

WEDNESDAY, MAY 6, 2026

11:43 A.M.

ACTING SPEAKER WOERNER: 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 Woerner led visitors and members in the Pledge of Allegiance.)

A quorum being present, the Clerk will read the Journal of Tuesday, May 5th.

Mr. Fall.

MR. FALL: Madam Speaker, I move to dispense

with the further reading of the Journal of Tuesday, May 5th and that the same stand approved.

ACTING SPEAKER WOERNER: Without objection, so ordered.

MR. FALL: We have a quote from Oprah Winfrey this morning, and the quote says, "Know what sparks the light in you. Then use that light to illuminate the world." And these words are by Oprah Winfrey.

Madam Speaker, members have on their desks a main Calendar and a debate list. After any housekeeping and/or introductions we will begin our floor work today by taking up Calendar resolutions on page 3. We will then take up consent, Calendar No. 319 by Ms. Hunter. After that we will take up the following bills from the debate list: Calendar No. 111 by Mr. Santabarbara, Calendar No. 221 by Ms. Hyndman, Calendar No. 258 by Ms. Jackson, Calendar No. 311 by Ms. Forrest, and Calendar No. 353 by Mr. R. Carroll.

I will announce any further floor activity as we proceed. Majority members should be aware that there may be a need for conference once we conclude our work on the floor. As always, I will consult with the Minority on their Conference needs.

So with that as a general outline, Madam Speaker, let us begin with any housekeeping and/or introductions.

ACTING SPEAKER WOERNER: Thank you, Mr. Fall. We have both. We'll start with housekeeping.

On a motion by Mr. R. -- by Mr. P. Carroll, page 24, Calendar No. 215, Bill No. A08594, the amendments are received and adopted.

And now we'll go to introductions.

Oh, it looks like we no longer have introductions. We do, however, have resolutions. We will begin on page 3. The Clerk will read.

THE CLERK: Assembly Resolution No. 1278, Rules at the request of Mr. Bendett.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 6, 2026, as School Nurse Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 1279, Rules at the request of Ms. Solages.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 4-10, 2026, as Maternal Mental Health Week in the State of New York.

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

THE CLERK: Assembly Resolution No. 1280, Rules at the request of Mr. Slater.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 3-9, 2026, as Professional Municipal Clerks Week in the State of New York.

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

THE CLERK: Assembly Resolution No. 1281, Rules at the request of Ms. Reyes.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 6-12, 2026, as Nurses Week in the State of New York.

ACTING SPEAKER WOERNER: Ms. Reyes on the resolution.

MS. REYES: Thank you, Madam Speaker. Colleagues, as both a nurse and a proud member of this legislative Body, it is my distinct honor to introduce this resolution commemorating May 6-12 as National [sic] Nurses Week in the State of New York.

Every day, nurses across our State serve as the backbone of our healthcare system. We are the ones who sit at the bedside through the night. Who listen to patients' fears and hopes. Who advocate fiercely for the vulnerable, and who translate complex medical language into compassion and action. Nurses are educators, innovators, caregivers and leaders, often all in the same shift.

National Nurses Week is more than just a celebration,

it is a recognition of the extraordinary dedication, skill and resilience that nurses demonstrate, especially in times of crisis. The past few years have reminded us all how crucial nurses are; not just in hospitals, but in schools, community clinics and homes throughout New York.

As a nurse legislator, I am deeply aware of the challenges our profession faces; staffing shortages, burnout and the constant need for investment in education and resources. This week is a call to action to support our nurses not just in words, but in policies and resources that let them thrive.

Today let us honor the nurses of New York by recommitting ourselves to advocating for their well-being, their professional growth, and the vital role they play in keeping our communities healthy. Thank you, Madam Speaker.

ACTING SPEAKER WOERNER: Thank you, Ms. Reyes.

Mr. Bendett on the resolution.

MR. BENDETT: Thank you, Madam Speaker, and thank you to the sponsor for putting forth this excellent resolution recognizing nurses.

I just wanted to recognize my wife, Claudia Bendett, who is a nurse for 30 years at St. Peter's Hospital. It's a tremendous occupation, it's a tremendous career. And again, all the words that Assemblymember Reyes said ring true to me. Thank you.

ACTING SPEAKER WOERNER: Thank you, Mr.

Bendett.

Mr. Tannousis.

MR. TANNOUSIS: Thank you, Madam Speaker. I also would like to recognize the great work of nurses. They are truly our unsung heroes. And especially during COVID as many of us were working from home, they were working double, triple shifts, including my wife who was a registered nurse and now is a nurse practitioner. So I would think of nothing less than to actually acknowledge the hardworking nurses of this State, especially since I would like to go home tomorrow. Thank you so much.

(Laughter)

ACTING SPEAKER WOERNER: Thank you, Mr. Tannousis.

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

THE CLERK: Assembly Resolution No. 1282, Rules at the request of Mr. DeStefano.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2026, as Teen Self-Esteem Month in the State of New York.

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

THE CLERK: Assembly Resolution No. 1283, Rules at the request of Mr. Lavine.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2026, as Hepatitis C Awareness Month in the State of New York.

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

THE CLERK: Assembly Resolution No. 1284, Rules at the request of Ms. Rosenthal.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim May 2026, as Be Kind to Animals Month in the State of New York.

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

THE CLERK: Assembly Resolution No. 1285, Rules at the request of Ms. Zinerman.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim August 26, 2026, as Women's Equality Day in the State of New York.

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

THE CLERK: Assembly Resolution No. 1286, Rules at the request of Mr. Eachus.

Legislative Resolution memorializing Governor

Kathy Hochul to proclaim November 2026, as Hospice and Palliative Care Awareness Month in the State of New York.

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

Mr. Jacobson for the purposes of -- of an introduction.

MR. JACOBSON: Thank you, Madam Speaker. It's my great honor to introduce the Marlboro Dukes Boys Bowling Team. They won their State division title, Statewide, two years in a row. They won the State title two years in a row in their division, and they're worthy of recognition.

Their coach is here, and -- and that is Michele Landis. And the -- and the boys that are here that -- that won the title again, we have Zachary Moulds, Carson Palmer, Logan Dawes, Matthes Leech [sic], Christopher Moulds, Andrez Smith-Vasquez, Patrick Tarsio, Ryan Tarsio.

And so it's my honor to represent these outstanding athletes from my district, and I wish that you grant them the privileges of the floor.

ACTING SPEAKER WOERNER: On behalf of Mr. Jacobson, the Speaker and all of the members, we welcome the Marlboro High School Boys Bowling Team, two-time State champions, to the New York State Assembly Chamber and we extend the privileges of the floor and hope you enjoy the proceedings. Thank

you so much for joining us. And you are tremendous, tremendous examples of wonderful student athletes in New York State. Thank you.

(Applause)

Page 31, Calendar No. 319, the Clerk will read.

THE CLERK: Assembly No. A06465, Calendar No. 319, Hunter, Berger, Clark, Weprin. An act to amend the Insurance Law, in relation to prohibiting insurers from reducing disability benefits unless certain conditions are met.

ACTING SPEAKER WOERNER: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER WOERNER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 15, Calendar No. 111, the Clerk will read.

THE CLERK: Assembly No. A03536, Calendar No. 111, Santabarbara, Schiavoni, Reyes, DeStefano, Giglio, Levenberg, Sayegh, Walsh, Otis, Shimsky, Tague, Stirpe, K. Brown, Hyndman, Griffin. An act to amend the General Business Law, in relation to requiring navigation systems utilizing GPS technology to identify the height of any bridge or overpass along a proposed route.

ACTING SPEAKER WOERNER: Read the last section.

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

ACTING SPEAKER WOERNER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Santabarbara to explain your vote.

MR. SANTABARBARA: Thank you, Madam Speaker. This bill helps address the problem we've seen too many times across New York State; an increase -- an increasing number of trucks striking low-clearance bridges and overpasses. We've seen this across the State, we've seen it in the Capitol Region, and I've seen it many times in my own district. And many times we -- we've seen the same bridges hit over and over again. The reality is that many drivers rely much less on signage and heavily on GPS and navigation apps, especially truck drivers that may be traveling through unfamiliar areas or across State lines. The problem is, is not every GPS system consistently accounts for -- for bridge height restrictions or directs drivers to those safer alternate routes that exist. So this bill recognizes something practical: That bridge height information already exists out there. These are fixed locations where we have known clearance limits. So if GPS systems can warn drivers about traffic, about crashes, about construction, road closures, all in real time, they can also provide low bridge warnings and provide safer alternate routes

that avoid low-clearance bridges.

Every bridge strike can lead to major traffic delays, costly inspections, repairs, damage to vehicles, and safety risks for drivers and the public. Even when warning signs are posted, we continue to see these incidents happen repeatedly over and over again.

This bill is about prevention, public safety, and using technology more effectively to help drivers avoid dangerous and costly accidents before they happen, and I encourage my colleagues to support it. Thank you.

ACTING SPEAKER WOERNER: Mr. Santabarbara in the affirmative.

Ms. Walsh to explain her vote.

MS. WALSH: Thank you, Madam Speaker. So, I'm going to tell you all about one bridge that's in my district, it's the Glenville Bridge. It's become a little bit famous. It's been hit so many times in recent years that it has inspired a song, a comic book recently released called *The Bridge That Eats Trucks*, and even inspired a winner of one of my fifth-grade class's "There Ought To Be A Law" contest. It has 14 -- over 14, I believe, warning signs, and most strikes are attributed to GPS issues.

The Glenridge Road strikes have decreased in recent years with enhanced measures taken by the Department of Transportation; however, in 2021 there were 22 strikes; 2022, 13 strikes, again in 2023, 13 strikes and on. So it's getting a little bit better with signage, but I think that the reason I'm supporting this bill

and I think the sponsor is, is that I think more needs to be done. Each hit costs money to taxpayers and some have caused serious injuries. So we need to do what we can.

I'm very grateful to be able to vote in the affirmative and to have been a sponsor on this bill. Thank you, Madam Speaker.

ACTING SPEAKER WOERNER: Thank you.

Ms. Walsh in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mr. Fall to make an introduction on behalf of Ms. Chandler-Waterman.

MR. FALL: Yes, thank you, Madam Speaker. On behalf of our colleague from the 58th Assembly District, Ms. Monique Chandler-Waterman, we have a group of community leaders, clergy and constituents from her Assembly District that are here advocating for policies to support equity and safety while prioritizing individuals with disabilities with the support of Hellen Keller Center for the Blind. Some of these amazing stakeholders including Pastor Gilford Monroe, Minister Gabriel Mitchell, Pastor Vernon Peters, Floricia Chang Agita, Reverend Dr. Charles Garabreth, Cahari Edwards, Minister Teddy Caster, Pastor Shermane Byrd and Pastor Michelle Mota-Poiser. (All names phonetic.)

Madam Speaker, would you be so kind to extend the cordialities of the floor to Ms. Waterman's guests?

ACTING SPEAKER WOERNER: Absolutely.

On behalf of Ms. Chandler-Waterman, the Speaker and all the members, we welcome you, community leaders, faith leaders, constituents to the Assembly Chamber. We thank you for the work that you're doing on behalf of the -- the community of People with Disabilities, recognize and value the voices that you bring to the conversation. And we extend the privileges of the floor, and hope you enjoy our proceedings. Thank you so much for joining us today.

(Applause)

Page 25, Calendar No. 221, the Clerk will read.

THE CLERK: Assembly No. A06388-B, Calendar No. 221, Hyndman. An act to amend the Executive Law, in relation to the establishment of local comprehensive emergency management plans.

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

An explanation has been requested.

Ms. Hyndman.

MS. HYNDMAN: Thank you, Madam Speaker. The purpose of this legislation is to ensure local emergency management plans include animal accommodation, preparation and public communication that considers the needs of persons with vision or hearing impairments.

ACTING SPEAKER WOERNER: Ms. Walsh.

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

ACTING SPEAKER WOERNER: Will the sponsor yield?

MS. HYNDMAN: I yield.

ACTING SPEAKER WOERNER: The sponsor yields.

MS. WALSH: My questions are gonna be primarily focused on the portion of the bill that has to do with information on animal-friendly temporary housing and facilities, that portion of the bill.

MS. HYNDMAN: Okay.

MS. WALSH: We're -- we're on the same bill, right?

MS. HYNDMAN: Yeah.

MS. WALSH: Okay. Okay. So, how does this bill define responsibility for animal sheltering during emergencies, especially given that many emergency shelters are operated by non-profits rather than by local governments?

MS. HYNDMAN: Well, the plan for the -- I understand your question. For this -- for this we're talking about for those individuals that may have animals for disability purposes, whether it's a seeing eye dog or they're -- they're hearing impaired. So we're asking municipalities to -- to use a plethora of resources to make sure that every municipality has an ability to take on individuals with these -- people with disabilities. So -- but not all shelters must be

animal-friendly. That's not what we're saying in this bill. And so the localities just have to identify which ones that they're gonna use.

MS. WALSH: Okay. So this bill doesn't deal with every -- like, in a case of a emergency. Say -- I mean, just by example just say like a flood or something like that. They don't have to consider and plan for everybody who's impacted by the flood and their animals. So, like --

MS. HYNDMAN: No, not --

MS. WALSH: -- I have a dog.

MS. HYNDMAN: I have pets, too.

MS. WALSH: You have pets, too. It's not for all pets, it's more service animals.

MS. HYNDMAN: It's not for those with exotic pets or -- this is for service animals.

MS. WALSH: Just for service animals. Okay. And does it specifically limit it in that bill as far as specifically to those individuals, or --

MS. HYNDMAN: Yes, it does.

MS. WALSH: Okay. And is that on page 2, somewhere around the middle of that page? Could you just call -- call the attention to me so I can see that it's limited to that? Because that was one of the questions that I had.

MS. HYNDMAN: So if you're asking for the specific section of the bill, line 38 and 39 --

MS. WALSH: Okay.

MS. HYNDMAN: -- specifically say that.

MS. WALSH: Okay. So it does say at line 29 that such plan shall include the identification of temporary housing and other necessary facilities designated as animal-friendly. But what you're saying is that it's just limited to service animals and individuals who have service animals, then, and not -- not every -- not every -- as you said, every pet.

MS. HYNDMAN: Not every pet, no.

MS. WALSH: Okay. All right. Very good. And is there a -- how would this policy integrate with existing emergency management systems?

MS. HYNDMAN: So, we understand that every municipality has an emergency management system. We're asking that every municipality do the diligence to identify facilities in their area that could accommodate them. So there's a -- a whole section in here that will take all the different agencies that someone -- that they could reach out to in order to identify those facilities; police agencies, fire departments, fire companies, management agencies, commercial and volunteer ambulance services. And it goes on to list even handicapped agencies for the elderly and organizations that provide home care services. So there's a -- a wide array -- array that any municipality can reach out to to get information on how to service those individuals with disabilities.

MS. WALSH: And the -- and the idea, then, is that in case of an emergency that -- that the service animal or -- for the

individual with disabilities would be actually with -- stay with that person in that temporary shelter or anything like that --

MS. HYNDMAN: Yes, exactly.

MS. WALSH: -- so that they could have their --

MS. HYNDMAN: Right.

MS. WALSH: -- their service animal with them.

MS. HYNDMAN: What we don't want is for people to stay home in an emergency because they cannot go to an emergency facility, and then would have to deal with the aftermath of dealing with those individuals. So we want to make sure that they're -- feel included in the beginning of an emergency.

MS. WALSH: Very good. Well, thank you very much. I appreciate your answers to my questions.

MS. HYNDMAN: Thank you.

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

ACTING SPEAKER HUNTER: Read the last section.

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

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.

Mr. Fall.

MR. FALL: Thank -- thank you, Madam Speaker.

It's an honor and pleasure to recognize the extraordinary impact of Goldman Sachs' 10,000 Small Business Voices and the important role it continues to play in strengthening businesses and local economies across New York State, particularly in my Assembly District in Lower Manhattan. Through education, strategic support and advocacy, this program has helped entrepreneurs grow, create jobs, and ensure that small business leaders have a true seat at the table in shaping our economic future.

I would like to also extend a special welcome to Sarah Paden, who is a vice president at Goldman Sachs, and the delegation joining us here at the Capitol today during National Small Business Week. We thank you for your continued investment in New York's small business community and for the work you do to uplift entrepreneurs across our State.

Madam Speaker, would you be so kind to extend the cordialities of the floor to our guests today?

ACTING SPEAKER HUNTER: On behalf of Mr. Fall, the Speaker and all members, we welcome our representatives from Goldman Sachs here today. We extend privileges to you from the Assembly floor, and hope you enjoy our proceedings today. It's awesome to see small businesses here, active in the community, uplifting. You definitely are the foundation of business in all of our

communities. So thank you for everything you do every single day, and thank you for joining us today.

(Applause)

Page 28, Calendar No. 258, the Clerk will read.

THE CLERK: Assembly No. A08388, Calendar No. 258, Jackson, Sayegh. An act to amend the Election Law, in relation to the appointment of college and university students as election inspectors.

ACTING SPEAKER HUNTER: An explanation has been requested.

Ms. Jackson.

MS. JACKSON: All right. So, the purpose of this bill is to clarify that full-time college and university students are permitted to serve as an election inspector or poll clerk in the county of their college or university without the need to change their voter registration.

ACTING SPEAKER HUNTER: Mr. Slater.

MR. SLATER: Thank you, Madam Speaker. Will the sponsor yield for some questions?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MS. JACKSON: I yield.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. SLATER: Well, good afternoon. Thank you so much for answering my questions today.

Under current law, are election -- election inspectors required to be residents of the county in which they serve?

MS. JACKSON: Under current law, yes. You are required to be a registered -- registered in New York State. This bill specifically talks to full-time students and -- and the college which they are located, in that county, being able to waive that registration -- that requirement just so they can serve in that county.

MR. SLATER: And so there's no other category of a nonresident currently permitted to be an election inspector in a county where they don't reside?

MS. JACKSON: No.

MR. SLATER: This would be the first exception?

MS. JACKSON: Right. This would be the first.

MR. SLATER: Understood.

Now, I just wanna talk quickly about the -- the qualifications. Is a part-time college student eligible under this bill to serve in the county where they do not reside?

MS. JACKSON: No. You're asking if the part-time student who does not live in that county but goes to college in that county? No, you have to be a full-time matriculated 12-credit student.

MR. SLATER: And can you give me a -- an understanding of what is a full-time 12-credit student mean?

MS. JACKSON: Besides that, I don't think there's anything else, right? (Conferencing)

Yeah, as long as they are -- as long as they are

enrolled for the 12 credit hours that's considered full-time.

MR. SLATER: Is a graduate student who is enrolled and has -- is taking 12 credits, would they be allowed to do this?

MS. JACKSON: Yes.

MR. SLATER: A graduate student would.

MS. JACKSON: But they're not usually 12 hours, full-time. So it has to be the full -- it must -- it must be a full-time student.

MR. SLATER: If you were a full-time law student would you be able to participate as an election inspector under this bill?

MS. JACKSON: (Conferencing). Yeah, the -- the same standard's required. If you're doing 12 credit hours and you --

MR. SLATER: How about for apprenticeships? Does this bill include individuals enrolled in an apprenticeship program that would be eligible to serve as an election inspector?

