms. Walsh.

MS. WALSH: Thank you. So the Minority Conference will generally be in the negative on this piece of legislation; however, if there are members who wish to vote yes, they may do so now at their seats. Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mrs. Peoples-Stokes.

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

ACTING SPEAKER HUNTER: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, please call the Rules Committee to the Speaker's Conference Room.

ACTING SPEAKER HUNTER: Rules Committee to the Speaker's Conference Room. Rules Committee members to the

Speaker's Conference Room.

Announce the results

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, members have on their desk the A-Calendar. I would like to move that A-Calendar and take it up immediately.

ACTING SPEAKER HUNTER: Thank you.

On a motion by Mrs. Peoples-Stokes, the A-Calendar is advanced.

Resolution on page 3, the Clerk will read the title of the concurrent resolution.

THE CLERK: Assembly Resolution No. 978, Mr. Benedetto.

Concurrent Resolution of the Senate and Assembly providing for the election of two Regents of the University of the State of New York.

ACTING SPEAKER HUNTER: Mr. Benedetto on the resolution.

MR. BENEDETTO: Thank you, Madam Chair. I stand today, colleagues, to continue a proud tradition here in the State of New York. A tradition that bates -- dates back to the beginning of our country. A tradition that is 242 years in the making and that is the election of people to the Board of Regents for the State of New York.

The Regents oversees the entire educational system within our State from kindergarten to 12th grade to higher education. They pro -- the Regents presides over the State University of New York and the Education Department. They also oversee libraries and museums, as well as public broadcasting and records and archives of the State of New York. Some of the -- excuse me -- not only what I just mentioned, but they also regulate over 56 professions within the State for the qualifications for those professions. It also oversees career education and continuing education services.

There are 17 members of the -- the Board of Regents. Five members -- excuse me -- four members at-large and 13 from judicial districts within the State. It is an unsalaried position and they do great work in what they have done. They are elected on the first Tuesday of March. On a current resolution, we're doing it this year on this particular date because next week we don't get here until Wednesday. The selection of the Regents is governed by Election Law Section 202.

In mid-December of last year, announcements were published in various State and city publications to announce for interested people who wanted to interview for these prestigious positions. There are two positions available this year. One at-large and one from judicial -- one of the judicial districts in the Syracuse judicial dis -- district. It is a procedure -- prestigious position that has been occupied by many people who are renowned throughout New York State and American history. Three presidents, soon-to-be

presidents at the time were members of the Board of Regents. Cleveland, Grover Cleveland, Martin Van Buren and Theodore Roosevelt all were names who -- who served on the Regents. Some of our Founding Fathers also served on the Board of Regents. Alexander Hamilton and John Jay to name two. Okay. Names throughout New York State history, renowned names that made New York State great, while known to serve on the Board of Regents. Names like Clinton and Van Cortlandt. Names like Livingston and Morris and Van Rensselaer. Okay. It is a prestigious Body who has made New York State and the education system within New York State one of the proudest in our country. We are here today to elect two people to the Board of Regents and continue a grand tradition.

Thank you, Madam.

ACTING SPEAKER HUNTER: Thank you.

Ms. Hyndman on the resolution.

MS. HYNDMAN: Thank you, Madam Speaker. I want to thank my colleague for giving the historical overview and the responsibility of the New York State Assembly Chairs of Higher Education and Education in regards to the Regents and the -- the work that goes into selection of people of this high stature that shape the education of all of us in this room and throughout the State of New York.

I want to congratulate as we -- once we pass this resolution for the reappointment of Regent Mannion from Onon -- Onondaga County, which you know very well, Madam Speaker. His

reappointment shows that his excellence has permeated throughout the region. And the second Regent to be, after we pass this resolution, Dr. Shorenstein, who has, if you really think about it, she hasn't just been an administrator, she's literally shaped the standards of American Education from the U.S. Department of Education to the College Board. If you look through the history of educational reform over the last four decade -- decades, you will find Dr. Shorenstein's fingerprints every -- everywhere. From her early days as Special Assistant to the U.S. Commission of Education, where she helped formulate the legislation that became No Child Left Behind, to her time as Executive Vice President of the College Board, she has been a tireless advocate for academic excellence and crucially for equity.

At the College Board she created the Pacesetter Program, a vital initiative designed to provide high level academic preparation for underserved students. Her impact as a New Yorker very recently is she is the current CEO of Education Through Music, which is in the Bronx where she oversees the musical education of 20,000 students in our City's most underresourced school.

Others may even remember her transformative decade as the Vice President of Academic Affairs at FIT. It is a long history that she brings and only this kind of pedigree is what we should be looking for, for those who serve on the Board of Regents.