MS. JACKSON: No, it's specifically for college and universities, full-time students.

MR. SLATER: How about if you were an online student? If you're an online student, would the bill require you to be physically attending classes in the county where they serve?

MS. JACKSON: I mean, it really has to do with where the school is located, right? And if the student is a 12-credit full-time student then they would be eligible to be a poll clerk or -- well, be certified. They can get certified as a --

MR. SLATER: So if I live in Westchester and I'm taking 12 credits on line at Marist in Dutchess County, then I would be eligible to be a poll worker in Dutchess County?

MS. JACKSON: If -- if you're a full-time student of that school?

MR. SLATER: Yes.

MS. JACKSON: Yes.

MR. SLATER: Even if I'm just on line and not physically present in that county, in that community or in that school?

MS. JACKSON: Because it has less to do with the type of classes that you choose to pursue, instead it has to do with the type of credits and full-time status of the -- the, you know, the classes that you're -- I mean, of the school that you're at.

MR. SLATER: I think that it also speaks to the fact that we're -- if on the online example you're allowing -- and I'm sorry, I know it's loud. I'm having a hard time as well.

MS. JACKSON: Yeah, it is. Madam Speaker.

MR. SLATER: I know that if you were, again, an online student, then you're really not participating in the community that you're looking to potentially be a poll worker in. Is that a fair statement?

MS. JACKSON: I don't think it's fair to this conversation because what we're talking about is allowing college students who are full-time to be a poll worker in the county in which the school is located. So more than likely, more than likely, you

would be a full-time student at a school and be -- wanting to be a poll worker in that county only because you're there during that -- that season, during that time, during those four years, more than likely, of you getting your degree.

MR. SLATER: I -- I understand that and -- and I agree with you. I'm just saying, specifically when it comes to being an online student, because there are online programs that exist that people are professional online students, trying to be a professional student, correct?

MS. JACKSON: There are -- there are online programs.

MR. SLATER: Correct. So in that case you really aren't a member of the community that you are looking to serve in this capacity?

MS. JACKSON: Okay.

MR. SLATER: That was -- that's my question to you. Is that --

MS. JACKSON: You're asking me if they're a member of the community if they're an online student?

MR. SLATER: Right. If you're an on -- so again, I gave you the example. I'm -- I -- I live in Westchester. If I am taking an online program in a different county in New York -- so under your bill is -- my question is, the proposal would allow me, as an online full-time student who has no connection to the county in which my school resides, I would still be able to become a poll inspector in that

county?

MS. JACKSON: So I'm gonna go back to my --

ACTING SPEAKER HUNTER: Excuse me for a moment.

Can we have quiet in the Chamber, please? If you're having discussions, take them outside. If you're going to stay in here, take your seats. Thank you.

Mr. Slater.

MR. SLATER: Thank you, Madam Speaker.

MS. JACKSON: Thank you, Madam Speaker. So just to go back to your question, if you are full-time and you reside in one county and your school is in another county and you're a full-time student at that college or university, you can become certified to be a poll worker.

MR. SLATER: Thank you.

Has -- has the State ever before allowed nonresidents to serve as election inspectors in a county where they are not registered?

MS. JACKSON: I think we -- we said no to that one. So, no.

MR. SLATER: I just want to reconfirm.

MS. JACKSON: Mm-hmm.

MR. SLATER: I just want to reconfirm.

Well, I appreciate you answering my questions. I just want to make sure that I didn't miss anything. Thank you very much

to the -- to the sponsor.

I'm gonna go on the bill, Madam Speaker.

ACTING SPEAKER HUNTER: On the bill.

MR. SLATER: Thank you very much. So again, let me begin by saying I think we all support civic engagement and supporting young people getting involved in our democratic process. And -- and I commend any student who wants to get involved and serve their community. But this bill is not simply about participation. It creates in some aspects a double standard in our Election Law. Under current law, election inspectors are required to be residents of the county in which they serve. That reflects a longstanding principle. Local elections, as we know, are administered by members of that local community. And this legislation in a sense breaks from that principle. It creates the first carveout allowing a person to administer elections in a county where they are not a resident and not a registered voter of that county, potentially. And it does so for one very specific class of individuals: Full-time college students as we've heard, enrolled in at least 12 credits. This doesn't apply to part-time students. It doesn't apply to working professionals who commute across county lines. It also doesn't apply for military individuals who serve our country but may live in a different county. And notably, not individuals enrolled in an apprenticeship program, which I think many of us in this Body recognize as a form of higher education. So a full-time apprentice working and training every day in a community is excluded, while a college student is included in this particular

proposal. I don't believe that's equal treatment.

And the bill raises additional concerns. It does not require meaningful, physical presence in the community, like we heard. If you are an online student with no connection to the campus, community, the county that you're looking to serve in, you would be able to still be an election inspector, the first of its kind. And that means students enrolled full-time in an online program taking classes remotely would still qualify.

So eligibility here is solely on enrollment status, not residency, not community ties, and honestly, not even physical presence. And I think that really needs to be highlighted as we examine this particular piece of legislation.

As I said, elections in New York are administered at the county level. They are local, they are community-based. Residency has never been arbitrary; it has been a safeguard of accountability and a safeguard of local control. If someone is administering an election, there's value in that person being accountable to that community. Not just temporarily passing through it or connected on paper. This bill tells us that residency is no longer an absolute requirement. And once we create that exception for one group, we begin to erode the standard for everyone else. So if this issue is about addressing workforce shortages, then let's address that comprehensively, not just for one class of individuals.

If the goal is civic engagement, there are ways to do that without weakening structural safeguards that have protected our

local election administrations. But what we should not do is create a two-tier system, which I'm afraid this does; one rule for most New Yorkers and another for a separate category.

Election integrity is not just about fairness, it's about public confidence. And public confidence depends on consistency, clarity, and trust in the system. And for these reasons, Madam Speaker, I'll be voting in the negative. Thank you very much.

ACTING SPEAKER HUNTER: Thank you.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: A Party vote has been requested.

Ms. Walsh.

MS. WALSH: Thank you, Madam Speaker. The Republican Conference will generally be in the negative on this piece of legislation. If there are affirmative votes, they may be cast at this time at their seats. Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Fall.

MR. FALL: Thank you, Madam Speaker. The Majority Conference will be in the affirmative on this piece of legislation. For those that would like to vote in a different direction, they could do so here in the Chamber.

ACTING SPEAKER HUNTER: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Jackson to explain her vote.

MS. JACKSON: Thank you, Madam Speaker. So I remember being 17 and becoming a poll worker in Manhattan. And what I do recognize is that the younger you are when you get involved in politics or seeing the -- the process, the more engaged you will more likely be.

This bill literally is just saying that if you are a child like my daughter who lives in the Bronx and want to go to school at SUNY Albany for four years, that is -- if she still wants to be a part of the process of helping out on elections, being a poll worker, being an election inspector, that she would be able to do so without changing her -- her home registration -- or voter form rather, to -- to -- to work on those elections. I think we should be encouraging young people to be a part of this process. If you ever go into a poll site, which I hope everyone does, you will see that the poll workers are usually older people. At some point these -- these people are gonna have to retire. We should have a new group of people that's willing, ready and able to do this work. We are just creating more spaces for poll workers to exist, especially during the time where we don't have as many as we need. So we should be encouraging more groups to be a part of the process. And I'll be voting in the affirmative. Thank you.

ACTING SPEAKER HUNTER: Ms. Jackson in the affirmative.

Mr. Jacobson to explain his vote.

MR. JACOBSON: Thank you, Madam Speaker, to explain my vote. I want to first thank and commend the sponsor for introducing this legislation. If anybody in this room -- and I'm sure everybody in this room have spoken to their local Elections Commissioner, the one thing they're always complaining about is the lack of inspectors. That's their biggest concern, to get enough inspectors. So this is an imaginative way to get -- to increase the pool, and I -- I think it's a tremendous idea. Because you have people that are -- most of the time will be living full-time in the -- in the community, and they're not going home. So they'll be able to serve on Election Day or Primary Day.

So this is a great idea to expand the pool. If others think the pool should be explain -- expanded in more ways, I'm sure the sponsor would gladly entertain their suggestions. So again, it's a great bill. I'll be voting in the affirmative.

ACTING SPEAKER HUNTER: Thank you.

Mr. Jacobson in the affirmative.

Ms. Walker to explain her vote.

MS. WALKER: Thank you, Madam Speaker. As the Election Law Chair, we recognize that it is important to ensure that access to the ballot is something that is open to everyone who want to participate in the franchise. It is important that we safeguard the integrity and the fairness of our elections, and we take all developments as it relates to Election Law very seriously, and we work very hard as it relates to our responsibility to ensure that folk can

participate fully and freely in our democracy. We know that young people have been on the forefront of many of the election changes that we've seen, and many decades, including, of course, the United States Voting Rights Act. And so we want to participate and we want to encourage so many young people in order to be engaged in this process. We recognize that we tell young people all of the time, *If you can see it, you can achieve it, you can be in it.* And we want more young people to stand up and see themselves to be included in a -- one of the vanguards of participatory government.

And so I am proud to vote in the affirmative on this legislation, and I would like to commend the sponsor for its introduction. Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Ms. Walker in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 31, Calendar No. 311, the Clerk will read.

THE CLERK: Assembly No. A01428, Calendar No. 311, Forrest, Weprin. An act to amend the Insurance Law, in relation to substituting brand-name prescription drugs in the case of a drug shortage.

ACTING SPEAKER HUNTER: An explanation has been requested.

Ms. Forrest.

MS. FORREST: Thank you, Madam Speaker. This bill would require insurers to cover the substitution of a brand name prescription drug when the Federal Food and Drug Administration has declared that there is a supply issue with a generic bill [sic].

In light of recent shortages of generic drugs including that like ADHD medication, it is imperative that insurance providers provide brand name drugs at the same price as generic during the time of shortage. Drug shortages pose a public health concern, as they can impact the availability of essential medication for a wide range of conditions. Ensuring that patients have access to necessary medication at affordable prices is crucial for maintaining public health and preventing unnecessary complication [sic]. This bill would ensure that such access by requiring that in the event that FDA recognizes that there is an ongoing supply issue with the generic drug, insurers providing coverage for that generic drug in their formulary will also provide coverage for the brand name version of that drug for the duration of the shortage.

This is a proactive measure that can help safeguard patient health, maintain continuity of care, and promote cost-effectiveness within the healthcare system. Thank you.

ACTING SPEAKER HUNTER: Mr. Blumencranz.

MR. BLUMENCRANZ: Madam Speaker, will the sponsor yield for some questions?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MS. FORREST: Yes.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. BLUMENCRANZ: So I'd like to start by asking the sponsor, how does the FDA shortage list work?

MS. FORREST: Right. So the FDA has a list of approximately 20 to -- 30 to 50 drugs per year as effectively in a state of shortage. And so, for example, in 2024 only 15 were short. And so the FDA, in partnership with the manufacturer, actually goes to great lengths to make sure that shortages do not happen. And the FDA has actually been very effective --

MR. BLUMENCRANZ: So -- so -- so -- sorry, I don't mean to interrupt you but we're just timed here. So when it comes to the process, how does a bill -- how does a -- a drug get added to that list? What -- what qualifies as a shortage for the FDA?

MS. FORREST: Right. So I would say that whatever the drug is, the components of that drug is in shortage. It could be the chemical, it could be -- I don't -- the point is, the FDA figures that there is a shortage of this generic drug because the manufacturer is not producing that drug at the quantity needed.

MR. BLUMENCRANZ: Okay. I ask that question and I think it's really important for your piece of legislation because it hinges upon what is and is not on that list and I have some real concerns with relation to that. Who exactly pays for that vector between, say, a generic drug price, call it \$15. Let's say that generic is in shortage, and now the -- the non-generic is \$600. Many of the

drugs, the brand-name is much more expensive. Who is going to foot the bill for the difference in that price?

MS. FORREST: Right. This bill is to ensure that patients get the medications that they need so that they can maintain their health.

MR. BLUMENCRANZ: Citizens on private insurance, correct? Because --

MS. FORREST: Private insurance, yes.

MR. BLUMENCRANZ: -- no one who receives public-funded insurance will be provided this benefit.

MS. FORREST: No, this does not cover -- Medicaid does not -- is not part of this bill.

MR. BLUMENCRANZ: So let's say I have private insurance for a family of four. Whoever it may be, they go to get their script, the generic's not there. Now that generic would cost their health care plan \$15; now it's gonna cost 600. Who -- is it -- is it your understanding of the legislation that the drug company is gonna take the hit? Is it the health insurer that's gonna take the hit? Is it the business that provides it? Who is going to pay the difference in that vector that they will now have to pay?

MS. FORREST: Well, Mr. Blumencranz, that -- the -- it's not my -- it's -- it's not me. The intention of the bill is to ensure that patients have continuity of care. It's not personal. I just wanted to make that clear.

MR. BLUMENCRANZ: Of course it's not personal.

But I think it's important to differentiate between intent and practical application with legislation.

MS. FORREST: So this bill seeks to practically address the affordability --

MR. BLUMENCRANZ: How is it practically addressing affordability? I'm asking because that -- who bears that cost will pay -- will play a significant role in how it will affect drug pricing for everybody in New York.

MS. FORREST: Who will not bear the cost is the patients.

MR. BLUMENCRANZ: How can you say that confidently? So I asked that question for --

MS. FORREST: Because the patient will continue to pay whatever co-pay, the \$15. The price of the drug, though -- the shortage of the drug, though, that is between the insurer and the manufacturer.

MR. BLUMENCRANZ: So what analysis has been done on whether or not this policy could unintentionally encourage longer shortages? Now, I know as a drug company in New York State, if there's a shortage I'm gonna get to sell my brand-name, right? If it is a drug that I can control some of the marketplace for manufacturing, why wouldn't I encourage a shortage? Because now I get to charge \$600 for my drug and it will be covered no matter what.

MS. FORREST: Well, again, this -- this bill is making sure --

MR. BLUMENCRANZ: How is it making sure? I'm -- I'm trying to get to the crux of the -- how this bill will work. Because right now -- and I'd love to understand, if you can give me some nuance on this. What I see is a direct or maybe indirect cost for individuals who are on private health insurance. So if now my healthcare plan, let's say I work for a small business, I'm in a PEO or I'm -- I have my own private insurance through my company. Those costs are gonna go up a massive amount. So, yes, I may have the same co-pay, but now every year my business is paying more. They're gonna have to pass that on to customers of whatever business they may run, and that ratepayer may have to split the cost with the individual more. So now I'm paying more for my health insurance, maybe if -- depending on the drugs that enter that list, twice as much, triple, quadruple. Who knows? And I might also be incentivizing big businesses to create artificial shortages because now they get a pay day.

MS. FORREST: Okay.

MR. BLUMENCRANZ: How are you -- what -- what safeguards are in place in this bill that it will not do just that?

MS. FORREST: Okay. Let's start from the beginning again. The FDA, for example in 2024, only has 15 drugs that were on the shortage list. And when it comes down to the cost, patients, the person who is insured, would only pay the co-pay that they would pay for the generic. So this bill would actually -- this idea of the generics versus the brand would actually have a very nominal

effect on the insurance company. Again, we're talking --

MR. BLUMENCRANZ: How can you -- how can you say that's --

MS. FORREST: -- about 2024 --

MR. BLUMENCRANZ: How can you say that in good faith?

MS. FORREST: -- 15 --

(Indiscernible/crosstalk)

MR. BLUMENCRANZ: Because what happened in 2024 is not --

MS. FORREST: Do you want to hear the answer?

ACTING SPEAKER HUNTER: Okay. We're gonna make sure we pause and ask and answer, not overtalk each other, please. Thank you.

MR. BLUMENCRANZ: So I -- I ask, then, if you could please stick directly to answering practical application, not the more esoteric of the intent of the bill. Because there's a lot of really, really large nuances that really need to be addressed in this piece of legislation.

So how are pharmacies, especially locally-owned small pharmacies, expected to absorb reimbursement gaps? So I still don't -- I'm not clear on who is going to absorb the cost vector between the generic and the nongeneric. Because right now it seems like it will trickle down to hurt the small businesses that provide these drugs, or the ratepayers who are currently paying for their own health

insurance, or it will hurt the general population as that cost is split up between all the members of the pool.

MS. FORREST: So, the insurance companies would absorb the costs, and patients, my constituents, will continue to pay the generic co-pay cost.

MR. BLUMENCRANZ: So for legislative intent of this piece of legislation it is your understanding that insurance companies will eat this cost?

MS. FORREST: It is my understanding and the intention of this bill that there will be minimal impacts on insurance costs.

MR. BLUMENCRANZ: But of those minimal impacts it is your understanding that insurance companies will pay them?

MS. FORREST: Yes.

MR. BLUMENCRANZ: Okay.

Why does the bill not contain any meaningful cost controls for brand -- brand-name manufacturers themselves? Why is this is going after individuals who are facing the symptoms and not the cause of this crisis?

MS. FORREST: Can you repeat the question for me again? I didn't --

MR. BLUMENCRANZ: So what I see here is those individuals who can't get their drugs, they're facing the symptom of greater issues that New York State and our nation are facing when it

comes to drug shortages. Why do you choose to pinpoint a symptom and not the actual problem when it comes to drug pricing?

MS. FORREST: Okay. So, the goal of this bill is to ensure that patients have continuity of care and are still able to access their -- their necessary medication even when there is a shortage.

MR. BLUMENCRANZ: But --

MS. FORREST: Patients -- can I finish the response?

MR. BLUMENCRANZ: Can I -- can I ask that you keep to the -- not the intent of the bill, but the actual practical application. If I wasn't timed I'd let you go on and on. But I really need to get to a lot of questions. There's a lot of really important parts of this bill that need to be addressed.

MS. FORREST: I can choose to answer the way that I can answer you. And the intention of this bill is to address the shortage of generic -- generic drugs in -- to generic -- to generic drugs. Okay? Patients should not have to pay more when there is a time of shortage. If we want to talk about the expensive drugs, honestly, if prescription drugs were more affordable and the difference in price of a brand name versus a generic drug was small, then this bill would not actually be necessary. So we are introducing this bill because of the vast --

MR. BLUMENCRANZ: So, how does making --

MS. FORREST: -- difference in prices.

MR. BLUMENCRANZ: I'm sorry. I didn't mean to interrupt you. I thought you were done.

How does making insurance more expensive improve access to care for working-class New York families? Again, if insurance companies are gonna eat this cost, they're not just gonna write that off. In the underwriting process for insurance, increased costs are passed on to members of the pool, whether it's that business, whether it's that company, whether it is any particular ratepayer, that money just doesn't -- it just doesn't appear. So my question to you is, how will this not just raise the rates of individuals and give insurance companies an excuse to make New York a less affordable place? And they can point directly to legislation like this which doesn't necessarily address the crisis when it comes to drugs, but definitely creates a large question of what the increase in the cost to New Yorkers on a daily or yearly basis may be.

MS. FORREST: For someone who is concerned about time, you are repeating the same thing and I'm answering it again and again. In 2024 this only affected 15 drugs. The FDA has made significant improvements since 2003 to address shortages in general. This would have a nominal impact on premiums, insurance premiums.

MR. BLUMENCRANZ: Okay. What analysis has been done to give you the confidence to say there are nominal impacts?

MS. FORREST: Because shortages are actually quite uncommon. They're rare. Again, we went from 200 -- what was the number -- 200 -- in 2013 we had 251 -- sorry, in 2011 we had 251

shortages, and now we are down to 2024 where we only had 15. There has been great strides to improve the shortages of drugs. And so now it's actually quite uncommon, and so the hit to insurance premiums would be nominal.

MR. BLUMENCRANZ: Now, I don't know if you remember in 2020 there was a global pandemic. It halted manufacturing. It disrupted supply chains. It created significant issues for many individuals, especially those who take drugs. Are you telling me that the drug shortage list has always historically gotten smaller and thus this is a de minimis issue, or are you telling me as of the moment by which you're giving me data, that it is not that big of a deal? So in the future it will never be a big deal? I'm just trying to understand the analysis being done over the course of decades of looking at drug shortages and the realities on the ground when it comes to American and international manufacturing, when it comes to the FDA removing many of its inspectors. Are those being taken into consideration when it comes to the idea that the drug shortage list will always stay a handful of drugs?

MS. FORREST: Again, the intention of this bill is to ensure patient continuity. The voters, the constituents and their families deserve to have medication available to them because it is medically necessary.

MR. BLUMENCRANZ: Do you understand how drug price negotiations work with PEOs, pharmacies, large-scale and small? Are you -- are you aware of that process and -- and how it's

affected by reimbursement?

MS. FORREST: What I do know about the process is that my -- my constituents, your constituents, refuse to be the brunt of the impact of shortages. So I'm looking out for your constituents and mine to make sure that no matter the negotiations, that they can re -- they can afford the medication that they -- that is required for them.

MR. BLUMENCRANZ: I can guarantee you two things: My constituents do not want higher health insurance premiums year over year, and they do not want a piece of legislation that will guarantee that.

MS. FORREST: Is that a question, Mr. --

(Crosstalk)

MR. BLUMENCRANZ: As you've stated, even if it's nominal cost to insurers, you have agreed there will be cost increases. This piece of legislation will create increases -- sorry, increases for individuals who are purchasing insurance in the private marketplace.

MS. FORREST: Was that a question, Mr. Blumencranz?

MR. BLUMENCRANZ: Do you disagree with that?

MS. FORREST: I do not agree with you.

MR. BLUMENCRANZ: Okay.

ACTING SPEAKER HUNTER: Would you like to take your next 15, Mr. Blumencranz?

MR. BLUMENCRANZ: I'll -- I'll take the next 15. I do have a few more questions.

My next few questions, and I can clarify, are not related to intent, but practical application of the legislation. Blue Cross Blue Shield specifically warned that pharmacies may refuse to dispense these drugs because reimbursements could fall below acquisition costs. For clarity, that means that they literally cannot sell the drug any longer. I have witnessed this happen. In the very example that you have provided, my local pharmacy could no longer compete because the reimbursements negotiated with PEOs have squeezed local pharmacies to the nth degree. How does that improve patient access if the very health insurance companies you're seeking to work with are saying that this could squeeze out the little guy, and my constituent or your constituent cannot sit and know safely that their local pharmacy can still provide their drugs? Are you improving access and how?

MS. FORREST: I didn't realize you were asking a question. Repeat the question.

MR. BLUMENCRANZ: Subject matter experts, companies that provide health insurance, small pharmacies have all had serious issues when it comes to rebates. There are multiple factors as to why that is the case. But one guarantee is that they cannot afford to give the drug to you for more money than they can purchase the drug. How does this bill not make that situation more untenable for small pharmacies and remove access from communities like yours and mine? I depend on a small pharmacy. I go to a local pharmacist. She will struggle when this bill is passed. How do you

argue she will not struggle?

MS. FORREST: Yes. So the insurers can -- are going to then absorb the cost. It is a short time. Most drugs are on the list for a short time.

MR. BLUMENCRANZ: What is the average?

MS. FORREST: I don't know. It depends. But the idea is that the patient --

MR. BLUMENCRANZ: The average --

MS. FORREST: (Indiscernible/crosstalk). But the idea is that the patient will not bear the brunt of the cost of the increase to their drugs, their medically-necessary drugs.

MR. BLUMENCRANZ: With all due respect to the sponsor, how in good faith can you tell me that there will be a cost incurred to insurance companies and insurance companies will 100 percent pass these costs on to the ratepayers, the companies that work with the ratepayers and provide them their insurance, and you're gonna tell me there will be no cost? There will be cost when they sit at the register, but year over year there will certainly be a cost and you've admitted to that.

MS. FORREST: Again, in 2024 we were talking about 15 drugs and there has been a steady decrease in drug shortages since 2013. The only --

MR. BLUMENCRANZ: So if next year it looks more like 2013 and less like 2024, would you reconsider this piece of legis -- legislation as a good idea? If that -- if that number gets larger.

MS. FORREST: Right.

MR. BLUMENCRANZ: You would reconsider this if this became something that wasn't just a couple of drugs a year? If this was (indiscernible) hundreds. There have been years where they've popped up, like during the COVID pandemic, like other times. Like you're saying, in 2013 there was 200 drugs. Some drugs, the cost vector is \$5, some drugs it's thousands. How are you taking that into account, and what analysis has been done to show that this won't lead to real increases for New Yorkers who are paying for private health insurance?

MS. FORREST: Well, in light of now constraints on supplies -- supply, right, chain due to a war on -- and also tariffs, maybe there might be future shortages. I cannot predict the future. All I know is now my constituents should not and will not and also your constituents will not, should not bear the brunt of increases to their co-pay for medically-necessary medication.

MR. BLUMENCRANZ: If generic shortages become financially beneficial to brand-name manufacturers, then couldn't -- or aren't we creating a dangerous incentive structure for companies, a profit motive for generic manufacturers with a piece of legislation like this?

MS. FORREST: So again, the FDA has been working with manufacturers in the past. They have worked well enough to bring a list that was 251 down to 15 in 2024. So I think the process is working, and that manufacturers are able to produce the

drugs that are necessary for people in most cases. It is quite rare to be on the shortage list now. But the intention of this bill is to ensure that patients who need the medication, they receive it at a cost that is not prohibitive to them.

MR. BLUMENCRANZ: So is it a concern to you or -- of the real risk to employers, especially small businesses, that they may respond to these added costs by reducing benefits or dropping coverage all together? How does your bill address what could potentially be severe negative externalities from the passage of this legislation?

MS. FORREST: Again, it is not -- it is a nominal impact to premiums.

MR. BLUMENCRANZ: Nominal today. With the list as it stands today. But that list is fluid. It changes, it can change. We could have any -- if you look at the world right now, if you look at supply chain disruptions today, would you have pictured them a year ago, two years ago? Can you predict the future and guarantee to me that this list will always stay small?

MS. FORREST: I cannot predict the future.

MR. BLUMENCRANZ: Well then you certainly can't guarantee to me that this list will continue to go down. You certainly can't guarantee to me that these drug prices, no matter the length of time on the list, will come up eventually. Eventually this won't be an issue anymore. How do you address those negative externalities in your piece of legislation?

MS. FORREST: My job as a legislator in New York State representing the amazing District of 57 is to protect my patients and my constituents as they exist now. And they need affordable drugs that will help them with their condition.

MR. BLUMENCRANZ: They need affordable drugs and they need affordable insurance. It seems like your argument and your piece of legislation are at odds with those two concepts. Are you willing to make sure some individuals in your -- or you're willing to sacrifice some individuals who will be stuck in this position for others who will now be guaranteed to be paying more depending on what this list looks like? Depending on where the FDA is at with what the -- what the shortage list looks like?

MS. FORREST: Our constituents that are enrolled in a commercial plan who are receiving insurance will continue to receive the medication that they need at the co-pay rate that they can afford. Those are the people, people, that this bill seeks to address.

MR. BLUMENCRANZ: So it's silent on the people who will now have to pay more because of legislation like this. So -- and I'm sorry, I will ask a question related to that. If a brand-name manufacturer knows insurers are legally required to pay, then what incentive do they have to keep prices down? I ask this question because I can see a world in which predatory company practices -- and we've seen this, especially when it comes to drugs -- could incentivize keeping production down on a generic because they know that if they can get on this list it's a very lucrative thing when they're

guaranteed a sky-high cost, no matter the cost. Some drugs, they cost millions. Some drugs, they cost 8,000, \$9,000 in a generic. Your insurance covers it, but they would traditionally cover a generic instead and they would want to cover a generic instead. How does this bill not address -- how does this bill address that in any capacity?

MS. FORREST: So, the FDA has been working with manufacturers to make sure that -- that shortages are prevented and resolved. So that conversation is of course going to be ongoing. And I do not foresee that that conversation will stop. So again, this bill is to make sure that patients still get the medication that they need because they require it, at the cost that they can actually access the medication.

MR. BLUMENCRANZ: Due to laws passed on a Federal level and on a State level, I can no longer go to my same pharmacy I went to my whole life to get the same drug because of legislation that has fundamentally transformed what that reimbursement for pharmacies looks like. How is this bill no different than those? How is this bill not going to put those small pharmacies out of business? How is this bill going to increase access if it limits the number of companies that can provide me a drug?

MS. FORREST: Again, this bill, for example, 2024 there were only 15 drugs on the shortage list. This bill would have a nominal impact on the cost of premiums and impact to small pharmacy businesses because, again, we're talking about a small number of drugs on the shortage list.

MR. BLUMENCRANZ: How does an insurance pool work for a private insurer for a company that is currently utilizing private insurance and providing to its employees? How does that pool work, especially for -- for pharmaceuticals?

MS. FORREST: Are you asking me an industry question?

MR. BLUMENCRANZ: I'm asking you a question directly related to the bill, because your bill affects how those pools function. So I'm asking how they work because maybe I'm misunderstanding them, because I certainly see where the cost can be non-nominal, in particular, pools of insureds.

MS. FORREST: We're talking about drugs that is only 15 on a list [sic]. So --

MR. BLUMENCRANZ: But also it was 230 one year.

MS. FORREST: No. That was in 2013 --

MR. BLUMENCRANZ: Okay.

MS. FORREST: -- where --

MR. BLUMENCRANZ: So that was one year.

MS. FORREST: Are you -- do you want me to answer the question or not?

MR. BLUMENCRANZ: I would love you to. How do the insurance pools work?

MS. FORREST: So again, in 20 -- in 2013 the list was 251. Now the list is 200 -- is only 15. So the FDA has been

working on drug shortages. We're talking about drug shortages. The bill seeks to ensure that patients get the medication that they need during times of shortages that typically do not last long --

MR. BLUMENCRANZ: How long do they last?

MS. FORREST: -- and as we -- and I have spoke -- told you multiple times that this bill is addressing shortages that historically have lessened over time. Again, I cannot predict the future, but what I can do as a legislator in the State of New York is to -- and a nurse -- is to ensure that patients get the medication they need when they need it at a cost that is affordable to them.

MR. BLUMENCRANZ: So you said how many drugs were on in 2024? The list?

MS. FORREST: Fifteen.

MR. BLUMENCRANZ: Okay. This year there's 70. So I ask you --

MS. FORREST: In 2026, after tariffs and after wars --

MR. BLUMENCRANZ: There are currently --

MS. FORREST: -- have been started?

MR. BLUMENCRANZ: On May 6th, 70 drugs on that list.

MS. FORREST: Okay. Again --

MR. BLUMENCRANZ: So you said it's de minimus. I know there are a lot of drugs. But it is not steadily going down. The world does not move in a linear direction. There are things that go on

in the world that affect global supply chains. We have moved much of our global supply of pharmaceuticals, especially generics, to countries like China and like India. If we enter a global conflict, if it went from 70 to 7,000, what will this look like for your constituents, for my constituents, for New Yorkers? This bill is tethered to that list. And that list, in my understanding -- and you can correct me if I am -- if I am wrong --

MS. FORREST: I will correct.

MR. BLUMENCRANZ: -- will change. And if it changes to a number that's so significant, then drug access may be off the table for many in private insurance in New York. Am I wrong or am I right, depending on the size and scale of the list?

MS. FORREST: So if your question is when businesses are struggling that I should let people die, the answer is no. If your question is while we are being engaged in warfare due to one presidential actor and my constituents need medication, should I let people die? No. This bill is to -- its tension [sic] is to make sure that while there are shortages that people will receive the medication they need at a cost that they can afford.

ACTING SPEAKER HUNTER: Thank you. Thank you. We are needing to do a better job of remaining respectful.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: A Party vote has been requested.

Mr. Gandolfo.

MR. GANDOLFO: Thank you, Madam Speaker.

The Republican Conference will generally be opposed to this bill; however, anyone who wishes to vote in the affirmative may do so at their desk.

ACTING SPEAKER HUNTER: Ms. Lunsford.

MS. LUNSFORD: This will be a Party vote in the affirmative. If anybody seeks to vote in the negative, they may push their button at their seat. Thank you.

ACTING SPEAKER HUNTER: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Blumencranz to explain his vote.

MR. BLUMENCRANZ: Thank you, Madam Speaker. At a time when New Yorkers are drowning under the weight of healthcare costs, I had the teachers and teachers from my district in my community in my office saying, *We received a raise, but health insurance costs for us went up so much it feels like it was nothing at all to us.* Those are the kinds of concerns that people from my community have had. When we see that number creep up and up on our insurance bill every year as families, that's a real concern.

In the private industry I've worked in the insurance business, have sold health insurance. I've gone over it with companies. And I receive the e-mails, *This legislation has passed and it will materially change our cost structure. It'll change our*

underwriting. It'll change how much we'll charge the customer. You might, as a business, need to change how much you charge your employee. How much they're gonna pay and you're gonna pay. These are consequential decisions about affordability, and at a time when affordability is at top of mind to every New Yorker.

Taking a closer look at legislation like this, it is elastic. Today it's 70. Before it was 14. In 2013 it was 200. COVID, the number was large as could be. Supply chains get disrupted. This world is uncertain. These costs to our constituents fundamentally uncertain and certainly not de minimis.

I think we need to take a closer look at creating guardrails in legislation like this because the costs can be exponential. Exponential to that family who is struggling to get by. And yes, we can guarantee the co-pay may stay the same, but we cannot guarantee the trickle-down effects of legislation like this.

I'll be voting in the negative. Thank you.

ACTING SPEAKER HUNTER: Mr. Blumencranz in the negative.

Ms. Forrest to explain her vote.

MS. FORREST: It is -- thank you, Madam Speaker. It is during these times I am so grateful that my district trusted that a nurse and a -- a nurse can be a legislator. A nurse can step up and refocus the State in terms of what the priorities are, which is making sure that people remain whole.

The purpose of this bill is to make sure that no matter

what tariffs are running, what wars are going, what pandemics are roaring outside, that people will continue to maintain safety and access to the care that they need in their communities at a price that they can afford.

People yell about gas prices going up 50 cents. Imagine you with an insulin or an ADHD pill or Tylenol, ibuprofen that goes up at a price that you cannot afford. No. I say that this bill is coming at a timely -- at a timely moment where we need it the most. When we need it the most in times of insecurity.

And so I am a proud not only sponsor, but I'm gonna vote yes on this bill to make sure that my constituents and your constituents get the stuff that they need when they need it. When they need it when they're sick or when -- and to make sure they stay well.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Ms. Forrest in the affirmative.

Mr. Burroughs to explain his vote.

MR. BURROUGHS: Thank you, Madam Speaker. I just wanted to say, at any level of understanding when there's -- learning how to plug a fan in for the first time, there's a level of education that needs to be had on that specific process of trying to learn how to use the fan for the first time. Whether it be making a cup of coffee for the first time, there's a level of education when it comes to that. So I tend to enlist in learning from someone that I consider an expert. In regards to this bill, I think I would listen to someone who

comes from the world that I consider that person an expert in that field. This bill I think addresses a need that people have. I can't personally speak on what I would do in a specific situation, but I can refer to an expert, which is what I do, in consulting with the sponsor. And respecting the sponsor as an expert, I think I vote in the affirmative for this. Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Burroughs in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 33, Calendar No. 353, the Clerk will read.

THE CLERK: Assembly No. A03055, Calendar No. 353, R. Carroll, Reyes, Lee, Torres, Weprin. An act to amend the General Business Law and the Banking Law, in relation to prohibiting a consumer reporting agency or lender from using an individual's late payment of cashless tolls to determine such individual's credit worthiness.

ACTING SPEAKER HUNTER: An explanation has been requested.

Mr. Carroll.

MR. R. CARROLL: Thank you, Madam Speaker. This bill would prohibit reporting agencies from making any consumer report containing information regarding the late payment of cashless tolls.

ACTING SPEAKER HUNTER: Mr. Durso.

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

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. R. CARROLL: I do.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. DURSO: Thank you, Mr. Carroll. So can you explain to me why this bill is needed?

MR. R. CARROLL: Well, we know -- I am sure yourself, like myself, have received an inordinate amount of calls from constituents who have not been properly told of payments for cashless tolls -- of cashless tolls because of issues and flaws with the State's cashless tolling system.

MR. DURSO: So could you give maybe -- because I haven't received that many calls. So can you tell me maybe do you have a gist of where they're specifically coming from, those calls?

MR. R. CARROLL: Well, look, I can only tell you what I received in my district --

MR. DURSO: Sure.

MR. R. CARROLL: -- and most of those people are using bridges in New York City or the surrounding counties. And I've had a number of constituents where they had not been a timely told of the amount of tolls they had been racking up and then had been hit with massive penalties where we had to talk to the Thruway Authority

and the other tolling agencies, and of course it was not because they did not want to pay the tolls that they were incurring. And so we want to make sure that when that happens, that a -- a credit agency isn't reported -- that we're not reporting to credit agencies that they're delinquent in paying those tolls.

MR. DURSO: Understood.

So now would this bill just be specifically for New York City or is it a Statewide bill?

MR. R. CARROLL: This is a Statewide bill.

MR. DURSO: So are -- have you received any calls or hearing about any issues when it comes to, as you said, late payments because of tolls on the Thruway or any other areas or is it mostly considered from the New York City area?

MR. R. CARROLL: You know, I -- I believe the majority are from the New York City or the surrounding counties because of course that's where most of my constituents are doing their driving. But I don't have a pinpoint of if the Verrazzano Bridge is the real problem or the Goethals Bridge or is it the Thruway. I -- I don't have that information.

MR. DURSO: Do you think a lot of this is focused around the areas that have been implemented with congestion pricing, by any chance?

MR. R. CARROLL: I -- I don't believe it's specifically connected to congestion pricing.

MR. DURSO: Maybe not specifically, but do you --

do you find that some of your constituents that are calling your office, the reason why they are getting these tolls that they normally wouldn't incur and just now leading to fines is because of the institution of congestion pricing in that area?

MR. R. CARROLL: I -- I -- I don't. I think that we have received a number of complaints prior to the implementation of congestion pricing. There may be some individuals who right at the beginning of congestion pricing were unaware that there was a new tolling structure. But I believe most of that -- people have figured out that you now are tolled as you enter Manhattan below 60th Street.