It is a -- a -- an intense process of the applications that are reviewed by staff. I want to make sure we recognize the -- the staff from Program Counsel who do the -- the outreach and the work

that brings us to this point where once this resolution is passed, we will add two members to the Board of Regents whose resumés and whose Statewide and Nationwide work will now be brought to the -- to the P through16 educational spectrum, as well as the Office of Professions and the 52 positions that they will oversee.

So, Madam Speaker, at this time I will decrease and hopefully this resolution will pass unanimously and we will be welcoming two new Regents to the Board of Regents in the State of New York.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Smith on the resolution.

MR. SMITH: Thank you, Madam Speaker and thank you to my colleagues for going through the history of the Board of Regents and welcoming our new members of the Board of Regents elected today who join us in the Chamber.

I want to take a few moments to reflect on the process. For several years, I've been involved in the screening process. We have a number of very intelligent, very qualified individuals that come for -- before the Assembly and Senate and offer themselves up to be considered for the position of Board of Regents. It is as mentioned an unpaid position, but it's not the income, but the outcome that I think is so important to the folks that devote their time by supporting children across the State.

I would like to start by mentioning and thanking the

service of outgoing Regent, Roger Tilles, who will be retiring at the conclusion of this meeting today. I have a few words I've prepared: Regent Roger B. Tilles has devoted more than 21 years of distinguished service to the people of New York. First elected to the Board of Regents in 2005 representing the 10th Judicial District on Long Island and reelected multiple times before being chosen last year as the At-Large Regent. He has been a steadfast advocate for students and schools across our State. A graduate of Amherst College and the University of Michigan Law School, Regent Tilles built a career at the intersection of education, law and public service. Throughout his tenure on the Board of Regents, he has been a tireless champion for music and arts education, recognizing their essential role in developing well-rounded students. He has been, for decades a visible and engaged presence at educational events across Long Island supporting students, educators and families celebrating their achievements. Beyond education policy, his leadership has extended to regional planning, the arts and interfaith initiatives, always grounded in a deep commitment to community.

Born and raised in Great Neck and now a resident of Manhattan -- Manhasset -- excuse me -- Regent Tilles has consistently demonstrated a strong belief in public education and civic responsibility. New York is stronger because of his decades of thoughtful leadership, dedication and service. So I want to take a moment to thank Regent Tilles for his service.

As part of this process, I believe today we're electing

two highly qualified Regents for this position. Impeccable credentials. However, I will comment on the nature of where we find ourselves electing a Board of Regents. As mentioned, there's 17 members of the Board of Regents, 13 are by Judicial District and four are At-large. A concerned that I'm sharing to the Chamber today, I've shared in committees earlier today and has not been -- it -- it's been discussed over the last several years as well. Each Judicial District is different size. Now this is not a problem when we're selecting judges, we can simply add more judges. But it is problematic when we're selecting representatives to represent New York's education community. For example, Staten Islands' Judicial District has 500,000 residents. Long Island, where I reside from, Nassau and Suffolk County is one Judicial District, has three million people. Likewise, there's a Judicial District of Rockland, Putnam, Orange, Westchester, that Judicial District also has three million people. Right now, with the election today, the Long Island Regent with three million residents and one-in-six students will have one-of-17 elected Regents members and today, Manhattan will be represented by three Regents members. Highly qualified individuals who I know will take into account children and families and students across the State of New York, but it's something that I could not leave unmentioned that I think that as we go forward perhaps we can find a better, more equitable way to allocate Regents members. Manhattan is a wonderful place with 1.7 million residents, but proportionally having three Regents out of 17, we could do a little bit better.

But with that, I want to congratulate our newly-elected Regents and thank you for your service that is coming forward. For that, I will be voting no. I believe the Republican Conference will also be a no, not on the qualifications of the individuals. We thank you for your service, but on elements of process such as -- that I've mentioned. But thank you and thank you to the Chairs.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

A -- a Party vote has been requested.

Mr. Gandolfo.

MR. GANDOLFO: Thank you, Madam Speaker. The Republican Conference will generally be opposed to this resolution; however, any members who wish to vote in favor of it may do so at their desks shortly. Thank you.

ACTING SPEAKER HUNTER: Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Madam Speaker. The Majority Conference is generally going to be in favor of this piece of legislation; however, there may be a few that would desire to be an exception. They're in the Chambers, they should feel free to cast their votes.

ACTING SPEAKER HUNTER: Thank you.

On Concurrent Resolution No. 978, the Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Lasher to explain his vote.

MR. LASHER: Thank you, Madam Speaker. I just want to express my gratitude to Chair Hyndman and Chair Benedetto for their leadership in this process. My congratulations to Regent Mannion and my particular congratulations to Dr. Shorenstein, who is a woman of extraordinary achievement and who will be a fantastic addition to the Board of Regents. And I'm proud to vote aye. Thank you.

ACTING SPEAKER HUNTER: Mr. Lasher in the affirmative.

Mr. Weprin to explain his vote.