MR. DURSO: Got it. So now with that being said, so this would essentially say that if you get a late payment, right, because of a toll that you -- you -- you either went through or didn't realize you were going through and -- because obviously it picks up your license plate --you'll get sent something in the mail, correct?

MR. R. CARROLL: That's correct.

MR. DURSO: And just saying it just can't be reported to credit agencies.

MR. R. CARROLL: That's correct.

MR. DURSO: Okay. Now we're -- you do not want that reported to credit agencies because, as you said, it's -- it's hurting those people with their credit, right, that are incurring these fines because of something they didn't know about, essentially.

MR. R. CARROLL: Yes. And that's -- that's current law. There's the Public Authorities Law that also says that your late

payment of tolls should not be used against you to reporting -- credit reporting agencies.

MR. DURSO: So then what does this bill do differently?

MR. R. CARROLL: I think this is bringing -- we're creating parity and clarity with the Public Authorities Law.

MR. DURSO: In what regard? So please explain to me. And I apologize. So the Public Authorities Law is stating that credit agencies cannot use late payments on tolls, right, for your credit history, right, to affect your credit history. So what are we doing with this?

MR. R. CARROLL: So, I -- I -- I don't believe this bill is duplicative, but I think it is clarifying. And so currently in the Public Authorities Law, this bill would align with the prohibition in the Public Authority [sic] Law which prohibits public authorities operating cashless tolling facilities from reporting late cashless toll payments to consumer reporting agencies.

MR. DURSO: And the reason that you're doing that, correct, is because you're saying if someone didn't know or realize that they were getting this toll or fine, they really shouldn't be responsible for it?

MR. R. CARROLL: What we are trying to do is to make sure that New Yorkers who oftentimes when they are making late payments for tolls, that their credit reports are not being destroyed or harmed because of that. And that is because I think there has

consistently been a flaw in the cashless tolling system that has allowed individuals to rack up large amounts of tolls, get large amounts of fines and late payments unbeknownst to themselves. And I don't think you would be shocked that sometimes State agencies are not always following the letter of the law or are always not clear in what they are supposed to do. And so what we're doing right here, right now, is making it a bright-line rule that they are not gonna report late payments for tolls throughout the State of New York, and I think that's something we could all agree on.

MR. DURSO: Yes. But I do have a question for you in this regard. So, obviously, New York State or -- or -- may have an issue getting that information to you in the proper time, right, sharing that information. But does this bill do anything to the other penalties that incur when you don't pay tolls on time or have late payments on tolls? So in other words, what we're doing is protecting people from being reported to credit agencies, correct?

MR. R. CARROLL: Yeah, that's it. We're not -- we're not changing the fine or fee structure of any tolls.

MR. DURSO: Understood. But why do you want good credit, right? We don't want someone's credit getting destroyed, right, because of what reasons?

MR. R. CARROLL: Well, there -- there are lots of reasons why you'd want good credit; to take out a mortgage, to take out a loan. Whether you're renting an apartment, taking out a credit card. There are a number of reasons why you would want your credit

to be --

MR. DURSO: It's gonna affect somebody's life.

Right?

MR. R. CARROLL: Yes.

MR. DURSO: It's gonna affect your -- your day-to-day life, right? I'm assuming that's your -- your intention of the bill.

MR. R. CARROLL: Exactly.

MR. DURSO: But it doesn't change currently in New York State if you have late fees, you're not paying your tolls. Your registration could be suspended through the DMV, right? You can actually be -- it can be charged with a misdemeanor. Vehicle could be impounded, right? Those are gonna -- you know, if you can't get to work, that's destroying someone's life. You don't have a car. If -- if you have charged with a misdemeanor, right, technically that could destroy your life or affect your life. I don't see any of that language in this bill --

MR. R. CARROLL: Look, this bill is narrowly focused to make sure because of an issue that I think is habitual, which I believe many members have experienced from complaints from their constituents that there is a problem with the delivery of the tolls, the late payment, and because of that we don't want that to affect the credit worthiness of an individual. We understand that it's important -- and I wanna be very clear -- it's important people pay the tolls that they have incurred, and that if they are timely told of those

tolls that they should timely pay them. We are not looking to allow people to be scofflaws.

MR. DURSO: Under -- understood. But whose job is it to get those bills out to those who have used those tolls in a timely manner?

MR. R. CARROLL: I believe it's the Thruway Authority and the other authorities that --

MR. DURSO: So instead of --

MR. R. CARROLL: -- toll the bridges and tunnels.

MR. DURSO: Right. The -- the reason -- I apologize, I didn't mean to interrupt. So if we're protecting the residents, right, from the bridge and toll authority or whoever, the Thruway Authority from -- because they're not doing their job correctly, why don't we just hold them accountable instead? Why are we letting people, right, possibly, not all, of course -- listen, people make mistakes all the time. We understand that. But what we're doing is, credit worthiness and something being held against your credit is, again, somewhat of a -- a punishment, correct? Because if I decide every day I don't wanna pay the tolls, right, and I don't have a -- you know, it -- it's not going to affect me in any other way, it's not gonna affect my credit, there's no punishment. There -- there's nothing holding anything against me.

MR. R. CARROLL: Well, there are other ways. I mean, the Thruway Authority, the Triborough Bridge Authority, the MTA have other means, as you've suggested before, to come after you

if you continuously --

MR. DURSO: Right. So why only credit worthiness, then?

MR. R. CARROLL: Well, I think we're talking about -- because we believe, I believe, that there is a unique issue here that there are an inordinate amount of New Yorkers who are not being in a timely way being told about the tolls that they owe, and then suddenly they are being saddled and hit with large fines and the hits on their credit worthiness. That's what we're trying to fix here. We, of course, as the Legislature, do not run the Thruway Authority, the MTA or the Triborough Bridge Authority, and so the only thing that we can do is protect consumers, protect New Yorkers. This is a way to protect consumers and New Yorkers who are not looking to not pay their bills. It's that unbeknownst to them, they have incurred tolls and then suddenly they are hit with a deluge of, *You owe thousands of dollars in tolls. You owe thousands of* -- there's a specific constituent I can think of who suddenly was hit with a \$1,500 bill with -- when you compounded late fees, interest and the tolls. And, you know, he got that all at once. And this was a senior; that was unfair to him. We're trying to solve that issue. Hopefully we can work with our other partners in government to make sure that these different authorities are more timely sending out notices for the tolls for individuals who don't have E-ZPass because, of course, that's the issue here is that they are -- this almost exclusively happens with individuals who don't have E-ZPass, which as you probably know, disproportionately are people

who are elderly, unemployed, low-income. Because, you know, they do not have the means or the ability to kind of connect an account maybe directly to an E-ZPass reader.

MR. DURSO: Un -- understood. And I am all for protecting the con -- the consumer, our residents, our constituents that we all represent. I just look at it as the overarching issue, right, which you alluded to, which is that the -- whether it's the bridge or toll authority, the -- the Thruway Authority, what you're saying is not doing their job and getting those bills out to those residents in a timely manner so that they don't have to pay those fines. So my question is, if we -- and as you said, we don't control the MTA, we don't control -- but we can legislate. I've heard that a million times in this Chamber. We can legislate. Why aren't we legislating that as opposed to letting people get away with something that they -- some people it's gonna help, some people we just let them get away with it. Why aren't we holding the authorities accountable as opposed to saying it's gonna affect your credit worthiness? I don't see any legislation in here to do that.

MR. R. CARROLL: So I -- I think holding public authorities accountable is important and doing oversight is deeply important, and I think we should do that. And I think if you have a recommendation for a bill that would better hold them accountable to make sure they send out bills in a timely fashion and a more orderly fashion and make sure that they adopt the best practices so that those come out regularly and that fines do not seem to be done in a way that

is, you know, kind of on-the-fly or in a way that is not uniform, I think that would be a great idea and I'm sure there would be lots of people in this Chamber who would like to look at ideas and figure out ways to do that.

MR. DURSO: Can we do that together? We'll do -- you could be the first co-sponsor if I write the bill.

MR. R. CARROLL: Carroll/Durso sounds fantastic.

MR. DURSO: Sounds phenomenal. I -- I look forward to sending that over to your office. That's true, too.

MR. R. CARROLL: You're gonna get us in trouble.

MR. DURSO: That's -- that's okay. I -- I live in that world.

So as you said, so just so I have it clear, this is Statewide. So in other words, if someone is going onto the New York State Thruway, right, they do not live in New York City. Let's say they're coming from Long Island or they're coming from Westchester and they're traveling to Albany and they drive through a toll booth and they do not have an E-ZPass -- or let's say they do have an E-ZPass and they just decide to not pay it, right? Because this is gonna cover both. This is not only gonna cover those -- our seniors, those that are -- are not as financially stable as others. This is gonna cover those that do have an E-ZPass. So I have an E-ZPass. I travel from Long Island. If I decide to not pay my bill, right, this is not gonna affect my credit?

MR. R. CARROLL: That is correct.

MR. DURSO: So how is it fair? So if we're sitting here wanting to protect those residents, as you said, our seniors, our disadvantaged, right, that they get -- it doesn't affect their credit worthiness, but someone like myself who has it hooked into my credit card or my checking account could just stop that. I don't -- I'm gonna take my checking account off it, I'm gonna hold my checking account. It's not gonna affect my credit worthiness. How is that fair to someone like me, comparing it to someone else?

MR. R. CARROLL: So I think we're trying to create a -- first thing, we're bringing -- you know, this isn't duplicative, but we're bringing this into compliance with other law to make it very clear that the late payment or nonpayment of a cashless toll is not going to affect your credit worthiness. It does not seem like it would be practicable or possible to kind of differentiate between each different type of driver and how their license plate was read, whether they had an E-ZPass connected to it or not. And so I think this one-size-fits-all scenario is fairest and is the most implementable and also complies with current law.

MR. DURSO: Thank you, Mr. Carroll. I appreciate your time.

MR. R. CARROLL: Thank you.

MR. DURSO: Madam Speaker, on the bill quickly?

ACTING SPEAKER HUNTER: Yes, on the bill.

MR. DURSO: So, I appreciate the sponsor answering the questions. Once again, this is about fairness and I

understand we all want to stick up for our residents and constituents. I think it just proves two things: One is that congestion pricing, once again, is a complete and utter failure; and two is that we want to make laws and -- and -- and regulations for everybody to keep them safe and protect our residents, but some of these agencies, we could be sitting here doing a bill right now holding them accountable, and instead of doing that what we're doing is going the opposite way and making sure people don't have to pay the bills and the things that they should be accountable for.

So I look forward to the sponsor sponsoring my bill.
Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Pirozzolo.

MR. PIROZZOLO: Thank you, Madam -- Madam Speaker. Will the sponsor please yield?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. R. CARROLL: Madam Speaker, I think I'm gonna get some more bill ideas. I yield.

ACTING SPEAKER HUNTER: Thank you. The sponsor yields.

MR. PIROZZOLO: And if you do, I'd like you to be my co-sponsor, please.

So, I like the intent of your bill without a doubt. I don't know that I'm gonna vote for your bill, along the lines of what

Mr. Durso said. So I want to ask you a few different questions. So I don't know that if I would agree that most of these problems happen with people who don't have E-ZPass. I will say that this issue is a -- is a tremendous issue in my office. Probably one where I get the most phone calls, and it's the most egregious as far as fines. I mean, we literally have people calling with 10s-, 20s- and 30,000 of dollars worth of bills and worth of fines that it could be arguable that maybe they did or didn't know about it, but now we have to do something about it. But what you're talking about here is the late payment of cashless tolls. So in New York State, New York City the only company that I'm aware of that collects cashless tolls would be E-ZPass. Can we agree on that?

MR. R. CARROLL: I believe that's correct.

MR. PIROZZOLO: Okay. And from the legislation I've looked into, E-ZPass is kind of the authority or Body that sets those fines and fees. Would that be correct?

MR. R. CARROLL: I believe that's correct.

MR. PIROZZOLO: Okay. So then the authority itself, which would be the MTA, the Thruway Authority, whatever, really has nothing to do with the fines and fees that are set by E-ZPass.

MR. R. CARROLL: I believe -- and we're happy to get back to you if this is incorrect -- but I believe that the MTA, the Thruway Authority and the Triborough Bridge Authority, they themselves have a board that set the tolling limits for the -- the bridges, tunnels and roads that they operate. And so I don't believe

they cede all of that authority to E-ZPass, which I believe is the operator of the system and is the, you know, purveyor of the bills and late fees, et cetera. And they may have a contract that allows them to take on some of the risk or to take on different things to go out and figure out how to collect payments, especially from those who maybe have late payments or penalties.

MR. PIROZZOLO: So I'm gonna agree with that, but I'm gonna break it down a little bit because you said the tolling structure. You did not mention the fine and fee structure. So the authorities 100 percent have the ability to create, *This is a \$20 toll versus a \$15 toll*. But they do not create, *This is a \$50 fine or a \$20 penalty*. That's pretty much set by E-ZPass.

MR. R. CARROLL: So again, you know, this bill is specifically around late payment and around making sure that it doesn't hurt the credit worthiness of an individual when they make a late payment. If you also have an idea for a different oversight or regulation, I'm sure there are members in this Body who would be interest in discussing that. But that's, of course, not what this bill does.

MR. PIROZZOLO: I understand. But I'm trying to get there to what this bill does, and you did not answer my question of saying that E-ZPass has the control of generating these toll -- or these fees and fines -- because you're saying tolls -- fees and fines that generate the need of a credit worthiness report, right? So it is a huge, huge problem. But as a legislature, we are allowing this to happen.

So I know that you want to go with the late payment. And you're also assuming that it's the Thruway Authority, from what I heard, that they're the ones sending out these bills late, when I get my E-ZPass statement it does not say New York State Thruway Authority, it does not say MTA. It says E-ZPass. So this bill is really not doing anything to fix the problem that you're trying to solve.

MR. R. CARROLL: Well, we'll we're trying to solve a very specific problem. I think you are identifying a different problem. We're trying to make sure that New Yorkers who have not paid their tolls in a timely manner -- of which I believe many of them haven't paid those tolls in a timely manner because they have not been received and sent to them in a timely manner -- that that does not hurt their credit ratings. You are discussing an entirely different subject, which is, you know, how the tolling fee and fine structure and the timeliness of those tolls, fees are sent to individuals, whether they are E-ZPass holders or not. And that's a different area. It may have lots of merit and it's something that I'm sure other legislation could, in theory, address.

MR. PIROZZOLO: I agree that it's a different area, but I'm only discussing it simply because you discussed it. And by your discussing it, that kind of puts it out there because I'm asking --

MR. R. CARROLL: I -- I don't believe this is a court of law where I've opened up --

(Indiscernible/crosstalk)

ACTING SPEAKER HUNTER: Can we please,

again, ask a question and answer and not talk over each other, please?

Thank you.

MR. PIROZZOLO: So once again, the only reason I'm discussing it is simply because I believe you discussed it. And as we're talking to this particular bill, I'd like to know how the things you discussed, right, are determined. Like, what is the fee -- I -- I understand you don't want the credit report to go. I'm not disagreeing with that. But I'm talking about how you discussed that the Thruway Authority or the authority determines these fees, and I'm saying they're not. So I am talking about what you're talking about.

MR. R. CARROLL: Look, this bill has a narrow focus to talk about the credit worthiness and making sure, whether it be a State authority or E-ZPass, does not report to credit agencies the late payment of a toll or a fee. I'd also like to note that I do believe the Thruway Authority, the MTA, the Triborough Bridge Authority have the ability to levy late fees and other fines if they so see fit. But that is not germane or what this bill is about. This is a bill that is narrowly focused to making sure that late payments to E-ZPass or any other entity that would request a toll or a late fee from a driver does not impact somebody's credit report or credit worthiness.

MR. PIROZZOLO: So once again, I'm kind of agreeing with you; however, these are the things that you spoke about and I want clarification on the things that you spoke about with this bill. Let's just -- you know, as far as E-ZPass, you're talking about the payment of cashless tolls. It is determined by E-ZPass. If my

constituents then wanted to speak to E-ZPass so they could determine how they can pay their bill in a timely manner so they don't have to worry about a credit worthiness issue, is there a number that a consumer can call E-ZPass?

MR. R. CARROLL: The bill doesn't speak to that, nor do I personally know right now the best way a individual constituent can contact E-ZPass. I do know, and I have a wonderful staff, they have consistently worked with whether it be E-ZPass or one of the bridge and tunnel and road authorities to deal with issues around late payment fees and fines. And so though the bureaucracy is very difficult, I do believe there are avenues, but this is not what the bill is about or speaks to in any way, shape or form. And I recommend that if there is an issue there, that different members look into it, research and draft such legislation if they see fit.

MR. PIROZZOLO: Okay. So once again, I'm not disagreeing with you, but I'm discussing it because you discussed it. And I will answer those questions that I asked about the possibility of having a -- an authority or someone call a credit agency and say this person is deficient in their payment. There is no number that a New York State consumer can call for E-ZPass. I can't even call as a New York State Legislator a number for New York State E-ZPass. If we do happen to get through to someone, the only thing that they are interested in doing -- and I'll give you an example that has happened in my office. Someone has a \$30,000 fine on top of whatever their tolls are. The only thing they want to know is not were they right or

wrong in making the assessment of that toll. The only thing they will give to us is, *I'll tell you what? They only have to pay \$15,000.*

Here's how you pay. So really what I'm trying to point out about your bill is it's the cart before the horse. I think what you need to do is fix the problem so legislation like yours would not be necessary. Because if consumers and my constituents and yours and everyone's had the ability to reach out to any cashless toll company to discuss why they have these huge fines, *Please let me pay them so you don't have to report me to a credit agency,* we would all be better off.

MR. R. CARROLL: I -- I don't believe there was a question there.

MR. PIROZZOLO: Well, do you agree with me? Now there's a question.

MR. R. CARROLL: I -- I -- I do believe there is a way, and I -- I feel your frustration with adjudicating large fines and fees that constituents face, oftentimes unbeknownst to them because of improper notice of those large tolls to those constituents, and I think this bill does address one of the primary issues, which is an unnecessary hit to that individual's credit report. There may be other issues that we can solve with future pieces of legislation, and it sounds like you would be very interested in working towards that goal and I -- I recommend that and I'm sure there are others who would also be interested in working on those issues.

MR. PIROZZOLO: Thank you, Mr. Carroll.

If I may, on the bill, Madam Speaker.

ACTING SPEAKER HUNTER: On the bill.

MR. PIROZZOLO: So the sponsor just used the term "unnecessary," and I'm going to qualify that by saying that's exactly what I think of this particular piece of legislation. Because he is correct in identifying a problem. There is no doubt that this problem exists. But this legislation does not do anything to remedy that problem in any way, size, shape or form. All this legislation does is allow it to continue, allow it to get worse. It is our job as legislators to make sure problems like this do not occur in our constituents' lives. And the only way to do that is to regulate in E-ZPass, because they are the problem; to talk to the Thruway Authority, the MTA or whatever it is, and to create legislation so this doesn't happen. This Body has given a blank check to E-ZPass to charge whatever fine or fee they want to charge on whatever the toll is. It could be a \$10 toll with a \$50 processing fee. It could be a \$20 toll with a \$100 processing fee. There is no rhyme, reason or regulation as to how these fees that are causing these credit reports to happen are governed, decided or determined. That's our job.