MR. WEPRIN: Yes. Thank you, Madam Speaker. I, too, want to congratulate the Chairs for bringing forth excellent candidates over the years, but I want to specifically talk about Janice Shorenstein.

Janice, in addition to her outstanding educational credentials, has really been a -- a pillar in the civic community, as well as the Jewish community. She -- she and her entire family who I know for over 40 years, her husband Stuart and her daughter Marissa, have been involved in civic affairs and Jewish affairs for so many years and I know she'll be a great addition to this prestigious position of the Board of Regents.

I withdraw my vote -- my request and vote in the affirmative.

ACTING SPEAKER HUNTER: Thank you.

Mr. Weprin in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The resolution is adopted.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, if we can continue our work on the floor today by consenting the remainder of the A-Calendar, beginning with the Rules Report No. 83. It's on page 4.

ACTING SPEAKER HUNTER: Thank you.

On consent, page 4, Rules Report No. 83, the Clerk will read.

THE CLERK: Assembly No. A09430, Rules Report No. 83, Stirpe. An act to amend the Economic Development Law, in relation to technical assistance provided to municipalities related to college and university closures; and to repeal Section 153 of the Executive Law, in relation thereto.

ACTING SPEAKER HUNTER: On a motion by Mr. Stirpe, 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 HUNTER: 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. A09440, Rules Report No. 84, Otis. An act to amend the Public Health Law and General Municipal Law, in relation to directing counties to develop and maintain comprehensive County Emergency Medical System plans; and to amend a chapter of the Laws of 2025 amending the General Municipal Law relating to directing counties to develop and maintain comprehensive County Emergency Medical System plans, as proposed in Legislative Bills numbers S07501-A and A08086-A, in relation to the effectiveness thereof.

ACTING SPEAKER HUNTER: Read the last section.

THE CLERK: This act shall -- it's a sub.

ACTING SPEAKER HUNTER: One moment.

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 HUNTER: 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. A09449, Rules Report No. 85, Bores. An act to amend the General Business Law, in relation to transparency and safety requirements for developers of Artifical Intelligence Frontier Models; to amend a chapter of the Laws of 2025 amending the General Business Law relation to the training and use of Artifical Intelligence Frontier Models, as proposed in Legislative Bills numbers S06953-B and A06453-B, in relation to the effectiveness thereof; and to repeal certain provisions of the General Business Law, relating thereto.

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

THE CLERK: Assembly No. A09465, Rules Report No. 86, Levenberg, Zinerman, Colton. An act to amend the State Finance Law, in relation to protections for telecommunications tower technicians; to amend a chapter of the Laws of 2025 amending the Labor Law relating to providing protections for telecommunications tower technicians, as proposed in Legislative Bills numbers S02709 and A04938, in relation to the effectiveness thereof; to repeal certain provisions of a chapter of the Laws of 2025 amending the Labor Law relating to providing protections for telecommunications tower technicians, as proposed in Legislative Bills numbers S02709 and A04938, relating to legislative intent; and to repeal Article 21-C of the

Labor Law relating to protections for tower technicians.

ACTING SPEAKER HUNTER: On a motion by Ms. Levenberg, 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 HUNTER: 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. A09489, Rules Report No. 87, Stern. An act to amend the Real Property Tax Law, in relation to a real property tax exemption for property owned by certain persons performing active duty in a combat zone.

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

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: 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: Madam Speaker, do you have any further housekeeping or resolutions?

ACTING SPEAKER HUNTER: We do have a piece of housekeeping.

On behalf of Mr. Stirpe, Bill No. S08777, the Clerk will read the title of the bill.

THE CLERK: An act to amend the Economic Development Law.

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

The Clerk will record the vote.

(The Clerk recorded the vote.)

The Clerk will announce the results.

(The Clerk announced the results.)

ACTING SPEAKER HUNTER: The bill is before the House and the bill is laid aside.

We have a number of resolutions before the House. Without objection, these resolutions will be taken up together.

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

(Whereupon, Assembly Resolution Nos. 980 through 986 were unanimously approved.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, if you could please call on our colleague, Ms. Clark, for the purpose of an announcement.

ACTING SPEAKER HUNTER: Ms. Clark for the purpose of an announcement.

MS. CLARK: Contrary to any voices being -- saying anything now, I am announcing we will have Majority Conference immediately following Session in Hearing Room C. Majority Conference immediately following Session.

ACTING SPEAKER HUNTER: Majority Conference immediately following the adjournment of Session, Hearing Room C.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Madam Speaker, I move that the Assembly stand adjourned and that we reconvene at 10:30 a.m., Thursday, February the 26th, tomorrow being a Session day.

ACTING SPEAKER HUNTER: On Mrs. Peoples-Stokes' motion, the House stands adjourned.

(Whereupon, at 4:53 p.m., the House stood adjourned until Thursday, February 25th at 10:30 a.m., that being a Session day.)