So the reason I don't like this bill is because it doesn't solve the problem. This bill is a waste of my time. So I'm gonna be voting no, and I would suggest that everyone else vote no.

ACTING SPEAKER HUNTER: Thank you.

Ms. Bailey.

MS. BAILEY: Thank you, Madam Speaker. Would the sponsor yield for just a couple of questions?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. R. CARROLL: I do.

ACTING SPEAKER HUNTER: The sponsor yields.

MS. BAILEY: In -- at the face of this piece of legislation I -- I would agree. It's very interesting and timely. I just was dealing with a constituent in my office who got -- we were working on tolls that they had received that was not their vehicle in which they were driving. It was on a bridge down in New York City, and lo and behold, in walks a notice from the collection agency.

So I guess my question would be, in your research in deal -- in working with some of our constituents, what's the timeframe that we typically see that the -- the collection agencies are getting involved right now with our cashless tolls?

MR. R. CARROLL: You know, I -- I don't have a specific answer to that.

MS. BAILEY: Okay. And the reason I ask that question is, you know, as some of my colleagues have mentioned, I think it's more of a systemic issue that we have when we're looking at this. And some of the frustration is being able to get to the authority in which we need to to help our constituents, or them being able to get. So when the credit agency forwards the collection questionnaire or, you know, collection notice to the residents, do you know typically how long or how many of those actually end up on someone's credit report? Do we have that data?

MR. R. CARROLL: Is the question you're asking is when a credit -- when a debt collector is used by whether it be E-ZPass or the Thruway Authority or any other entity that has not gotten a toll, how often that credit -- that debt collector then reports that debt to a credit agency that decides your credit score? Is that the question?

MS. BAILEY: Absolutely, yes.

MR. R. CARROLL: I -- I do not have that answer for you.

MS. BAILEY: Okay.

Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MS. BAILEY: Thank you to the sponsor for answering my questions. And at face value I like this bill. But I really believe we are -- we are attempting to put a band-aid on a more systemic issue that we have. The -- the constituent that I -- that I mentioned was not in New York City. She wasn't even on the New York State Thruway. And it happened to be the -- the vehicle of her deceased husband that the license plate came up on down in New York City. And then our office was in the process of working with the Thruway Authority on that to ensure that that got taken off because those tolls and those late fees that were showing up were not hers. And in walked the letter to the collection agency. Now I've been told by the Thruway Authority that it has been taken care of and they will get in touch with the collection agency. But I think what we need to

do and we have the power in this -- in this House here to put forward legislation that would take a look at or get some of the information on how many of these late fees are getting turned over to collections and what is that having -- what impact is that having on folks' credit as we talk about it here today versus the frustration in the way in which the system may or may not be working. And, you know, I -- I thank the sponsor for bringing this forward. I think we need to do a better job in correcting the systemic issue rather than just putting a band-aid on a very small piece of a system that is truly broken, in my mind.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Carroll.

MR. R. CARROLL: On the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. R. CARROLL: This bill, though not expansive, solves a clear problem, and that problem is to make sure that New Yorkers who, unbeknownst to them, have -- who have not paid their cashless tolling bills or penalties do not have their credit report destroyed by credit agencies and by debt collectors. This is a commonsense, simple bill. Other reforms may be needed, but I hope my colleagues in the Chamber realize the utility of this and vote in the affirmative.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER HUNTER: A Party vote has been requested.

Ms. Walsh.

MS. WALSH: Thank you, Madam Speaker. The Republican Conference will, generally speaking, be in the negative on this legislation, but affirmative votes may be cast at the seats right now.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Ms. Lunsford.

MS. LUNSFORD: The Majority Conference will generally be in the affirmative on this commonsense bill, and if anyone would like to deviate from that they are welcome to by pushing the button at their desk.

Thank you very much.

ACTING SPEAKER HUNTER: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Lunsford to explain her vote.

MS. LUNSFORD: Thank you, Madam Speaker. I want to take a moment to thank the sponsor of this bill. Like my colleague from AD 133, I've had very similar situations where people have been receiving tolls that were truly not theirs. Not even ones they hadn't noticed, but were truly misassigned to them. And the

situation we were finding ourselves in is by the time we were able to contact the Thruway Authority and work through it that these were being sent to collections. To the extent that this bill will allow us to have more time to address these issues of truly erroneous tolls that have been sent to people who were nowhere near where the toll was collected, I think that this is going to go a long way towards making easier a problem that can very quickly spin out of control.

I think also the bill that I passed yesterday with regards to assessing how many people may be working in our State agencies may help us get better in touch with those who are or are not at their desks at these authorities.

Thank you very much. Have a great day.

ACTING SPEAKER HUNTER: Thank you.

Ms. Lunsford in the affirmative.

Mr. Jensen to explain his vote.

MR. JENSEN: Thank you, Madam Speaker, to explain my vote.

I think today's debate on this legislation is indicative of a larger problem we have with the cashless tolls across the State. Certainly, we've heard our colleagues talk about constituents getting tolls for places they never were. But I think indicative is a larger failure for New Yorkers to understand why they're getting the bills and the tolls they're being sent. Certainly, when you get 19 pieces of mail for trips across the Thruway by each tolling location rather than a collective trip or over a billing month, that shows that there is massive

inefficiency and ineffectiveness.

So I think while I'm voting for this bill, I think it's important whether it's the sponsor of this legislation or any -- any other member of this Body, to really focus on how can we actually make the cashless tolling and billing process work the way it's intended to ensure fairness for all New Yorkers.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Jensen in the affirmative.

Mr. Reilly to explain his vote.

MR. REILLY: Thank you, Madam Speaker, to explain my vote. So, one of the issues that I've been dealing with over the last three years is cashless tolling and E-ZPass tolls. And what I've -- I've been contacted by at least 150 constituents regarding them not receiving appropriate notification for those tolls. I've called on the Attorney General, the State Comptroller to do an audit on the E-ZPass contract and tolling throughout all our agencies that control the tolling aspect. One of these things is that people do not get their notifications. And it's been proven that the system has backlogged those notifications. Individuals have been placed into debt because of this. And the reason why is they charge enormous fines and fees for a \$20 toll on the Verrazzano, if you owed -- because you didn't get notified, you had a problem with your card and you owed \$3,000 in tolls, they're assessing \$20,000 in fines and fees. And the ironic thing is, through my investigation I found out that the MTA changed the

way they address their bond rating. They count tolls received, tolls revenue, as fines and fees. That was never the case before. So cashless tolling and E-ZPass has inflated the money revenue for the MTA to improve bond ratings. That is something that I call on every government agency to look into, which I have been doing.

So this protects consumers, drivers. But I also want to ensure that everyone must pay their -- their tolls.

ACTING SPEAKER HUNTER: How do you vote, Mr. Reilly?

MR. REILLY: I vote in the affirmative.

ACTING SPEAKER HUNTER: Thank you.

Mr. Reilly in the affirmative.

Ms. Bailey to explain her vote.

MS. BAILEY: Thank you, Madam Speaker. I rise to explain my vote. As I just shared, I believe the system is quite flawed. But when I think about the constituents that I'm helping most frequently, it's individuals who have not incurred these tolls on the Thruway. It's not like they just chose not to pay a toll for a family drive down the Thruway. It's bills that are coming to them for vehicles that are not theirs; license plates that have been read incorrectly on the system.

Coming from the office that, you know, oversaw public records that got put on to folks' credit reports, I also understand the headache that it is to get things removed that were erroneously put on to someone's credit report. And therefore, for those residents in my

district and across the State that have had this happen to them, I will be voting in the affirmative.

ACTING SPEAKER HUNTER: Thank you.

Ms. Bailey in the affirmative.

Mr. Tannousis to explain his vote.

MR. TANNOUSIS: Thank you, Madam Speaker.

This is probably one of the single-most common constituent complaints that my office gets. And the reason why we get this complaint is because you cannot get anyone on the phone with E-ZPass. There's either an issue with the E-ZPass object itself in the car, or perhaps the person that calls me is going through a divorce, no longer lives at their -- at their home, or most of the time they're not even getting the letters at all.

I begrudgingly vote for this bill today. I didn't want to vote for this because I do believe people should be held accountable for what they owe. However, the State, the MTA and E-ZPass have made this situation unimaginable for my constituents, and that is the reason I am voting yes. But I urge my colleagues, myself, my other colleagues to push forth for accountability both from the MTA and from E-ZPass.

Thank you very much.

ACTING SPEAKER HUNTER: Thank you.

Mr. Tannousis in the affirmative.

Mr. Durso to explain his vote.

MR. DURSO: Thank you, Madam Speaker. So I -- I

agree with my colleague; begrudgingly I will be voting yes on this bill. Not because I believe in not -- not that I do not want to protect our residents, because I do, and especially those who do not deserve it. But again, we need to hold the authorities accountable, and we can do that here in this Chamber. So as I said before, I look forward to my colleague cosponsoring my bill that will be out tomorrow.

(Laughter)

But -- but again, this is to protect the residents that are receiving those bills when they should not. But unfortunately, the way this bill is presented and written it's also going to be protecting those who decide, *I'm gonna go for a drive down the Thruway. Or I'm gonna cross the Verrazzano Bridge knowing that there is a toll, and just saying, I don't want to pay it.* Unfortunately, though, this bill only goes one way.

So to protect those from making sure their credit do not get screwed up when it shouldn't be, I'll be voting yes. But we should be holding those authorities accountable, and we can do that in this Chamber. We have that ability. We do it every day with authorities throughout this State. There's no reason we shouldn't be doing it right now, and we could be doing it with a piece of legislation like this, so I look forward to doing that.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Durso in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Ms. Lunsford.

MS. LUNSFORD: Madam Speaker, we would like to continue our work on the floor today with the next three bills: Calendar No. 359 by Mr. Zaccaro, Calendar No. 128 by Mr. Sayegh, and Calendar No. 165 by Mr. Weprin.

ACTING SPEAKER HUNTER: Thank you.

Page 34, Calendar No. 359, the Clerk will read.

THE CLERK: Assembly No. A08263-B, Calendar No. 359, Zaccaro, Shimsky, Reyes, K. Brown, Gallahan, Kelles, Burroughs, Ramos, Taylor, Brook-Krasny, Levenberg, Cruz. An act to amend the Executive Law, in relation to training of State Police and local police departments on the Address Confidentiality Program.

ACTING SPEAKER HUNTER: An explanation has been requested.

Mr. Zaccaro.

MR. ZACCARO: New York's Address Confidentiality Program provides eligible individuals with a substitute P. O. Box to protect their real address, which State and local agencies must accept. Court documents could be sent to the Secretary of State for confidential forwarding. The program serves victims of domestic violence, stalking, sexual offenses, human trafficking and certain reproductive healthcare-related individuals and their families. Mandating police training on ACP protocols is essential to providing

and protecting victims' safety, prevent accidental disclosure of confidential addresses, and ensuring legal compliance and maintaining consistent implementation across jurisdictions.

ACTING SPEAKER HUNTER: Mr. Angelino.

MR. ANGELINO: Good afternoon, Madam Speaker.

ACTING SPEAKER HUNTER: Good afternoon.

MR. ANGELINO: Would you ask the sponsor to yield, please?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. ZACCARO: Yes, I will.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. ANGELINO: Good afternoon. I listened to your explanation. So this bill compliments Section, I think it's 108 of the Executive Law?

MR. ZACCARO: Yes, it does.

MR. ANGELINO: Okay. And Section 108 of the Executive Law deals with the AC -- excuse me, CAP, Confidential Address Program, CAP.

MR. ZACCARO: ACP.

MR. ANGELINO: ACP?

MR. ZACCARO: Address Confidentiality Program.

MR. ANGELINO: Oh, I'm gonna be saying this wrong the whole time, then.

So in Section 108 of the Executive Law, the -- the

Secretary of State of New York State is allowed to administer the rules, regulations and how the ACP is administered; is that correct?

MR. ZACCARO: That's correct.

MR. ANGELINO: Do we know -- also, I noticed when I read Section 108 it discusses that each year a report is supposed to be delivered to the Legislature regarding this program. I'm aware of the program. I wasn't aware of that portion. Do we know how many people are in this program?

MR. ZACCARO: I -- I can't speak to that because I haven't -- we haven't seen a report.

MR. ANGELINO: Yeah, I -- I have not either, but like I said, I just learned of that and I was hoping -- I think it even says it's supposed to be done by county. So that would be interesting. And I'll -- I'll follow up with that later.

Why is this statute necessary?

MR. ZACCARO: So, what the bill does and -- and why we feel it's necessary is, you know, oftentimes you will find that survivors of domestic violence are in situations and we've seen situations -- personally, I've had staff on my team who have fallen victim to having their address in a situation be put on documents that shouldn't have been put on documents and be put at risk. And so for that reason we found it necessary to make sure that this piece of legislation goes into already crafted police training to ensure that officers are trained on the protocols of this program to ensure that situations like that don't happen again for survivors.

MR. ANGELINO: Were -- were those documents you talked about, were those generated by a police agency?

MR. ZACCARO: I can't recall specifically, but if I'm not mistaken they could have been court documents.

MR. ANGELINO: Thank you.

Is there any other profession or job function or Civil Service position that is covered by this? Is it just police officers?

MR. ZACCARO: Yes.

MR. ANGELINO: So was there a specific problem with a police department or agency or a particular officer that caused this?

MR. ZACCARO: No.

MR. ANGELINO: Okay. So there's no documented failures of the system?

MR. ZACCARO: I -- I just kind of highlighted one of those instances that happened personally to one of my staff members. And so -- I mean, and in talking with other police -- with other law enforcement organizations we found and we've seen that generally roughly a little over 10,000 people, from what we know and from what we've been told, are sometimes affected by this.

MR. ANGELINO: Okay.

MR. ZACCARO: And are -- and also -- let me -- let me take that back. Not are affected by this, but are engaged in this program.

MR. ANGELINO: Okay. So that was like my first

question. How many people are in the program. So we think it's around 10,000 people in New York State. I -- I don't know if you -- so one of my first questions was how many people. So we can surmise it's around 10,000?

MR. ZACCARO: Roughly. I don't have an exact number, but that's what we were told when we were in communication with law enforcement organizations on this bill.

MR. ANGELINO: Will this apply to all police officers in New York State?

MR. ZACCARO: Yes, all local and State police officers.

MR. ANGELINO: And I kind of alluded to it earlier, but this doesn't apply to letter carriers or postal employees, does it?

MR. ZACCARO: No.

MR. ANGELINO: I noticed the fiscal note is TBD, to -- to be determined. Is -- I guess getting down to -- I don't know if this is germane to the bill, but does New York State pay the postage? I -- I know how the system works, but when it goes to that special P.O. Box and then gets forwarded, it's just part of the original postage, correct?

MR. ZACCARO: I'm not sure, because that -- that doesn't speak specifically to this bill, so I'm not sure.

MR. ANGELINO: I -- I didn't think so, either. It was just one of my curiosity things as I started thinking about it.

So we're -- we're directing police agencies across the

State to be trained and awareness in this. Is -- is there any training syllabus or a lesson plan or something that we need to use?

MR. ZACCARO: So, from -- from what I under -- this -- this bill specifically is -- this training is going to be implemented already into existing training that law enforcement officers already receive.

MR. ANGELINO: All right. One of the -- one of the tenets of training is look for an issue, conduct the training. You know, watch the training and then assess the training. Is there any way we're gonna be able to assess if this training was successful?

MR. ZACCARO: So what I can tell you is the bill will mandate that the Division of Criminal Justice Services confirm compliance with training requirements, ensuring accountability across all State and local police departments. And regular reports will also provide transparency and allow for adjustments if certain departments struggle with -- with this implementation.

MR. ANGELINO: Okay. So you have talked to DCJS about this?

MR. ZACCARO: Excuse me?

MR. ANGELINO: Have you talked -- it sounds like you have talked to DCJS about this.

MR. ZACCARO: Well that -- that is what this bill will do, so, you know, and that is what DCJS will be responsible for.

MR. ANGELINO: Okay. So they don't -- they don't know this is coming when it gets passed and signed? It will show up

and it's a law to impact them.

MR. ZACCARO: Like most pieces of legislation that we pass through this House.

MR. ANGELINO: Thank you. Is -- is there a better way we could have implemented this?

MR. ZACCARO: I'm sorry?

MR. ANGELINO: Is there a better way we could implement what the goal of this is, maybe by talking to DCJS first?

MR. ZACCARO: I'm not sure I understand your question.

(Pause)

So I think the goal and the intent here is to ensure that all law enforcement has the information that they need to be able to ensure that this program is being implemented and being used in the appropriate way.

MR. ANGELINO: Thank you very much.

MR. ZACCARO: Sure.

MR. ANGELINO: Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. ANGELINO: On the bill for A.8263-B -- boy -- let me first off be clear. Protecting victims and confidential information is a priority for everybody, and no one in this Chamber is gonna question the importance of confidentiality for the special protected classes covered under Section 108 of the Executive Law. But my question before us today is whether the goal is worthwhile.

The question is whether this bill is even necessary, is it effective, and will it be responsive in its current form.

First, I'd like to ask, what's the problem we're specifically solving? There was no instances of law enforcement failure in the ACP program. Law enforcement officers already receive training and are very sensitive in areas like domestic violence, victim protection and privacy concerns in general. There's no evidence that a lack of this specific mandated training caused any problems.

But another thing we need to talk about is the cost. I noticed this bill in the language says all State police officers. So that's gonna include everybody in CPL classified as a police officer. A forest ranger in the Adirondacks who guards trees is going to have to learn about this. Bridge and Tunnel Authority officers are gonna have to learn about this. Police officers that have no really public facing except in their specific trained duty are all going to have to be trained for this. And this is going to impact police departments across the State. It's time and it's just one more burden. And it's also that the Legislature is basically circumventing the process. We have the DCJS, Department of Criminal Justice Services, which has as a subagency the Municipal Police Training Council. They are tasked with training all police officers in New York State to a standard. And alls we have to do is ask MPTC to look into this, *Is this worthy?* And they will say, *Yes, this is a good idea for detectives, anybody who might be dealing with domestic violence cases.* And if we ask them, *Does a forest ranger need this,* I'm pretty sure they would say no. I

think there's a better way to address this than just sweeping Statewide legislation.

You know, there was no input from the Sheriffs Association, police chiefs, rank-and-file officers. Those are the people who serve on MPTC, Municipal Police Training Council. That's an asset that we created that we should use. You don't need to create a law that is really going to be -- you know, I'll -- I'll never say ignored -- but it won't have the same priority coming from here with only one specific job function affected by it. You know, had we thought about it and engaged MPTC, they would have said something like, *You know who does have access to these confidential documents? Court officers. Probation officers. Parole officers. Corrections officers.* Everybody in the system, and we could have tailored it specifically. That's why this just feels like a flex of the Legislature against police officers, because that's exactly what it is. It doesn't mention letter carriers who are actually handling the mail. And it just seems like this could have been done in a better way.

The good intentions alone that come out of here don't always make great policy, and we owe it to our constituents to do things necessary, that are effective and fiscally responsible. I would encourage my colleagues in the room to think about that, all the missing parts and pieces of this legislation, and maybe we can get a C-print from the B-print.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Read the last section.

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

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Zaccaro to explain his vote.

MR. ZACCARO: Thank you, Madam Speaker. Colleagues, today I rise in support of my bill A.8263-B, that would require the Secretary of State to create and require comprehensive training for local and State police officers on how to properly implement the Address Confidentiality Program. The program is designed to protect survivors of domestic violence, stalking, sexual assault and other serious crimes. It works by allowing participants to use a State-issued substitute address in place of their actual home address across public records, government agencies, schools and law enforcement documents, helping to keep their real location private and secure.

The need for these protections is clear. Data from the National Crime Victimization Survey shows that more than half of violent crimes are never reported. For victims, the fear isn't just about retaliation. It's about losing control over deeply personal information like where they live, work, or where their children go to school. Strengthening awareness and proper use of this program can help remove one more barrier that keeps victims from coming forward.

I rise today not just as a Legislator, but as someone who has listened deeply to the voices of people who know this issue firsthand. This bill is the result of conversations, and it reflects real experiences. It reflects real pain. But also, real resilience. And I want to take a moment to acknowledge the work and that fact that that doesn't just happen in a vacuum, Madam Speaker. One of the people who helped shaped this legislation sits on my very team. She is not only a dedicated public servant, she is also someone who has lived through the very challenge that this bill seeks to address. As a survivor of domestic violence, she brought insight, she brought clarity and urgency to this process that no textbook or briefing paper ever could.

ACTING SPEAKER HUNTER: Thank you.

MR. ZACCARO: And her voice and the voices of many others are reminded of why we do what we do and why this bill is important. And today I'm proud to vote in the affirmative.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Mr. Zaccaro in the affirmative.

Ms. Walsh to explain her vote.

MS. WALSH: Thank you very much, Madam Speaker. So as many of you know, I've spent a good part of my practice in recent years in family court. So this is a program -- this bill is not creating the Address Confidentiality Program. It's been in existence for some time. It -- certainly, the people that work in and

around family court are already extremely well aware of this program, and it certainly has had value for the families that I have seen in family court, and many of them have had issues with domestic violence. And I -- I don't doubt the value of this -- of this program at all. But I think -- I do think that during debate some very important points were brought up about the way that this is being implemented. I think all of us know of all the training that we have to go through, certainly attorneys have to do continuing legal education, accountants have to do continuing education. This is gonna be once every three years. It's going to be, I think, overbroad in the number of law enforcement officers that it's going to -- that are gonna have to do this training. I think that maybe a chapter amendment could be in order to perhaps narrow the scope a little bit or to -- to maybe help fix some of the -- the very valid points that were raised during debate.

I will be supporting the bill because I do think that because it's done once every three years and it can be part of an existing training, I do think that with -- with a few amendments I think it's something that has some value and I will support it. But I do think that -- I do think we need a chapter on this. Thank you very much. I'll be -- I'll be up.

ACTING SPEAKER HUNTER: Thank you.

Ms. Walsh in the affirmative.

Mr. Molitor to explain his vote.

MR. MOLITOR: So with all due respect to my colleagues, nothing has made it harder for domestic violence victims

to be -- to remain confidential than our discovery laws which we passed in this Chamber. The police know to keep addresses confidential. But because of the laws we have now, that information is automatically disclosed to the suspect of a crime.

For all those reasons I'll be voting in the -- the negative. Thank you.

ACTING SPEAKER HUNTER: Mr. Molitor in the negative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 17, Calendar No. 128, the Clerk will read.

THE CLERK: Assembly No. A04713-A, Calendar No. 128, Sayegh, Seawright, DeStefano, Santabarbara, Durso, Shimsky, Glick, Otis, Reyes. An act to amend the Public Service Law, the Public Authorities Law and the General Business Law, in relation to requiring utility companies maintain a toll-free number for reporting service outages.

ACTING SPEAKER HUNTER: An explanation has been requested.

Mr. Sayegh.

MR. SAYEGH: Thank you. Bill A.4713-A is a pretty simple bill. Earlier in our debates and discussions we spoke about the importance with E-ZPass of having a toll-free number, having a number we can call when services are necessary and we can't

reach -- or we can't have access to address our needs. This bill specifically is making sure that New Yorkers can actually reach their utility company when the lights go out, the heat fails, or internet service is interrupted. And what this does specifically require that utility company providers are to maintain a 24/7 toll-free number staffed and capable of handling high call volumes, especially during emergencies, and clearly post on their website whether it's a monthly -- whatever their invoice or billing devices are, a number that is clear for constituents and customers.

In moments of crisis, and all of us have witnessed over the years what was once a Storm of the Century, we're having so many storms, so many interruptions. And now more than ever, although many of the utility companies that we deal with do have 24 service hour toll-free numbers, many do not. And although they may be municipalities, they may be small villages, they must conform and assure that each and every one of us in time of need can have a toll-free number to call and address our outage.

ACTING SPEAKER HUNTER: Thank you.

Mr. Palmesano.

MR. PALMESANO: Yes, thank -- thank you, Madam Speaker. Will the sponsor yield for some questions?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. SAYEGH: Of course.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. PALMESANO: Thank you. I appreciate this.

Who does this bill specifically apply to? Who will be impacted by this?

MR. SAYEGH: This bill impacts utility companies. We -- we specifically look at gas companies, electric companies, steam companies, water, cable, telecomm and -- and internet services.

MR. PALMESANO: Okay. And is this a -- a big problem that's going on around the State that you've heard of?

MR. SAYEGH: It is a problem. We -- we often, you know, hear of so many complaints where a tree falls down and utility companies, you know, are often not given notice. We passed legislation giving a set amount of time. But it's very difficult to allow a customer, a consumer, to make that call and -- and try to get that issue documented so they can have a return of service in the quickest way possible.

MR. PALMESANO: Okay. Have you spoken to the PSC about this legislation? Have they con -- conveyed to you that this is something that's needed to address the issues that are out there?

MR. SAYEGH: No, I haven't spoken to them.

MR. PALMESANO: You haven't spoken to the PSC. Do you have an idea of what a cost estimate would be on this?

MR. SAYEGH: I think the cost is nominal because --

MR. PALMESANO: Nominal?

MR. SAYEGH: -- as I said earlier, you know, most

of the larger companies that deal already have that, and they have the staffing in place. So I believe it would be nominal

MR. PALMESANO: So like my utility, NYSEG -- NYSEG, if -- I've had my power go out, there's a number I can call but it's automated. And they will say, *Yes, there's a problem in your section. We're working on it. We're gonna try to up it as quickly as possible.* Under your bill, that would not be acceptable, correct? They would have to have a live agent staffing that line 24 hours a day, seven days a week; is that correct?

MR. SAYEGH: Yeah, we don't speak to the automated services. It's where staffing exists is where the discussions normally take place.

MR. PALMESANO: Well, it says be attended 24 hours, seven days a week. So you're saying an automated line is okay?

MR. SAYEGH: Yeah, they should -- they should have a staff --

MR. PALMESANO: So that's gotta have a person there answering the phone call.

MR. SAYEGH: (Indiscernible/crosstalk). They should have a person there. But as I said earlier, most do have staffs. When --

MR. PALMESANO: Well, I'm just --

MR. SAYEGH: -- I looked at the list of companies that already, which includes, you know, Con Edison, it includes all the

major companies, they already have staff.

MR. PALMESANO: Now, I know you said this is nominal. Are you aware NYSEG (indiscernible) for the past three years have put in a request to do the staffing and has been turned down by the Department of Public Service because of costs. So ultimately there would be a cost to this. Staffing something 24 hours a day, seven days a week would have salaries, it would have Workers' Comp, it would have insurance. So to say that they're all doing it and it's staffed, there's gonna be a cost associated with that. So that would be something -- they're trying to get a rate -- rate case for that now. So that's gonna be borne by the ratepayer, correct?

MR. SAYEGH: Well, we're not denying. There's a nominal cost. I mean, we can go on discussion --

MR. PALMESANO: Nominal?

MR. SAYEGH: -- of what's nominal and what's not nominal.

MR. PALMESANO: Okay.

MR. SAYEGH: But there is a nominal cost, but the urgency of having a 24 toll-free number, especially when the internet fails and the population we're looking at, many of them that are seniors and others that don't have access to the internet, they need a toll-free number. There's a generation of many of our constituents that if they can't have access to a phone number to make the call, it doesn't happen.

MR. PALMESANO: No, I -- I understand.

So just to be clear. If they have an automated system, now they're gonna have to fully staff that call. They're gonna have the people answer the line in person, as many as you need, right?

MR. SAYEGH: We're not denying there's gonna be -- in some cases a nominal cost. But the -- the need and the urgency of saving lives when times of urgent needs, I think you know all of us agree we rather have the safety and the ability to make that call when there's an urgent need.

MR. PALMESANO: Now, you mentioned -- I have a small municipal electric that maybe has a population, like, 5,000, 6,000 people, 10,000 people. If something happens in a municipality, wouldn't it be -- you know, the first call that people are gonna make are gonna be overseen by the municipality. They're gonna be calling their local mayor, they're gonna be calling their local town board member because of that closeness with the government. But now you're saying instead of that -- I mean, the mayor is gonna be impacted by that. The councilmen's [sic] gonna be impacted by that. All the staff, people who live there. So they're gonna know something's going on. So they're gonna be getting on it right away, wouldn't -- wouldn't you assume?

MR. SAYEGH: Now the bill also includes for small municipalities. To your point, that may have a -- a real true burden and they can justify it. There's an ex -- exclusion clause for those small municipalities --

MR. PALMESANO: But they gotta --

MR. SAYEGH: -- plus -- plus keep in mind that the New York State ISO that serves the majority of the electric needs throughout the State, which is the Independent System's [sic] Operators, you know, manages New York's bulk energy grid. And they for example, working with the and coordinating with the Federal Energy Regulatory Commission, you know, can oversee this process and can assure that small villages and when I looked at the list and there's some 30 or so small villages across the State, you know, they fall under this I -- YNISO [sic], the Independent System. And so it really addresses, to your point, the needs of small municipalities and villages across the State.

MR. PALMESANO: But they would have to apply for this exemption, it's not granted to them automatically, right?

MR. SAYEGH: No. They need to apply for it.

MR. PALMESANO: All right. Let's talk about one other thing. If the PSC believed this was necessary, they believed every -- all these corporations, the utilities needed to have a live agent. They would -- they could authorize it right now without this legislation; is that correct?

MR. SAYEGH: Now they may have issues with it but, you know, our job as legislators --

MR. PALMESANO: No, I understand.

MR. SAYEGH: -- safety and concern.

MR. PALMESANO: I -- I understand -- I understand your intention, I do understand your intention. I'm just -- I'm just

concerned about the unintended consequences of your legislation. So the fact that I brought up that NYSEG (indiscernible) has brought this up in their rate cases to the Department of Public Service and every time it has removed. So now you're saying the Department of Public Service, they're gonna have to accept that if this legislation were to go into effect then, correct?

MR. SAYEGH: Again, my opinion, I feel it's nominal --

MR. PALMESANO: I understand.

MR. SAYEGH: -- and I think the need overrides.

MR. PALMESANO: I -- I -- again, I understand your intent and what you think the need is. I'm just concerned about the unintended consequences.

I want to ask about the -- what about a municipality -- because and I'm -- I -- in a language when you talk about a water corporation, like some municipalities have water and sewer districts and you have, like might affect 200, 500 homes. Would that be -- if there's an outage, some problem there, is that something would they be covered under that, too?

MR. SAYEGH: If it's a water company it would be covered, yes.

MR. PALMESANO: So the municipality that owns that water or sewer district they would have to have someone on staff for that, too?

MR. SAYEGH: Yes. And in many communities

now, I know in my City of Yonkers they have a -- a third-party that oversees and provides and maintains the water system and bills for it. They should be held responsible.

MR. PALMESANO: And I know you mentioned a big municipality like Yonkers. You get into my district, I have populations like 5,000 and now you're saying they have to fully staff seven days a week, 24 hours -- 24 hours --

MR. SAYEGH: If it's a municipality we encourage through this legislation collaboration and communication with small municipalities to work together so that there's a uniform person that may handle water concerns or electric or gas for multiple municipalities or villages. We've been talking consolidation in government with police and fire and other services. This is really no different, it keeps that option open.

MR. PALMESANO: So you think these municipalities have to --

MR. SAYEGH: Not that they have to, they should and they should be given that option.

MR. PALMESANO: But if -- but if -- but if they don't, then you can have a small municipality like 5,000 people that has a water district or a -- a municipal electric, then they would have to have that fully staffed 24 days -- seven -- seven days a week, 24 hour -- over the course of the year. That could be over \$100,000. Now for a small municipality, \$100,000 could be a significant increase in the property tax rate, correct? It's not nominal.

MR. SAYEGH: We would encourage them to consolidate service.

MR. PALMESANO: Well, I understand about that.

MR. SAYEGH: So a small municipality of 5,000 is not creative enough, then maybe they should be taught how to be a little more creative with consolidating and cooperating with local municipalities that -- that have shared common goals.

MR. PALMESANO: So I have a small municipality and they don't have someone on staff. Now they're gonna -- the -- the PSC will fine them and what will those fine amounts be? How much? Isn't the maximum like up to 500- -- \$100,000?

MR. SAYEGH: The fines range anywhere -- under Section 25, New York Public Service Law, the range is anywhere for continued violations, safety violations, false statements as far as rate proceedings or reliability violations. And they can range anywhere from \$100,000, this is the maximum, all the way up to a half a million dollars.

MR. PALMESANO: So --

MR. SAYEGH: But the cost is in the discretion of depending on the extent of the violation and so forth.

MR. PALMESANO: So technically on your legislation if this were to become law, that --

MR. SAYEGH: Well, this is already by the way --

MR. PALMESANO: Yeah. No, I know. I know. But based on if this -- the legislation we have before us becomes law,

now that fine of \$100,000 or more could apply to that small municipality to assess them a penalty that they -- and they then would have to be borne. Wouldn't that ultimately be borne by the property taxpayers and the ratepayers of that municipality? That small municipality?

MR. SAYEGH: If they're violating even before this legislation, it would be under the same existing law, wouldn't it be?

MR. PALMESANO: Yes.

I got a couple more questions I think here. So we did -- we did confer one municipality, a small municipality, or a water and sewer district that's by a municipality they would have to have someone on staff in that municipality 24/7 to answer that question seven days a week. And there would be a cost, even although you believe a nominal cost.

MR. SAYEGH: Nominal cost.

MR. PALMESANO: But again, I will just make that contention and I'll speak on the bill in a minute.

MR. SAYEGH: Sure.

MR. PALMESANO: That -- that -- for that small municipality I know you want them to get together and share a cost but there's still a cost and \$100,000 in salaries, Workers' Comp costs, health insurance costs which are all going through the roof, is gonna be paid for by the people of that district whether through increased utility rates, which they really can't afford now anyway because we know they're getting crushed, or increased water and sewer bills or

increased property taxes, correct? And especially when we talk -- we keep hearing about affordability.

MR. SAYEGH: This really, you know, when you recognize that in -- in most cases, we do have toll-free numbers.

MR. PALMESANO: Right.

MR. SAYEGH: This assures a common standard that throughout the State protects citizens and constituents throughout the State. So although as I say and you say there's an issue of some cost, we always encourage consolidation, especially when it comes to small villages and towns.

MR. PALMESANO: I understand. I really I appreciate your time. Thank you very much.

Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MR. PALMESANO: I appreciate the conversation with the sponsor. I believe he is 100% well-intentioned. The problem is there's gonna be in my opinion significant unintended consequences. I do not believe this is a problem that's out there. If the PSC believed it was a problem they have the authority right now to address this and say, *all the utilities, the water corporations, the municipal electrics, have to have a fully staffed*. Again, NYSEG and RG&E right now have an automated line. If I got -- my power goes -- and I've used it. I've called and someone -- they -- they -- I tell them where they're at and they basically tell you, *yep, we're out -- we're -- our goal is to -- we're act -- working on it*. So they're letting us know

they're working on it, it's automated. You don't have to staff it with someone there answering the phone, paying for their salary, paying for their Workers' Compensation cost, paying for their health insurance, paying for their pension costs, all of those things. And on top of it in their last (indiscernible) rate cases, NYSEG RG&E has asked for this, say, *we'll put live people there for you*. And the DPS has rejected it and probably for good reason because of the cost. To think we need someone there 24/7 and again, some utilities, some people have their own operations right now. But I think -- I get very, very, very concerned when we say for that small municipal electric that serves maybe 5,000 people that might have a water and sewer district. You know in these small communities if something happens in your community, if you're mayor or counsel -- if the electric's going out and you have a municipal electric where the water and sewer's out, they're gonna call the mayor at home. They're gonna call a town board member at home. You don't need a 1-800 number or a toll-free number fully staffed. Think about that, that could be -- so 24 hours, it has three employees at eight hour shifts everyday of the week all year. All -- all year long. That is a significant cost. It's not nominal, it's a significant -- it might not be a significant cost to a bigger municipality like Yonkers or New York City, but to the Town of Bath, to Woodhull, to those communities, Penn Yan, that's a significant cost. And then that's gonna have to be borne by that ratepayer in that district, that's gonna have to be borne by that water and sewer user, by the property taxpayers. I just think this is a solution looking for a

problem and we don't need it. It's complicated.

We keep hearing about the, you know, having the surge. You have to have people for the surge so how many people are online? How many employees? I mean this is significant, and I again, I understand the intentions of the sponsor but we are -- our customers -- I didn't ask the sponsor and I should've, what does this bill do to reduce utility rates? What the an -- I don't have to because we all know it doesn't do anything to reduce utility rates. We aren't doing anything in this Chamber to reduce utility rates. We've had proposals and ideas to reduce utility rates but we don't see them happening. Our electricity rates are 70% higher than the national average right now. If you look to where we were in 2019 pre-CLCPA with 17 cents a kilowatt hour, now we're pushing (indiscernible) 30 cents a kilowatt hour. Our residents are crippled by these costs. And we have -- there's something here that's not gonna reduce their costs, it's gonna increase their costs. This would mandate basically that they -- they have to have -- they have to have this staffing. The PSC would have to approve it, which means it's gonna be part of the rate case. Again, across the board how many employees you need, I don't believe that's nominal.

And I think that's the problem with the meth -- with the thinking in this Chamber sometime. Whenever we spend ratepayers' money, whenever we spend taxpayers' money, we say it's nominal or it's not enough and I think sometimes we forget it's their money and not our money and we're gonna continue to point that out.

I mean, so if we really want to do something to help the ratepayers of the State of New York -- again, remember \$2.4 billion in surplus funds is sitting in NYSERDA accounts right now to pay for green programs that our cus -- constituents don't want. They would rather have direct ratepayer relief right now than subsidize someone's electric heat pump purchase, than subsidize someone's electric vehicle purchase, than subsidize someone's electric lawn mower or its purchase or someone's electric weed whacker. Ask them, they want direct ratepayer relief right now. They don't want more of these green programs that increases your utility bills, increases their taxes. The taxes, fees and assessments of our utility bills represent approx -- represent up to if not more than 20% of the utility bill. Taxes, fees, assessments, surcharges. Many for these for green programs. Let's suspend those charges. Let's provide that direct ratepayer relief. Those are some of the things we should be doing in this House. And I will remind you again, 70% higher than the national average. This whole green energy program that we're talking about because -- I'm just pivoting because it's about cost. It's gonna -- over a quarter of a trillion dollars. And the NYSERDA again, I'll remind you, I know you don't like when I bring it up but I'll continue to bring it up because we've got to keep that in mind --

ACTING SPEAKER HUNTER: Mr. Palmesano, if you could speak to the bill, please.

MR. PALMESANO: Okay. Sure. I -- I believe I am because I'm talking about cost --

ACTING SPEAKER HUNTER: Thank you.

MR. PALMESANO: This bill has cost associated with it. He's -- he admitted that. I'm talking about the cost that our ratepayers are paying right now that they're concerned about and I'm reminding them that this is just another cost on top of the ones that I was about to mention about an increase of \$4,000 on utility bills in the future.

So that's what I was trying to get at, Madam Speaker. But I can wrap it up. I -- I think I made enough of my case on this issue. Again, I appreciate the time, I appreciate our conversation. I know your heart's in it for the right reasons. I think it's well-intentioned, I just think the problem is going to be many costly unintended consequences.

So -- so for that reason, I will be voting in the negative and I urge my colleagues to do to the same.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Ms. Walsh.

MS. WALSH: Thank you, Madam Speaker. Will the sponsor yield for just a few questions?

ACTING SPEAKER HUNTER: Will the sponsor yield? The sponsor yields.

MS. WALSH: Thank you so much. So I've been listening very carefully to the debate that we just had and I apologize if I'm asking a question that you've already answered. But I noticed

on page -- well, several places in the bill, it indicates that the toll-free number shall be attended 24 hours a day, seven days a week. It says that a few times depending on what utility we're talking about; is that correct?

MR. SAYEGH: Yes.

MS. WALSH: Okay. When you -- when you said in the bill, it be attended 24 hours a day, seven days a week, I'm assuming and I think it was presumed by the previous speaker that this would be a person. Was there any consideration or would some -- would an AI chat bot or anything like that be able to satisfy that requirement?

MR. SAYEGH: No. It's very difficult if you don't have a live person to talk to. I mean similar to the earlier debate we -- we had with E-ZPass and the complaints we all hear of somebody doesn't pick up the phone or you can't access. And as I said earlier, you know, when we spoke of nominal cost, we feel it's nominal because it exists in most cases but it doesn't exist in -- in every place. And we also made it clear that if there's an undue burden for smaller communities where the services, the lack of availability is an issue, there's a process to allow an exemption.

You know, so for me I look at this as a necessity, as very often a life-saving device that many people would be very thankful that they have the opportunity when there's a major storm, there's an outrage [sic] going on in their lives, in their businesses, in their communities, their families, that they have access to someone

they can call to at least get the process of repair going.

MS. WALSH: And so that -- and that leads me beautifully into the -- the -- only other remaining question that I have for you which is the expectation is not only that there would be, under this bill, that there would be a live person answering the phone to have that conversation with the customer, but that that person would also be getting the ball rolling I think -- I don't -- just paraphrase what you said, but get the ball rolling to get the problem solved or the -- or it repaired. It's not just simply to receive the call then?

MR. SAYEGH: It's true --

MS. WALSH: And note the outage?

MR. SAYEGH: -- in many -- in many circumstances, communities have individuals that have certain functions but they have multiple functions. So I think anybody that, you know, especially serves a smaller community, a village, a region where you have multiple small communities, you know, the motive has been with this Body and government is to consolidate and utilize individuals, you know, to have multiple task. Because not often would you have an outage involving water or steam or electric or -- you know, so therefore, it's not all these situations occurring at one time. So I -- I see the possibility and it probably does exist where a small village or a town has someone who's prepared to answer calls involved in water, gas, electric and other necessities.

MS. WALSH: Oh, I understand, yeah, that point. I -- I'm just -- I just want a clarification because it seemed as though to me

in my reading of the bill is that it just simply, very simply, just requires a toll- free number for an individual to call and that call will be answered by a live human being.

MR. SAYEGH: Yes.

MS. WALSH: And -- and it doesn't say anything -- in my reading doesn't say anything about what to do once that call has been received reporting the outage.

MR. SAYEGH: Well, the expectation is once the call is made, you know, we have existing policy and laws as to when a utility company must within 30 hours make a repair or replace or remove a tree or restore energy. There's legislation involving customers who may have handicapping conditions or medical conditions that are put on a priority list. So all that is in place. This assures that you can pick up the phone, that the utility company has a posted number where anyone whether they're senior citizens or whomever has access to that phone that everybody knows how to utilize. Not everybody knows how to use the internet and what's up [sic] and every other method that -- in today's times we utilize.

MS. WALSH: Yes. I understand. And as you're saying if I could just summarize what you just said, the -- the obligation of what to do once receiving that reported outage might be contained in other sections of the law or policy but that's not this bill.

MR. SAYEGH: Correct. That's right.

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

MR. SAYEGH: You're welcome.

MS. WALSH: Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MS. WALSH: So I -- I think the part about the bill, again, a very well-intentioned bill that I find troubling is the -- the staffing requirement and the fiscal impact that I really just wanted to put out there. I just did a -- just a quick search that utility companies are increasingly adopting AI to manage power outage complaints. By 2026, AI-driven solutions are expected to manage high volume inquiries, reduce operational costs and improve -- they say improve customer satisfaction, I don't know. Depending on which chat bot you're dealing with, sometimes it improves it and sometimes it's infuriating I guess from my opinion. But these intelligent virtual agents, or IVAs and chat bots, AI voice bots, proactive two-way communication, sentiment and tone analysis. It's -- it's like a -- it's a whole field that's really probably very much beyond me, but I do think that it -- it could be a very good solution to the problem that has been identified by the sponsor of the bill.

My concerns about staffing and costs are going to prevent me from supporting the bill today. But I do appreciate the sponsor for answering my questions.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: Thank you.

Ms. Bailey.

MS. BAILEY: Thank you, Madam Speaker. Would the sponsor yield for a couple questions?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. SAYEGH: Of course.

ACTING SPEAKER HUNTER: The sponsor yields.

MS. BAILEY: I -- you had just mentioned it in the previous line of questioning, but I was hoping and maybe I missed it earlier and I apologize if I did. But on page 2, line 1 where it indicates any municipality shall have the opportunity to petition the commission of an exemption from the requirements of the section if such munic -- municipality can show that such requirements are utterly -- are unduly burdensome. What does that petition process look like?

MR. SAYEGH: Well, that process is a normal process that in many caselaw, in many agencies that exists in law that allows individuals, in this case municipalities, if they feel legislation is burdensome and highly unlikely to achieve or there's stumbling blocks and assuring the compliance that they have a right to submit a request to be -- to be excluded from this legislation.

MS. BAILEY: So in the case of a small village municipal electrical department, that would be then -- are you saying then through the PSC they would -- would it be the governing agency that oversees that utility?

MR. SAYEGH: PSC.

MS. BAILEY: So they would -- then they would petition to the PSC?

MR. SAYEGH: Yes.

MS. BAILEY: Okay. My next question is where it specifically indicates that the toll-free number must be available 24/7.

MR. SAYEGH: Correct.

MS. BAILEY: My colleague mentioned small municipalities. I have a village municipality that has about 600 residents in it. So they already have a means in place that, you know, during business hours, that those calls go into the village office to be answered. And then off-business hours, they go to a 1-800 number. When I'm reading this legislation it is indicating that they have to have a contract with that outside agency for the 1-800 number now 24/7 that it can no longer go into the --

MR. SAYEGH: Well, it doesn't separate. If your village has already a person that's designated to possibly handle all concerns that may -- and direct the call to whomever and whatever agency can apply or fix a problem, you know, then that exists if they have that -- that mechanism in place. As I said earlier, this doesn't restrict that there must be one person handling a toll-free number for a specific whether water bill or gas bill or other related matters.

MS. BAILEY: But this piece of legislation states that they have to have a toll-free number manned 24/7. What if it's a call into the village office that is not a 1-800 number?

MR. SAYEGH: But with this legislation if they have that system in present, in place, what would be their issue of making it or including the 1-800 numbers that goes? Many offices have

multiple numbers and, you know, through my office, I have six numbers in -- in -- in -- in my office that people can call different numbers and they all come to the same source. So if it comes to the same source and you have an individual there, doesn't matter if it comes from a 1-800 number or the present number that the village presently has.

MS. BAILEY: So I guess what I -- my question is, the number that they go into during the day is the direct line into the village office and the individual answers that, they contract with a company off-hours to answer a phone at a 1-800 number. So they don't own that 1-800 number necessarily to then go into their office during the day. But what we're saying in this piece of legislation is now they will have to establish a 1-800 number, have it truncated into their village office for a municipality that has 600 residents that this -- that this electrical department services; is that correct?

MR. SAYEGH: It's correct, but also keep in mind as stated earlier, a village also has the right for the exemption.

MS. BAILEY: Correct.

MR. SAYEGH: So you mentioned small cities and municipalities but a village is also a small municipality.

MS. BAILEY: Correct. And -- and I appreciate that. My concern with that is it is a very small village. So I appreciate you answering my questions.

Madam Speaker, on the bill.

ACTING SPEAKER HUNTER: On the bill.

MS. BAILEY: I like some of my colleagues, I -- I -- the bill again is well-intended but I think when we're looking at a scope of what -- the size of some of these small municipalities to put in a petition now to the PSC for an exemption from a new piece of legislation that there is already a remedy for that municipality on the books, is just one more thing that we're asking them to do. That's going to be an added expense because now they have to engage their village attorney to submit that petition into the PSC for a problem that does not exist. But we have created one with this piece of legislation in my mind.

And for those reasons, I will be voting in -- negative.

Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Gray.

MR. GRAY: Thank you very much, Madam Speaker. Will the sponsor yield?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. SAYEGH: Of course.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. GRAY: Thank you very much, sir. I appreciate it. So when there's a case of an outage and we have say electrical lines that are down, what else is usually effective along that line?

MR. SAYEGH: We -- we said earlier, gas companies, electric, steam, water, cable, telecom.

MR. GRAY: Telecom. So how does this work if the telecom lines are down? How does this work if they're mandated to have a call center or essentially adequate staffing and a toll-free number? How does it work if we don't have telecom services?

MR. SAYEGH: Well, if telecom, you know, would be able to hook up as I said earlier in small communities or villages to a uniform center or individual that will include all these various departments or agencies or needs.

MR. GRAY: Okay. I'm sorry, there was some background noise. A -- again, they -- they can't call anybody. This mandates that they have calling a -- a -- a toll-free number to call but there's no telecom services. How do they --

MR. SAYEGH: Well, this bill doesn't call -- doesn't really include outage at call centers.

MR. GRAY: It requires a toll-free number, correct?

MR. SAYEGH: Yes.

MR. GRAY: For reporting outages, correct?

MR. SAYEGH: Correct.

MR. GRAY: Okay. And there's no telecom services. How's the toll-free number work?

MR. SAYEGH: Correct.

MR. GRAY: Correct, what? How does the number -- how does the number work if there's no telecom service?

MR. SAYEGH: Let me just -- what was your last question?

MR. GRAY: If there's no -- so it -- okay. So it requires a toll-free number, correct? And it requires -- re -- operators to operate that toll-free number, correct?

MR. SAYEGH: Correct.

MR. GRAY: If there's no telecom services, how does it work?

(Conferencing)

MR. SAYEGH: You know, that's a good point. If there's an outage in one area it doesn't mean it's an outage throughout a region or an area. So there'll -- there'll be adequate follow-up, you know, what I would assume from neighboring, you know, companies or groups that would be responsible. I mean, I can see your point of an outage in one area but if telecom is -- is included in that outage, then, you know, there would be supplemental, you know, neighboring companies and groups that would be involved with that.

MR. GRAY: Okay. I'm -- I'm not quite sure how that's gonna work when it's exclusive -- we have exclusive telecom services in a given area how you're going to have a telecom service that's working when they can't. So the person that's supposed to be calling that number, picking up the phone and calling that toll-free number doesn't have any telecom services, it doesn't matter if somebody's on the other end to answer it. There's no way to make the connection.

MR. SAYEGH: Yeah. If there's no -- you know, that's a good point. If there's -- if there's nobody to answer a call, it's

usually a bigger problem, I mean and there's -- you know, we have in place, you know, larger municipalities and agencies and services that generally would be a backup to that, that would have access to the 1-800 number.

MR. GRAY: Okay. So you're familiar with the New York Codes, Rules and Regulations Part 105, correct?

MR. SAYEGH: Yes.

MR. GRAY: Okay. And that requires -- the Public Service Commission requires an emergency response plan?

MR. SAYEGH: Can you -- Mr. Gray, can you please repeat the question?

MR. GRAY: Sure. So you're familiar with the New York Codes, Rules and Regulations Part 105 that requires an electrical emergency response -- re -- response plan, correct?

MR. SAYEGH: That requires emergency response?

MR. GRAY: Correct.

MR. SAYEGH: Right.

MR. GRAY: That -- that's -- re -- requires emergency response plans to be filed with the Public Service Commission, correct? You're familiar with that? You're familiar with that, right?

MR. SAYEGH: We -- we understand it, yes.

MR. GRAY: Yep. Yep. Yep. Okay. So it requires, you know, communications during outages, correct?

MR. SAYEGH: I assume, yes.

MR. GRAY: It already requires some sort of -- some form of communications during outages; is that correct? I mean, they're already covering it.

MR. SAYEGH: It requires communications?

MR. GRAY: Yes. It requires communications, management of the outage.

MR. SAYEGH: Our purpose is to have open communications and allow communications to take place.

MR. GRAY: Okay. Okay. So this bill allows a municipality to petition the Public Service Commission for an exemption, correct?

MR. SAYEGH: Correct.

MR. GRAY: Okay. And it says unduly -- and I quote the bill. It says, *unduly burdis -- burdensome*. Why is that only applicable to a municipality and not smaller as been pointed out earlier, smaller organizations that may not have the operational cap -- capacity to surge up like this?

MR. SAYEGH: Because all the other smaller energy are hooked up to, you know, major bigger providers. As we said earlier, we spoke about the -- the role that the -- that New York State's Independent System Operators, for example, these are examples of when you have small providers, they're usually hooked up to a major provider that oversees. So generally, the only what we feel, you know, available exemptions that truly qualify are small villages and municipalities because they're not hooked up unless they have shared

services and they work as we advised earlier with other small regional villages or towns.

MR. GRAY: Okay. So there are small providers that are out there. They're internet providers and other things that are qualified under this bill to have a 24/7, 800 phone bank, right? So who's gonna pay for these? And I know this question's been asked again and I just want to make sure I'm clear. Who's gonna pay for these additional costs that these operators are going to be required?

MR. SAYEGH: As we said earlier, many have the service available. Those that don't, the cost of cost is in -- in our opinion nominal and as we said, if they follow the practice of consolidation and sharing the services makes it even more nominal. And you know, the -- the actual cost in my opinion, you know and -- and this is from someone that agrees we should hold utility companies, you know, responsible for cost-effectiveness and I think all of us share, you know, in supporting initiatives to try to keep the cost of utilities to down. But at the same time, when we talk in my opinion, nominal cost versus, you know, potentially life-saving methods, you know, I still err on the side of let's make sure although we're fighting to keep costs down, let's not, you know, degrade the need for safety that all of us deserve when there's an outage.

MR. GRAY: Well, I mean, they're already filing plans, they're already PSC-approved. So we already have the capabilities to address these situations that are being monitored by the Public Service Commission as we speak.

MR. SAYEGH: But we don't have a 1-800 number that anyone and everyone is responsible or able to make a call when there's an emergency.

MR. GRAY: Correct. And in many cases we're not gonna have telecom services so an 800-number doesn't mean anything, right? And --

MR. SAYEGH: And there's backup systems that can address those needs. You know, as in any system, we can -- we can go on for hours and say, *well, there's instances, but we have to err in the -- in the need to correct general, you know, inequities and service.*

MR. GRAY: Which goes to my point, there's many points of communication that are already taking place and they're already PSC-approved. So if one system isn't working, there's another system in the plans that are already filed. But we'll go on because we -- we -- we're just not going to agree on that point.

So I -- I hear you mention nominal cost over and over and I respect that remark. But it says, "the capacity to adequately address a surge in phone call volume." What is [sic] adequately mean? And what does a surge -- how is a surge defined?

MR. SAYEGH: Well, adequate -- adequate is making sure that, you know, you -- when you have a 1-800 toll free number, that, you know, you open the avenue for every individual to make that call and that there's someone to help address whenever there's an outage. And adequate, you know, in my opinion is keeping the same standard. Keeping equity that whether in New York City or

Yonkers or small villages, everyone that has a downed tree or an -- an outage of any sort that impacts their utilities and other related services, that there's equity where they can make that call.

MR. GRAY: Okay. So if you -- if you have a -- I'll just -- last thing. So if we have a small city, 20, 25,000 people, there's a outage and there's a thousand calls. A thousand calls don't get answered at the same time because there's not enough people to answer those calls and an 800 -- with an 800 number if they have telecom services. So how does -- what -- I mean, what is the effectiveness of this? Is the program working or is it not working at that point?

MR. SAYEGH: I think we have a 1-800 number works a lot better than not having the 1-800 number. We're addressing those pockets in communities across the State that don't have access to the 1-800 toll-free number.

MR. GRAY: Do -- so you have a cell phone I would assume?

MR. SAYEGH: Yes, I do.

MR. GRAY: Do -- do you pay long distance charges right now on any calls that you make?

MR. SAYEGH: Do I pay for?

MR. GRAY: Long distance? Are there -- is there such thing as long distance calls anymore?

MR. SAYEGH: Not these days. I think it's all inclusive other than international.

MR. GRAY: What's that again? I'm sorry.

MR. SAYEGH: I think it's all inclusive depending on the plan you have other than I believe international calls.

MR. GRAY: Okay. All righty. Thank you very much. I appreciate it.

MR. SAYEGH: You're welcome.

MR. GRAY: Madam -- Mr. Speaker, on the bill. Sorry.

ACTING SPEAKER DILAN: On the bill.

MR. GRAY: Again, you know, everybody's pointed out we're intent -- you know, we're sympathetic to the intent and the -- of the bill here, but there is -- PSC already recovers -- already covers most of the planned outage -- most of the outages that we have and have planned responses for that. So I really think -- I think we're really kind of nuancing this thing when we start to say a toll-free number's required, we have to have staffing that's going to be paid for. I don't think it's as nominal as we think it's going to be and we don't even know if we're gonna have telecom services when we have an outage such as that.

So communications during an outage do matter, but the intent, while it's good, is not a workable design that's outlined in this legislation. So I would encourage my colleagues to vote no.

Thank you.

ACTING SPEAKER DILAN: Read the last section.

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

day.

ACTING SPEAKER DILAN: A Party vote has been requested.

Ms. Walsh.

MS. WALSH: Thank you, Mr. Speaker. The Republican Conference will generally be in the negative on this piece of legislation, but affirmative votes may be cast now at the seat.

Thank you.

ACTING SPEAKER DILAN: Mr. Fall.

MR. FALL: Thank you, Mr. Speaker. The Majority Conference will support this legislation. For those that would like to vote differently, they can do so here in the Chamber.

ACTING SPEAKER DILAN: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Sayegh to explain his vote.

MR. SAYEGH: Yes, Mr. Speaker, on the bill.

This is a common sense consumer-focused measure that strengthens communication, improves emergency response and ensures no New Yorker is left in the dark. It is a low burden, high impact that most utility companies already have call centers. This standardizes and strengthens existing practices and it has no fiscal impact on the State.

Isn't it necessary utility companies have numbers? And -- and I say, some do but not all meet these standards. The bill

ensures consistency. This is common sense. This is recognizing that also -- and all -- in addition to fighting the need to keep utility costs down, doesn't mean we stop looking at utility companies and any other form of companies from doing what they're contracted to do so when they serve the public, the public deserves to have an opportunity to make a call to that utility company. And when there's an emergency and it impacts our families and our constituents, we hope that they have a 1-800 number because their home is damaged, their family may be seriously harmed, there's a tree on their -- downed wires, there's serious interruption in their electricity and someone may be on emergency, you know, medication or emergency equipment that deserves and needs electric care.

So I urge my colleagues that we say nominal, but the need for life-saving devices and equality and equity in service is crucial. I urge my colleagues to vote for this legislation.

ACTING SPEAKER DILAN: Mr. Sayegh in the affirmative.

Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 21, Calendar No. 165, the Clerk will read.

THE CLERK: Assembly No. A06561-B, Calendar No. 165, Weprin, Meeks, Jacobson, Santabarbara, Otis, Sayegh, Hyndman. An act to amend the Insurance Law, in relation to including image-guided biopsies under certain insurance coverage for

breast cancer screening.

ACTING SPEAKER DILAN: An explanation has been requested.

Mr. Weprin.

MR. WEPRIN: Yes. Thank you, Mr. Speaker. This bill amends Section 3216, 3221 and 4303 of the Insurance Law to require insurance coverage for image-guided breast biopsies for breast cancer detection. As we all know, breast cancer is one of the most prevalent and deadly forms of cancer. Every year, over 16,000 New Yorkers are diagnosed with breast cancer and about 2,500 die from the disease. It is estimated that 1 in 8 women will develop breast cancer during their lifetime. Breast cancer is also one of the most treatable cancers if caught early. It is essential to find breast cancer early and in its most -- in its most curable stage and be able to act on those findings.

ACTING SPEAKER DILAN: Ms. Walsh.

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

ACTING SPEAKER DILAN: Will the sponsor yield?

MR. WEPRIN: Yes.

MS. WALSH: Thank you.

ACTING SPEAKER DILAN: The sponsor yields.

MS. WALSH: Thank you. Thank you very much. So could you just describe what an image-guided breast biopsy is?

How -- how is it -- how is it performed?

MR. WEPRIN: Give me a minute, please.

MS. WALSH: Sure.

(Conferencing)

MR. WEPRIN: Image-guided breast biopsies are a type of needle biopsy in which an imaging modality is used to more accurately perform a biopsy of abnormal breast tissue. This image could be done through a mammogram, ultrasound or MRI.

MS. WALSH: And this bill -- thank you. This bill would say that regardless of the modality that's used to assist the needle in the biopsy that it would be paid for for the patient and that there would be -- there would be no -- is there no co-pay on this either?

MR. WEPRIN: No -- no co-pay.

MS. WALSH: No co-pay. And -- and does this include only private health insurance plans?

MR. WEPRIN: Yes, only private health insurance plans.

MS. WALSH: So in other words, companies and some larger companies, some smaller companies, too, that self-insure, this mandate would not apply to them, correct?

MR. WEPRIN: That's correct.

MS. WALSH: Okay. I noted that -- I mean, this -- this Chamber, this Body has done a lot of work in recent years to approve a number of different coverages that will impact private

health insurance plans. In the space and surrounding breast cancer specifically, in the research that I was doing covers diag -- screening and diagnostic imaging including diagnostic mammograms, breast ultrasounds or MRIs upon the recommendation of a physician, coverage of baseline mammograms for covered persons age 35 to 39, annual mammograms for persons age 40 and older, coverage for mammograms at any age for a covered person who has prior history of breast cancer, breast cancer risk assessments, genetic testing and medications to reduce the risk of breast cancer. So why do we need to take this additional step and approve this additional image-guided biopsy to the list of things that we already mandate that private insurance plans provide?

MR. WEPRIN: Well, it clarifies it and codifies it because it is such a problem and early screening clearly will save lives.

MS. WALSH: Do you have any data or information about the number of these image-guide -- image-guided biopsies that are performed each year in New York or anything along that -- that line of how prevalent is this test?

MR. WEPRIN: My understanding is -- is preferable to a more invasive biopsy, but we -- we can get you those statistics.

MS. WALSH: So a more invasive biopsy would be something that didn't involve a -- a needle necessarily or it would be an unguided needle or it would be an actual incision and removal in the area of where the suspected tumor is?

MR. WEPRIN: I think that's correct.

MS. WALSH: Okay. Thank you. And what is the -- the likely increase cost to healthcare plans for covering this additional mandated procedure? Is there a sense --

MR. WEPRIN: Well, in many cases they're already covering it so we don't expect it to be a -- a substantial increase.

MS. WALSH: Okay. And -- I -- and I apologize if this -- if you've already gone over this, I just wasn't clear. For an image-guided breast biopsy to be covered under this legislation, would there need to be a recommendation from the treating physician or prior -- is there prior approval that's gonna be required or no?

(Conferencing)

MR. WEPRIN: Yeah, as a preventive service it -- it should be covered and all of the above.

MS. WALSH: Okay. So will be without the need for any prior insurance approval, it will be just allowed if the physician -- treating physician wants it, then -- then it will occur --

MR. WEPRIN: That is correct.

MS. WALSH: -- without co-pay. Thank you so much. I -- I was interested to see that there is an independent volunteer panel of national experts in disease prevention and it's probably pronounced like an acronym, but it's USPSTF, which is the United States Preventive Services Task Force. That is -- has this procedure, this service that would be mandated under this legislation is not on that list of insurance-covered services formerly

recommended by USPSTF. So, there are some that oppose this bill that are pointing that out as a reason for not approving -- not approving the bill -- this bill or -- or not approving this procedure. I just wanted to give you an opportunity to address that concern.

(Conferencing)

MR. WEPRIN: My understanding it's recommended if there's an abnormal screening. So again, we want to get as much, you know, prescreening as possible in -- in -- in light of the fact that this is very treatable if it's discovered early.

MS. WALSH: Thank you very much, Mr. Weprin. I appreciate your answers to my questions.

Mr. Speaker, on the bill.

ACTING SPEAKER DILAN: On the bill.

MS. WALSH: So, I am the -- the daughter of a breast cancer survivor. My mom lived another 35 years, plus years after her breast cancer diagnosis and I'm the sister of a current breast cancer patient. So I feel like this, for me, this bill hits very close to home for me. I will be supporting it, but I also think that it in -- in fairness, I want to talk a little bit about what the impact of a yes vote on this bill has -- has on the insurance industry because it -- it would take me probably half of my remaining time to just list all of the groups that are opposed to this bill. And I want to in fairness to them talk a little bit about what their concerns are.

The New York Health Plan Association, the HPA, they claim that while the bill is well-intended, it will increase the cost

of health insurance for New Yorkers. Here's how it does that, okay. So this bill as we established during debate applies to private health insurance plans. So it mandates benefit -- it's mandated benefit bills pertain only to fully insured policies. So if you are with a very big company or maybe a smaller company that self insures, this bill does not impact you as an employee. Large companies self insure around roughly 50-55%, is the estimate that I saw, of the commercial market in New York is covered under a self-insured plan. So -- and -- and really, this exemption of not -- not being subject to State-mandated benefits is a key reason that they do self insure because it ends up being less expensive for them. So as more employers self insure in reaction to the passage of bills like this, the State laws affect an increasingly smaller portion of the marketplace and then -- then that then falls largely on small and medium-sized employers that are relying on private health insurance plans rather than being self-insured.

So that's kind of how the -- if you follow the dollar, that's -- that's what the impact is. As we -- as we as a Legislature approve more mandated coverage on these private insurance plans, it ends up costing the remaining companies and places that are utilizing private health insurance plans, it jacks up the rates. And I remem -- I remember that. One of my past lives, I was -- I handled HR and benefits for our family business and I remember with great concern every year when we would get the estimate of how much the insurance was going to be going up on a yearly basis and it was -- it

was always concerning to us, especially as a small employer. I mean, we had about 50 employees at the time. Now the company has well over 200, but at the -- and self insures, actually. But at the time, we were using -- utilizing private insurance plans. And we would get, you know, notice that there'd be a 13% increase in a given year or 17% increase in a given year.

So I mean that's the concern of some of the opposition to the bill. The Business Council, probably largely for the same reasons, the National Federation of Independent Business or NFIB, the Capital Region Chamber, Northeast Dairy Food and Suppliers Associations, the Food Industry Alliance, the Associated Builders and Contractors of Empire State, Upstate United, I mean it goes on. I could, like I said, I could name a few more. But that's the concern. I -- I think that as far that organization that I mentioned, that independent volunteer panel, the USPSTF, they haven't listed these types of image-guided biopsies to their list of recommended -- recommended treatments or interventions, but we have already as a State in previous legislation already gone beyond what USPSTF has recommended. We've done it before and I -- I won't read the list out again, but we've done a lot of work in this space surrounding breast cancer and I think a lot of the reason why we do is that we -- we know that statistically 1 in 8 women in their lifetimes are going to deal with a breast cancer diagnosis. And the idea that we could use image-guided needle biopsy and do something that's less invasive that is going to provide better upfront diagnostics and therefore better,

more timely and more efficacious treatment. That's something that we all want to see for our loved ones. I know I certainly wanted to see it for mine and I'm sure you do for yours as well.

So while there is a concern that this is going to raise insurance rates, I think that I would rather see us do that work in trying to reduce insurance rates somewhere else because I plan on -- I plan to support this bill.

Thank you very much to Madam Speaker, I appreciate it. Thank you to the sponsor.

ACTING SPEAKER HUNTER: Thank you.

Read the last section.

THE CLERK: This act shall take effect on January 1st, 2027.

ACTING SPEAKER HUNTER: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mr. Weprin to explain his vote.

MR. WEPRIN: Thank you, Madam Speaker. Image-guide -- guided biopsies are crucial in discovering and identifying treatment paths forward. By expanding coverage for image-guided breast biopsies, this bill will ensure that New Yorkers have access to the life-saving screenings and procedures that they need. This bill will not only save lives, but also reduce health disparities and promote health equity in our State.

I proudly vote in the affirmative.

ACTING SPEAKER HUNTER: Mr. Weprin in the affirmative.

Mr. Dais to explain his vote.

MR. DAIS: I was -- I was listening to the debate. It made me think back to when I was a kid. I was about seven years, out -- looking outside of a window at a hospital. There was three smokestacks that were probably Long Island City and it was from my mom's hospital -- hospital room. It was her first time dealing and fighting with breast cancer. My mother is a stronger, beautiful woman who's a three-time breast cancer survivor.

The reality is here in New York, 16,000-17,000 women a year are diagnosed with breast cancer. Roughly 2,100-2,500 New York women die from breast cancer. But additionally something that's not talked about, 1% of breast cancer is now rising in men. About 250 New York men die from breast cancer.

So I'm always respectful to our businesses, I don't want to elevate cost to them. But if we can do screenings that can help with early detection, we know firsthand that the earlier you can detect breast cancer in someone's body, they have a legitimate chance of beating it. And I think in the long run we will actually save money because chemotherapy, trust me, I know personally from my family, is very expensive. Multiple rounds of chemotherapy are very expensive. And so making sure that New Yorkers have early access and imaging that can help stop the spread of breast cancer going from stage 1, 2, 3 and 4 is the difference between a life and death for our fellow New

Yorkers.

And for that reason, I will be voting in the affirmative. Thank you.

ACTING SPEAKER HUNTER: Thank you.

Mr. Dais in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mr. Fall.

MR. FALL: Thank you, Madam Speaker. I believe we have one more bill on the debate list. Can we turn our attention to Calendar No. 79 on page 12 by Mr. Fall?

ACTING SPEAKER HUNTER: Thank you, Mr. Fall.

Page 12, Calendar No. 79, the Clerk will read.

THE CLERK: Assembly No. A02093-C, Calendar No. 79, Fall, Cunningham, Bores, Santabarbara, Alvarez. An act to amend the General Business Law, in relation to enacting the "Consumer Protection and Automotive Transparency Act."

ACTING SPEAKER HUNTER: An explanation has been requested.

Mr. Fall.

MR. FALL: Thank you, Madam Speaker. This bill aims to increase transparency in automotive labeling by ensuring the materials used in the interior of a new automobile are clearly visible

and easy to understand by consumers.

ACTING SPEAKER HUNTER: Mr. Gandolfo.

MR. GANDOLFO: Thank you, Madam Speaker.

Would the sponsor please yield for a couple of questions?

ACTING SPEAKER HUNTER: Will the sponsor yield?

MR. FALL: I yield.

ACTING SPEAKER HUNTER: The sponsor yields.

MR. GANDOLFO: Thank you, sir. So first, why do we need this bill? Is there any evidence that consumers are filing complaints that they don't know exactly what their interior motor vehicle components are made out of?

MR. FALL: Absolutely, yeah. So this bill's all about transparency. There have been cases in the past where manufacturers have misled the public on the type of materials that are in the vehicle and this only relates to interactive surfaces within the vehicle such as the wheel, the gearshift, the seats. And the whole idea here is if consumers are purchasing a vehicle with the -- and -- with the hope of having the specific type of material that they would like in that vehicle, that they're actually getting what they're purchasing.

MR. GANDOLFO: Okay. Would the interior carpeting fall under that as well? Being interactive?

MR. FALL: Not the -- the carpet wouldn't fall under this legislation.

MR. GANDOLFO: Okay. Is this information

currently provided or available through any current materials that a manufacturer might supply? Like an owner's manual, a spec sheet?

MR. FALL: Well, cur -- currently it's not. But what this bill would do it would require moving forward that manufacturers put that information on any marketing material. They would disclose the type of material that is in the vehicle --

MR. GANDOLFO: Okay. And is --

MR. FALL: -- as it relates to interactive surfaces.

MR. GANDOLFO: Right. Gotcha. Now is -- would this only apply to manufacturers or would a dealer who is advertising one these vehicles in some kind of flyer promotion and say, *we're offering this car with this package*. Would they then have to denote what the interactive materials are made out of if they're promoting some kind of upgraded interior?

MR. FALL: Yeah. They would only apply to manufactures.

MR. GANDOLFO: So -- okay. So that would apply to, you know, let's say Mazda, Volkswagen, on their website they would have to denote what everything is made out of?

MR. FALL: That is correct.

MR. GANDOLFO: Okay. Now, would there be any requirement for a physical label inside of the vehicle?

MR. FALL: No. It is only on marketing material.

MR. GANDOLFO: Okay. And I -- and I ask because if we're looking in Section 3, if you go down to line 27 it says,

label made -- label means any tag, label or other writing that is attached to or accompanies an automotive product.

MR. FALL: Which would be in the marketing material.

MR. GANDOLFO: Okay. So that would accompany the vehicle and -- it doesn't necessarily have to be attached but if there is a -- if there is a tag attached, it would have to include the composition?

MR. FALL: Correct. And --

MR. GANDOLFO: Okay.

MR. FALL: -- we wouldn't want that -- it wouldn't be aesthetically pleasing for anyone if --

(Crosstalk)

MR. GANDOLFO: Right if everything is tagged up. Yeah, it's not a great look. Now there's some exceptions in here. If it's genuine leather it can say -- the manufacturer can promote it as being leather. But if it's a vegan leather or some kind of PVC material, they would have to denote faux leather or vegan leather; is that correct?

MR. FALL: That is correct.

MR. GANDOLFO: I've seen some manufactures use the -- the term "leatherette". Does that -- where does that fall under here? Is that -- are they still permitted to use that term? I think, and I don't know if they still do but for a while Volkswagen's offerings typically used the term "leatherette" in their interiors.

MR. FALL: Yeah. So, pretty much if it falls under the definition of leather, they can advertise it as such.

MR. GANDOLFO: Okay. So if it's some kind of resin material, then -- because the leatherette - and I looked up what it is - it's some kind of resin, PVC match that they would then -- I guess, would leatherette be implying that it's leather?

(Conferencing)

MR. FALL: Yeah. The bill doesn't speak -- yeah, so on line 47 it clarifies that if it doesn't fall under that category then they can't advertise it as leather. It has to -- it would have to be -- and again, this bill is modeled off of the European standards which pretty much says it would have to be between 60-70%, and so if that leather does not meet that criteria, then they cannot advertise it as leather.

MR. GANDOLFO: Okay. And now, what in terms of -- let's say there's a mixed material seating surface. You have leather, some kind of artificial leather with a suede center part. Would -- would they have to break down the composition of each component of that seat? Does that make sense? Like have you ever seen the seats with the leather liners and then the middle is either suede or cloth?

MR. FALL: Yeah. Under this bill that would have to be transparent.

MR. GANDOLFO: Okay. So in each their own, the seat would be, you know, the outer portion is 100% genuine leather, the inner portion is suede made of whatever material.

MR. FALL: That would have to be transparent, yes.

MR. GANDOLFO: Okay. And how is the composition determined? Is it by weight of the material in the -- the fabric or whatever interactive surface or is it surface area?

MR. FALL: That would be at the manufacturer's discretion.

MR. GANDOLFO: Okay. So they have some leeway there?

MR. FALL: Mm-hmm.

MR. GANDOLFO: Okay. And just so -- just to clarify one more time, this would not involve physical stitched-in or glued-on tags, this is solely in the marketing materials, the websites, the brochures from the manufacturer, not from the dealerships?

MR. FALL: That is correct.

MR. GANDOLFO: Okay. That answers all my questions. Thank you, Mr. Fall.

Thank you, Madam Speaker.

ACTING SPEAKER HUNTER: 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.

Mr. Fall.

MR. FALL: Madam Speaker, do you have -- do we have further housekeeping or resolutions?

ACTING SPEAKER HUNTER: We do not have any housekeeping. We have a bunch of resolutions but let us first wish our Majority Floor Counsel John Knight a happy birthday.

(Applause)

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. 1287 through 1291 were unanimously approved.)

Mr. Fall.

MR. FALL: Madam Speaker, can you call on Ms. Clark for an announcement?

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

MS. CLARK: I'm here for the surprise announcement that there is Majority Conference immediately following Session. Majority Conference in the Speaker's Conference Room immediately following Session.

ACTING SPEAKER HUNTER: Immediate Majority Conference, Speaker's Conference Room after the adjournment of Session.

Mr. Fall.

MR. FALL: I now move that the Assembly stand adjourned and that we will reconvene at 10 a.m., Thursday, May 7th, tomorrow being a Session day.

ACTING SPEAKER HUNTER: Thank you. 10 a.m. tomorrow.

On Mr. Fall's motion, the House stands adjourned.

(Whereupon, at 3:58 p.m., the House stood adjourned until Thursday, May 7th at 10 a.m., that being a Session day.)